

1           \***-1261/5.241\*** \***-1261/P3.187\*** SECTION 873. 46.23 (5) (a) 1. of the statutes is  
2 amended to read:

3           46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
4 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
5 delinquency-related policies, within limits established by the department of health  
6 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
7 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
8 for the department of health and family services may be delegated by the secretary  
9 to the county human services board.

10           \***-1261/5.242\*** \***-1261/P3.188\*** SECTION 874. 46.23 (5) (a) 2. of the statutes is  
11 amended to read:

12           46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
13 48 and subch. III of ch. 49 within limits established by the department of workforce  
14 development children and families. Policy decisions under ch. 48 and subch. III of  
15 ch. 49 not reserved by statute for the department of workforce development children  
16 and families may be delegated by the secretary of workforce development children  
17 and families to the county human services board.

18           \***-1261/5.243\*** \***-1267/P1.81\*** SECTION 875. 46.23 (5) (b) of the statutes is  
19 amended to read:

20           46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
21 department of health and family services, the department of corrections, or the  
22 department of workforce development children and families.

23           \***-1261/5.244\*** \***-1261/P3.190\*** SECTION 876. 46.23 (5) (c) 1. of the statutes is  
24 amended to read:

1           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
2 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
3 services, are provided or purchased or contracted for with local providers, and  
4 monitor the performance of such contracts. Purchase of services contracts shall be  
5 subject to the conditions specified in s. 46.036.

6           \*-1261/5.245\* \*-1261/P3.191\* SECTION 877. 46.23 (5) (c) 2. of the statutes is  
7 amended to read:

8           46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
9 and subch. III of ch. 49 are provided or purchased or contracted for with local  
10 providers, and monitor the performance of such contracts. Purchase of services  
11 contracts shall be subject to the conditions specified in s. 49.34.

12           \*-1261/5.246\* \*-1261/P3.192\* SECTION 878. 46.23 (5) (n) 1. of the statutes is  
13 amended to read:

14           46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
15 authorized services, except for services under ch. 48 and subch. III of ch. 49 and  
16 juvenile delinquency-related services. Notwithstanding the categorization of or  
17 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
18 of the department of health and family services the county human services board  
19 may expend these funds consistent with any service provided under s. 46.495 or  
20 51.42.

21           \*-1261/5.247\* \*-1261/P3.193\* SECTION 879. 46.23 (5) (n) 2. of the statutes is  
22 amended to read:

23           46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
24 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the  
25 categorization of or limits specified for funds allocated under s. 48.569, with the

1 approval of the department of children and families the county human services board  
2 may expend these funds consistent with any service provided under s. 48.569.

3 \***-1261/5.248\*** \***-1261/P3.194\*** SECTION 880. 46.23 (5m) (c) of the statutes is  
4 amended to read:

5 46.23 (5m) (c) Prepare, with the assistance of the county human services  
6 director under sub. (6m) (e), a proposed budget for submission to the county executive  
7 or county administrator, a final budget for submission to the department of health  
8 and family services in accordance with s. 46.031 (1) for authorized services, except  
9 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
10 services, a final budget for submission to the department of workforce development  
11 children and families in accordance with s. 49.325 for authorized services under ch.  
12 48 and subch. III of ch. 49, and a final budget for submission to the department of  
13 corrections in accordance with s. 301.031 for authorized juvenile  
14 delinquency-related services.

15 \***-1261/5.249\*** \***-1261/P3.195\*** SECTION 881. 46.23 (6) (a) (intro.) of the  
16 statutes is amended to read:

17 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
18 (f) shall have all of the administrative and executive powers and duties of managing,  
19 operating, maintaining, and improving the programs of the county department of  
20 human services, subject to the rules promulgated by the department of health and  
21 family services for programs, except services or programs under ch. 48 and subch.  
22 III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
23 rules promulgated by the department of workforce development children and  
24 families for services or programs under ch. 48 and subch. III of ch. 49, and subject  
25 to the rules promulgated by the department of corrections for juvenile

1 delinquency-related services or programs. In consultation with the county human  
2 services board under sub. (5) and subject to its approval, the county human services  
3 director shall prepare:

4 **\*-1261/5.250\* \*-1267/P1.84\* SECTION 882.** 46.23 (6) (a) 3. of the statutes is  
5 amended to read:

6 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and  
7 family services, by the secretary of corrections, or by the secretary of workforce  
8 development children and families and the county board of supervisors in a county  
9 with a single-county department of human services or the county boards of  
10 supervisors in counties with a multicounty department of human services.

11 **\*-1261/5.251\* \*-1261/P3.197\* SECTION 883.** 46.24 of the statutes is  
12 renumbered 48.375 (9) and amended to read:

13 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.  
14 If a minor who is contemplating an abortion requests assistance from a county  
15 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
16 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
17 member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking  
18 a waiver from the circuit court, the county department shall provide assistance,  
19 including, if so requested, accompanying the minor as appropriate.

20 **\*-1261/5.252\* \*-1261/P3.198\* SECTION 884.** 46.247 of the statutes is  
21 renumbered 49.345 (14) (g) and amended to read:

22 49.345 (14) (g) *Application of child support standard for certain children.* For  
23 purposes of determining child support under s. 46.10 (14) par. (b), the department  
24 shall promulgate rules related to the application of the standard established by the  
25 department of workforce development under s. 49.22 (9) to a child support obligation

1 for the care and maintenance of a child who is placed by a court order under s. 48.355  
2 or 48.357 in a residential, nonmedical facility. The rules shall take into account the  
3 needs of any person, including dependent children other than the child, whom either  
4 parent is legally obligated to support.

5 **\*-1261/5.253\* \*-1261/P3.199\* SECTION 885.** 46.261 (title) of the statutes is  
6 renumbered 48.645 (title).

7 **\*-1261/5.254\* \*-1261/P3.200\* SECTION 886.** 46.261 (1) of the statutes is  
8 renumbered 48.645 (1).

9 **\*-1261/5.255\* \*-1261/P3.201\* SECTION 887.** 46.261 (2) (title) of the statutes  
10 is renumbered 48.645 (2) (title).

11 **\*-1261/5.256\* \*-1261/P3.202\* SECTION 888.** 46.261 (2) (a) (intro.) of the  
12 statutes is renumbered 48.645 (2) (a) (intro.).

13 **\*-1261/5.257\* \*-1261/P3.203\* SECTION 889.** 46.261 (2) (a) 1. of the statutes  
14 is renumbered 48.645 (2) (a) 1. and amended to read:

15 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
16 home or treatment foster home having a license under s. 48.62, in a foster home or  
17 treatment foster home located within the boundaries of a federally recognized  
18 American Indian reservation in this state and licensed by the tribal governing body  
19 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
20 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
21 custodial parent who cares for the dependent child, regardless of the cause or  
22 prospective period of dependency. The state shall reimburse counties pursuant to the  
23 procedure under s. 46.495 48.569 (2) and the percentage rate of participation set  
24 forth in s. 46.495 48.569 (1) (d) for aid granted under this section except that if the  
25 child does not have legal settlement in the granting county, state reimbursement

1 shall be at 100%. The county department under s. 46.215 or, 46.22, or 46.23 or the  
2 department under s. 48.48 (17) shall determine the legal settlement of the child. A  
3 child under one year of age shall be eligible for aid under this subsection irrespective  
4 of any other residence requirement for eligibility within this section.

5 **\*-1261/5.258\* \*-1261/P3.204\* SECTION 890.** 46.261 (2) (a) 2. of the statutes  
6 is renumbered 48.645 (2) (a) 2. and amended to read:

7 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
8 the department, on behalf of a child in the legal custody of a county department under  
9 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
10 who was removed from the home of a relative, as defined under s. 48.02 (15), as a  
11 result of a judicial determination that continuance in the home of a relative would  
12 be contrary to the child's welfare for any reason when such the child is placed in a  
13 licensed child caring institution residential care center for children and youth by the  
14 county department or the department. Reimbursement shall be made by the state  
15 pursuant to as provided in subd. 1.

16 **\*-1261/5.259\* \*-1261/P3.205\* SECTION 891.** 46.261 (2) (a) 3. of the statutes  
17 is renumbered 48.645 (2) (a) 3. and amended to read:

18 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
19 the department, when the child is placed in a licensed foster home, treatment foster  
20 home, group home, or residential care center for children and youth or in a subsidized  
21 guardianship home by a licensed child welfare agency or by a federally recognized  
22 American Indian tribal governing body in this state or by its designee, if the child is  
23 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
24 department under s. 48.48 (17) or if the child was removed from the home of a  
25 relative, as defined under s. 48.02 (15), as a result of a judicial determination that

1 continuance in the home of the relative would be contrary to the child's welfare for  
2 any reason and the placement is made pursuant to under an agreement with the  
3 county department or the department.

4 ~~\*\*\*-1261/5.260\* \*-1261/P3.206\*~~ SECTION 892. 46.261 (2) (a) 4. of the statutes  
5 is renumbered 48.645 (2) (a) 4. and amended to read:

6 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
7 or residential care center for children and youth or a subsidized guardianship home  
8 when the child is in the custody or guardianship of the state, when the child is a ward  
9 of an American Indian tribal court in this state and the placement is made under an  
10 agreement between the department and the tribal governing body, or when the child  
11 was part of the state's direct service case load and was removed from the home of a  
12 relative, ~~as defined under s. 48.02 (15),~~ as a result of a judicial determination that  
13 continuance in the home of a relative would be contrary to the child's welfare for any  
14 reason and the child is placed by the department.

15 ~~\*\*\*-1261/5.261\* \*-1261/P3.207\*~~ SECTION 893. 46.261 (2) (b) of the statutes is  
16 renumbered 48.645 (2) (b).

17 ~~\*\*\*-1261/5.262\* \*-1261/P3.208\*~~ SECTION 894. 46.261 (3) of the statutes is  
18 renumbered 48.645 (3).

19 ~~\*\*\*-1562/P4.1\*~~ SECTION 895. 46.27 (4) (am) of the statutes is amended to read:  
20 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
21 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10, the duties of the  
22 county long-term support planning committee under this subsection, the county  
23 long-term support planning committee for the county is dissolved.

24 ~~\*\*\*-1562/P4.2\*~~ SECTION 896. 46.27 (4) (c) (intro.) of the statutes is amended to  
25 read:

1           46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
2           ~~long-term care council~~ the governing board of a resource center has under s. 46.282  
3           (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the ~~local~~  
4           ~~long-term care council~~ governing board of the resource center shall recommend a  
5           community options plan for participation in the program. The plan shall include:

6           \***-1562/P4.3\*** SECTION 897. 46.27 (4) (c) 5. of the statutes is amended to read:

7           46.27 (4) (c) 5. A description of the method to be used by the committee or, if  
8           ~~a local long-term care council~~ the governing board of a resource center has under  
9           s. 46.282 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the  
10          ~~local long-term care council~~ governing board of the resource center to monitor the  
11          implementation of the program.

12          \***-0330/P6.3\*** SECTION 898. 46.27 (4) (c) 8. of the statutes is amended to read:

13          46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2)  
14          is established in the county, a description of how the activities of the entity relate to  
15          and are coordinated with the county's proposed program.

16          \***-0330/P6.4\*** SECTION 899. 46.27 (5) (am) of the statutes is amended to read:

17          46.27 (5) (am) Organize assessment activities specified in sub. (6). The county  
18          department or aging unit shall utilize persons for each assessment who can  
19          determine the needs of the person being assessed and who know the availability  
20          within the county of services alternative to placement in a nursing home. If any  
21          hospital patient is referred to a nursing home for admission, these persons shall work  
22          with the hospital discharge planner in performing the activities specified in sub. (6).  
23          The county department or aging unit shall coordinate the involvement of  
24          representatives from the county departments under ss. 46.215, 46.22, 51.42 and  
25          51.437, health service providers and the county commission on aging in the

1 assessment activities specified in sub. (6), as well as the person being assessed and  
2 members of the person's family or the person's guardian. This paragraph does not  
3 apply to a county department or aging unit in a county in which the department has  
4 contracted with an entity under s. ~~46.281 (1) (e)~~ 46.284 (2).

