

10-42010

ORDINANCE: Amend Section 11.02 of the General Code of Winnebago County – Priority of Admissions

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, Park View Health Center is a nursing home which was constructed through taxes paid largely by the citizens of Winnebago County and persons and corporations who own property within Winnebago County; and

WHEREAS, in that said facility is supported through taxes upon County taxpayers, your undersigned Committee believes that priority should be provided with regard to admissions to those persons who have a significant connection to Winnebago County; and

WHEREAS, there is a need to amend Park View Health Center's admission policy as a consequence of the completion of the new nursing facility.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

Section 11.02 of the General Code of Winnebago County is amended to read as follows:

11.02 RULES FOR PARK VIEW HEALTH CENTER (1) **PURPOSE.** (a) To establish admission requirements for residency at Park View Health Center.

(2) **INITIAL REQUIREMENTS.** No person less than 18 years old shall be admitted unless approved for admission by the State Department of Health & Social Services. Requests for approval to admit a person under the age of 18 years shall be made in writing and shall include:

- (a) A statement from the referring physician stating the medical, nursing, rehabilitation, and special services required by the minor;
- (b) A statement from the administrator certifying that the required services can be provided;
- (c) A statement from the attending physician certifying that the physician will be providing medical care;
- (d) A statement from the persons or agencies assuming financial responsibility.

- (e) Applications must include personal, health and financial information.
- (f) The completed application is to be sent to the Admissions Coordinator, Park View Health Center, 725 Butler Avenue, Oshkosh, Wisconsin 54901-8149.

(3) PRIORITY OF ADMISSIONS.

A. Intent. It is the intent of Winnebago County, pursuant to this ordinance, to establish a policy regarding priority of admissions, so as to prioritize the admissions of those applicants who have had significant contacts with Winnebago County prior to their admission to Park View Health Center, in that Park View Health Center is a county facility which is owned and financed by the taxpayers of Winnebago County.

B. Priority of Admissions. Priority shall be provided to consideration of those applicants for admission to Park View Health Center who meet the following criteria:

- (1) The applicant shall have owned or rented a home, condominium or apartment located in Winnebago County, or lived in Winnebago County with a relative who owned or rented a home, condominium or apartment located in Winnebago County, for at least six (6) months prior to the date of the application for admission; or
- (2) The applicant shall have been a patient in a nursing home, assisted living facility or hospital, located in Winnebago County' for at least six (6) months prior to the date of their application for admission.
 - (a) For purposes of this ordinance, the term "relative" shall be defined as a son, daughter, grandchild, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, grandparent, great grandparent, sibling or half-sibling.

C. Paragraphs B (1) and (2) above shall not apply to an applicant whose primary need at the time of application is for short-term rehabilitative care that is estimated by the person's treating physician to continue for not more than 100 days from the date of admission to Park View Health Center.

D. Admissions to Park View Health Center shall be pursuant to an evaluation of the applicant's needs as determined by Park View Health Center staff and a determination by the staff as to whether any household at Park View Health Center are staffed suitably to meet the Applicant's needs. Prioritization of applicants for admission shall be made on a household to household basis.

E. Applicants aggrieved by the admissions decision of Park View Health Center may request review of said decision by the Winnebago County Executive.

(4) LIMITATIONS ON ADMISSIONS.

(a) Bed capacity – no facility may house more residents than the maximum bed capacity for which it is license.

(b) Care Levels. (1) No person who requires care greater than that which the facility is licensed to provide may be admitted to or retained in the facility.

(2) No resident whose condition changes to require care greater than that which the facility is licensed to provided shall be retained.

(c) Other conditions. The facility shall comply with all other conditions of the license.

5. OTHER LIMITATIONS ON ADMISSIONS. (a) Persons requiring unavailable services. Persons who require services which the facility does not provide or make available shall not be admitted or retained.

(b) Communicable diseases. Restriction. No person suspected of having a disease in a communicable state shall be admitted, unless the facility has the means to manage the condition.

(c) Destructive residents. Residents who are known to be destructive of property, self-destructive, disturbing or abusive to other residents, or suicidal, shall not be admitted or retained, unless the facility has the capability to use sufficient resources to appropriately manage and care for them.

(d) Developmental Disabilities. (1) No person who has a developmental disability may be admitted to a facility unless the facility is certified as an intermediate care facility for the mentally retarded, except that a person who has a developmental disability and who requires skilled nursing care services may be admitted to a skilled nursing facility.

(2) Except in an emergency, no person who has a developmental disability may be admitted to a facility unless the county department under s. 46.23, 51.42 or 51.437 Stats., of the individual's county of residence has recommended the admission.

(e) Mental Illness. Except in an emergency, no person who is under age 65 and has a mental illness as defined in Sec. 51.01(13) may be admitted to a facility unless the county department under Sec. 46.23, 51.42 or 51.437, Stats., of the individual's county or residence has recommended the admission.

(f) The availability of an appropriate room.

(g) The availability of appropriate staff.

(6) The foregoing list of limitations upon admission is not exhaustive. Park View may consider other factors as may be deemed appropriate. Admission will be conducted seven (7) days a week. A person shall be admitted when an application is processed, approved and all requirements are met.

(7) PROCEDURES FOR ADMISSION, DISCHARGE AND TRANSFER OF RESIDENTS.

Procedures for admission, transfer and discharge of residents shall be governed by the provisions of Wisconsin Administrative Code chapters HFS 132.52 and 132.53, and any subsequent amendments thereto.

(8) RATES. (a) Private Pay. Resident rates shall be established by the Park View Health Center Committee of the Winnebago County Board of Supervisors consistent with the cost of care and operation of Park View Health Center. These rates may be adjusted periodically by the Committee if conditions warrant. Park View Health Center will provide thirty (30) days written notice of change.

(b) Private Pay. One month payment of the established rate for the resident's care shall be payable in advance upon approval of the applicant's admission to Park View Health Center. All subsequent payments shall be made one month in advance. Accounts that are not settled by the fifteenth (15) of the month shall be considered delinquent.

(c) Refunds will be made based upon the actual number of days in residence. Residents will not be charged for a day of discharge. Refunds may take up to thirty (30) days to process.

(d) Medical Assistance (Title XIX). Rates established by the State for Title XIX reimbursement shall be utilized.

(e) Medicare (Title XVIII). Prospective Payments Systems (PPS). Per diem rates established by federal government shall be utilized.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this Ordinance shall take effect on the date following the date of publication.

Submitted by,

PARK VIEW HEALTH CENTER COMMITTEE

Committee Vote: **5-0**

Vote Requirement for Passage: **Majority of those present**

Approved by the Winnebago County Executive this _____ day of March, 2010.

Mark L. Harris