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1           **SECTION 996.** 46.284 (2) (b) 2. of the statutes is repealed.

2           **SECTION 997.** 46.284 (2) (b) 3. of the statutes is renumbered 46.284 (2) (bm) and  
3 amended to read:

4           46.284 (2) (bm) ~~After December 31, 2003, the~~ The department may contract  
5 with counties, ~~family long-term~~ care districts, the governing body of a tribe or band  
6 or the Great Lakes inter-tribal council, inc., or under a joint application of any of  
7 these, or with a private organization that has no significant connection to an entity  
8 that operates a resource center. Proposals for contracts under this subdivision shall  
9 be solicited under a competitive sealed proposal process under s. 16.75 (2m) and,  
10 ~~after consulting with the local long-term care council for the county or counties, the~~  
11 department shall evaluate the proposals primarily as to the quality of care that is  
12 proposed to be provided, certify those applicants that meet the requirements  
13 specified in sub. (3) (a), select certified applicants for contract and contract with the  
14 selected applicants.

15           **SECTION 998.** 46.284 (3) (a) of the statutes is amended to read:

16           46.284 (3) (a) If an entity meets the requirements under par. (b) and applicable  
17 rules of the department and submits to the department an application for initial  
18 certification or certification renewal, the department shall certify that the entity  
19 meets the requirements for a care management organization. ~~An application shall~~  
20 ~~include comments about the applicant and recommendations about the application~~  
21 ~~that are provided by the appropriate local long-term care council, as specified under~~  
22 ~~s. 46.282 (3) (a) 3.~~

23           **SECTION 999.** 46.284 (5) (a) of the statutes is amended to read:

24           46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),  
25 (im), (o), ~~and (w), and (xd)~~ and (7) (b) and (bd), the department shall provide funding

1 on a capitated payment basis for the provision of services under this section.  
2 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
3 under contract with the department may expend the funds, consistent with this  
4 section, including providing payment, on a capitated basis, to providers of services  
5 under the family care benefit.

6 **SECTION 1000.** 46.284 (6) of the statutes is amended to read:

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

15 **SECTION 1001.** 46.285 (1) of the statutes is renumbered 46.285, and 46.285  
16 (intro.), (1) and (2), as renumbered, are amended to read:

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

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

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           **SECTION 1002.** 46.285 (2) of the statutes is repealed.

6           **SECTION 1003.** 46.286 (1) (intro.) of the statutes is amended to read:

7           46.286 (1) **ELIGIBILITY.** (intro.) A person is eligible for, but not necessarily  
8 entitled to, the family care benefit if the person is at least 18 years of age; has a  
9 physical disability, as defined in s. 15.197 (4) (a) 2., or a developmental disability, as  
10 defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in s. 55.01 (1v)  
11 is a frail elder; and meets all of the following criteria:

12           **SECTION 1004.** 46.286 (1) (a) 1. of the statutes is amended to read:

13           46.286 (1) (a) 1. The person's functional capacity level of care need is at either  
14 of the following levels:

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

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

22           **SECTION 1005.** 46.286 (1) (b) (intro.) of the statutes is amended to read:

23           46.286 (1) (b) *Financial eligibility.* (intro.) A person is financially eligible if  
24 all any of the following apply:

25           **SECTION 1006.** 46.286 (1) (b) 1. (intro.) of the statutes is repealed.

## SECTION 1007

1           **SECTION 1007.** 46.286 (1) (b) 1. a. of the statutes is renumbered 46.286 (1) (b)  
2           3. and amended to read:

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

9           **SECTION 1008.** 46.286 (1) (b) 1. b. and 2. of the statutes are consolidated,  
10          renumbered 46.286 (1) (b) 1m. and amended to read:

11          46.286 (1) (b) 1m. The person is eligible under ch. 49 for medical assistance.  
12          ~~2. If subd. 1. b. applies, the person accepts medical assistance and, unless he or she~~  
13          ~~is exempt from the acceptance under rules promulgated by the department, accepts~~  
14          medical assistance.

15          **SECTION 1009.** 46.286 (3) (a) (intro.) of the statutes is amended to read:

16          46.286 (3) (a) (intro.) Subject to pars. par. (c) and (d), a person is entitled to and  
17          may receive the family care benefit through enrollment in a care management  
18          organization if ~~he or she~~ all of the following apply:

19          1m. The person is at least 18 years of age,

20          2m. The person has a physical disability, as defined in s. 15.197 (4) (a) 2., a  
21          developmental disability, as defined in s. 51.01 (5) (a), or ~~degenerative brain disorder,~~  
22          ~~as defined in s. 55.01 (1v),~~ is a frail elder.

23          4m. The person is financially eligible, under sub. (1) (b) 1m., and fulfills any  
24          applicable cost-sharing requirements and ~~meets any of the following criteria:~~

25          **SECTION 1010.** 46.286 (3) (a) 1. of the statutes is repealed.

1       **SECTION 1011.** 46.286 (3) (a) 2. of the statutes is repealed.

2       **SECTION 1012.** 46.286 (3) (a) 3. of the statutes is repealed.

3       **SECTION 1013.** 46.286 (3) (a) 3m. of the statutes is created to read:

4       46.286 (3) (a) 3m. The person is functionally eligible under sub. (1) (a).

5       **SECTION 1014.** 46.286 (3) (a) 4. of the statutes is repealed.

6       **SECTION 1015.** 46.286 (3) (a) 6. of the statutes is repealed.

7       **SECTION 1016.** 46.286 (3) (d) of the statutes is repealed.

8       **SECTION 1017.** 46.286 (3m) of the statutes is repealed and recreated to read:

9       46.286 (3m) **INFORMATION ABOUT ENROLLEES.** The department shall obtain and  
10 share information about family care enrollees as provided in s. 49.475.

11       **SECTION 1018.** 46.288 (2) (intro.) of the statutes is amended to read:

12       46.288 (2) (intro.) Criteria and procedures for determining functional  
13 eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost  
14 sharing under s. 46.286 (2) (a) ~~and entitlement under s. 46.286 (3)~~. The rules for  
15 determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially  
16 similar to eligibility criteria for receipt of the long-term support community options  
17 program under s. 46.27. Rules under this subsection shall include definitions of the  
18 following terms applicable to s. 46.286:

19       **SECTION 1019.** 46.289 (title) of the statutes is renumbered 46.2803 (title).

20       **SECTION 1020.** 46.289 of the statutes is renumbered 46.2803 (1).

21       **SECTION 1021.** 46.2895 (title) of the statutes is amended to read:

22       **46.2895 (title) Family Long-term care district.**

23       **SECTION 1022.** 46.2895 (1) (a) (intro.) of the statutes is amended to read:

24       46.2895 (1) **CREATION.** (a) (intro.) A county ~~board of supervisors, a tribe or band,~~  
25 or any combination of counties or tribes or bands, may create a special purpose

1 district that is termed a “family long-term care district”, that is a local unit of  
2 government, that is separate and distinct from, and independent of, the state and the  
3 county or tribe or band that created it, and that has the powers and duties specified  
4 in this section, if the each county board or tribe or band that participates in creating  
5 the district does all of the following:

6 **SECTION 1023.** 46.2895 (1) (a) 1. a. of the statutes is amended to read:

7 46.2895 (1) (a) 1. a. Declares the need for establishing the family long-term  
8 care district.

9 **SECTION 1024.** 46.2895 (1) (a) 1. b. of the statutes is amended to read:

10 46.2895 (1) (a) 1. b. Specifies the family long-term care district’s primary  
11 purpose, which shall be to operate, under contract with the department, ~~either a~~  
12 resource center under s. 46.283 ~~or~~, a care management organization under s. 46.284,  
13 ~~but not both, or a program described under s. 46.2805 (1) (a) or (b).~~

14 **SECTION 1025.** 46.2895 (1) (a) 1. c. of the statutes is created to read:

15 46.2895 (1) (a) 1. c. Specifies the number of individuals who shall be appointed  
16 as members of the long-term care district board, the length of their terms, and, if the  
17 long-term care district is created by more than one county or tribe or band, how many  
18 members shall be appointed by each county or tribe or band.

