

WiMHCA Members:

I wanted to get this update to you regarding the Outpatient Clinic rules. As many of you know HFS 35 was sent back to the department for Revisions.

On September 18, 2008, Senator Jon Eppenbach, Chair of the Committee on Health, Human Services, Insurance and Job Creation and the committee members heard testimony from LPCs, LMFTs, and LCSWs on HFS 35. There were those in favor and those opposed to the rules who presented their thoughts in a very professional manner. This was a Listening Session.

The decision by the committee to send the proposed rule back to the department will hopefully allow a piece of Legislation to be presented that will meet the needs of the masses.

While it would be wonderful to not have Clinic rules and strictly have Vendorship, that is not going to happen. To refresh your memory, the social workers (NASW-Wi) introduced a bill for Vendorship that did not receive favorable vote last session.

The clinic rules are primarily for those who work with and want to be reimbursed by Medicaid /Medicare. In order to receive payment one must work in a state certified clinic. To change this rule, there must be a change in Statute.

Changing Statute is an even more arduous process than what has been involved with the Clinic Rule.

For many who testified the areas of contention seem to center around the required personnel for the clinic, Surveyors "dropping in" unannounced at the clinic to check files, etc. and what is expected to be in the files.

It is hoped that Katie Plona, Dan Zimmerman, Mark Hale (DHFS) will rewrite these rules with more clarity and delete those points that seem to "micromanage" your practice of psychotherapy.

There has definitely been confusion in how many individuals have chosen to interpret the language in HFS 35.

If you have questions, suggestions, or opinions one way or the other PLEASE contact me so I can share your thoughts with the above individuals. Having worked on this Legislation for over 28 years I have the history for where we have been to where we are going. It is important to understand the whole process.

While I was not able to stay for the whole hearing on the 18th, I know that Juanita McCabe, WiMHCA was on the opposing side from my testimony and I am happy that she was able to share her thoughts. We have the freedom to express our differences and to all be heard. It is due to these differences that the rule is going back for revisions.

Feel free to either contact me via e-mail (jschingen@wi.rr.com) or call me (414) 276-3856.