

STATE OF WISCONSIN

SENATE CHAIR
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ASSEMBLY CHAIR
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JOINT COMMITTEE ON FINANCE

Minutes of the Meeting under s. 13.10

September 8, 2022

Co-Chair Marklein presided and called the meeting to order.

Present: Senators Marklein, Stroebel, Kooyenga, Felzkowski, Bernier, Ballweg, Erpenbach, Johnson
Representatives Born, Loudenbeck, Katsma, Zimmerman, Rodriguez, Kurtz, Goyke,
Meyers

I. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the creation of 0.50 FTE GPR permanent position in fiscal year 2022-23 in the department's general program operations appropriation under s. 20.455(1)(a) for two additional investigators in its Medicaid Fraud Control Unit with each position authorized to have 0.25 GPR FTE. Separate approval pursuant to s. 16.54(8) is necessary for each position's remaining 0.75 FTE FED position authorization.

Ayes, 15; Noes, 0; Absent, 1

[Secretary's Note: Senator Johnson was not present for this vote.]

II. Department of Health Services

Moved by Senator Erpenbach and seconded by Representative Goyke to approve the department's plan for the expenditure of \$31 million in settlement funds for Wisconsin's share of funds to be received from proceedings under *In re: National Prescription Opiate Litigation, Case No: MDL 2804*: 1) \$3,000,000 to increase availability of Narcan through the Narcan Direct program; 2) \$2,000,000 to establish and fund a program to distribute Fentanyl test strips; 3) \$1,000,000 for prevention services to address root causes of substance abuse; 4) \$11,000,000 for capital projects to expand prevention, harm reduction, treatment, and recovery services through construction of new facilities; 5) \$6,000,000 to allocate to federally recognized tribes for prevention, harm reduction, treatment and recovery strategies; 6) \$500,000 to improve the department's Overdose Central Alert System; 7) \$2,000,000 allocation for K-12 evidence-based substance use prevention curriculums and programs; 8) \$1,000,000 to expand Medication Assisted Treatment Services; 9) \$2,500,000 to fund room and board costs for residential treatment services for substance use disorder; and 10) \$2,000,000 to fund family support programs.

Ayes, 4; Noes, 12 (Marklein, Stroebel, Kooyenga, Felzkowski, Bernier, Ballweg, Born, Loudenbeck, Katsma, Zimmerman, Rodriguez, Kurtz)

Moved by Senator Marklein and seconded by Representative Born to approve Motion 11. The motion reads as follows: Move to approve the allocation of \$31.0 million the state expects to receive in calendar year 2022 under the National Prescription Opiate Litigation, Case MDL 2804, as follows.

1. Expand Narcan Direct Program. Allocate \$3.0 million to expand the Narcan Direct program and broaden the list of eligible community agencies. In addition, require that, of the \$3.0 million in additional funding that would be supported by settlement funds, DHS expand program eligibility and prioritize distributions to law enforcement agencies and first responders.
2. Establish and Fund Program to Distribute Fentanyl Testing Strips. Allocate \$2.0 million to establish and fund a program to distribute fentanyl testing strips. In addition, direct DHS to make available and prioritize distributions to law enforcement agencies and first responders.
3. Capital Projects. Allocate \$10.0 million to fund capital projects that would expand prevention, harm reduction, treatment, and recovery services through the construction of new facilities, and to renovate existing facilities to improve services. In addition, require DHS to allocate funding for a capital project to support the expansion of bed capacity for inpatient treatment and, in particular, support the expansion of available beds for treatment of pregnant and post-partum women in a family-centered treatment environment. Require DHS to distribute at least 30% of the remaining funds for projects in counties with fewer than 500,000 residents.
4. Funding for Tribal Nations. Allocate \$6.0 million in settlement funds to federally-recognized tribes in Wisconsin, with the requirement that tribes identify strategies across the continuum of prevention, harm reduction, treatment and recovery for which they plan to use the funds, including culturally-relevant strategies to prevent opioid use, promote health, and community practices.
5. Central Alert System. Allocate \$500,000 to improve the central alert system, creating a near real-time overdose surveillance and alert system for use by counties, tribes and other providers statewide. In addition, authorize DHS to use this funding to upgrade the prescription drug monitoring program (PDMP) administered by the Department of Safety and Professional Services.
6. K-12 Evidence-Based Substance Use Prevention Curriculum or Programs. Allocate \$250,000 to school districts, independent charter schools, and private choice schools to implement evidence-based substance use prevention programming. Require that funds be distributed to eligible entities in the same manner as under the current Alcohol and Other Drug Abuse (AODA) grants program. In addition, specify that no settlement funds may be expended to support state operations costs of administering the program.
7. Medication Assisted Treatment. Allocate \$2.0 million to increase medication assisted treatment services.
8. Room and Board Costs for Residential Substance Use Disorder Treatment. Allocate \$2.5 million to fund room and board costs for Medicaid recipients who receive services under Medicaid's residential substance use disorder treatment program.
9. Law Enforcement Agencies -- Grant Program. Allocate \$3.0 million for DHS to distribute to law enforcement agencies, under a competitive grant program, for the following purposes: (a) medication-assisted treatment education and awareness training; (b) community drug disposal programs; (c) treatment of jail inmates with opioid use disorder (OUD); (d) supporting pre-arrest or pre-arraignment