19 **SECTION 1026.** 46.2895 (1) (b) of the statutes is repealed.

20 **SECTION 1027.** 46.2895 (1) (c) of the statutes is created to read:

21 46.2895 (1) (c) A long-term care district may not operate a care management  
22 organization under s. 46.284 or a program described under s. 46.2805 (1) (a) or (b)  
23 if the district operates a resource center under s. 46.283.

24 **SECTION 1028.** 46.2895 (1) (d) of the statutes is created to read:

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

3           **SECTION 1029.** 46.2895 (1) (e) of the statutes is created to read:

4           46.2895 (1) (e) A long-term care district may change its primary purpose  
5   specified under par. (a) 1. b. if all the counties or tribes or bands that created the  
6   district and that have not withdrawn or been removed from the district under sub.  
7   (14), adopt a resolution approving the change in primary purpose and if the change  
8   in purpose does not violate par. (c) or any provision of a contract between the  
9   department and the district.

10          **SECTION 1030.** 46.2895 (2) of the statutes is amended to read:

11          46.2895 (2) JURISDICTION. A family long-term care district's jurisdiction is the  
12   geographical area of the county or counties of the county board or boards of  
13   supervisors who that created the family long-term care district and the geographic  
14   area of the reservation of, or lands held in trust for, any tribe or band that created  
15   the long-term care district.

16          **SECTION 1031.** 46.2895 (3) (title) of the statutes is amended to read:

17          46.2895 (3) (title) FAMILY LONG-TERM CARE DISTRICT BOARD.

18          **SECTION 1032.** 46.2895 (3) (a) 1. of the statutes is renumbered 46.2895 (3) (a)  
19   and amended to read:

20          46.2895 (3) (a) The county board of supervisors of a county or, in a county with  
21   a county administrator or county executive, the county administrator or county  
22   executive shall appoint the members of the family long-term care district board,  
23   which is the governing board of a family care district under sub. (1) (a) members  
24   whom the county is allotted, by resolutions adopted under sub. (1) (a) 1. c., to appoint.

25          **SECTION 1033.** 46.2895 (3) (a) 2. of the statutes is repealed.

**SECTION 1034**

1           **SECTION 1034.** 46.2895 (3) (b) 1. of the statutes is amended to read:

2           46.2895 (3) (b) 1. ~~The family care district board appointed under par. (a) 1. shall~~  
3           ~~consist of 15 persons who are residents of the area of jurisdiction of the family care~~  
4           ~~district. At least one-fourth of the members of a long-term care district board shall~~  
5           ~~be representative of the client group or groups whom it is the family long-term care~~  
6           ~~district's primary purpose to serve or those clients' family members, guardians, or~~  
7           ~~other advocates.~~

8           **SECTION 1035.** 46.2895 (3) (b) 2. of the statutes is repealed.

9           **SECTION 1036.** 46.2895 (3) (b) 3. of the statutes is amended to read:

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

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

18          **SECTION 1037.** 46.2895 (3) (b) 5. of the statutes is created to read:

19          46.2895 (3) (b) 5. Only individuals who reside within the jurisdiction of a  
20          long-term care district may serve as members of the long-term care district board.

21          **SECTION 1038.** 46.2895 (3) (c) of the statutes is repealed.

22          **SECTION 1039.** 46.2895 (3) (d) of the statutes is amended to read:

23          46.2895 (3) (d) As soon as possible after the appointment of the initial members  
24          of the family long-term care district board, the board shall organize for the  
25          transaction of business and elect a chairperson and other necessary officers. Each

1 chairperson shall be elected by the board from time to time for the term of that  
2 chairperson's office as a member of the board or for the term of 3 years, whichever  
3 is shorter, and shall be eligible for reelection. A majority of the board shall constitute  
4 a quorum. The Unless specified otherwise in a bylaw adopted by the board, the board  
5 may act based on the affirmative vote of a majority of a quorum.

6 **SECTION 1040.** 46.2895 (4) (intro.) of the statutes is amended to read:

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

11 **SECTION 1041.** 46.2895 (4) (b) of the statutes is amended to 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 **SECTION 1042.** 46.2895 (4) (dm) of the statutes is created to read:

17 46.2895 (4) (dm) Subject to sub. (1) (c), enter into a contract with the  
18 department to operate a program described under s. 46.2805 (1) (a) or (b) and provide  
19 services related to the contracted services.

20 **SECTION 1043.** 46.2895 (4) (g) of the statutes is amended to read:

21 46.2895 (4) (g) Subject to sub. (8), employ any agent, employee, or special  
22 adviser that the family long-term care district finds necessary, fix and regulate his  
23 or her compensation and provide, either directly or subject to an agreement under  
24 s. 66.0301 as a participant in a benefit plan of another governmental entity, any  
25 employee benefits, including an employee pension plan.

**SECTION 1044**

1           **SECTION 1044.** 46.2895 (4) (h) of the statutes is amended to read:

2           46.2895 (4) (h) Mortgage, pledge or otherwise encumber the family long-term  
3           care district's property or funds.

4           **SECTION 1045.** 46.2895 (4) (k) of the statutes is amended to read:

5           46.2895 (4) (k) Create a risk reserve or other special reserve as the family  
6           long-term care district board desires or as the department requires under the  
7           contract with the department that is specified under par. (d).

8           **SECTION 1046.** 46.2895 (4) (L) of the statutes is amended to read:

9           46.2895 (4) (L) Accept aid, including loans, to accomplish the purpose of the  
10           family long-term care district from any local, state or federal governmental agency  
11           or accept gifts, loans, grants or bequests from individuals or entities, if the conditions  
12           under which the aid, loan, gift, grant or bequest is furnished are not in conflict with  
13           this section.

14           **SECTION 1047.** 46.2895 (4) (m) of the statutes is amended to read:

15           46.2895 (4) (m) Make and execute other instruments necessary or convenient  
16           to exercise the powers of the family long-term care district.

17           **SECTION 1048.** 46.2895 (5) of the statutes is amended to read:

18           46.2895 (5) **LIMITATION ON POWERS.** A family long-term care district may not  
19           issue bonds or levy a tax or assessment.

20           **SECTION 1049.** 46.2895 (6) (intro.) of the statutes is amended to read:

21           46.2895 (6) **DUTIES.** (intro.) The family long-term care district board shall do  
22           all of the following:

23           **SECTION 1050.** 46.2895 (6) (b) of the statutes is amended to read:

1           46.2895 (6) (b) Subject to sub. (8), develop and implement a personnel  
2           structure and other employment policies for employees of the family long-term  
3           care district.

4           **SECTION 1051.** 46.2895 (6) (c) of the statutes is amended to read:

5           46.2895 (6) (c) Assure compliance with the terms of any contract with the  
6           department under sub. (4) (d) or (dm).

7           **SECTION 1052.** 46.2895 (6) (d) of the statutes is amended to read:

8           46.2895 (6) (d) Establish a fiscal operating year and annually adopt a budget  
9           for the family long-term care district.

10          **SECTION 1053.** 46.2895 (6) (e) of the statutes is amended to read:

11          46.2895 (6) (e) Contract for any legal services required for the family long-term  
12          care district.

13          **SECTION 1054.** 46.2895 (7) (a) of the statutes is amended to read:

14          46.2895 (7) (a) Manage the property and business of the family long-term care  
15          district and manage the employees of the district, subject to the general control of the  
16          family long-term care district board.

17          **SECTION 1055.** 46.2895 (7) (b) of the statutes is amended to read:

18          46.2895 (7) (b) Comply with the bylaws and direct enforcement of all policies  
19          and procedures adopted by the family long-term care district board.