5 **\*-1198/P4.1\* SECTION 900.** 46.27 (5) (j) of the statutes is created to read:

6 46.27 (5) (j) Within the time period specified by the department, offer  
7 counseling, that is specified by the department, concerning public and private  
8 benefit programs to prospective residents of community-based residential facilities  
9 who are referred to the county department or aging unit under s. 50.035 (4n).

10 **\*-0330/P6.5\* SECTION 901.** 46.27 (6) (a) 3. of the statutes is amended to read:

11 46.27 (6) (a) 3. In each participating county, except in counties in which the  
12 department has contracted with an entity under s. ~~46.281 (1) (e)~~ 46.284 (2),  
13 assessments shall be conducted for those persons and in accordance with the  
14 procedures described in the county's community options plan. The county may elect  
15 to establish assessment priorities for persons in target groups identified by the  
16 county in its plan regarding gradual implementation. If a person who is already  
17 admitted to a nursing home requests an assessment and if funds allocated for  
18 assessments under sub. (7) (am) are available, the county shall conduct the  
19 assessment.

20 **\*-0330/P6.6\* SECTION 902.** 46.27 (6g) (intro.) of the statutes is amended to  
21 read:

22 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and  
23 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an  
24 assessment, unless the assessment is performed by an entity under a contract as

1 specified under s. ~~46.281 (1) (e) 1.~~ 46.284 (2), case plan, or services provided to a  
2 person under this section is as follows:

3 **\*-0905/3.12\* SECTION 903.** 46.27 (6u) (c) 1. a. of the statutes is amended to  
4 read:

5 46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 ~~or~~,  
6 49.47, or 49.471 (4) (a).

7 **\*-0905/3.13\* SECTION 904.** 46.27 (6u) (d) (intro.) of the statutes is amended to  
8 read:

9 46.27 (6u) (d) (intro.) In determining financial eligibility under par. (c) 1. and  
10 in calculating the amount under par. (c) 2., the county department or aging unit shall  
11 include as the assets for any person, except those persons who are eligible for medical  
12 assistance under s. 49.46, 49.468 ~~or~~, 49.47, or 49.471 (4) (a), any portion of assets that  
13 the person or the person's spouse has, after August 12, 1993, transferred to another  
14 as specified in par. (b), unless one of the following conditions applies:

15 **\*-0905/3.14\* SECTION 905.** 46.27 (7) (am) of the statutes is amended to read:

16 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
17 shall allocate funds to each county or private nonprofit agency with which the  
18 department contracts to pay assessment and case plan costs under sub. (6) not  
19 otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse  
20 counties for the cost of assessing persons eligible for medical assistance under s.  
21 49.46, 49.468, ~~or~~ 49.47, or 49.471 (4) (a) as part of the administrative services of  
22 medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds  
23 allocated under this paragraph to pay the cost of long-term community support  
24 services and for a risk reserve under par. (fr).

25 **\*-0905/3.15\* SECTION 906.** 46.27 (7) (b) of the statutes is amended to read:

1           46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the  
2           department shall allocate funds to each county to pay the cost of providing long-term  
3           community support services under sub. (5) (b) not otherwise paid under s. 49.45 to  
4           persons eligible for medical assistance under s. 49.46 ~~or, 49.47, or 49.471~~ (4) (a) or  
5           to persons whom the county department or aging unit administering the program  
6           finds likely to become medically indigent within 6 months by spending excess income  
7           or assets for medical or remedial care. The average per person reimbursement under  
8           this paragraph may not exceed the state share of the average per person payment  
9           rate the department expects under s. 49.45 (6m). The county department or aging  
10          unit administering the program may spend funds received under this paragraph  
11          only in accordance with the case plan and service contract created for each person  
12          receiving long-term community support services. Counties may use unspent funds  
13          allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a  
14          risk reserve under par. (fr).

15          \*-1198/P4.2\* SECTION 907. 46.27 (7) (cj) 3. a. of the statutes is repealed.

16          \*-1524/P3.19\* SECTION 908. 46.27 (7) (fr) 3. c. of the statutes is amended to  
17          read:

18               46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,  
19               to transfer funds to a family long-term care district.

20          \*-0892/11.13\* SECTION 909. 46.27 (9) (a) of the statutes is amended to read:

21               46.27 (9) (a) The department may select up to 5 counties that volunteer to  
22               participate in a pilot project under which they will receive certain funds allocated for  
23               long-term care. The department shall allocate a level of funds to these counties  
24               equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (~~gp~~), ~~or~~ (w),  
25               or (xd) to nursing homes for providing care because of increased utilization of nursing

1 home services, as estimated by the department. In estimating these levels, the  
2 department shall exclude any increased utilization of services provided by state  
3 centers for the developmentally disabled. The department shall calculate these  
4 amounts on a calendar year basis under sub. (10).

5 **\*-0330/P6.7\* SECTION 910.** 46.27 (9) (c) of the statutes is amended to read:

6 46.27 (9) (c) All long-term community support services provided under this  
7 pilot project in lieu of nursing home care shall be consistent with those services  
8 described in the participating county's community options plan under sub. (4) (c) 1.  
9 and provided under sub. (5) (b). Unless the department has contracted under s.  
10 46.281 (1) (e) 1. 46.284 (2) with an entity other than the county department, each  
11 county participating in the pilot project shall assess persons under sub. (6).

12 **\*-0892/11.14\* SECTION 911.** 46.27 (10) (a) 1. of the statutes is amended to read:

13 46.27 (10) (a) 1. The department shall determine for each county participating  
14 in the pilot project under sub. (9) a funding level of state medical assistance  
15 expenditures to be received by the county. This level shall equal the amount that the  
16 department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, ~~or (w)~~,  
17 or (xd), or because of increased utilization of nursing home services, as estimated by  
18 the department.

19 **\*-1198/P4.3\* SECTION 912.** 46.27 (11) (c) 5n. a. of the statutes is repealed.

20 **\*-0905/3.16\* SECTION 913.** 46.275 (1m) (a) of the statutes is amended to read:

21 46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
22 49, except s. ss. 49.468 and 49.471.

23 **\*-0892/11.15\* SECTION 914.** 46.275 (5) (a) of the statutes is amended to read:

24 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the  
25 department under sub. (3r), provides under this program is available from the

1 appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and (xd). If 2 or more  
2 counties jointly contract to provide services under this program and the department  
3 approves the contract, Medical Assistance reimbursement is also available for  
4 services provided jointly by these counties.

5 **\*-0892/11.16\* SECTION 915.** 46.275 (5) (c) of the statutes is amended to read:

6 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and  
7 (xd) to counties and to the department under sub. (3r) for services provided under  
8 this section may not exceed the amount approved by the federal department of health  
9 and human services. A county may use funds received under this section only to  
10 provide services to persons who meet the requirements under sub. (4) and may not  
11 use unexpended funds received under this section to serve other developmentally  
12 disabled persons residing in the county.

13 **\*-0242/1.2\* SECTION 916.** 46.275 (5m) of the statutes is repealed.

14 **\*-0905/3.17\* SECTION 917.** 46.277 (1m) (a) of the statutes is amended to read:

15 46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
16 49, except s. ss. 49.468 and 49.471.

17 **\*-1198/P4.4\* SECTION 918.** 46.277 (3) (d) of the statutes is created to read:

18 46.277 (3) (d) The county department or aging unit that administers the  
19 program under this section shall, within the time period specified by the department,  
20 offer counseling, that is specified by the department, concerning public and private  
21 benefit programs to prospective residents of community-based residential facilities  
22 who are referred to the county department or aging unit under s. 50.035 (4n).

23 **\*-1198/P4.5\* SECTION 919.** 46.277 (5) (d) 1n. a. of the statutes is repealed.

24 **\*-0647/3.1\* SECTION 920.** 46.277 (5) (g) 3. of the statutes is amended to read:

1           46.277 (5) (g) 3. If it is likely that the number of individuals for whom an  
2 enhanced reimbursement for services is provided under subd. 1. and who are  
3 diverted from imminent entry into nursing homes will exceed 150, the department  
4 may submit a request to the joint committee on finance secretary of administration  
5 for approval to provide enhanced reimbursement for services provided under subd.  
6 1. for diversion from imminent entry into nursing homes for a number of individuals  
7 in excess of 150. Notwithstanding s. 13.101 (3) (a), the committee is not required to  
8 find that an emergency exists. ~~If the cochairpersons of the committee do not notify~~  
9 ~~the secretary within 14 working days after the date of the department's submittal~~  
10 ~~that the committee intends to schedule a meeting to review the request, approval of~~  
11 ~~the request is granted. If, within 14 working days after the date of the department's~~  
12 ~~request submittal, the cochairpersons of the committee notify the secretary that the~~  
13 ~~committee intends to schedule a meeting to review the request, the request may be~~  
14 ~~granted only as approved by the committee.~~

15           \*-0905/3.18\* SECTION 921. 46.278 (1m) (b) of the statutes is amended to read:  
16           46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.  
17 49, except s. ss. 49.468 and 49.471.

18           \*-0892/11.17\* SECTION 922. 46.278 (6) (d) of the statutes is amended to read:  
19           46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
20 share of service costs under a waiver received under sub. (3), the department may,  
21 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
22 that the county provides under this section to persons who are in addition to those  
23 who may be served under this section with funds from the appropriation account  
24 under s. 20.435 (4) (b) ~~or, (w), or (xd).~~

25           \*-0892/11.18\* SECTION 923. 46.2785 (5) (a) of the statutes is amended to read:

1 46.2785 (5) (a) Medical assistance reimbursement for services a county or  
2 private agency contracts for or provides under the waiver program shall be made  
3 from the appropriation accounts under s. 20.435 (4) (b) and, (o), and (xd).

4 \***-1261/5.263\*** \***-1261/P3.209\*** SECTION 924. 46.28 (1) (f) of the statutes is  
5 amended to read:

6 46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
7 encountered domestic abuse, as defined in s. 46.95 49.165 (1) (a).

8 \***-0330/P6.8\*** SECTION 925. 46.2803 (2) of the statutes is created to read:

9 46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management  
10 organization is operating pursuant to a contract under s. 46.284 (2) or a county in  
11 which a program described under s. 46.2805 (1) (a) or (b) is administered may use  
12 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27  
13 (7) to provide community mental health or substance abuse services and supports for  
14 persons with mental illness or persons in need of services or supports for substance  
15 abuse and to provide services under the Family Support Program under s. 46.985.

16 \***-0330/P6.9\*** SECTION 926. 46.2804 (title) of the statutes is amended to read:

17 **46.2804 (title) ~~Managed care programs for~~ Client management of**  
18 **managed care long-term care services benefit.**

19 \***-0330/P6.10\*** SECTION 927. 46.2804 (1) of the statutes is repealed.

20 \***-0330/P6.11\*** SECTION 928. 46.2804 (2) of the statutes is renumbered  
21 46.2804.

22 \***-1524/P3.20\*** SECTION 929. 46.2805 (5) of the statutes is renumbered 46.2805  
23 (7r) and amended to read:

24 46.2805 (7r) "Family Long-term care district" means a special purpose district  
25 created under s. 46.2895 (1).

1           **\*-1524/P3.21\* SECTION 930.** 46.2805 (6) of the statutes is renumbered 46.2805  
2 (7u) and amended to read:

3           46.2805 (7u) "Family Long-term care district board" means the governing  
4 board of a family long-term care district.

5           **\*-0330/P6.12\* SECTION 931.** 46.2805 (6m) of the statutes is created to read:

6           46.2805 (6m) "Family member" means a spouse or an individual related by  
7 blood, marriage, or adoption within the 3rd degree of kinship as computed under s.  
8 990.001 (16).

9           **\*-0330/P6.13\* SECTION 932.** 46.2805 (6r) of the statutes is created to read:

10          46.2805 (6r) "Financial and cost-sharing screening" means a screening to  
11 determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s.  
12 46.286 (2) using a uniform tool prescribed by the department.

