
Wisconsin Legislative Council

ACT MEMO



Prepared by: Kelly McGraw, Staff Attorney

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2023 Wisconsin Act 68 [2023 Senate Bill 248]

County of Residence for Care Management Organization Facility Placements

2023 Wisconsin Act 68 specifies that when a care management organization places or arranges for placement of an individual into a facility, the individual remains a resident of the county in which the individual resided immediately before the individual's initial placement.

BACKGROUND

Wisconsin state agencies and local units of government provide programs to meet the needs of adults with intellectual or developmental disabilities, some of which offer health and long-term support services in community settings. Generally, the county has the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, and drug dependent citizens residing within the county and for ensuring that those individuals in need of such emergency services receive them.

Wisconsin law generally provides that the county of residence of an individual aged 18 or older with developmental disability or serious and persistent mental illness, degenerative brain disorder, or other like incapacity who is residing in a facility is the county of responsibility for the individual. A county of responsibility means the county responsible for funding the provision of care, treatment, or services to an individual under certain Wisconsin laws.

Except for certain emergency services or placement, if a county department or an agency of a county department places or arranges for placement of an individual into a facility, the individual is a resident of the county of that county department. Placement of an individual by a county department or an agency of a county department in a facility outside the jurisdiction of the county department or agency does not transfer the individual's legal residence to the county in which the facility is located.

2023 WISCONSIN ACT 68

2023 Wisconsin Act 68 specifies that when a care management organization places or arranges for placement of an individual into a facility, the individual remains a resident of the county in which the individual resided immediately before the individual's initial placement. A care management organization means a managed care organization that is under contract with the Department of Health Services to provide the Family Care benefit, the Family Care Partnership benefit, or the benefit under the program of all-inclusive care for the elderly under federal law.

Effective date: December 8, 2023

For a full history of the bill, visit the Legislature's [bill history page](#).

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