20          **SECTION 1056.** 46.2895 (7) (c) of the statutes is amended to read:

21          46.2895 (7) (c) Perform duties in addition to those specified in pars. (a) and (b)  
22          as are prescribed by the family long-term care district board.

23          **SECTION 1057.** 46.2895 (8) (a) (intro.) of the statutes is amended to read:

24          46.2895 (8) (a) (intro.) A family long-term care district board that is created  
25          at least in part by a county shall do all of the following:

**SECTION 1058**

1           **SECTION 1058.** 46.2895 (8) (a) 1. of the statutes is amended to read:

2           46.2895 (8) (a) 1. If the family long-term care district offers employment to any  
3 individual who was previously employed by the a county, which participated in  
4 creating the district and at the time of the offer had not withdrawn or been removed  
5 from the district under sub. (14), and who while employed by the county performed  
6 duties relating to the same or a substantially similar function for which the  
7 individual is offered employment by the district and whose wages, hours and  
8 conditions of employment were established in a collective bargaining agreement  
9 with the county under subch. IV of ch. 111 that is in effect on the date that the  
10 individual commences employment with the district, with respect to that individual,  
11 abide by the terms of the collective bargaining agreement concerning the individual's  
12 compensation and benefits wages and, if applicable, vacation allowance, sick leave  
13 accumulation, sick leave bank, holiday allowance, funeral leave allowance, personal  
14 day allowance, or paid time off allowance until the time of the expiration of that  
15 collective bargaining agreement or adoption of a collective bargaining agreement  
16 with the district under subch. IV of ch. 111 covering the individual as an employee  
17 of the district, whichever occurs first.

18           **SECTION 1059.** 46.2895 (8) (a) 2. of the statutes is repealed.

19           **SECTION 1060.** 46.2895 (8) (a) 3. of the statutes is amended to read:

20           46.2895 (8) (a) 3. If the family long-term care district offers employment to any  
21 individual who was previously employed by the a county, which participated in  
22 creating the district and at the time of the offer had not withdrawn or been removed  
23 from the district under sub. (14), and who while employed by the county performed  
24 duties relating to the same or a substantially similar function for which the  
25 individual is offered employment by the district, with respect to that individual,

1 recognize all years of service with the county for any benefit provided or program  
2 operated by the district for which an employee's years of service may affect the  
3 provision of the benefit or the operation of the program.

4 **SECTION 1061.** 46.2895 (8) (a) 4. of the statutes is amended to read:

5 46.2895 (8) (a) 4. If the county has not established its own retirement system  
6 for county employees, adopt a resolution that the family long-term care district be  
7 included within the provisions of the Wisconsin retirement system under s. 40.21 (1).  
8 In this resolution, the family long-term care district shall agree to recognize 100%  
9 of the prior creditable service of its employees earned by the employees while  
10 employed by the district.

11 **SECTION 1062.** 46.2895 (8) (b) (intro.) of the statutes is amended to read:

12 46.2895 (8) (b) (intro.) The county board of supervisors of ~~the area of~~  
13 ~~jurisdiction of the family~~ each county that creates a long-term care district shall do  
14 all of the following:

15 **SECTION 1063.** 46.2895 (8) (b) 1. of the statutes is amended to read:

16 46.2895 (8) (b) 1. If the county has established its own retirement system for  
17 county employees, provide that family long-term care district employees are eligible  
18 to participate in the county retirement system.

19 **SECTION 1064.** 46.2895 (8) (b) 2. of the statutes is repealed.

20 **SECTION 1065.** 46.2895 (8) (b) 2m. of the statutes is created to read:

21 46.2895 (8) (b) 2m. If the long-term care district employs any individual who  
22 was previously employed by the county, provide the individual health care coverage  
23 that is similar to the health care coverage that the county provided the individual  
24 when he or she was employed by the county.

25 **SECTION 1066.** 46.2895 (8) (b) 3. of the statutes is repealed.

**SECTION 1067**

1           **SECTION 1067.** 46.2895 (8) (c) of the statutes is created to read:

2           46.2895 (8) (c) A long-term care district and any county that created the  
3 district and has not withdrawn from or been removed from the district under sub.  
4 (14) may enter into an agreement allocating the costs of providing benefits described  
5 under this section between the district and the county.

6           **SECTION 1068.** 46.2895 (9) of the statutes is amended to read:

7           46.2895 (9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2),  
8 of a family long-term care district that contains personally identifiable information,  
9 as defined in s. 19.62 (5), concerning an individual who receives services from the  
10 family long-term care district may be disclosed by the family long-term care district  
11 without the individual's informed consent, except as required to comply with s.  
12 16.009 (2) (p) or 49.45 (4).

13           **SECTION 1069.** 46.2895 (10) of the statutes is amended to read:

14           46.2895 (10) EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss.  
15 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7),  
16 253.07 (3) (c) and 938.78 (2) (a), a family long-term care district acting under this  
17 section may exchange confidential information about a client, as defined in s.  
18 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c),  
19 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or  
20 51.437 (4r) (b) in the jurisdiction of the family long-term care district, if necessary  
21 to enable the family long-term care district to perform its duties or to coordinate  
22 the delivery of services to the client.

23           **SECTION 1070.** 46.2895 (11) of the statutes is amended to read:

24           46.2895 (11) OBLIGATIONS AND DEBTS, AND RESPONSIBILITIES NOT THOSE OF COUNTY.  
25 The obligations and debts of the ~~family~~ a long-term care district are not the

1 obligations or debts of the any county that created the family care district. If a  
2 long-term care district is obligated by statute or contract to provide or pay for  
3 services or benefits, no county is responsible for providing or paying for those services  
4 or benefits.

5 **SECTION 1071.** 46.2895 (12) of the statutes is amended to read:

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

12 **SECTION 1072.** 46.2895 (13) (intro.), (a) and (b) of the statutes are consolidated,  
13 renumbered 46.2895 (13) and amended to read:

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

1 created the district and that have not withdrawn or been removed from the district  
2 under sub. (14) shall agree on the apportioning of the family long-term care district's  
3 property before the district may be dissolved. (b) If the family long-term care district  
4 operates a care management organization under s. 46.284, disposition of any  
5 remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the  
6 terms of the district's contract with the department.

7 **SECTION 1073.** 46.2895 (14) of the statutes is created to read:

8 46.2895 (14) WITHDRAWAL OR REMOVAL OF A COUNTY OR TRIBE OR BAND. Subject  
9 to approval from the department, a long-term care district may establish conditions  
10 for a county or tribe or band that participated with one or more counties or tribes or  
11 bands in creating the district to withdraw from the district or for the district to  
12 remove the county or tribe or band from the district.

13 **SECTION 1074.** 46.29 (1) (c) of the statutes is repealed.

14 **SECTION 1075.** 46.29 (1) (fm) of the statutes is repealed.

15 **SECTION 1076.** 46.30 (title) of the statutes is renumbered 49.265 (title).

16 **SECTION 1077.** 46.30 (1) of the statutes is renumbered 49.265 (1).

17 **SECTION 1078.** 46.30 (2) of the statutes is renumbered 49.265 (2).

18 **SECTION 1079.** 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

19 **SECTION 1080.** 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a)  
20 (intro.).

21 **SECTION 1081.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

22 **SECTION 1082.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

23 **SECTION 1083.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

24 **SECTION 1084.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

25 **SECTION 1085.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

1           **SECTION 1086.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

2           **SECTION 1087.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

3           **SECTION 1088.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and  
4 amended to read:

5           49.265 (3) (a) 8. Appoint a representative or representatives to the citizen  
6 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in  
7 developing and implementing programs designed to serve the poor.

8           **SECTION 1089.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

9           **SECTION 1090.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

10          **SECTION 1091.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and  
11 amended to read:

12          49.265 (4) (a) The department shall distribute the federal community services  
13 block grant funds received under 42 USC 9903 and deposited in the appropriations  
14 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

15          **SECTION 1092.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

16          **SECTION 1093.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

17          **SECTION 1094.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

18          **SECTION 1095.** 46.30 (5) of the statutes is renumbered 49.265 (5).