diversion and deflection strategies for persons with OUD and any co-occurring substance use disorder or mental health conditions; and (e) any other permissible uses under the settlement agreements. In addition, specify that at least \$1.0 million be reserved for grants to law enforcement agencies in counties or municipalities with 70,000 or fewer residents.

10. Grant to a Statewide Community-Based Organization. Allocate \$750,000 for DHS to provide as a grant to a community-based organization that serves after-school youth for the purpose of implementing and expanding opioid prevention programs. Specify that the organization must use local law enforcement partnerships in its effort to reduce opioid abuse.

11. "Hub and Spoke" Substance Abuse Pilot Program. Allocate \$1.0 million for DHS to expand the "Hub and Spoke" Health Home Pilot Project to facilitate the creation of additional lead agencies ("hubs") that provide specialized substance use disorder (SUD) treatment and support services ("integrated recovery support services"), including assessments, medication-assisted treatment, behavioral health care, and other services to medical assistance beneficiaries with SUD and at least one other health condition.

12. Reporting Requirement. Require DHS to submit a report to the Joint Committee on Finance by December 31, 2022, and on a quarterly basis thereafter, that includes the following information regarding the opioid settlement funds received from proceedings under the National Prescription Opiate Litigation, Case MDL 2804:

- (a) The amount of opioid settlement funds received by the state, during the quarter for which the report is prepared and cumulatively for the settlement agreements;
- (b) The amount of that funding that has been awarded or allocated by the Department during the quarter and cumulatively, by category of use;
- (c) The amount of funding that has been expended by recipients during the quarter and cumulatively, by category;
- (d) A listing of individual recipients of awarded funds and the amount awarded to each recipient; and
- (e) An account of program accomplishments or other relevant metrics resulting from the awarded funds.

Note:

This motion would approve a plan to allocate opioid settlement funds the state expects to receive in calendar year 2022 under the National Prescription Opiate Litigation, Case MDL 2804.

The following table (\$ in millions) compares each component of the Department's plan with the plan under this motion.

<u>Component</u>	<u>DHS Plan</u>	<u>Motion</u>	<u>Motion Change from DHS Plan</u>
Expand Narcan Direct Program	\$3.00	\$3.00	\$0.00
Distribution of Fentanyl Testing Strips	2.00	2.00	0.00
Prevention Services	1.00	0.00	-1.00
Capital Projects	11.00	10.00	-1.00
Allocation for Tribal Nations	6.00	6.00	0.00
Central Alert System	0.50	0.50	0.00
K-12 Evidence-Based Substance Use Prevention Curriculum or Programs	2.00	0.25	-1.75
Medication Assisted Treatment	1.00	2.00	1.00
Room and Board Costs for Residential Substance Use Disorder Treatment	2.50	2.50	0.00
Family Support Centers	2.00	0.00	-2.00
Law Enforcement Agencies -- Grant Program	0.00	3.00	3.00
Grant to A Statewide Community-Based Organization	0.00	0.75	0.75
"Hub and Spoke" Substance Abuse Pilot Program	0.00	1.00	1.00
Reporting Requirement	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total	\$31.00	\$31.00	\$0.00

