
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: March 25, 2021

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2021 Assembly Bill 148

**Senate
Amendment 1**

2021 ASSEMBLY BILL 148

2021 Assembly Bill 148 addresses certain aspects of Medical Assistance (MA) reimbursements for hospital services during the COVID-19 pandemic, MA claims data sharing, and the process for credentialing a health care provider from out-of-state.

MA Reimbursements

The bill requires the Department of Health Services (DHS) to provide MA reimbursements to a hospital, or, in some cases, make supplemental payments, under the BadgerCare Plus program, for:

- Nursing-facility level care when a nursing facility is not available to provide that care during the COVID-19 public health emergency declared by the Secretary of the U.S. Department of Health and Human Services (U.S. DHHS) or until January 1, 2022, whichever is earlier. As specified in Assembly Amendment 2, the hospital must make a “reasonable attempt” to locate a nursing facility, and include in the notification to DHS a statement that it has been unable to locate a suitable nursing home placement in its community for each individual.
- Outpatient services that are otherwise covered when provided at an inpatient facility but are not provided at an inpatient facility due to the pandemic, during the COVID-19 public health emergency declared by the U.S. DHHS Secretary or until January 1, 2022, whichever is earlier.
- Hospital-associated services provided in a home setting that are otherwise covered when provided as inpatient hospital services, until January 1, 2022. If federal standards are met, a hospital is not required to be licensed as a home health agency for those services.

MA Utilization Data

The bill requires DHS to provide all fee-for-service and managed care encounter claims data under the BadgerCare Plus MA program to a health care data aggregator that requests the information. DHS must provide the information every six months, and the health care data aggregator must de-identify the data and make it available to the public.

Out-of-State Health Care Providers

Lastly, the bill requires DHS to grant a temporary state credential to a health care provider who holds a valid current credential from another state. As part of the process, the provider must apply for a permanent state credential within 30 days of first providing services in Wisconsin, unless the services are only provided during the COVID-19 public health emergency declared by the U.S. DHHS Secretary.

SENATE AMENDMENT 1

Senate Amendment 1 removes the MA reimbursements to a hospital for outpatient services, and for hospital-associated services provided in a home setting. The amendment also removes the provision for sharing MA claims data with a health care data aggregator.

The amendment maintains the provision for MA reimbursement to a hospital for nursing-facility level care, the hospital exemption from licensing as a home health agency if federal standards are met, and the process for a health care provider from another state to obtain a temporary state credential.

BILL HISTORY

On March 17, 2021, the Assembly passed the bill, as amended by Assembly Amendment 2, on a voice vote.

On March 23, 2021, the Senate adopted Senate Amendment 1, and concurred in the bill, as amended, on voice votes. The Assembly then concurred in Senate Amendment 1 on a voice vote.

MSK:jal