19          **SECTION 1096.** 46.40 (1) (a) of the statutes is amended to read:

20          46.40 (1) (a) Within the limits of available federal funds and of the  
21 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
22 for community social, mental health, developmental disabilities, and alcohol and  
23 other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421  
24 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to  
25 county aging units, as provided in subs. (2), (2m), and (7) to (9).

## SECTION 1097

1       **SECTION 1097.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and  
2       amended to read:

3       48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any  
4       federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated  
5       under par. (a) for the provision of foster care, the department shall distribute those  
6       federal moneys for services and projects to assist children and families and for the  
7       purposes specified in s. ~~46.46~~ 48.567.

8       **SECTION 1098.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and  
9       amended to read:

10       48.563 (1) (c) The Milwaukee County department of social services shall report  
11       to the department in a manner specified by the department on all children under the  
12       supervision of the Milwaukee County department of social services who are placed  
13       in foster homes and whose foster parents receive funding for child care from the  
14       amounts distributed under par. (a) so that the department may claim federal foster  
15       care and adoption assistance reimbursement under 42 USC 670 to 679a for the  
16       amounts expended by the Milwaukee County department of social services for the  
17       provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the  
18       department receives any federal moneys under 42 USC 670 to 679a in  
19       reimbursement of the amounts expended by the Milwaukee County department of  
20       social services for the provision of child care for children in foster care in 1996 and  
21       1997, the department shall distribute those federal moneys to the Milwaukee County  
22       department of social services for the provision of child care for children in foster care.

23       **SECTION 1099.** 46.40 (1) (d) of the statutes is amended to read:

24       46.40 (1) (d) If the department of health and family services receives any  
25       federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of

1 preventing out-of-home placements of children, the department of health and  
2 family services shall transfer those moneys to the department of children and  
3 families, and the department of children and families shall use those moneys as the  
4 first source of moneys used to meet the amount of the allocation under sub. s. 48.563  
5 (2) that is budgeted from federal funds.

6 **SECTION 1100.** 46.40 (2) of the statutes is amended to read:

7 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
8 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
9 more than \$242,078,700 \$242,421,500 in each fiscal year.

10 **SECTION 1101.** 46.40 (2) of the statutes, as affected by 2007 Wisconsin Act ....  
11 (this act), is amended to read:

12 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
13 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
14 more than \$242,421,500 \$176,255,400 in each fiscal year.

15 **SECTION 1102.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended  
16 to read:

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

23 **SECTION 1103.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and  
24 amended to read:

## SECTION 1103

1       48.563 (7m) ~~USE BY COUNTY OF COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO~~  
2       ~~PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE.~~ Upon  
3       application by a county department under s. 46.215, 46.22, or 46.23 to the  
4       department for permission to use funds allocated to that county department under  
5       sub. (2) to employ private counsel for the purposes specified in this subsection and  
6       a determination by the department that use of funds for those purposes does not  
7       affect any federal grants or federal funding allocated under this section, the  
8       department and the county department shall execute a contract authorizing the  
9       county department to expend, as agreed upon in the contract, funds allocated to that  
10      county department under sub. (2) to permit the county department to employ private  
11      counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~  
12      this chapter relating to child abuse or neglect cases, unborn child abuse cases,  
13      ~~proceedings to terminate, termination of~~ parental rights, and any ~~ch. 48 cases or~~  
14      ~~proceedings involving the Indian child welfare act~~ Child Welfare Act, 25 USC 1901  
15      to 1963.

16           SECTION 1104. 46.40 (9) (a) (intro.) of the statutes is amended to read:

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

1           **SECTION 1105.** 46.40 (14m) of the statutes is repealed.

2           **SECTION 1106.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and  
3 amended to read:

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

24           **SECTION 1107.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and  
25 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           **SECTION 1108.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

6           **SECTION 1109.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and  
7 amended to read:

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

11           **SECTION 1110.** 46.45 (3) (a) of the statutes is amended to read:

12           46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal  
13 governing body, or private nonprofit organization, the department shall carry  
14 forward up to 3% of the total amount allocated to the county, tribal governing body,  
15 or nonprofit organization for a calendar year, not including the amount allocated to  
16 the county under s. 46.40 (7), which amount may be carried forward as provided in  
17 par. (c). All funds carried forward for a tribal governing body or nonprofit  
18 organization, ~~all federal child welfare funds under 42 USC 620 to 626,~~ and all funds  
19 allocated under s. 46.40 (2m) carried forward for a county shall be used for the  
20 purpose for which the funds were originally allocated. Other funds carried forward  
21 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that  
22 a county may not use any funds carried forward under this paragraph for  
23 administrative or staff costs. An allocation of carried-forward funding under this  
24 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and  
25 (9).

1           **SECTION 1111.** 46.46 (1) of the statutes is amended to read:

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

10          **SECTION 1112.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and  
11          amended to read:

12           48.567 (1m) In addition to expending moneys from the appropriation account  
13          under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) for the augmentation activities specified in  
14          sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v  
15          in reimbursement of the cost of providing targeted case management services to  
16          children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
17          credited to the appropriation account under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) to  
18          support the counties' share of implementing the statewide automated child welfare  
19          information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
20          families under s. 48.48 (17).

21          **SECTION 1113.** 46.46 (2) of the statutes is amended to read:

22           46.46 (2) If the department proposes to use any moneys from the appropriation  
23          account under s. 20.435 (8) (mb) for any purpose other than the purposes specified  
24          in subs. (1), ~~(1g), and (1m)~~ and (1g), the department shall submit a plan for the  
25          proposed use of those moneys to the secretary of administration by September 1 of

1 the fiscal year after the fiscal year in which those moneys were received. If the  
2 secretary of administration approves the plan, he or she shall submit the plan to the  
3 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
4 those moneys were received. If the cochairpersons of the committee do not notify the  
5 secretary of administration within 14 working days after the date of submittal of the  
6 plan that the committee has scheduled a meeting for the purpose of reviewing the  
7 plan, the department may implement the plan. If within 14 working days after the  
8 date of the submittal by the secretary of administration the cochairpersons of the  
9 committee notify him or her that the committee has scheduled a meeting for the  
10 purpose of reviewing the plan, the department may implement the plan only with the  
11 approval of the committee.

12 **SECTION 1114.** 46.48 (9) of the statutes is created to read:

13 46.48 (9) **QUALITY HOME CARE PROGRAM.** The department shall distribute at least  
14 \$167,000 in each fiscal year as a grant to an organization to provide services to  
15 consumers and providers of supportive home care and personal care.

16 **SECTION 1115.** 46.48 (11m) (b) of the statutes is amended to read:

17 46.48 (11m) (b) The department shall award not more than \$83,800 in fiscal  
18 year 2005-06 and not more than \$106,400 in fiscal year 2006-07 annually as a grant  
19 to an organization or a group of organizations to provide services for female prisoners  
20 and offenders from Milwaukee County and their children, if the prisoners or  
21 offenders have been convicted of nonviolent crimes.

22 **SECTION 1116.** 46.48 (16) of the statutes is created to read:

23 46.48 (16) **CHILDREN'S LONG-TERM MANAGED CARE.** The department shall award  
24 not more than \$250,000 in fiscal year 2007-08 and not more than \$250,000 in fiscal  
25 year 2008-09 as a grant to an organization or a group of organizations for technical

1 assistance and planning services in support of family-centered managed care for  
2 children with long-term support needs.