Ayes, 16; Noes, 0



Dustin Trickle, Secretary

Date: 9-13-22



Howard Marklein, Co-Chair

Date: 9-14-22



Tony Evers, Governor

Date: 9/15/22

SUMMARY

**DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS
2021-23 Biennium
August 16, 2022**

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>
20.865(4)(a) Appropriation Total Summary - GPR			
Act 58 (Biennial Budget)	\$133,600	\$133,600	\$267,200
Reserve for Public Instruction – School Safety Mapping	2,000,000	0	2,000,000
Reserve for UW System – Freshwater Collaborative	2,500,000	2,500,000	5,000,000
Reserve for UW System – UW-Extension Cooperative County Specialists	1,000,000	1,000,000	2,000,000
Reserve for UW System – Foster Youth Programs	250,000	500,000	750,000
Reserve for UW System – UW-Madison Nelson Institute Collaborative Studies (w/lt Federal Dept of Defense)	250,000	0	250,000
Reserve for UW System - Water-Related Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000
Reserve for Higher Educational Aids Board -Nurse Educators	0	5,000,000	5,000,000
Reserve for Natural Resources - Law Enforcement Integrated Records Management System	62,300	0	62,300
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor	200,000	200,000	400,000
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports	558,400	558,400	1,116,800
Reserve for Military Affairs – Statewide Interoperable Radio Network (WISCOM)	0	6,000,000	6,000,000
Reserve for Military Affairs – Urban Search and Rescue Task Force	500,000	0	500,000
Reserve for Justice – Grants for Body Cameras	2,000,000	0	2,000,000
Reserve for Justice – Community Oriented Police Housing Grants	1,000,000	0	1,000,000
Reserve for Health Services -- FoodShare Employment and Training Program	0	4,027,400	4,027,400
Reserve for Health Services – Regional Crisis Response Grants	10,000,000	0	10,000,000
Reserve for Health Services -- Medication-Assisted Treatment	500,000	1,000,000	1,500,000
Reserve for Health Services -- Methamphetamine Treatment Training	150,000	300,000	450,000
Reserve for Health Services -- Substance Abuse Treatment Platform	0	300,000	300,000
Reserve for Health Services -- DHS Facility Overtime Supplement	5,827,600	5,827,600	11,655,200
Reserve for Children and Families – Subsidized Guardianship	2,400,000	5,200,000	7,600,000
Reserve for Shared Revenue and Tax Relief – Personal Property Tax Exemption	0	202,350,000	202,350,000
Current Total	<u>\$29,581,900</u>	<u>\$234,897,000</u>	<u>\$264,478,900</u>
20.865(4)(g) Appropriation Total Summary - PR			
Reserve for Safety and Professional Services – eSLA Upgrades	\$3,000,000	\$2,000,000	\$5,000,000
Reserve for Health Services – DHS Facility Overtime Supplement	3,351,800	3,351,800	6,703,600
Reserve for Dept of Administration – Tribal Grants	7,000,000	0	7,000,000
Current Total	<u>\$13,351,800</u>	<u>\$5,351,800</u>	<u>\$18,703,600</u>
20.865(4)(m) Appropriation Total Summary - FED			
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Current Total	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
20.865(4)(u) Appropriation Total Summary - SEG			
Reserve for Natural Resources - PFAS-Containing Firefighting Foam Collection/Disposal	\$1,000,000	\$0	\$1,000,000
Reserve for Military Affairs – GIS Grants for Next Generation 911	0	1,500,000	1,500,000
Current Total	<u>\$1,000,000</u>	<u>\$1,500,000</u>	<u>\$2,500,000</u>

