



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3740/1
TJD:amn

2019 BILL

1 **AN ACT to create** 49.46 (2) (b) 21. and 49.46 (2) (bv) of the statutes; **relating to:**
2 physical health services and acupuncture under Medical Assistance program
3 and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill increases the Joint Committee on Finance's supplemental appropriation by \$500,000 in each fiscal year of the biennium for the purpose of increasing reimbursement rates for physical health services under the Medical Assistance program. Physical health services are nonpharmacologic interventions used for treatment or mitigation of pain, including chiropractic methods and physical therapy. To obtain the supplement, the Department of Health Services must submit a proposal for the reimbursement rate increase to and receive approval of the proposal from JCF.

The bill also includes acupuncture provided by a certified acupuncturist as a reimbursable benefit under the Medical Assistance program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for an acupuncture benefit under the Medical Assistance program.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

BILL**SECTION 1**

1 **SECTION 1.** 49.46 (2) (b) 21. of the statutes is created to read:

2 49.46 (2) (b) 21. Subject to par. (bv), acupuncture provided by an acupuncturist
3 who holds a certificate under ch. 451.

4 **SECTION 2.** 49.46 (2) (bv) of the statutes is created to read:

5 49.46 (2) (bv) The department shall submit to the federal department of health
6 and human services any request for a state plan amendment, waiver, or other federal
7 approval necessary to provide reimbursement for the benefit par. (b) 21. If the
8 federal department approves the request or if no federal approval is necessary, the
9 department shall provide the benefit and reimbursement under par. (b) 21. If the
10 federal department disapproves the request, the department may not provide the
11 benefit or reimbursement for the benefit described under par. (b) 21.

12 **SECTION 3. Nonstatutory provisions.**

13 (1) PHYSICAL HEALTH SERVICES REIMBURSEMENT.

14 (a) *Definitions.* In this subsection, “physical health services” means
15 nonpharmacologic interventions used for the treatment or mitigation of pain,
16 including chiropractic methods and physical therapy.

17 (b) *Proposal required.* To obtain supplemental funding under this act, the
18 department of health services shall submit under s. 13.10 to the joint committee on
19 finance a proposal to increase reimbursement rates under the Medical Assistance
20 program for physical health services. The joint committee on finance may
21 supplement the appropriation under s. 20.435 (4) (b) from the appropriation under
22 s. 20.865 (4) (a) if the joint committee on finance approves the proposal submitted
23 under this paragraph. Notwithstanding s. 13.101 (3), the joint committee on finance
24 may make a supplementation under this subsection without finding that an
25 emergency exists. If the joint committee on finance approves the proposal, the

BILL

1 department of health services shall increase reimbursement rates for physical
2 health services as approved.

3 **SECTION 4. Fiscal changes.**

4 (1) PHYSICAL HEALTH SERVICES REIMBURSEMENT. In the schedule under s. 20.005
5 (3) for the appropriation to the joint committee on finance under s. 20.865 (4) (a), the
6 dollar amount for fiscal year 2019-20 is increased by \$500,000 to increase
7 reimbursement rates for physical health services under the Medical Assistance
8 program under SECTION 3 (1) of this act. In the schedule under s. 20.005 (3) for the
9 appropriation to the joint committee on finance under s. 20.865 (4) (a), the dollar
10 amount for fiscal year 2020-21 is increased by \$500,000 to increase reimbursement
11 rates for physical health services under the Medical Assistance program under
12 SECTION 3 (1) of this act.

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(END)