3 **SECTION 1117.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and  
4 amended to read:

5 **48.481 Grants for children's community programs.** (intro.) From the  
6 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the  
7 following grants for children's community programs:

8 **SECTION 1118.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

9 **SECTION 1119.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and  
10 amended to read:

11 **48.481 (1) (a)** The department shall distribute \$497,200 in each fiscal year to  
12 counties for the purpose of supplementing payments for the care of an individual who  
13 attains age 18 after 1986 and who resided in a foster home, as defined in s. 48.02 (6),  
14 or a treatment foster home, as defined in s. 48.02 (17q), for at least 2 years  
15 immediately prior to attaining age 18 and, for at least 2 years, received exceptional  
16 foster care or treatment foster care payments in order to avoid institutionalization,  
17 as provided under rules promulgated by the department, so that the individual may  
18 live in a family home or other noninstitutional situation after attaining age 18. No  
19 county may use funds provided under this paragraph to replace funds previously  
20 used by the county for this purpose.

21 **SECTION 1120.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

22 **SECTION 1121.** 46.481 (3) of the statutes is renumbered 48.481 (3).

23 **SECTION 1122.** 46.485 (2g) (intro.) of the statutes is amended to read:

24 46.485 (2g) (intro.) From the appropriation ~~accounts~~ account under s. 20.435  
25 (4) (b) and ~~(gp)~~, the department may in each fiscal year transfer funds to the

## SECTION 1122

1 appropriation under s. 20.435 (7) (kb) for distribution under this section and from the  
2 appropriation account under s. 20.435 (7) (mb) the department may not distribute  
3 more than \$1,330,500 in each fiscal year to applying counties in this state that meet  
4 all of the following requirements, as determined by the department:

5 **SECTION 1123.** 46.485 (3g) of the statutes is amended to read:

6 46.485 (3g) The amount that the department may transfer under sub. (2g) for  
7 counties may not exceed the estimated state share of payments under s. 49.45, 49.46  
8 or, 49.47, or 49.471 for mental health care and treatment that is provided in inpatient  
9 facilities for children with severe emotional disturbances.

10 **SECTION 1124.** 46.49 (title) of the statutes is amended to read:

11 **46.49 (title) Allocation of federal funds for community aids and child**  
12 **welfare.**

13 **SECTION 1125.** 46.49 (1) of the statutes is amended to read:

14 46.49 (1) ~~Subject to s. 46.40 (1) (b) and (c), if~~ If the department receives  
15 unanticipated federal community mental health services block grant funds under 42  
16 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block  
17 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~  
18 ~~assistance payments under 42 USC 670 to 679a and it~~ if the department proposes to  
19 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,  
20 the department shall submit a plan for the proposed allocation to the secretary of  
21 administration. If the secretary of administration approves the plan, he or she shall  
22 submit it to the joint committee on finance. If the cochairpersons of the committee  
23 do not notify the secretary of administration that the committee has scheduled a  
24 meeting for the purpose of reviewing the plan within 14 working days after the date  
25 of his or her submittal, the department may implement the plan, notwithstanding

1 any allocation limits under s. 46.40. If within 14 working days after the date of the  
2 submittal by the secretary of administration the cochairpersons of the committee  
3 notify him or her that the committee has scheduled a meeting for the purpose of  
4 reviewing the plan, the department may implement the plan, notwithstanding s.  
5 46.40, only with the approval of the committee.

6 **SECTION 1126.** 46.495 (1) (d) of the statutes is amended to read:

7 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
8 department shall distribute the funding for social services, including funding for  
9 foster care, treatment foster care, or subsidized guardianship care of a child on whose  
10 behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22,  
11 and 46.23 as provided under s. 46.40. County matching funds are required for the  
12 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the  
13 distribution under s. 46.40 (2) shall be specified in a schedule established annually  
14 by the department of health and family services. Each county's required match for  
15 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's  
16 distributions under s. 46.40 (8) for that year for which matching funds are required  
17 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
18 juvenile delinquency-related services from its distribution for 1987. Each county's  
19 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of  
20 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching  
21 funds may be from county tax levies, federal and state revenue sharing funds, or  
22 private donations to the county that meet the requirements specified in s. 51.423 (5).  
23 Private donations may not exceed 25% of the total county match. If the county match  
24 is less than the amount required to generate the full amount of state and federal  
25 funds distributed for this period, the decrease in the amount of state and federal

## SECTION 1126

1 funds equals the difference between the required and the actual amount of county  
2 matching funds.

3 **SECTION 1127.** 46.51 (title) of the statutes is renumbered 48.986 (title).

4 **SECTION 1128.** 46.51 (1) of the statutes is renumbered 48.986 (1) and amended  
5 to read:

6 48.986 (1) From the amounts distributed under s. 46.40 48.563 (1) for services  
7 for children and families, the department shall distribute funds to eligible counties  
8 for services related to child abuse and neglect and to unborn child abuse, including  
9 child abuse and neglect and unborn child abuse prevention, investigation, and  
10 treatment.

11 **SECTION 1129.** 46.51 (3) of the statutes is renumbered 48.986 (3).

12 **SECTION 1130.** 46.51 (4) of the statutes is renumbered 48.986 (4).

13 **SECTION 1131.** 46.51 (5) of the statutes is renumbered 48.986 (5).

14 **SECTION 1132.** 46.513 of the statutes is repealed.

15 **SECTION 1133.** 46.515 (title) of the statutes is renumbered 48.983 (title).

16 **SECTION 1134.** 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1)  
17 (intro.).

18 **SECTION 1135.** 46.515 (1) (a) of the statutes is repealed.

19 **SECTION 1136.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1)  
20 (b) (intro.).

21 **SECTION 1137.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1)  
22 (b) 1. (intro.).

23 **SECTION 1138.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b)  
24 1. a.

1           **SECTION 1139.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b)  
2           1. b.

3           **SECTION 1140.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b)  
4           1. c. and amended to read:

5           48.983 (1) (b) 1. c. A family that includes a person who has contacted a county  
6           department, as defined in s. 48.02 (2g), or an Indian tribe that has been awarded a  
7           grant under this section or, in a county having a population of 500,000 or more that  
8           has been awarded a grant under this section, the department or a licensed child  
9           welfare agency under contract with the department requesting assistance to prevent  
10          abuse or neglect of a child in the person's family and with respect to which an  
11          individual responding to the request has determined that all of the conditions in  
12          subd. 2. exist.

13          **SECTION 1141.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

14          **SECTION 1142.** 46.515 (1) (c) of the statutes is repealed.

15          **SECTION 1143.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

16          **SECTION 1144.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

17          **SECTION 1145.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

18          **SECTION 1146.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

19          **SECTION 1147.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

20          **SECTION 1148.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

21          **SECTION 1149.** 46.515 (1) (i) of the statutes is renumbered 48.983 (1) (i).

22          **SECTION 1150.** 46.515 (1) (j) of the statutes is renumbered 48.983 (1) (j).

23          **SECTION 1151.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended  
24          to read:

**SECTION 1151**

1       48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected  
2       by the department under sub. (5) to participate in the program under this section,  
3       the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)  
4       (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and  
5       (am). The minimum amount of a grant is \$10,000. The department shall determine  
6       the amount of a grant awarded to a county, other than a county with a population of  
7       500,000 or more, or Indian tribe in excess of the minimum amount based on the  
8       number of births that are funded by medical assistance under subch. IV of ch. 49 in  
9       that county or the reservation of that Indian tribe in proportion to the number of  
10      births that are funded by medical assistance under subch. IV of ch. 49 in all of the  
11      counties and the reservations of all of the Indian tribes to which grants are awarded  
12      under this section. The department shall determine the amount of a grant awarded  
13      to a county with a population of 500,000 or more in excess of the minimum amount  
14      based on 60% of the number of births that are funded by medical assistance under  
15      subch. IV of ch. 49 in that county in proportion to the number of births that are  
16      funded by medical assistance under subch. IV of ch. 49 in all of the counties and the  
17      reservations of all of the Indian tribes to which grants are awarded under this  
18      section.

19      **SECTION 1152.** 46.515 (3) of the statutes is renumbered 48.983 (3).