SUMMARY
JOINT COMMITTEE ON FINANCE
GPR APPROPRIATION STATUS
2021-23 Biennium
August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23</u> <u>\$2,500,000</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
Current Biennial Appropriation Reserved Amount [s. 20.865(4)(a)]	\$29,448,300	\$234,763,400	\$264,211,700		
Reserved For:					
Reserve for Public Instruction – School Safety Mapping	\$2,000,000	\$0	\$2,000,000	\$2,000,000	\$0
Reserve for UW System – Freshwater Collaborative	2,500,000	2,500,000	5,000,000	5,000,000	0
Reserve for UW System – UW-Extension Cooperative County Specialists	1,000,000	1,000,000	2,000,000	2,000,000	0
Reserve for UW System – Foster Youth Programs	250,000	500,000	750,000	750,000	0
Reserve for UW System – UW-Madison Nelson Institute Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000	250,000	0
Reserve for UW System - Water-Related Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000	250,000	0
Reserve for Higher Educational Aids Board -Nurse Educators	0	5,000,000	5,000,000	5,000,000	0
Reserve for Natural Resources - Law Enforcement Integrated Records Management	62,300	0	62,300	0	62,300
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor Grants	200,000	200,000	400,000	400,000	0
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports	558,400	558,400	1,116,800	1,116,800	0
Reserve for Military Affairs – Statewide Interoperable Radio Network (WISCOM)	0	6,000,000	6,000,000		6,000,000
Reserve for Military Affairs – Urban Search and Rescue Task Force	500,000	0	500,000	500,000	0
Reserve for Justice – Grants for Body Cameras	2,000,000	0	2,000,000	2,000,000	0
Reserve for Justice – Community Oriented Police Housing Grants	1,000,000	0	1,000,000	1,000,000	0
Reserve for Health Services – FoodShare Employment and Training Program	0	4,027,400	4,027,400	0	4,027,400
Reserve for Health Services – Regional Crisis Response Grants	10,000,000	0	10,000,000	0	10,000,000
Reserve for Health Services – Medication-Assisted Treatment	500,000	1,000,000	1,500,000	1,500,000	0
Reserve for Health Services – Methamphetamine Treatment Training	150,000	300,000	450,000	450,000	0
Reserve for Health Services – Substance Abuse Treatment Platform	0	300,000	300,000	300,000	0
Reserve for Health Services – DHS Facility Overtime Supplement	5,827,600	5,827,600	11,655,200	11,655,200	0
Reserve for Children and Families – Subsidized Guardianship	2,400,000	5,200,000	7,600,000	7,600,000	0
Reserve for Shared Revenue and Tax Relief – Personal Property Tax Exemption	0	202,350,000	202,350,000	0	202,350,000
Reserved Balance	\$29,448,300	\$234,763,400	\$264,211,700	\$41,772,000	\$222,439,700
Releases from Reserved Balance:					
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor Grants (s. 13.10 on 10/19/21)	200,000	200,000	400,000		
Reserve for UW System – Freshwater Collaborative (s. 13.10 on 2/9/22)	2,500,000	2,500,000	5,000,000		
Reserve for UW System – UW-Extension Cooperative County Specialists (s. 13.10 on 2/9/22)	1,000,000	1,000,000	2,000,000		
Reserve for UW System – UW-Madison Nelson Institute Collaborative Studies (w/Dept of Defense) (s. 13.10 on 2/9/22)	250,000	-	250,000		
Reserve for UW System - Water-Related Collaborative Studies (w/Dept of Defense) (s. 13.10 on 2/9/22)	250,000	-	250,000		
Reserve for UW System – Foster Youth Programs (s. 13.10 on 2/9/22)	250,000	500,000	750,000		
Reserve for Higher Educational Aids Board -Nurse Educators (s. 13.10 on 2/9/22)	-	5,000,000	5,000,000		
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports (s. 13.10 on 2/9/22)	558,400	-	558,400		
Reserve for Health Services – Medication-Assisted Treatment (s. 13.10 on 2/9/22)	500,000	1,000,000	1,500,000		
Reserve for Health Services – Methamphetamine Treatment Training (s. 13.10 on 2/9/22)	150,000	300,000	450,000		
Reserve for Health Services – Substance Abuse Treatment Platform (s. 13.10 on 2/9/22)	-	300,000	300,000		
Reserve for Children and Families – Subsidized Guardianship (s. 13.10 on 2/22/22)	2,400,000	5,200,000	7,600,000		
Reserve for Health Services – DHS Facility Overtime Supplement (s. 13.10 on 5/31/22)	5,827,600	5,827,600	11,655,200		
Reserve for Justice – Community Oriented Police Housing Grants (s. 13.10 on 5/31/22)	-	1,000,000	1,000,000		
Reserve for Justice – School Safety Mapping (originally reserved under DPI) (s. 13.10 on 5/31/22)	-	2,000,000	2,000,000		
Reserve for Justice – Grants for Body Cameras (s. 13.10 on 5/31/22)	-	2,000,000	2,000,000		
Reserve for Military Affairs – Urban Search and Rescue Task Force (s. 13.10 on 5/31/2022)	500,000	-	500,000		
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports (s. 13.10 on 8/16/22)	-	558,400	558,400		
Total Releases	\$14,386,000	\$27,386,000	\$41,772,000		
Remaining Reserved Balance	\$15,062,300	\$207,377,400	\$222,439,700		
Current Biennial Appropriation Unreserved Amount [s. 20.865(4)(a)]	\$133,600	\$133,600	\$267,200		
Releases from Unreserved Balance					
Tourism – Arts Board state aid for the federal match (s. 13.10 on 8/16/22)	\$0	\$107,400	107,400		
Total Releases	\$0	\$107,400	\$107,400		
Net Unreserved Balance Remaining	\$133,600	\$26,200	\$159,800		
TOTAL AVAILABLE	\$15,195,900	\$207,403,600	\$222,599,500		