13          **\*-0330/P6.14\* SECTION 933.** 46.2805 (6v) of the statutes is created to read:

14          46.2805 (6v) "Frail elder" means an individual who is 65 years of age or older  
15 and has a physical disability or irreversible dementia that restricts the individual's  
16 ability to perform normal daily tasks or that threatens the capacity of the individual  
17 to live independently.

18          **\*-0330/P6.15\* SECTION 934.** 46.2805 (7) of the statutes is amended to read:

19          46.2805 (7) "~~Functional and financial screen~~ screening" means a screen  
20 ~~prescribed by the department that is used~~ screening to determine functional  
21 eligibility under s. 46.286 (1) (a) and ~~financial eligibility under s. 46.286 (1) (b) using~~  
22 a uniform tool prescribed by the department.

23          **\*-1562/P4.4\* SECTION 935.** 46.2805 (7m) of the statutes is repealed.

24          **\*-0330/P6.16\* SECTION 936.** 46.281 (1) (intro.) of the statutes is renumbered  
25 46.281 (1n) (intro.), and 46.281 (1n) (title), as renumbered, is amended to read:

1           46.281 (1n) (title) DUTIES OTHER DUTIES OF THE DEPARTMENT.

2           \***-0330/P6.17\*** SECTION 937. 46.281 (1) (c) of the statutes is renumbered 46.281  
3           (1d) and amended to read:

4           46.281 (1d) WAIVER REQUEST. Request The department shall request from the  
5           secretary of the federal department of health and human services any waivers of  
6           federal medicaid laws necessary to permit the use of federal moneys to provide the  
7           family care benefit to recipients of medical assistance. The department shall  
8           implement any waiver that is approved and that is consistent with ss. 46.2805 to  
9           46.2895. Regardless of whether a waiver is approved, the department may  
10          implement operation of resource centers, care management organizations, and the  
11          family care benefit.

12          \***-0330/P6.18\*** SECTION 938. 46.281 (1) (d) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.281 (1) (d). This SECTION has been affected by  
      drafts with the following LRB numbers: 0330 and 1524.

13          \***-0330/P6.19\*** SECTION 939. 46.281 (1) (e) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.281 (1) (e). This SECTION has been affected by  
      drafts with the following LRB numbers: 0330 and 1562.

14          \***-0330/P6.20\*** SECTION 940. 46.281 (1) (f) of the statutes is renumbered 46.281  
15          (1n) (a).

16          \***-0330/P6.21\*** SECTION 941. 46.281 (1) (g) of the statutes is renumbered  
17          46.281 (1n) (b).

18          \***-0330/P6.22\*** SECTION 942. 46.281 (1) (h) of the statutes is renumbered  
19          46.281 (1n) (c).

20          \***-0333/P6.1\*** SECTION 943. 46.281 (1) (i) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.281 (1) (i). This SECTION has been affected by  
      drafts with the following LRB numbers: 0330 and 0333.

21          \***-0330/P6.23\*** SECTION 944. 46.281 (1g) of the statutes is created to read:

1           46.281 (1g) CONTRACTING FOR RESOURCE CENTERS AND CARE MANAGEMENT  
2 ORGANIZATIONS. The department may contract with entities as provided under s.  
3 46.283 (2) to provide the services under s. 46.283 (3) and (4) as resource centers in  
4 any geographic area in the state, and may contract with entities as provided under  
5 s. 46.284 (2) to administer the family care benefit as care management organizations  
6 in any geographic area in the state.

7           \*-1562/P4.5\* SECTION 945. 46.281 (1n) (d) of the statutes is created to read:

8           46.281 (1n) (d) 1. Establish regions for long-term care advisory committees  
9 under s. 46.2825, periodically review the boundaries of the regions, and, as  
10 appropriate, revise the boundaries.

11           2. Specify the number of members that each governing board of a resource  
12 center shall appoint to a regional long-term care advisory committee. The total  
13 number of committee members shall not exceed 25, and the department shall allot  
14 committee membership equally among the governing boards of resource centers  
15 operating within the boundaries of the regional long-term care advisory committee.

16           3. Provide information and staff assistance to assist regional long-term care  
17 advisory committees in performing the duties under s. 46.2825 (2).

\*\*\*\*NOTE: This is reconciled s. 46.281 (1n) (d). This SECTION has been affected by  
the following LRB numbers: 0330 and 1562.

18           \*-0330/P6.24\* SECTION 946. 46.281 (2) (title) of the statutes is amended to  
19 read:

20           46.281 (2) (title) ~~POWERS~~ OTHER POWERS OF THE DEPARTMENT.

21           \*-0330/P6.25\* SECTION 947. 46.281 (3) of the statutes is amended to read:

22           46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,  
23 hospital, nursing home, community-based residential facility, adult family home

1 and residential care apartment complex the date on which a resource center that  
2 serves the area of the county, hospital, nursing home, community-based residential  
3 facility, adult family home or residential care apartment complex is first available  
4 to provide a perform functional screenings and financial screen and cost-sharing  
5 screenings. To facilitate phase-in of services of resource centers, the secretary may  
6 certify that the resource center is available for specified groups of eligible individuals  
7 or for specified facilities in the county.

8 **\*-1562/P4.6\* SECTION 948.** 46.282 (title) of the statutes is repealed.

9 **\*-1562/P4.7\* SECTION 949.** 46.282 (2) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.282 (2). This SECTION has been affected by drafts  
with the following LRB numbers: 0330 and 1562.

10 **\*-1562/P4.8\* SECTION 950.** 46.282 (3) (title) of the statutes is repealed.

11 **\*-1562/P4.9\* SECTION 951.** 46.282 (3) (a) (intro.) of the statutes is repealed.

12 **\*-1562/P4.10\* SECTION 952.** 46.282 (3) (a) 1. of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.282 (3) (a) 1. This SECTION has been affected by  
drafts with the following LRB numbers: 1524 and 1562.

13 **\*-1562/P4.11\* SECTION 953.** 46.282 (3) (a) 2. of the statutes is repealed.

14 **\*-1562/P4.12\* SECTION 954.** 46.282 (3) (a) 3. of the statutes is repealed.

15 **\*-1562/P4.13\* SECTION 955.** 46.282 (3) (a) 4. of the statutes is repealed.

16 **\*-1562/P4.14\* SECTION 956.** 46.282 (3) (a) 5. of the statutes is repealed.

17 **\*-1562/P4.15\* SECTION 957.** 46.282 (3) (a) 6. of the statutes is repealed.

18 **\*-1562/P4.16\* SECTION 958.** 46.282 (3) (a) 7. of the statutes is repealed.

19 **\*-1562/P4.17\* SECTION 959.** 46.282 (3) (a) 8. of the statutes is renumbered

20 46.2825 (2) (e) and amended to read:

21 46.2825 (2) (e) Monitor the pattern of enrollments and disenrollments in local  
22 care management organizations that provide services in the committee's region.

1           \*-1562/P4.18\* SECTION 960. 46.282 (3) (a) 9. of the statutes is renumbered  
2           46.283 (6) (b) 3. and amended to read:

3           46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and  
4           community resources and develop strategies to build local capacity to serve older  
5           persons and persons with physical or developmental disabilities needed by  
6           individuals belonging to the client groups served by the resource center, especially  
7           those with long-term care needs.

8           \*-1562/P4.19\* SECTION 961. 46.282 (3) (a) 10. of the statutes is renumbered  
9           46.2825 (2) (g) and amended to read:

10          46.2825 (2) (g) Perform long-range planning on long-term care policy for older  
11          persons and persons with physical or developmental disabilities individuals  
12          belonging to the client groups served by the resource center.

13          \*-1562/P4.20\* SECTION 962. 46.282 (3) (a) 11. of the statutes is renumbered  
14          46.283 (6) (b) 8. and amended to read:

15          46.283 (6) (b) 8. Annually review interagency agreements between ~~a~~ the  
16          resource center and care management ~~organization or organizations~~ that provide  
17          services in the area served by the resource center and make recommendations, as  
18          appropriate, on the interaction between the resource center and the care  
19          management ~~organization or organizations~~ to assure coordination between or  
20          among them and to assure access to and timeliness in provision of services by the  
21          resource center and the care management organizations.

22          \*-1562/P4.21\* SECTION 963. 46.282 (3) (a) 12. of the statutes is renumbered  
23          46.283 (6) (b) 9. and amended to read:

24          46.283 (6) (b) 9. Annually review Review the number and types of complaints  
25          and grievances about and appeals concerning the long-term care system by persons

1 ~~who receive or may receive care under the system in the area served by the resource~~  
2 ~~center, to determine if a need exists for system changes, and recommend system or~~  
3 ~~other changes if appropriate.~~

4 \***-1562/P4.22\*** SECTION 964. 46.282 (3) (a) 13. of the statutes is renumbered  
5 46.283 (6) (b) 6. and amended to read:

6 46.283 (6) (b) 6. Identify potential new sources of community resources and  
7 funding for needed services for ~~older persons and persons with physical or~~  
8 ~~developmental disabilities~~ individuals belonging to the client groups served by the  
9 resource center.

10 \***-1562/P4.23\*** SECTION 965. 46.282 (3) (a) 14. of the statutes is repealed.

11 \***-1562/P4.24\*** SECTION 966. 46.282 (3) (a) 15. of the statutes is repealed.

12 \***-1562/P4.25\*** SECTION 967. 46.282 (3) (b) of the statutes is renumbered  
13 46.283 (6) (b) 10. and amended to read:

14 46.283 (6) (b) 10. ~~A local long-term care council may, within the local~~  
15 ~~long-term care council's area~~ If directed to do so by the county board, assume the  
16 duties of the county long-term community support planning committee as specified  
17 under s. 46.27 (4) for a county served by the resource center.

18 \***-1562/P4.26\*** SECTION 968. 46.2825 of the statutes is created to read:

19 **46.2825 Regional long-term care advisory committees. (1) CREATION.**  
20 The governing board of each resource center operating in a region established by the  
21 department under s. 46.281 (1n) (d) 1. shall appoint the number of its members that  
22 is specified by the department under s. 46.281 (1n) (d) 2. to a regional long-term care  
23 advisory committee. At least 50 percent of the persons a resource center board  
24 appoints to a regional long-term care advisory committee shall be older persons or

1 persons with a physical or developmental disability or their family members,  
2 guardians, or other advocates.

\*\*\*\*NOTE: This is reconciled section 46.2825 (1). This SECTION has been affected by  
drafts with the following LRB numbers: 0330 and 1562.

3 (2) DUTIES. A regional long-term care advisory committee shall do all of the  
4 following:

5 (a) Evaluate the performance of care management organizations and entities  
6 that operate a program described under s. 46.2805 (1) (a) or (b) in the committee's  
7 region with respect to responsiveness to recipients of their services, fostering choices  
8 for recipients, and other issues affecting recipients; and make recommendations  
9 based on the evaluation to the department and to the care management  
10 organizations and entities, as appropriate.

11 (b) Evaluate the performance of resource centers operating in the committee's  
12 region and, as appropriate, make recommendations, concerning their performance  
13 to the department and the resource centers.

14 (c) Monitor grievances and appeals made to care management organizations  
15 or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the  
16 committee's region.

17 (d) Review utilization of long-term care services in the committee's region.

18 (f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards  
19 of resources centers operating in the committee's region and other available  
20 information, identify any gaps in the availability of services, living arrangements,  
21 and community resources needed by older persons and persons with physical or  
22 developmental disabilities, and develop strategies to build capacity to provide those  
23 services, living arrangements, and community resources in the committee's region.

1 (h) Annually report to the department regarding significant achievements and  
2 problems relating to the provision of long-term care services in the committee's  
3 region.

4 **\*-1524/P3.22\* SECTION 969.** 46.283 (1) (a) 2. of the statutes is amended to read:

5 46.283 (1) (a) 2. Whether to create a family long-term care district to apply to  
6 the department for a contract to operate a resource center.