20      **SECTION 1153.** 46.515 (4) of the statutes is renumbered 48.983 (4).

21      **SECTION 1154.** 46.515 (5) of the statutes is renumbered 48.983 (5) and amended  
22      to read:

23      48.983 (5) **SELECTION OF COUNTIES AND INDIAN TRIBES.** The department shall  
24      provide competitive application procedures for selecting counties and Indian tribes  
25      for participation in the program under this section. The department shall establish

1 a method for ranking applicants for selection based on the quality of their  
2 applications. In ranking the applications submitted by counties, the department  
3 shall give favorable consideration to a county that has indicated under sub. (6) (d)  
4 2: that it is willing to use a portion of any moneys distributed to the county under s.  
5 ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance  
6 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
7 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use  
8 that portion of those moneys to promote the provision of those services for the case  
9 by using a wraparound process so as to provide those services in a flexible,  
10 comprehensive and individualized manner in order to reduce the necessity for  
11 court-ordered services. The department shall also provide application requirements  
12 and procedures for the renewal of a grant awarded under this section. The  
13 application procedures and the renewal application requirements and procedures  
14 shall be clear and understandable to the applicants. The department need not  
15 promulgate as rules under ch. 227 the application procedures, the renewal  
16 application requirements or procedures or the method for ranking applicants  
17 established under this subsection.

18 **SECTION 1155.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)  
19 (intro.).

20 **SECTION 1156.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

21 **SECTION 1157.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

22 **SECTION 1158.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

23 **SECTION 1159.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)  
24 (title).

25 **SECTION 1160.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

**SECTION 1161**

1           **SECTION 1161.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2.  
2 and amended to read:

3           48.983 (6) (d) 2. The applicant indicates in the grant application whether the  
4 applicant is willing to use a portion of any moneys distributed to the applicant under  
5 s. ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance  
6 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
7 that is a case. If the applicant is so willing, the applicant shall explain how the  
8 applicant plans to use that portion of those moneys to promote the provision of those  
9 services for the case by using a wraparound process so as to provide those services  
10 in a flexible, comprehensive and individualized manner in order to reduce the  
11 necessity for court-ordered services.

12           **SECTION 1162.** 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

13           **SECTION 1163.** 46.515 (6g) of the statutes is renumbered 48.983 (6g).

14           **SECTION 1164.** 46.515 (6m) of the statutes is renumbered 48.983 (6m) and  
15 amended to read:

16           48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.

17 If a person who is providing services under a home visitation program under sub. (4)  
18 (b) 1. determines that he or she is required or permitted to make a report under s.  
19 48.981 (2) about a child in a family to which the person is providing those services,  
20 the person shall, prior to making the report under s. 48.981 (2), make a reasonable  
21 effort to notify the child's parent that a report under s. 48.981 (2) will be made and  
22 to encourage the parent to contact a county department ~~under s. 46.22 or 46.23~~ to  
23 request assistance. The notification requirements under this subsection do not affect  
24 the reporting requirements under s. 48.981 (2).

25           **SECTION 1165.** 46.515 (6r) of the statutes is renumbered 48.983 (6r).

1       **SECTION 1166.** 46.515 (7) of the statutes is renumbered 48.983 (7).

2       **SECTION 1167.** 46.515 (8) of the statutes is renumbered 48.983 (8).

3       **SECTION 1168.** 46.75 (title) of the statutes is renumbered 49.171 (title).

4       **SECTION 1169.** 46.75 (1) of the statutes is renumbered 49.171 (1).

5       **SECTION 1170.** 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

6       **SECTION 1171.** 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and  
7 amended to read:

8           49.171 (2) (a) From the appropriation under s. ~~20.435 (5)~~ 20.437 (2) (dn), the  
9 department shall award grants to agencies to operate food distribution programs  
10 that qualify for participation in the emergency food assistance program under P.L.  
11 98-8, as amended.

12       **SECTION 1172.** 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

13       **SECTION 1173.** 46.75 (3) of the statutes is renumbered 49.171 (3).

14       **SECTION 1174.** 46.76 (intro.) of the statutes is renumbered 49.172 (intro.).

15       **SECTION 1175.** 46.76 (1) of the statutes is renumbered 49.172 (1).

16       **SECTION 1176.** 46.76 (2) of the statutes is renumbered 49.172 (2).

17       **SECTION 1177.** 46.76 (4) of the statutes is repealed.

18       **SECTION 1178.** 46.76 (5) of the statutes is repealed.

19       **SECTION 1179.** 46.766 of the statutes is repealed.

20       **SECTION 1180.** 46.77 of the statutes is renumbered 49.1715 and amended to  
21 read:

22           **49.1715 Food distribution administration.** From the appropriation under  
23 s. ~~20.435 (5)~~ 20.437 (2) (dn), the department shall allocate funds to eligible recipient  
24 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,

**SECTION 1180**

1 as amended, for the storage, transportation, and distribution of commodities  
2 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

3 **SECTION 1181.** 46.95 (title) of the statutes is renumbered 49.165 (title).

4 **SECTION 1182.** 46.95 (1) of the statutes is renumbered 49.165 (1).

5 **SECTION 1183.** 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

6 **SECTION 1184.** 46.95 (2) (a) of the statutes is amended to read:

7 46.95 (2) (a) The secretary shall make grants from the appropriations accounts  
8 under s. 20.435 (3) (cd) and (hh) and in each fiscal year \$950,000 from the  
9 appropriation account under s. 20.435 (3) (ky) to organizations for the provision of  
10 any of the services specified in sub. (1) (d). Grants may be made to organizations  
11 which have provided those domestic abuse services in the past or to organizations  
12 which propose to provide those services in the future. No grant may be made to fund  
13 services for child or unborn child abuse or abuse of elderly persons.

14 **SECTION 1185.** 46.95 (2) (a) of the statutes, as affected by 2007 Wisconsin Act  
15 .... (this act), is renumbered 49.165 (2) (a) and amended to read:

16 49.165 (2) (a) The secretary shall make grants from the appropriation accounts  
17 under s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) and in each fiscal year \$950,000 from the  
18 appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (ky) to organizations for the  
19 provision of any of the services specified in sub. (1) (d). Grants may be made to  
20 organizations which have provided those domestic abuse services in the past or to  
21 organizations which propose to provide those services in the future. No grant may  
22 be made to fund services for child or unborn child abuse or abuse of elderly persons.

23 **SECTION 1186.** 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).

24 **SECTION 1187.** 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

25 **SECTION 1188.** 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

1           **SECTION 1189.** 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

2           **SECTION 1190.** 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f)

3           (intro.) and amended to read:

4           49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)

5           and (hh), the department shall do all of the following:

6           **SECTION 1191.** 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

7           **SECTION 1192.** 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

8           **SECTION 1193.** 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

9           **SECTION 1194.** 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

10          **SECTION 1195.** 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

11          **SECTION 1196.** 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

12          **SECTION 1197.** 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

13          **SECTION 1198.** 46.95 (2m) of the statutes is renumbered 49.165 (2m).

14          **SECTION 1199.** 46.95 (3) of the statutes is renumbered 49.165 (3).

15          **SECTION 1200.** 46.95 (4) of the statutes is renumbered 49.165 (4).

16          **SECTION 1201.** 46.976 of the statutes is repealed.

17          **SECTION 1202.** 46.985 (2) (a) 2. of the statutes is repealed.

18          **SECTION 1203.** 46.985 (2) (f) of the statutes is created to read:

19           46.985 (2) (f) Establish criteria for priority of services that take into account

20           urgency of need, statewide consistency, developmental impact on eligible children,

21           and other factors, so as to ensure that available funds are used consistently and

22           effectively.

23          **SECTION 1204.** 46.99 (title) of the statutes is renumbered 48.545 (title).

24          **SECTION 1205.** 46.99 (1) of the statutes is renumbered 48.545 (1).