SUMMARY
 JOINT COMMITTEE ON FINANCE
 PR APPROPRIATION STATUS
 2021-23 Biennium
 August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(g)]	\$13,351,800	\$5,351,800	\$2,500,000		
<u>Reserved For:</u>					
Reserve for Safety and Professional Services – eSLA Upgrades	\$3,000,000	\$2,000,000	\$5,000,000	\$5,000,000	\$0
Reserve for Health Services – DHS Facility Overtime Supplement	3,351,800	3,351,800	6,703,600	5,270,000	1,433,600
Reserve for Dept of Administration – Tribal Grants	7,000,000	0	7,000,000	7,000,000	0
Reserved Balance	\$13,351,800	\$5,351,800	\$18,703,600	\$17,270,000	\$1,433,600
<u>Releases from Reserved Balance</u>					
Reserve for Dept of Administration – Tribal Grants (s. 13.10 on 2/9/22)	\$7,000,000	\$0	\$7,000,000		
Reserve for Health Services – DHS Facility Overtime Supplement (s. 13.10 on 5/31/22)	2,635,000	2,635,000	5,270,000		
Reserve for Safety and Professional Services – eSLA Upgrades (passive review 6/22/22)	3,000,000	2,000,000	5,000,000		
Total Releases	\$12,635,000	\$4,635,000	\$17,270,000		
Remaining Reserved Balance	\$716,800	\$716,800	\$1,433,600		

SUMMARY
 JOINT COMMITTEE ON FINANCE
 SEG APPROPRIATION STATUS
 2021-23 Biennium
 August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(u)]	\$1,000,000	\$1,500,000	\$2,500,000		
<u>Reserved For:</u>					
Reserve for Natural Resources - PFAS-Containing Firefighting Foam Collection/Disposal	\$1,000,000	\$0	\$1,000,000	\$1,000,000	\$0
Reserve for Military Affairs -- GIS Grants for Next Generation 911	0	1,500,000	1,500,000	1,500,000	0
Reserved Balance	\$1,000,000	\$1,500,000	\$2,500,000	\$2,500,000	\$0
<u>Releases from Reserved Balance</u>					
Reserve for Natural Resources -- PFAS-Containing Firefighting Foam Collection/Disposal (s. 13.10 on 2/9/22)	\$1,000,000	\$0	\$1,000,000		
Reserve for Military Affairs -- GIS Grants for Next Generation 911 (s. 13.10 on 5/31/22)	0	1,500,000	1,500,000		
Total Releases	\$1,000,000	\$1,500,000	\$2,500,000		
Remaining Reserved Balance	\$0	\$0	\$0		

SUMMARY
JOINT COMMITTEE ON FINANCE
FED APPROPRIATION STATUS
 2021-23 Biennium
 August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(m)]	\$0	\$0	\$0		
<u>Reserved For:</u>	\$0	\$0	\$0	\$0	\$0
Reserved Balance	\$0	\$0	\$0	\$0	\$0
<u>Releases from Reserved Balance</u>	\$0	\$0	\$0		
Total Releases	\$0	\$0	\$0		
Remaining Reserved Balance	\$0	\$0	\$0		