7 **\*-0330/P6.26\* SECTION 970.** 46.283 (2) (a) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.283 (2) (a). This SECTION has been affected by  
drafts with the following LRB numbers: 0330 and 1524.

8 **\*-0330/P6.27\* SECTION 971.** 46.283 (2) (b) of the statutes is renumbered  
9 46.283 (2), and 46.283 (2) (intro.) and (b), as renumbered, are amended to read:

10 46.283 (2) (intro.) ~~After June 30, 2001, the~~ The department may, ~~if the~~  
11 ~~applicable review conditions under s. 46.281 (1) (e) 2. are satisfied,~~ contract to  
12 operate a resource center with counties, family long-term care districts, or the  
13 governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc., under  
14 a joint application of any of these, or with a private nonprofit organization if the  
15 department determines that the organization has no significant connection to an  
16 entity that operates a care management organization and if any of the following  
17 applies:

18 (b) A county agency or a family long-term care district applies for a contract  
19 but fails to meet the standards specified in sub. (3).

\*\*\*\*NOTE: This is reconciled s. 46.283 (2) (b) (intro.) and 2. This SECTION has been  
affected by drafts with the following LRB numbers: 0330 and 1524.

20 **\*-0333/P6.2\* SECTION 972.** 46.283 (3) (h) of the statutes is repealed.

21 **\*-0333/P6.3\* SECTION 973.** 46.283 (3) (i) of the statutes is repealed.

22 **\*-0905/3.19\* SECTION 974.** 46.283 (3) (k) of the statutes is amended to read:

1           46.283 (3) (k) A determination of eligibility for state supplemental payments  
2           under s. 49.77, medical assistance under s. 49.46, 49.468 or, 49.47, or 49.471, or the  
3           federal food stamp program under 7 USC 2011 to 2029.

4           \*-0330/P6.28\* SECTION 975. 46.283 (4) (e) of the statutes is amended to read:

5           46.283 (4) (e) ~~Within 6 months after the family care benefit is available to all~~  
6           ~~eligible persons in the area of the resource center, provide~~ Provide information about  
7           the services of the resource center, including the services specified in sub. (3) (d),  
8           about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and  
9           about the family care benefit to all older persons and persons with a physical  
10          disability who are residents of nursing homes, community-based residential  
11          facilities, adult family homes and residential care apartment complexes in the area  
12          of the resource center.

13          \*-0330/P6.29\* SECTION 976. 46.283 (4) (f) of the statutes is amended to read:

14          46.283 (4) (f) ~~Provide~~ Perform a functional screening and a financial screen to  
15          and cost-sharing screening for any resident, as specified in par. (e), who requests a  
16          ~~screen~~ screening and assist any resident who is eligible and chooses to enroll in a care  
17          management organization to do so.

18          \*-0330/P6.30\* SECTION 977. 46.283 (4) (g) of the statutes is amended to read:

19          46.283 (4) (g) ~~Provide~~ Perform a functional screening and a financial screen to  
20          and cost-sharing screening for any person seeking admission to a nursing home,  
21          community-based residential facility, residential care apartment complex, or adult  
22          family home if the secretary has certified that the resource center is available to the  
23          person and the facility and the person is determined by the resource center to have  
24          a condition that is expected to last at least 90 days that would require care,  
25          assistance, or supervision. A resource center may not require a financial screen and

1 cost-sharing screening for a person seeking admission or about to be admitted on a  
2 private pay basis who waives the requirement for a financial screen and cost-sharing  
3 screening under this paragraph, unless the person is expected to become eligible for  
4 medical assistance within 6 months. A resource center need not provide perform a  
5 functional screen ~~for~~ screening for a person seeking admission or about to be  
6 admitted ~~who has received a screen for~~ whom a functional eligibility under s. 46.286  
7 (1) (a) screening was performed within the previous 6 months.

8 **\*-1562/P4.27\* SECTION 978.** 46.283 (4) (j) of the statutes is created to read:

9 46.283 (4) (j) Target any outreach, education, and prevention services it  
10 provides and any service development efforts it conducts on the basis of findings  
11 made by the governing board of the resource center under sub. (6) (b) 2. and 3.

12 **\*-0892/11.19\* SECTION 979.** 46.283 (5) of the statutes is amended to read:

13 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
14 (bm), (gp), (pa), and (w), and (xd) and (7) (b), (bd), and (md), the department may  
15 contract with organizations that meet standards under sub. (3) for performance of  
16 the duties under sub. (4) and shall distribute funds for services provided by resource  
17 centers.

18 **\*-1562/P4.28\* SECTION 980.** 46.283 (6) of the statutes is amended to read:

19 46.283 (6) GOVERNING BOARD. (a) 1. A resource center shall have a governing  
20 board that reflects the ethnic and economic diversity of the geographic area served  
21 by the resource center.

22 2. At least one-fourth of the members of the governing board shall be ~~older~~  
23 ~~persons or persons with physical or developmental disabilities~~ individuals who  
24 belong to a client group served by the resource center or their family members,  
25 guardians, or other advocates. The proportion of these board members who belong

1 to each client group, or their family members, guardians, or advocates, shall be the  
2 same, respectively, as the proportion of individuals in this state who receive services  
3 under s. 46.2805 to 46.2895 and belong to each client group.

4 **\*-1562/P4.29\* SECTION 981.** 46.283 (6) (a) 3. of the statutes is created to read:

5 46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the  
6 governing board of, a care management organization or an organization that  
7 administers a program described under s. 46.2805 (1) (a) or (b) or a managed care  
8 program under s. 49.45 for individuals who are eligible to receive supplemental  
9 security income under 42 USC 1381 to 1383c, which serves any geographic area also  
10 served by a resource center, and the individual's family members, may not serve as  
11 members of the governing board of the resource center.

12 **\*-1562/P4.30\* SECTION 982.** 46.283 (6) (b) of the statutes is created to read:

13 46.283 (6) (b) The governing board of a resource center shall do all of the  
14 following:

15 1. Determine the structure, policies, and procedures of, and oversee the  
16 operations of, the resource center. The operations of a resource center that is  
17 operated by a county are subject to the county's ordinances and budget.

18 2. Annually gather information from consumers and providers of long-term  
19 care services and other interested persons concerning the adequacy of long-term  
20 care services offered in the area served by the resource center. The board shall  
21 provide well-advertised opportunities for persons to participate in the board's  
22 information gathering activities conducted under this subdivision.

23 4. Report findings made under subsds. 2. and 3. to the applicable regional  
24 long-term care advisory committee.

1           5. Recommend strategies for building local capacity to serve older persons and  
2 persons with physical or developmental disabilities, as appropriate, to local elected  
3 officials, the regional long-term care advisory committee, or the department.

4           7. Appoint members to the regional long-term care advisory committee, as  
5 provided under s. 46.2825 (1).

6           **\*-1562/P4.31\* SECTION 983.** 46.284 (1) (a) (intro.) of the statutes is amended  
7 to read:

8           46.284 (1) (a) (intro.) ~~After considering recommendations of the local~~  
9 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors and,  
10 in a county with a county executive or a county administrator, the county executive  
11 or county administrator, may decide all of the following:

12           **\*-1524/P3.23\* SECTION 984.** 46.284 (1) (a) 2. of the statutes is amended to read:

13           46.284 (1) (a) 2. Whether to create a family long-term care district to apply to  
14 the department for a contract to operate a care management organization.

15           **\*-0330/P6.31\* SECTION 985.** 46.284 (2) (b) (intro.) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.284. (2) (b) (intro.). This SECTION has been  
affected by drafts with the following LRB numbers: 0330 and 1524.

16           **\*-0330/P6.32\* SECTION 986.** 46.284 (2) (b) 1. of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.284 (2) (b) 1. This SECTION has been affected by  
drafts with the following LRB numbers: 0330 and 1562.

17           **\*-0330/P6.33\* SECTION 987.** 46.284 (2) (b) 2. of the statutes is repealed.

18           **\*-0330/P6.34\* SECTION 988.** 46.284 (2) (b) 3. of the statutes is renumbered  
19 46.284 (2) (bm) and amended to read:

20           46.284 (2) (bm) ~~After December 31, 2003, the~~ The department may contract  
21 with counties, family long-term care districts, the governing body of a tribe or band  
22 or the Great Lakes inter-tribal council, inc., or under a joint application of any of

1 these, or with a private organization that has no significant connection to an entity  
2 that operates a resource center. Proposals for contracts under this subdivision shall  
3 be solicited under a competitive sealed proposal process under s. 16.75 (2m) and,  
4 after consulting with the local long-term care council for the county or counties, the  
5 department shall evaluate the proposals primarily as to the quality of care that is  
6 proposed to be provided, certify those applicants that meet the requirements  
7 specified in sub. (3) (a), select certified applicants for contract and contract with the  
8 selected applicants.

\*\*\*\*NOTE: This is reconciled s. 46.284. (2) (b) 3. This SECTION has been affected by  
drafts with the following LRB numbers: 0330, 1524, and 1562.

9 **\*-1562/P4.32\* SECTION 989.** 46.284 (3) (a) of the statutes is amended to read:  
10 46.284 (3) (a) If an entity meets the requirements under par. (b) and applicable  
11 rules of the department and submits to the department an application for initial  
12 certification or certification renewal, the department shall certify that the entity  
13 meets the requirements for a care management organization. An application shall  
14 include comments about the applicant and recommendations about the application  
15 that are provided by the appropriate local long-term care council, as specified under  
16 s. 46.282 (3) (a) 3.

17 **\*-0892/11.20\* SECTION 990.** 46.284 (5) (a) of the statutes is amended to read:  
18 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),  
19 (im), (o), and (w), and (xd) and (7) (b) and (bd), the department shall provide funding  
20 on a capitated payment basis for the provision of services under this section.  
21 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
22 under contract with the department may expend the funds, consistent with this

1 section, including providing payment, on a capitated basis, to providers of services  
2 under the family care benefit.

3 **\*-1524/P3.24\* SECTION 991.** 46.284 (6) of the statutes is amended to read:

4 46.284 (6) GOVERNING BOARD. A care management organization shall have a  
5 governing board that reflects the ethnic and economic diversity of the geographic  
6 area served by the care management organization. At least one-fourth of the  
7 members of the governing board shall be ~~older persons or persons with physical or~~  
8 ~~developmental disabilities or their family members, guardians or other advocates~~  
9 ~~who are representative of the client group or groups whom the care management~~  
10 ~~organization's enrollee organization is contracted to serve or those clients' family~~  
11 ~~members, guardians, or other advocates.~~

12 **\*-1524/P3.25\* SECTION 992.** 46.285 (1) of the statutes is renumbered 46.285,  
13 and 46.285 (intro.), (1) and (2), as renumbered, are amended to read:

14 **46.285 (intro.)** In order to meet federal requirements and assure federal  
15 financial participation in funding of the family care benefit, a county, a tribe or band,  
16 a family long-term care district or an organization, including a private, nonprofit  
17 corporation, may not directly operate both a resource center and a care management  
18 organization, except as follows:

19 (1) For an entity with which the department has contracted under s. 46.281 (1)  
20 (e) 1., 2005 stats., provision of the services specified under s. 46.283 (3) (b), (e), (f) and  
21 (g) shall be structurally separate from the provision of services of the care  
22 management organization by January 1, 2001.

\*\*\*\*NOTE: This is reconciled s. 46.285 (1) (a). This SECTION has been affected by  
drafts with the following LRB numbers: 0330 and 1524.

1 (2) The department may approve separation of the functions of a resource  
2 center from those of a care management organization by a means other than those  
3 ~~specified in sub. (2) creating a long-term care district under s. 46.2895 to serve either~~  
4 as a resource center or a care management organization.

5 \*-1524/P3.26\* SECTION 993. 46.285 (2) of the statutes is repealed.