25          **SECTION 1206.** 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

**SECTION 1207**

1           **SECTION 1207.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a)  
2 (intro.) and amended to read:

3           48.545 (2) (a) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (eg)  
4 and (nL), the department shall distribute \$2,125,200 in each fiscal year to applying  
5 nonprofit corporations and public agencies operating in a county having a population  
6 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments  
7 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county  
8 having a population of 500,000 or more to provide programs to accomplish all of the  
9 following:

10           **SECTION 1208.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

11           **SECTION 1209.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

12           **SECTION 1210.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

13           **SECTION 1211.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

14           **SECTION 1212.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

15           **SECTION 1213.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

16           **SECTION 1214.** 46.99 (3) of the statutes is renumbered 48.545 (3).

17           **SECTION 1215.** 46.995 (title) of the statutes is renumbered 48.487 (title).

18           **SECTION 1216.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and  
19 amended to read:

20           48.487 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATION. From the appropriation  
21 account under s. ~~20.435 (3)~~ 20.437 (1) (eg), the department may allocate \$210,000 in  
22 each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

23           **SECTION 1217.** 46.995 (2) of the statutes is renumbered 48.487 (2).

24           **SECTION 1218.** 46.995 (3) of the statutes is renumbered 48.487 (3).

25           **SECTION 1219.** 46.995 (4m) of the statutes is renumbered 48.487 (4m).

1       **SECTION 1220.** 46.997 (title) of the statutes is renumbered 48.647 (title).

2       **SECTION 1221.** 46.997 (1) of the statutes is renumbered 48.647 (1).

3       **SECTION 1222.** 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

4       **SECTION 1223.** 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and  
5 amended to read:

6       48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the  
7 department shall distribute not more than \$0 in each fiscal year as grants to private  
8 agencies to provide 2nd-chance homes and related services to eligible persons who  
9 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private  
10 agencies. A private agency that is awarded a grant under this paragraph may use  
11 the amount awarded under the grant to provide care and maintenance to eligible  
12 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the  
13 private agency; provide services, including the services specified in sub. (3), to  
14 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the  
15 2nd-chance home, to the children and families of those eligible persons, and to the  
16 noncustodial parents of the children of those eligible persons; and, in the first year  
17 of the grant period, pay for the start-up costs, other than capital costs, of the private  
18 agency's program funded under this paragraph.

19       **SECTION 1224.** 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and  
20 amended to read:

21       48.647 (2) (b) The department of ~~health and family services~~ shall award the  
22 grants under par. (a) on a competitive basis and according to request-for-proposal  
23 procedures that the department of ~~health and family services~~ shall prescribe in  
24 consultation with the department of ~~workforce development~~, local health  
25 departments, as defined in s. 250.01 (4), and other providers of services to eligible

## SECTION 1224

1 persons. Those request-for-proposal procedures shall include a requirement that  
2 a private agency that applies for a grant under par. (a) include in its grant application  
3 proof that the private agency has the cultural competency to provide services under  
4 the grant to persons and families in the various cultures in the private agency's  
5 target population and that cultural competency is incorporated in the private  
6 agency's policies, administration, and practices. In awarding the grants under par.  
7 (a), the department of ~~health and family services~~ shall consider the need for those  
8 grants to be distributed both on a statewide basis and in the areas of the state with  
9 the greatest need for 2nd-chance homes and the need to provide placements for  
10 children who are voluntarily placed in a 2nd-chance home as well as for children who  
11 are placed in a 2nd-chance home by court order.

12 **SECTION 1225.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

13 **SECTION 1226.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

14 **SECTION 1227.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

15 **SECTION 1228.** 46.997 (3) of the statutes is renumbered 48.647 (3).

16 **SECTION 1229.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended  
17 to read:

18 **48.647 (4) EVALUATION.** From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)  
19 (f), the department shall conduct or shall select an evaluator to conduct an evaluation  
20 of the grant program under this section and, by June 1 of the 3rd calendar year  
21 beginning after the year in which the first grant under this section is awarded, shall  
22 submit a report on that evaluation to the governor and to the appropriate standing  
23 committees under s. 13.172 (3). The evaluation shall measure the economic  
24 self-sufficiency, parenting skills, independent living skills, and life choice  
25 decision-making skills of the eligible persons who received services under the

1 program and any other criteria that the department determines to be appropriate for  
2 evaluation.

3 **SECTION 1230.** 48.01 (1) (h) of the statutes is created to read:

4 48.01 (1) (h) To provide a just and humane program of services to nonmarital  
5 children, children and unborn children in need of protection or services, and the  
6 expectant mothers of those unborn children; to avoid duplication and waste of effort  
7 and money on the part of public and private agencies; and to coordinate and integrate  
8 a program of services to children and families.

9 **SECTION 1231.** 48.02 (4) of the statutes is amended to read:

10 48.02 (4) "Department" means the department of health and family services  
11 children and families.

12 **SECTION 1232.** 48.02 (16) of the statutes is created to read:

13 48.02 (16) "Secretary" means the secretary of children and families.

14 **SECTION 1233.** 48.06 (4) of the statutes is amended to read:

15 48.06 (4) STATE AID. State aid to any county for court services under this section  
16 shall be at the same net effective rate that each county is reimbursed for county  
17 administration under s. ~~46.495~~ 48.569. Counties having a population of less than  
18 500,000 may use funds received under s. ~~46.495~~ 48.569 (1) (d), including county or  
19 federal revenue sharing funds allocated to match funds received under s. ~~46.495~~  
20 48.569 (1) (d), for the cost of providing court attached intake services in amounts not  
21 to exceed 50% of the cost of providing court attached intake services or \$30,000 per  
22 county per calendar year, whichever is less.

23 **SECTION 1234.** 48.21 (5) (b) 1. of the statutes is renumbered 48.21 (5) (b) 1. a.  
24 and amended to read:

1 48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her  
2 home would be contrary to the welfare of the child. ~~Unless the judge or circuit court~~  
3 ~~commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to~~  
4 ~~5. applies, the order shall in addition include a~~

5 b. A finding as to whether the person who took the child into custody and the  
6 intake worker have made reasonable efforts to prevent the removal of the child from  
7 the home, while assuring that the child's health and safety are the paramount  
8 concerns, and a unless the judge or circuit court commissioner finds that any of the  
9 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

10 c. A finding as to whether the person who took the child into custody and the  
11 intake worker have made reasonable efforts to make it possible for the child to return  
12 safely home or, if,

13 1m. If for good cause shown sufficient information is not available for the judge  
14 or circuit court commissioner to make a finding as to whether those reasonable  
15 efforts were made to prevent the removal of the child from the home, while assuring  
16 that the child's health and safety are the paramount concerns, a finding as to  
17 whether those reasonable efforts were made to make it possible for the child to return  
18 safely home and an order for the county department, department, in a county having  
19 a population of 500,000 or more, or agency primarily responsible for providing  
20 services to the child under the custody order to file with the court sufficient  
21 information for the judge or circuit court commissioner to make a finding as to  
22 whether those reasonable efforts were made to prevent the removal of the child from  
23 the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays,  
24 after the date of on which the order is granted.

25 SECTION 1235. 48.21 (5) (b) 1. d. of the statutes is created to read:

1 48.21 (5) (b) 1. d. If the child is under the supervision of the county department  
2 or, in a county having a population of 500,000 or more, the department, an order  
3 ordering the child into the placement and care responsibility of the county  
4 department or department as required under 42 USC 672 (a) (2) and assigning the  
5 county department or department primary responsibility for providing services to  
6 the child.

7 **SECTION 1236.** 48.21 (5) (c) of the statutes is amended to read:

8 48.21 (5) (c) The judge or circuit court commissioner shall make the findings  
9 specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances  
10 specific to the child and shall document or reference the specific information on  
11 which those findings are based in the custody order. A custody order that merely  
12 references par. (b) 1., 1m., or 3. without documenting or referencing that specific  
13 information in the custody order or an amended custody order that retroactively  
14 corrects an earlier custody order that does not comply with this paragraph is not  
15 sufficient to comply with this paragraph.

