

Fiscal Estimate Narratives

LFB 10/19/2017

LRB Number	17-3943/1	Introduction Number	AB-0542	Estimate Type	Original
Description changes to administrative rules for mental health services providers and mental health services provided in schools					

Assumptions Used in Arriving at Fiscal Estimate

2017 Assembly Bill 542 would modify current administrative rules (DHS 105 and DHS 107) to reflect statutory changes that were enacted in 2009 Wisconsin Act 28 and 2015 Wisconsin Act 294. The Department of Health Services (DHS) indicates that it has already implemented the provisions of these acts and has notified affected health care providers of the program changes. Consequently, Assembly Bill 542 would have no fiscal effect, since the bill would conform DHS medical assistance (MA) rules with previously enacted legislation. The bill contains no changes to authorized funding or state positions.

2009 Act 28 included provisions that: (a) expanded the previous definition of a "licensed mental health treatment professional" to include clinical social workers, marriage and family therapists, and professional counselors and required DHS to include licensed mental health treatment professionals and licensed psychologists as providers of psychotherapy and alcohol and other drug abuse services under the state's MA program; (b) prohibited DHS from imposing certain conditions for these services under the MA program; and (c) repealed the requirement that certain services be prescribed by a physician in order to be eligible for MA reimbursement. These statutory provisions took effect January 1, 2011. The act increased the MA benefits appropriations by \$810,000 (\$324,000 GPR and \$486,000 FED), beginning in 2010-11, to reflect anticipated increases in costs relating to these provisions.

2015 Wisconsin Act 294 created a definition of "licensed treatment professional" and directed DHS to certify and reimburse licensed treatment professionals for mental health services provided in schools under the state's MA program to the extent allowable by the U.S. Department of Health and Human Services. In addition, the act prohibited DHS from requiring a mental health clinic or an individual licensed treatment professional, who is otherwise authorized to provide outpatient mental health services at a school, to designate the school site as a clinic office in order to provide outpatient mental health services at a school. These statutory provisions took effect on April 1, 2016. DHS was not asked to prepare a fiscal note to the bill, and the act contained no funding changes.

The statutory changes enacted in 2009 Act 28 and 2015 Act 294 were expected to increase MA benefits costs because they were intended to increase access to MA-covered mental health services, including services provided in schools. DHS indicates that it has implemented the provisions of both acts.

Long-Range Fiscal Implications