6 \*-0330/P6.35\* SECTION 994. 46.286 (1) (intro.) of the statutes is amended to  
7 read:

8 46.286 (1) ELIGIBILITY. (intro.) A person is eligible for, but not necessarily  
9 entitled to, the family care benefit if the person is at least 18 years of age; has a  
10 physical disability, as defined in s. 15.197 (4) (a) 2., or a developmental disability, as  
11 defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in s. 55.01 (1v)  
12 is a frail elder; and meets all of the following criteria:

13 \*-0330/P6.36\* SECTION 995. 46.286 (1) (a) 1. of the statutes is amended to read:

14 46.286 (1) (a) 1. The person's functional capacity level of care need is at either  
15 of the following levels:

16 a. The comprehensive nursing home level, if the person has a long-term or  
17 irreversible condition, expected to last at least 90 days or result in death within one  
18 year of the date of application, and requires ongoing care, assistance or supervision.

19 b. The intermediate non-nursing home level, if the person has a condition that  
20 is expected to last at least 90 days or result in death within 12 months after the date  
21 of application, and is at risk of losing his or her independence or functional capacity  
22 unless he or she receives assistance from others.

23 \*-0333/P6.4\* SECTION 996. 46.286 (1) (b) (intro.) of the statutes is amended to  
24 read:

1           46.286 (1) (b) *Financial eligibility*. (intro.) A person is financially eligible if  
2 all any of the following apply:

3           \*-0333/P6.5\* SECTION 997. 46.286 (1) (b) 1. (intro.) of the statutes is repealed.

4           \*-0333/P6.6\* SECTION 998. 46.286 (1) (b) 1. a. of the statutes is renumbered  
5 46.286 (1) (b) 3. and amended to read:

6           46.286 (1) (b) 3. The person was receiving the family care benefit on the  
7 effective date of this subdivision .... [revisor inserts date], the person would qualify  
8 for medical assistance except for financial or disability criteria, and the projected cost  
9 of the person's care plan, as calculated by the department or its designee, exceeds the  
10 person's gross monthly income, plus one-twelfth of his or her countable assets, less  
11 deductions and allowances permitted by rule by the department.

12           \*-0333/P6.7\* SECTION 999. 46.286 (1) (b) 1. b. and 2. of the statutes are  
13 consolidated, renumbered 46.286 (1) (b) 1m. and amended to read:

14           46.286 (1) (b) 1m. The person is eligible under ch. 49 for medical assistance.  
15 2. ~~If subd. 1. b. applies, the person accepts medical assistance and,~~ unless he or she  
16 is exempt from the acceptance under rules promulgated by the department, accepts  
17 medical assistance.

18           \*-0333/P6.8\* SECTION 1000. 46.286 (3) (a) (intro.) of the statutes is amended  
19 to read:

20           46.286 (3) (a) (intro.) Subject to pars. par. (c) and (d), a person is entitled to and  
21 may receive the family care benefit through enrollment in a care management  
22 organization if he or she all of the following apply:

23           1m. The person is at least 18 years of age,

1        2m. The person has a physical disability, as defined in s. 15.197 (4) (a) 2., a  
2        developmental disability, as defined in s. 51.01 (5) (a), or degenerative brain disorder,  
3        ~~as defined in s. 55.01 (1v),~~ is a frail elder.

4        4m. The person is financially eligible, under sub. (1) (b) 1m., and fulfills any  
5        applicable cost-sharing requirements ~~and meets any of the following criteria:~~

6        **\*-0333/P6.9\* SECTION 1001.** 46.286 (3) (a) 1. of the statutes is repealed.

7        **\*-0333/P6.10\* SECTION 1002.** 46.286 (3) (a) 2. of the statutes is repealed.

8        **\*-0333/P6.11\* SECTION 1003.** 46.286 (3) (a) 3. of the statutes is repealed.

9        **\*-0333/P6.12\* SECTION 1004.** 46.286 (3) (a) 3m. of the statutes is created to  
10        read:

11        46.286 (3) (a) 3m. The person is functionally eligible under sub. (1) (a).

12        **\*-0333/P6.13\* SECTION 1005.** 46.286 (3) (a) 4. of the statutes is repealed.

13        **\*-0333/P6.14\* SECTION 1006.** 46.286 (3) (a) 6. of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.286 (3) (a) (intro.) and 1. to 6. These SECTIONS  
      have been affected by drafts with the following LRB numbers: 0330 and 0333.

14        **\*-0333/P6.15\* SECTION 1007.** 46.286 (3) (d) of the statutes is repealed.

15        **\*-0248/3.2\* SECTION 1008.** 46.286 (3m) of the statutes is repealed and  
16        recreated to read:

17        46.286 (3m) INFORMATION ABOUT ENROLLEES. The department shall obtain and  
18        share information about family care enrollees as provided in s. 49.475.

19        **\*-0333/P6.16\* SECTION 1009.** 46.288 (2) (intro.) of the statutes is amended to  
20        read:

21        46.288 (2) (intro.) Criteria and procedures for determining functional  
22        eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost  
23        sharing under s. 46.286 (2) (a) ~~and entitlement under s. 46.286 (3).~~ The rules for

1 determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially  
2 similar to eligibility criteria for receipt of the long-term support community options  
3 program under s. 46.27. Rules under this subsection shall include definitions of the  
4 following terms applicable to s. 46.286:

5 **\*-0330/P6.37\* SECTION 1010.** 46.289 (title) of the statutes is renumbered  
6 46.2803 (title).

7 **\*-0330/P6.38\* SECTION 1011.** 46.289 of the statutes is renumbered 46.2803  
8 (1).

9 **\*-1524/P3.27\* SECTION 1012.** 46.2895 (title) of the statutes is amended to  
10 read:

11 **46.2895 (title) Family Long-term care district.**

12 **\*-1524/P3.28\* SECTION 1013.** 46.2895 (1) (a) (intro.) of the statutes is amended  
13 to read:

14 46.2895 (1) CREATION. (a) (intro.) A county board of supervisors, a tribe or band,  
15 or any combination of counties or tribes or bands, may create a special purpose  
16 district that is termed a “family long-term care district”, that is a local unit of  
17 government, that is separate and distinct from, and independent of, the state and the  
18 county or tribe or band that created it, and that has the powers and duties specified  
19 in this section, if the each county board or tribe or band that participates in creating  
20 the district does all of the following:

21 **\*-1524/P3.29\* SECTION 1014.** 46.2895 (1) (a) 1. a. of the statutes is amended  
22 to read:

23 46.2895 (1) (a) 1. a. Declares the need for establishing the family long-term  
24 care district.

1           **\*-1524/P3.30\* SECTION 1015.** 46.2895 (1) (a) 1. b. of the statutes is amended  
2           to read:

3           46.2895 (1) (a) 1. b. Specifies the family long-term care district's primary  
4           purpose, which shall be to operate, under contract with the department, either a  
5           resource center under s. 46.283 ~~or~~ a care management organization under s. 46.284,  
6           but not both, or a program described under s. 46.2805 (1) (a) or (b).

7           **\*-1524/P3.31\* SECTION 1016.** 46.2895 (1) (a) 1. c. of the statutes is created to  
8           read:

9           46.2895 (1) (a) 1. c. Specifies the number of individuals who shall be appointed  
10          as members of the long-term care district board, the length of their terms, and, if the  
11          long-term care district is created by more than one county or tribe or band, how many  
12          members shall be appointed by each county or tribe or band.

13          **\*-1524/P3.32\* SECTION 1017.** 46.2895 (1) (b) of the statutes is repealed.

14          **\*-1524/P3.33\* SECTION 1018.** 46.2895 (1) (c) of the statutes is created to read:

15          46.2895 (1) (c) A long-term care district may not operate a care management  
16          organization under s. 46.284 or a program described under s. 46.2805 (1) (a) or (b)  
17          if the district operates a resource center under s. 46.283.

18          **\*-1524/P3.34\* SECTION 1019.** 46.2895 (1) (d) of the statutes is created to read:

19          46.2895 (1) (d) A county or tribe or band may create more than one long-term  
20          care district.

21          **\*-1524/P3.35\* SECTION 1020.** 46.2895 (1) (e) of the statutes is created to read:

22          46.2895 (1) (e) A long-term care district may change its primary purpose  
23          specified under par. (a) 1. b. if all the counties or tribes or bands that created the  
24          district and that have not withdrawn or been removed from the district under sub.  
25          (14), adopt a resolution approving the change in primary purpose and if the change

1 in purpose does not violate par. (c) or any provision of a contract between the  
2 department and the district.

3 **\*-1524/P3.36\* SECTION 1021.** 46.2895 (2) of the statutes is amended to read:

4 46.2895 (2) JURISDICTION. A family long-term care district's jurisdiction is the  
5 geographical area of the county or counties ~~of the county board or boards of~~  
6 ~~supervisors who that~~ created the family long-term care district and the geographic  
7 area of the reservation of, or lands held in trust for, any tribe or band that created  
8 the long-term care district.

9 **\*-1524/P3.37\* SECTION 1022.** 46.2895 (3) (title) of the statutes is amended to  
10 read:

11 46.2895 (3) (title) ~~FAMILY~~ FAMILY LONG-TERM CARE DISTRICT BOARD.

12 **\*-1524/P3.38\* SECTION 1023.** 46.2895 (3) (a) 1. of the statutes is renumbered  
13 46.2895 (3) (a) and amended to read:

14 46.2895 (3) (a) The county board of supervisors of a county or, in a county with  
15 a county administrator or county executive, the county administrator or county  
16 executive shall appoint the ~~members of the family long-term~~ care district board,  
17 ~~which is the governing board of a family care district under sub. (1) (a)~~ members  
18 whom the county is allotted, by resolutions adopted under sub. (1) (a) 1. c., to appoint.

19 **\*-1524/P3.39\* SECTION 1024.** 46.2895 (3) (a) 2. of the statutes is repealed.

20 **\*-1524/P3.40\* SECTION 1025.** 46.2895 (3) (b) 1. of the statutes is amended to  
21 read:

22 46.2895 (3) (b) 1. The family care district board appointed under par. (a) 1. shall  
23 consist of 15 persons ~~who are residents of the area of jurisdiction of the family care~~  
24 ~~district.~~ At least one-fourth of the members of a long-term care district board shall  
25 be representative of the client group or groups whom it is the family long-term care

1 district's primary purpose to serve or those clients' family members, guardians, or  
2 other advocates.

3 **\*-1524/P3.41\* SECTION 1026.** 46.2895 (3) (b) 2. of the statutes is repealed.

4 **\*-1524/P3.42\* SECTION 1027.** 46.2895 (3) (b) 3. of the statutes is amended to  
5 read:

6 46.2895 (3) (b) 3. Membership of the family a long-term care district board  
7 under ~~subd. 1. or 2.~~ shall reflect the ethnic and economic diversity of in the area of  
8 jurisdiction of the family long-term care district. ~~Up to one-fourth of the members~~  
9 ~~of the board may be elected or appointed officials or employees of the county or~~  
10 ~~counties that created the family care district.~~

11 4. No member of the a long-term care district board may have a private  
12 financial interest in or profit directly or indirectly from any contract or other  
13 business of the family long-term care district.

14 **\*-1524/P3.43\* SECTION 1028.** 46.2895 (3) (b) 5. of the statutes is created to  
15 read:

16 46.2895 (3) (b) 5. Only individuals who reside within the jurisdiction of a  
17 long-term care district may serve as members of the long-term care district board.

18 **\*-1524/P3.44\* SECTION 1029.** 46.2895 (3) (c) of the statutes is repealed.

19 **\*-1524/P3.45\* SECTION 1030.** 46.2895 (3) (d) of the statutes is amended to  
20 read:

21 46.2895 (3) (d) As soon as possible after the appointment of the initial members  
22 of the family long-term care district board, the board shall organize for the  
23 transaction of business and elect a chairperson and other necessary officers. Each  
24 chairperson shall be elected by the board from time to time for the term of that  
25 chairperson's office as a member of the board or for the term of 3 years, whichever

1 is shorter, and shall be eligible for reelection. A majority of the board shall constitute  
2 a quorum. The Unless specified otherwise in a bylaw adopted by the board, the board  
3 may act based on the affirmative vote of a majority of a quorum.

