

1989 Senate Bill 139

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1989 WISCONSIN ACT 83

AN ACT relating to reports by the department of health and social services to the legislature on activities to maximize medicare reimbursement to nursing homes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

PREFATORY NOTE: This bill was developed for the legislative council's special committee on nursing home reimbursement. That committee was directed to study the nursing home reimbursement formula under which payment for care is provided to nursing homes and certain community-based residential facilities under medical assistance (also referred to as "medicaid" or "Title XIX").

Currently, the department of health and social services (DHSS) is prohibited from reimbursing, by medical assistance, the cost of nursing home care that is reimbursable by medicare (also referred to as "Title XVIII"). Reimbursement for medicare covered services is fully federally funded, whereas reimbursement for medical assistance covered services is partly state funded and partly federally funded. However, because the amount of nursing home care that is covered, or eligible for coverage, under medicare is not currently reported to DHSS, it is difficult to determine to what extent medicare reimbursement for nursing home care is maximized. Because of factors such as recent changes in federal law expanding medicare coverage of nursing home services and the frequent refusal by medicare fiscal intermediaries to provide coverage for various nursing home services, DHSS is currently undertaking activities to determine whether medi-

care coverage for these services is being and will continue to be provided to the fullest extent possible.

This bill requires DHSS to report on or before April 1 of 3 successive years (1991, 1992 and 1993) on the activities undertaken by DHSS to maximize reimbursement of nursing home costs by medicare during the previous calendar year. DHSS is also required to include in the reports the medicare maximization activities planned for the calendar year in which the report is submitted.

SECTION 1. Nonstatutory provisions; report on medicare reimbursement maximization activities. By April 1, 1991, 1992 and 1993, the department of health and social services shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided for under section 13.172 (3) of the statutes, on the activities undertaken by the department to maximize reimbursement of nursing home costs through medicare coverage under Title XVIII of the federal social security act, 42 USC 1395 to 1395ccc, during the previous calendar year and on the medicare reimbursement maximization activities planned for the calendar year in which the report is submitted.