4 **\*-1524/P3.46\* SECTION 1031.** 46.2895 (4) (intro.) of the statutes is amended  
5 to read:

6 46.2895 (4) POWERS. (intro.) Subject to sub. (1) (a) ~~1. b. (c)~~, a family long-term  
7 care district has all the powers necessary or convenient to carry out the purposes and  
8 provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family  
9 long-term care district may do all of the following:

10 **\*-1524/P3.47\* SECTION 1032.** 46.2895 (4) (b) of the statutes is amended to  
11 read:

12 46.2895 (4) (b) Adopt bylaws and policies and procedures for the regulation of  
13 its affairs and the conduct of its business. The bylaws, policies and procedures shall  
14 be consistent with ss. 46.2805 to 46.2895 and, if the family long-term care district  
15 contracts with the department under par. (d) or (dm), with the terms of that contract.

16 **\*-1524/P3.48\* SECTION 1033.** 46.2895 (4) (dm) of the statutes is created to  
17 read:

18 46.2895 (4) (dm) Subject to sub. (1) (c), enter into a contract with the  
19 department to operate a program described under s. 46.2805 (1) (a) or (b) and provide  
20 services related to the contracted services.

21 **\*-1524/P3.49\* SECTION 1034.** 46.2895 (4) (g) of the statutes is amended to  
22 read:

23 46.2895 (4) (g) Subject to sub. (8), employ any agent, employee, or special  
24 adviser that the family long-term care district finds necessary, fix and regulate his  
25 or her compensation and provide, either directly or subject to an agreement under

1 s. 66.0301 as a participant in a benefit plan of another governmental entity, any  
2 employee benefits, including an employee pension plan.

3 **\*-1524/P3.50\* SECTION 1035.** 46.2895 (4) (h) of the statutes is amended to  
4 read:

5 46.2895 (4) (h) Mortgage, pledge or otherwise encumber the family long-term  
6 care district's property or funds.

7 **\*-1524/P3.51\* SECTION 1036.** 46.2895 (4) (k) of the statutes is amended to  
8 read:

9 46.2895 (4) (k) Create a risk reserve or other special reserve as the family  
10 long-term care district board desires or as the department requires under the  
11 contract with the department that is specified under par. (d).

12 **\*-1524/P3.52\* SECTION 1037.** 46.2895 (4) (L) of the statutes is amended to  
13 read:

14 46.2895 (4) (L) Accept aid, including loans, to accomplish the purpose of the  
15 family long-term care district from any local, state or federal governmental agency  
16 or accept gifts, loans, grants or bequests from individuals or entities, if the conditions  
17 under which the aid, loan, gift, grant or bequest is furnished are not in conflict with  
18 this section.

19 **\*-1524/P3.53\* SECTION 1038.** 46.2895 (4) (m) of the statutes is amended to  
20 read:

21 46.2895 (4) (m) Make and execute other instruments necessary or convenient  
22 to exercise the powers of the family long-term care district.

23 **\*-1524/P3.54\* SECTION 1039.** 46.2895 (5) of the statutes is amended to read:

24 46.2895 (5) LIMITATION ON POWERS. A family long-term care district may not  
25 issue bonds or levy a tax or assessment.

1       **\*-1524/P3.55\* SECTION 1040.** 46.2895 (6) (intro.) of the statutes is amended  
2       to read:

3               46.2895 (6) DUTIES. (intro.) The family long-term care district board shall do  
4       all of the following:

5       **\*-1524/P3.56\* SECTION 1041.** 46.2895 (6) (b) of the statutes is amended to  
6       read:

7               46.2895 (6) (b) Subject to sub. (8), develop and implement a personnel  
8       structure and other employment policies for employees of the family long-term  
9       care district.

10       **\*-1524/P3.57\* SECTION 1042.** 46.2895 (6) (c) of the statutes is amended to  
11       read:

12               46.2895 (6) (c) Assure compliance with the terms of any contract with the  
13       department under sub. (4) (d) or (dm).

14       **\*-1524/P3.58\* SECTION 1043.** 46.2895 (6) (d) of the statutes is amended to  
15       read:

16               46.2895 (6) (d) Establish a fiscal operating year and annually adopt a budget  
17       for the family long-term care district.

18       **\*-1524/P3.59\* SECTION 1044.** 46.2895 (6) (e) of the statutes is amended to  
19       read:

20               46.2895 (6) (e) Contract for any legal services required for the family long-term  
21       care district.

22       **\*-1524/P3.60\* SECTION 1045.** 46.2895 (7) (a) of the statutes is amended to  
23       read:

1 46.2895 (7) (a) Manage the property and business of the family long-term care  
2 district and manage the employees of the district, subject to the general control of the  
3 family long-term care district board.

4 \***-1524/P3.61**\* SECTION 1046. 46.2895 (7) (b) of the statutes is amended to  
5 read:

6 46.2895 (7) (b) Comply with the bylaws and direct enforcement of all policies  
7 and procedures adopted by the family long-term care district board.

8 \***-1524/P3.62**\* SECTION 1047. 46.2895 (7) (c) of the statutes is amended to  
9 read:

10 46.2895 (7) (c) Perform duties in addition to those specified in pars. (a) and (b)  
11 as are prescribed by the family long-term care district board.

12 \***-1524/P3.63**\* SECTION 1048. 46.2895 (8) (a) (intro.) of the statutes is amended  
13 to read:

14 46.2895 (8) (a) (intro.) A family long-term care district board that is created  
15 at least in part by a county shall do all of the following:

16 \***-1524/P3.64**\* SECTION 1049. 46.2895 (8) (a) 1. of the statutes is amended to  
17 read:

18 46.2895 (8) (a) 1. If the family long-term care district offers employment to any  
19 individual who was previously employed by the a county, which participated in  
20 creating the district and at the time of the offer had not withdrawn or been removed  
21 from the district under sub. (14), and who while employed by the county performed  
22 duties relating to the same or a substantially similar function for which the  
23 individual is offered employment by the district and whose wages, hours and  
24 conditions of employment were established in a collective bargaining agreement  
25 with the county under subch. IV of ch. 111 that is in effect on the date that the

1 individual commences employment with the district, with respect to that individual,  
2 abide by the terms of the collective bargaining agreement concerning the individual's  
3 compensation and benefits wages and, if applicable, vacation allowance, sick leave  
4 accumulation, sick leave bank, holiday allowance, funeral leave allowance, personal  
5 day allowance, or paid time off allowance until the time of the expiration of that  
6 collective bargaining agreement or adoption of a collective bargaining agreement  
7 with the district under subch. IV of ch. 111 covering the individual as an employee  
8 of the district, whichever occurs first.

9 **\*-1524/P3.65\* SECTION 1050.** 46.2895 (8) (a) 2. of the statutes is repealed.

10 **\*-1524/P3.66\* SECTION 1051.** 46.2895 (8) (a) 3. of the statutes is amended to  
11 read:

12 46.2895 (8) (a) 3. If the family long-term care district offers employment to any  
13 individual who was previously employed by ~~the~~ a county, which participated in  
14 creating the district and at the time of the offer had not withdrawn or been removed  
15 from the district under sub. (14), and who while employed by the county performed  
16 duties relating to the same or a substantially similar function for which the  
17 individual is offered employment by the district, with respect to that individual,  
18 recognize all years of service with the county for any benefit provided or program  
19 operated by the district for which an employee's years of service may affect the  
20 provision of the benefit or the operation of the program.

21 **\*-1524/P3.67\* SECTION 1052.** 46.2895 (8) (a) 4. of the statutes is amended to  
22 read:

23 46.2895 (8) (a) 4. If the county has not established its own retirement system  
24 for county employees, adopt a resolution that the family long-term care district be  
25 included within the provisions of the Wisconsin retirement system under s. 40.21 (1).

1 In this resolution, the family long-term care district shall agree to recognize 100%  
2 of the prior creditable service of its employees earned by the employees while  
3 employed by the district.

4 **\*-1524/P3.68\* SECTION 1053.** 46.2895 (8) (b) (intro.) of the statutes is amended  
5 to read:

6 46.2895 (8) (b) (intro.) The county board of supervisors of ~~the area of~~  
7 ~~jurisdiction of the family~~ each county that creates a long-term care district shall do  
8 all of the following:

9 **\*-1524/P3.69\* SECTION 1054.** 46.2895 (8) (b) 1. of the statutes is amended to  
10 read:

11 46.2895 (8) (b) 1. If the county has established its own retirement system for  
12 county employees, provide that family long-term care district employees are eligible  
13 to participate in the county retirement system.

14 **\*-1524/P3.70\* SECTION 1055.** 46.2895 (8) (b) 2. of the statutes is repealed.

15 **\*-1524/P3.71\* SECTION 1056.** 46.2895 (8) (b) 2m. of the statutes is created to  
16 read:

17 46.2895 (8) (b) 2m. If the long-term care district employs any individual who  
18 was previously employed by the county, provide the individual health care coverage  
19 that is similar to the health care coverage that the county provided the individual  
20 when he or she was employed by the county.

21 **\*-1524/P3.72\* SECTION 1057.** 46.2895 (8) (b) 3. of the statutes is repealed.

22 **\*-1524/P3.73\* SECTION 1058.** 46.2895 (8) (c) of the statutes is created to read:

23 46.2895 (8) (c) A long-term care district and any county that created the  
24 district and has not withdrawn from or been removed from the district under sub.

1 (14) may enter into an agreement allocating the costs of providing benefits described  
2 under this section between the district and the county.

3 **\*-1524/P3.74\* SECTION 1059.** 46.2895 (9) of the statutes is amended to read:

4 46.2895 (9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2),  
5 of a family long-term care district that contains personally identifiable information,  
6 as defined in s. 19.62 (5), concerning an individual who receives services from the  
7 family long-term care district may be disclosed by the family long-term care district  
8 without the individual's informed consent, except as required to comply with s.  
9 16.009 (2) (p) or 49.45 (4).

10 **\*-1524/P3.75\* SECTION 1060.** 46.2895 (10) of the statutes is amended to read:

11 46.2895 (10) EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss.  
12 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7),  
13 253.07 (3) (c) and 938.78 (2) (a), a family long-term care district acting under this  
14 section may exchange confidential information about a client, as defined in s.  
15 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c),  
16 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or  
17 51.437 (4r) (b) in the jurisdiction of the family long-term care district, if necessary  
18 to enable the family long-term care district to perform its duties or to coordinate  
19 the delivery of services to the client.

20 **\*-1524/P3.76\* SECTION 1061.** 46.2895 (11) of the statutes is amended to read:

21 46.2895 (11) OBLIGATIONS AND DEBTS, AND RESPONSIBILITIES NOT THOSE OF COUNTY.  
22 The obligations and debts of the family a long-term care district are not the  
23 obligations or debts of the any county that created the family care district. If a  
24 long-term care district is obligated by statute or contract to provide or pay for

1 services or benefits, no county is responsible for providing or paying for those services  
2 or benefits.

3 **\*-1524/P3.77\* SECTION 1062.** 46.2895 (12) of the statutes is amended to read:

4 46.2895 (12) ASSISTANCE TO FAMILY LONG-TERM CARE DISTRICT. From moneys in  
5 the a county treasury that are not appropriated to some other purpose, the county  
6 board of supervisors under sub. (1) (a) or the county boards of supervisors under sub.  
7 (1) (b) may appropriate moneys to the family a long-term care district that the county  
8 participated in creating as a gift or may lend moneys to the family long-term care  
9 district.

10 **\*-1524/P3.78\* SECTION 1063.** 46.2895 (13) (intro.), (a) and (b) of the statutes  
11 are consolidated, renumbered 46.2895 (13) and amended to read:

12 46.2895 (13) DISSOLUTION. (intro.) Subject to the performance of the  
13 contractual obligations of a family long-term care district and if first approved by the  
14 secretary of the department, the family long-term care district may be dissolved by  
15 the joint action of the family long-term care district board and each county board of  
16 supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b)  
17 or tribe or band that created the family long-term care district and has not  
18 withdrawn or been removed from the district under sub. (14). If the family a  
19 long-term care district that is created by one county or tribe or band is dissolved, the  
20 property of the district shall be transferred to the county board of supervisors or tribe  
21 or band that created the family care district except as follows: it. (a) If the family a  
22 long-term care district was is created under sub. (1) (b), by more than one county or  
23 tribe or band, all of the county boards of supervisors counties or tribes or bands that  
24 created the district and that have not withdrawn or been removed from the district  
25 under sub. (14) shall agree on the apportioning of the family long-term care district's

1 property before the district may be dissolved. (b) If the family long-term care district  
2 operates a care management organization under s. 46.284, disposition of any  
3 remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the  
4 terms of the district's contract with the department.

5 **\*-1524/P3.79\* SECTION 1064.** 46.2895 (14) of the statutes is created to read:  
6 46.2895 (14) WITHDRAWAL OR REMOVAL OF A COUNTY OR TRIBE OR BAND. Subject  
7 to approval from the department, a long-term care district may establish conditions  
8 for a county or tribe or band that participated with one or more counties or tribes or  
9 bands in creating the district to withdraw from the district or for the district to  
10 remove the county or tribe or band from the district.

11 **\*-0242/1.3\* SECTION 1065.** 46.29 (1) (c) of the statutes is repealed.

12 **\*-0242/1.4\* SECTION 1066.** 46.29 (1) (fm) of the statutes is repealed.

13 **\*-1261/5.264\* \*-1261/P3.210\* SECTION 1067.** 46.30 (title) of the statutes is  
14 renumbered 49.265 (title).

15 **\*-1261/5.265\* \*-1261/P3.211\* SECTION 1068.** 46.30 (1) of the statutes is  
16 renumbered 49.265 (1).

17 **\*-1261/5.266\* \*-1261/P3.212\* SECTION 1069.** 46.30 (2) of the statutes is  
18 renumbered 49.265 (2).

19 **\*-1261/5.267\* \*-1261/P3.213\* SECTION 1070.** 46.30 (3) (title) of the statutes  
20 is renumbered 49.265 (3) (title).

21 **\*-1261/5.268\* \*-1261/P3.214\* SECTION 1071.** 46.30 (3) (a) (intro.) of the  
22 statutes is renumbered 49.265 (3) (a) (intro.).

23 **\*-1261/5.269\* \*-1261/P3.215\* SECTION 1072.** 46.30 (3) (a) 1. of the statutes  
24 is renumbered 49.265 (3) (a) 1.

## SECTION 1073

1           **\*-1261/5.270\* \*-1261/P3.216\* SECTION 1073.** 46.30 (3) (a) 2. of the statutes  
2           is renumbered 49.265 (3) (a) 2.

3           **\*-1261/5.271\* \*-1261/P3.217\* SECTION 1074.** 46.30 (3) (a) 3. of the statutes  
4           is renumbered 49.265 (3) (a) 3.

5           **\*-1261/5.272\* \*-1261/P3.218\* SECTION 1075.** 46.30 (3) (a) 4. of the statutes  
6           is renumbered 49.265 (3) (a) 4.

7           **\*-1261/5.273\* \*-1261/P3.219\* SECTION 1076.** 46.30 (3) (a) 5. of the statutes  
8           is renumbered 49.265 (3) (a) 5.

9           **\*-1261/5.274\* \*-1261/P3.220\* SECTION 1077.** 46.30 (3) (a) 6. of the statutes  
10          is renumbered 49.265 (3) (a) 6.

11          **\*-1261/5.275\* \*-1261/P3.221\* SECTION 1078.** 46.30 (3) (a) 7. of the statutes  
12          is renumbered 49.265 (3) (a) 7.

13          **\*-1261/5.276\* \*-1261/P3.222\* SECTION 1079.** 46.30 (3) (a) 8. of the statutes  
14          is renumbered 49.265 (3) (a) 8. and amended to read:

15                 49.265 (3) (a) 8. Appoint a representative or representatives to the citizen  
16          advisory committee under s. 46.031 49.325 (3) (a), in order to participate in  
17          developing and implementing programs designed to serve the poor.

18          **\*-1261/5.277\* \*-1261/P3.223\* SECTION 1080.** 46.30 (3) (b) of the statutes is  
19          renumbered 49.265 (3) (b).

20          **\*-1261/5.278\* \*-1261/P3.224\* SECTION 1081.** 46.30 (4) (title) of the statutes  
21          is renumbered 49.265 (4) (title).

22          **\*-1261/5.279\* \*-1261/P3.225\* SECTION 1082.** 46.30 (4) (a) of the statutes is  
23          renumbered 49.265 (4) (a) and amended to read:

1           49.265 (4) (a) The department shall distribute the federal community services  
2           block grant funds received under 42 USC 9903 and deposited in the appropriations  
3           under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

4           \*~~1261/5.280~~\* \*~~1261/P3.226~~\* SECTION 1083. 46.30 (4) (b) of the statutes is  
5           renumbered 49.265 (4) (b).

6           \*~~1261/5.281~~\* \*~~1261/P3.227~~\* SECTION 1084. 46.30 (4) (c) of the statutes is  
7           renumbered 49.265 (4) (c).

8           \*~~1261/5.282~~\* \*~~1261/P3.228~~\* SECTION 1085. 46.30 (4) (d) of the statutes is  
9           renumbered 49.265 (4) (d).

10          \*~~1261/5.283~~\* \*~~1261/P3.229~~\* SECTION 1086. 46.30 (5) of the statutes is  
11          renumbered 49.265 (5).

12          \*~~1261/5.284~~\* \*~~1261/P3.230~~\* SECTION 1087. 46.40 (1) (a) of the statutes is  
13          amended to read:

14          46.40 (1) (a) Within the limits of available federal funds and of the  
15          appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
16          for community social, mental health, developmental disabilities, and alcohol and  
17          other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421  
18          to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to  
19          county aging units, as provided in subs. (2), (2m), and (7) to (9).

20          \*~~1261/5.285~~\* \*~~1261/P3.231~~\* SECTION 1088. 46.40 (1) (b) of the statutes is  
21          renumbered 48.563 (1) (b) and amended to read:

22          48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any  
23          federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated  
24          under par. (a) for the provision of foster care, the department shall distribute those

1 federal moneys for services and projects to assist children and families and for the  
2 purposes specified in s. ~~46.46~~ 48.567.

3 **\*-1261/5.286\* \*-1261/P3.232\* SECTION 1089.** 46.40 (1) (c) of the statutes is  
4 renumbered 48.563 (1) (c) and amended to read:

5 48.563 (1) (c) The Milwaukee County department of social services shall report  
6 to the department in a manner specified by the department on all children under the  
7 supervision of the Milwaukee County department of social services who are placed  
8 in foster homes and whose foster parents receive funding for child care from the  
9 amounts distributed under par. (a) so that the department may claim federal foster  
10 care and adoption assistance reimbursement under 42 USC 670 to 679a for the  
11 amounts expended by the Milwaukee County department of social services for the  
12 provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the  
13 department receives any federal moneys under 42 USC 670 to 679a in  
14 reimbursement of the amounts expended by the Milwaukee County department of  
15 social services for the provision of child care for children in foster care in 1996 and  
16 1997, the department shall distribute those federal moneys to the Milwaukee County  
17 department of social services for the provision of child care for children in foster care.

18 **\*-1261/5.287\* \*-1261/P3.233\* SECTION 1090.** 46.40 (1) (d) of the statutes is  
19 amended to read:

20 46.40 (1) (d) If the department of health and family services receives any  
21 federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of  
22 preventing out-of-home placements of children, the department of health and  
23 family services shall transfer those moneys to the department of children and  
24 families, and the department of children and families shall use those moneys as the

1 first source of moneys used to meet the amount of the allocation under sub. s. 48.563  
2 (2) that is budgeted from federal funds.

3 **\*-0258/1.1\* SECTION 1091.** 46.40 (2) of the statutes is amended to read:

4 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
5 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
6 more than \$242,078,700 \$242,421,500 in each fiscal year.

7 **\*-1261/5.288\* SECTION 1092.** 46.40 (2) of the statutes, as affected by 2007  
8 Wisconsin Act .... (this act), is amended to read:

9 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
10 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
11 more than \$242,421,500 \$176,255,400 in each fiscal year.

\*\*\*\*NOTE: This is reconciled s. 46.40 (2). This SECTION has been affected by drafts  
with the following LRB numbers: -0258 and -1261.

12 **\*-1261/5.289\* \*-1261/P3.235\* SECTION 1093.** 46.40 (3) of the statutes is  
13 renumbered 48.563 (3) and amended to read:

14 48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the  
15 department shall distribute not more than \$412,800 in each fiscal year from the  
16 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized  
17 American Indian tribes or bands. A tribe or band that receives funding under this  
18 subsection shall use that funding to provide child care for an eligible child, as defined  
19 in 42 USC 9858n (4).

20 **\*-1261/5.290\* \*-1261/P3.236\* SECTION 1094.** 46.40 (7m) of the statutes is  
21 renumbered 48.563 (7m) and amended to read:

22 48.563 (7m) USE BY COUNTY OF COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO  
23 PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE. Upon

1 application by a county department under s. 46.215, 46.22, or 46.23 to the  
2 department for permission to use funds allocated to that county department under  
3 sub. (2) to employ private counsel for the purposes specified in this subsection and  
4 a determination by the department that use of funds for those purposes does not  
5 affect any federal grants or federal funding allocated under this section, the  
6 department and the county department shall execute a contract authorizing the  
7 county department to expend, as agreed upon in the contract, funds allocated to that  
8 county department under sub. (2) to permit the county department to employ private  
9 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~  
10 this chapter relating to child abuse or neglect cases, unborn child abuse cases,  
11 ~~proceedings to terminate, termination of parental rights, and any ch. 48 cases or~~  
12 ~~proceedings involving the Indian child welfare act~~ Child Welfare Act, 25 USC 1901  
13 to 1963.

14 **\*-0330/P6.39\* SECTION 1095.** 46.40 (9) (a) (intro.) of the statutes is amended  
15 to read:

16 46.40 (9) (a) *Transfer to family care program and adult protective services*  
17 *allocation.* (intro.) If a care management organization under s. 46.284 is available  
18 in a county, the department may dispose of ~~not more than 21.3%~~ a portion of the  
19 amount allocated under sub. (2) that is specified in an agreement with the county to  
20 that county as follows; and, of the amount allocated under sub. (8), may dispose of  
21 the lesser of up to 60% or the amount remaining after subtracting an amount  
22 necessary to maintain funding for recipients under sub. (8) who, on September 1,  
23 2001, are ineligible for the family care benefit under s. 46.286, to that county, as  
24 follows:

25 **\*-0260/1.1\* SECTION 1096.** 46.40 (14m) of the statutes is repealed.

1       \*~~1261/5.291~~\* \*~~1261/P3.238~~\* SECTION 1097. 46.45 (2) (a) of the statutes is  
2       renumbered 48.565 (2) (a) and amended to read:

3       48.565 (2) (a) Subject to par. (am), if on December 31 of any year there remains  
4       unspent or unencumbered in the allocation under s. ~~46.40~~ 48.563 (2) an amount that  
5       exceeds the amount received under 42 USC 670 to 679a and allocated under s. ~~46.40~~  
6       48.563 (2) in that year, the department shall carry forward the excess moneys and  
7       distribute not less than 50% of the excess moneys to counties having a population of  
8       less than 500,000 that are making a good faith effort, as determined by the  
9       department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist  
10      children and families, notwithstanding the percentage limit specified in sub. (3) (a).  
11      A county shall use not less than 50% of the moneys distributed to the county under  
12      this subsection for services for children who are at risk of abuse or neglect to prevent  
13      the need for child abuse and neglect intervention services, except that in the calendar  
14      year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2  
15      calendar years after that calendar year the county may use 100% of the moneys  
16      distributed under this paragraph to reimburse the department for the costs of  
17      achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before  
18      July 1, 2005, the department may recover any amounts distributed to that county  
19      under this paragraph after June 30, 2001, by billing the county or deducting from  
20      that county's allocation under s. ~~46.40~~ 48.563 (2). All moneys received by the  
21      department under this paragraph shall be credited to the appropriation account  
22      under s. ~~20.435~~ (3) 20.437 (1) (j).

23      \*~~1261/5.292~~\* \*~~1261/P3.239~~\* SECTION 1098. 46.45 (2) (am) of the statutes is  
24      renumbered 48.565 (2) (am) and amended to read:

1           48.565 (2) (am) If on December 31 of any year a county is not using the  
2 centralized unit contracted for under s. ~~46.03~~ 48.47 (7) (h) for determining whether  
3 the cost of providing care for a child is eligible for reimbursement under 42 USC 670  
4 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

5           \*~~-1261/5.293~~\* \*~~-1261/P3.240~~\* SECTION 1099. 46.45 (2) (b) of the statutes is  
6 renumbered 48.565 (2) (b).

7           \*~~-1261/5.294~~\* \*~~-1261/P3.241~~\* SECTION 1100. 46.45 (2) (c) of the statutes is  
8 renumbered 48.565 (2) (c) and amended to read:

9           48.565 (2) (c) The department shall credit to the appropriation account under  
10 s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) any moneys carried forward under par. (a), but not  
11 distributed to counties, and may expend those moneys as provided in s. ~~46.46~~ 48.567.

12           \*~~-1261/5.295~~\* \*~~-1261/P3.242~~\* SECTION 1101. 46.45 (3) (a) of the statutes is  
13 amended to read:

14           46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal  
15 governing body, or private nonprofit organization, the department shall carry  
16 forward up to 3% of the total amount allocated to the county, tribal governing body,  
17 or nonprofit organization for a calendar year, not including the amount allocated to  
18 the county under s. 46.40 (7), which amount may be carried forward as provided in  
19 par. (c). All funds carried forward for a tribal governing body or nonprofit  
20 organization, ~~all federal child welfare funds under 42 USC 620 to 626~~, and all funds  
21 allocated under s. 46.40 (2m) carried forward for a county shall be used for the  
22 purpose for which the funds were originally allocated. Other funds carried forward  
23 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that  
24 a county may not use any funds carried forward under this paragraph for  
25 administrative or staff costs. An allocation of carried-forward funding under this

1 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and  
2 (9).

3 **\*-1261/5.296\* \*-1261/P3.243\* SECTION 1102.** 46.46 (1) of the statutes is  
4 amended to read:

5 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
6 department shall support costs that are exclusively related to the ongoing and  
7 recurring operational costs of augmenting the amount of moneys received under ~~42~~  
8 ~~USC 670 to 679a~~, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and to any  
9 other purpose provided for by the legislature by law or in budget determinations and  
10 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
11 department may expend moneys from the appropriation account under s. 20.435 (8)  
12 (mb) as provided in ~~subs. (1m) and sub.~~ (2).

13 **\*-1261/5.297\* \*-1261/P3.244\* SECTION 1103.** 46.46 (1m) of the statutes is  
14 renumbered 48.567 (1m) and amended to read:

15 48.567 (1m) In addition to expending moneys from the appropriation account  
16 under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) for the augmentation activities specified in  
17 sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v  
18 in reimbursement of the cost of providing targeted case management services to  
19 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
20 credited to the appropriation account under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) to  
21 support the counties' share of implementing the statewide automated child welfare  
22 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
23 families under s. 48.48 (17).

24 **\*-1261/5.298\* SECTION 1104.** 46.46 (2) of the statutes is amended to read:

1           46.46 (2) If the department proposes to use any moneys from the appropriation  
2 account under s. 20.435 (8) (mb) for any purpose other than the purposes specified  
3 in subs. (1), ~~(1g), and (1m)~~ and (1g), the department shall submit a plan for the  
4 proposed use of those moneys to the secretary of administration by September 1 of  
5 the fiscal year after the fiscal year in which those moneys were received. If the  
6 secretary of administration approves the plan, he or she shall submit the plan to the  
7 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
8 those moneys were received. If the cochairpersons of the committee do not notify the  
9 secretary of administration within 14 working days after the date of submittal of the  
10 plan that the committee has scheduled a meeting for the purpose of reviewing the  
11 plan, the department may implement the plan. If within 14 working days after the  
12 date of the submittal by the secretary of administration the cochairpersons of the  
13 committee notify him or her that the committee has scheduled a meeting for the  
14 purpose of reviewing the plan, the department may implement the plan only with the  
15 approval of the committee.

16           \***-1550/1.1\*** SECTION 1105. 46.48 (9) of the statutes is created to read:

17           46.48 (9) QUALITY HOME CARE PROGRAM. The department shall distribute at least  
18 \$167,000 in each fiscal year as a grant to an organization to provide services to  
19 consumers and providers of supportive home care and personal care.

20           \***-0980/1.1\*** SECTION 1106. 46.48 (11m) (b) of the statutes is amended to read:

21           46.48 (11m) (b) The department shall award not more than \$83,800 in fiscal  
22 year 2005-06 and not more than \$106,400 in fiscal year 2006-07 annually as a grant  
23 to an organization or a group of organizations to provide services for female prisoners  
24 and offenders from Milwaukee County and their children, if the prisoners or  
25 offenders have been convicted of nonviolent crimes.

1           \***-1022/3.1\*** SECTION 1107. 46.48 (16) of the statutes is created to read:

2           46.48 (16) CHILDREN'S LONG-TERM MANAGED CARE. The department shall award  
3 not more than \$250,000 in fiscal year 2007-08 and not more than \$250,000 in fiscal  
4 year 2008-09 as a grant to an organization or a group of organizations for technical  
5 assistance and planning services in support of family-centered managed care for  
6 children with long-term support needs.

7           \***-1261/5.299\*** \***-1261/P3.245\*** SECTION 1108. 46.481 (intro.) of the statutes  
8 is renumbered 48.481 (intro.) and amended to read:

9           **48.481 Grants for children's community programs.** (intro.) From the  
10 appropriation under s. ~~20.435-(3)~~ 20.437 (1) (bc), the department shall distribute the  
11 following grants for children's community programs:

12           \***-1261/5.300\*** \***-1261/P3.246\*** SECTION 1109. 46.481 (1) (title) of the statutes  
13 is renumbered 48.481 (1) (title).

14           \***-1261/5.301\*** \***-1261/P3.247\*** SECTION 1110. 46.481 (1) (a) of the statutes is  
15 renumbered 48.481 (1) (a) and amended to read:

16           48.481 (1) (a) The department shall distribute \$497,200 in each fiscal year to  
17 counties for the purpose of supplementing payments for the care of an individual who  
18 attains age 18 after 1986 and who resided in a foster home, as defined in s. 48.02 (6),  
19 or a treatment foster home, as defined in s. ~~48.02 (17q)~~, for at least 2 years  
20 immediately prior to attaining age 18 and, for at least 2 years, received exceptional  
21 foster care or treatment foster care payments in order to avoid institutionalization,  
22 as provided under rules promulgated by the department, so that the individual may  
23 live in a family home or other noninstitutional situation after attaining age 18. No  
24 county may use funds provided under this paragraph to replace funds previously  
25 used by the county for this purpose.

1           \***-1261/5.302\*** \***-1261/P3.248\*** SECTION 1111. 46.481 (1) (b) of the statutes is  
2   renumbered 48.481 (1) (b).

3           \***-1261/5.303\*** \***-1261/P3.249\*** SECTION 1112. 46.481 (3) of the statutes is  
4   renumbered 48.481 (3).

5           \***-0892/11.21\*** SECTION 1113. 46.485 (2g) (intro.) of the statutes is amended to  
6   read:

7           46.485 (2g) (intro.) From the appropriation accounts account under s. 20.435  
8   (4) (b) and ~~(gp)~~, the department may in each fiscal year transfer funds to the  
9   appropriation under s. 20.435 (7) (kb) for distribution under this section and from the  
10   appropriation account under s. 20.435 (7) (mb) the department may not distribute  
11   more than \$1,330,500 in each fiscal year to applying counties in this state that meet  
12   all of the following requirements, as determined by the department:

13          \***-0905/3.20\*** SECTION 1114. 46.485 (3g) of the statutes is amended to read:

14          46.485 (3g) The amount that the department may transfer under sub. (2g) for  
15   counties may not exceed the estimated state share of payments under s. 49.45, 49.46  
16   or, 49.47, or 49.471 for mental health care and treatment that is provided in inpatient  
17   facilities for children with severe emotional disturbances.

18          \***-1261/5.304\*** \***-1261/P3.250\*** SECTION 1115. 46.49 (title) of the statutes is  
19   amended to read:

20          **46.49 (title) Allocation of federal funds for community aids and child**  
21   **welfare.**

22          \***-1261/5.305\*** \***-1261/P3.251\*** SECTION 1116. 46.49 (1) of the statutes is  
23   amended to read:

24          46.49 (1) ~~Subject to s. 46.40 (1) (b) and (e), if~~ If the department receives  
25   unanticipated federal community mental health services block grant funds under 42

1 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block  
2 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~  
3 ~~assistance payments under 42 USC 670 to 679a~~ and it if the department proposes to  
4 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,  
5 the department shall submit a plan for the proposed allocation to the secretary of  
6 administration. If the secretary of administration approves the plan, he or she shall  
7 submit it to the joint committee on finance. If the cochairpersons of the committee  
8 do not notify the secretary of administration that the committee has scheduled a  
9 meeting for the purpose of reviewing the plan within 14 working days after the date  
10 of his or her submittal, the department may implement the plan, notwithstanding  
11 any allocation limits under s. 46.40. If within 14 working days after the date of the  
12 submittal by the secretary of administration the cochairpersons of the committee  
13 notify him or her that the committee has scheduled a meeting for the purpose of  
14 reviewing the plan, the department may implement the plan, notwithstanding s.  
15 46.40, only with the approval of the committee.

16 **\*-1261/5.306\* \*-1261/P3.252\* SECTION 1117.** 46.495 (1) (d) of the statutes is  
17 amended to read:

18 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
19 department shall distribute the funding for social services, ~~including funding for~~  
20 ~~foster care, treatment foster care, or subsidized guardianship care of a child on whose~~  
21 ~~behalf aid is received under s. 46.261,~~ to county departments under ss. 46.215, 46.22,  
22 and 46.23 as provided under s. 46.40. County matching funds are required for the  
23 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the  
24 distribution under s. 46.40 (2) shall be specified in a schedule established annually  
25 by the department of health and family services. Each county's required match for

1 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's  
2 distributions under s. 46.40 (8) for that year for which matching funds are required  
3 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
4 juvenile delinquency-related services from its distribution for 1987. Each county's  
5 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of  
6 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching  
7 funds may be from county tax levies, federal and state revenue sharing funds, or  
8 private donations to the county that meet the requirements specified in s. 51.423 (5).  
9 Private donations may not exceed 25% of the total county match. If the county match  
10 is less than the amount required to generate the full amount of state and federal  
11 funds distributed for this period, the decrease in the amount of state and federal  
12 funds equals the difference between the required and the actual amount of county  
13 matching funds.

14 **\*-1261/5.307\* \*-1261/P3.253\* SECTION 1118.** 46.51 (title) of the statutes is  
15 renumbered 48.986 (title).

16 **\*-1261/5.308\* \*-1261/P3.254\* SECTION 1119.** 46.51 (1) of the statutes is  
17 renumbered 48.986 (1) and amended to read:

18 48.986 (1) From the amounts distributed under s. 46.40 48.563 (1) for services  
19 for children and families, the department shall distribute funds to eligible counties  
20 for services related to child abuse and neglect and to unborn child abuse, including  
21 child abuse and neglect and unborn child abuse prevention, investigation, and  
22 treatment.

23 **\*-1261/5.309\* \*-1261/P3.255\* SECTION 1120.** 46.51 (3) of the statutes is  
24 renumbered 48.986 (3).