16 **SECTION 1237.** 48.235 (4) (b) of the statutes is amended to read:

17 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b)  
18 ~~1.~~ 48.33 (1) (c) as primarily responsible for the provision of services to notify the  
19 guardian ad litem, if any, regarding actions to be taken under par. (a).

20 **SECTION 1238.** 48.235 (4m) (b) of the statutes is amended to read:

21 48.235 (4m) (b) The court shall order the agency identified under s. 48.355 (2)  
22 (b) ~~1.~~ 48.33 (1) (c) as primarily responsible for the provision of services to notify the  
23 guardian ad litem, if any, regarding actions to be taken under par. (a).

24 **SECTION 1239.** 48.275 (2) (d) 2. of the statutes is amended to read:

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1 48.275 (2) (d) 2. In a county having a population of 500,000 or more,  
2 reimbursement payments shall be made to the clerk of courts of the county where the  
3 proceedings took place. Each payment shall be transmitted to the secretary of  
4 administration, who shall deposit the amount paid in the general fund and credit  
5 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)  
6 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

7 **SECTION 1240.** 48.30 (6) (b) of the statutes is amended to read:

8 48.30 (6) (b) If it appears to the court that disposition of the case may include  
9 placement of the child outside the child's home, the court shall order the child's  
10 parent to provide a statement of income, assets, debts, and living expenses to the  
11 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled  
12 date of the dispositional hearing or as otherwise ordered by the court. The clerk of  
13 court shall provide, without charge, to any parent ordered to provide a statement of  
14 income, assets, debts, and living expenses a document setting forth the percentage  
15 standard established by the department of ~~workforce development~~ under s. 49.22 (9)  
16 and the manner of its application established by the department of ~~health and family~~  
17 ~~services~~ under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
18 consider under s. ~~46.10~~ 49.345 (14) (c).

19 **SECTION 1241.** 48.31 (7) (b) of the statutes is amended to read:

20 48.31 (7) (b) If it appears to the court that disposition of the case may include  
21 placement of the child outside the child's home, the court shall order the child's  
22 parent to provide a statement of income, assets, debts, and living expenses to the  
23 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled  
24 date of the dispositional hearing or as otherwise ordered by the court. The clerk of  
25 court shall provide, without charge, to any parent ordered to provide a statement of

1 income, assets, debts, and living expenses a document setting forth the percentage  
2 standard established by the department of workforce development under s. 49.22 (9)  
3 and the manner of its application established by the department of health and family  
4 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
5 consider under s. ~~46.10~~ 49.345 (14) (c).

6 **SECTION 1242.** 48.315 (2m) (a) 1. of the statutes is amended to read:

7 48.315 (2m) (a) 1. The court making an initial finding under s. 48.21 (5) (b) 1.  
8 or 1m., 48.355 (2) (b) 6., or 48.357 (2v) (a) 1. that reasonable efforts have been made  
9 to prevent the removal of the child from the home, while assuring that the child's  
10 health and safety are the paramount concerns, or an initial finding under s. 48.21  
11 (5) (b) 3., 48.355 (2) (b) 6r., or 48.357 (2v) (a) 3. that those efforts were not required  
12 to be made because a circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more  
13 than 60 days after the date on which the child was removed from the home.

14 **SECTION 1243.** 48.32 (1) (b) 1. of the statutes is renumbered 48.32 (1) (b) 1.  
15 (intro.) and amended to read:

16 48.32 (1) (b) 1. (intro.) If at the time the consent decree is entered into the child  
17 is placed outside the home under a voluntary agreement under s. 48.63 or is  
18 otherwise living outside the home without a court order and if the consent decree  
19 maintains the child in that placement or other living arrangement, the consent  
20 decree shall include ~~a-~~ all of the following:

21 a. A finding that placement of the child in his or her home would be contrary  
22 to the welfare of the child, ~~a-~~

23 b. A finding as to whether the county department, the department, in a county  
24 having a population of 500,000 or more, or the agency primarily responsible for  
25 providing services to the child has made reasonable efforts to prevent the removal

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1 of the child from the home, while assuring that the child's health and safety are the  
2 paramount concerns, unless the judge or circuit court commissioner finds that any  
3 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, ~~and a.~~

4 c. A finding as to whether the county department, department, or agency has  
5 made reasonable efforts to achieve the goal of the child's permanency plan, unless  
6 return of the child to the home is the goal of the permanency plan and the judge or  
7 circuit court commissioner finds that any of the circumstances specified in s. 48.355  
8 (2d) (b) 1. to 5. applies.

9 **SECTION 1244.** 48.32 (1) (b) 1. d. of the statutes is created to read:

10 48.32 (1) (b) 1. d. If the child's placement or other living arrangement is under  
11 the supervision of the county department or, in a county having a population of  
12 500,000 or more, the department, an order ordering the child into the placement and  
13 care responsibility of the county department or department as required under 42  
14 USC 672 (a) (2) and assigning the county department or department primary  
15 responsibility for providing services to the child.

16 **SECTION 1245.** 48.33 (4m) (intro.) of the statutes is amended to read:

17 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In  
18 making a recommendation for an amount of child support under sub. (4), the agency  
19 shall consider the factors that the court considers under s. 46.10 49.345 (14) (c) for  
20 deviation from the percentage standard. Prior to the dispositional hearing under s.  
21 48.335, the agency shall provide the child's parent with all of the following:

22 **SECTION 1246.** 48.33 (4m) (b) of the statutes is amended to read:

23 48.33 (4m) (b) A written explanation of how the parent may request that the  
24 court modify the amount of child support under s. 46.10 49.345 (14) (c).

1           **SECTION 1247.** 48.335 (3g) of the statutes is renumbered 48.335 (3g) (intro.) and  
2           amended to read:

3           48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in  
4           s. 48.38 (1) (a), is recommending placement of the child in a foster home, treatment  
5           foster home, group home, or residential care center for children and youth or in the  
6           home of a relative other than a parent, the agency shall present as evidence specific  
7           information showing that all of the following:

8           (a) That continued placement of the child in his or her home would be contrary  
9           to the welfare of the child, specific information showing that.

10          (b) That the county department, the department, in a county having a  
11          population of 500,000 or more, or the agency primarily responsible for providing  
12          services to the child has made reasonable efforts to prevent the removal of the child  
13          from the home, while assuring that the child's health and safety are the paramount  
14          concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.  
15          applies, and specific information showing that.

16          (c) That the county department, department, or agency has made reasonable  
17          efforts to achieve the goal of the child's permanency plan, unless return of the child  
18          to the home is the goal of the permanency plan and any of the circumstances specified  
19          in s. 48.355 (2d) (b) 1. to 5. applies.

20          **SECTION 1248.** 48.355 (2) (b) 1. of the statutes is amended to read:

21          48.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided  
22          to the child and family, to the child expectant mother and family, or to the adult  
23          expectant mother, ~~the identity of the agencies which are to be primarily responsible~~  
24          ~~for the provision of the services ordered by the judge, the identity of the person or~~  
25          ~~agency who will provide case management or coordination of services, if any, and, if~~

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1 custody of the child is to be transferred to effect the treatment plan, the identity of  
2 the legal custodian.

3 **SECTION 1249.** 48.355 (2) (b) 6g. of the statutes is created to read:

4 48.355 (2) (b) 6g. If the child is placed outside the home under the supervision  
5 of the county department or, in a county having a population of 500,000 or more, the  
6 department, an order ordering the child into the placement and care responsibility  
7 of the county department or department as required under 42 USC 672 (a) (2) and  
8 assigning the county department or department primary responsibility for providing  
9 services to the child.

10 **SECTION 1250.** 48.357 (1) (am) 3. of the statutes is amended to read:

11 48.357 (1) (am) 3. If the court changes the child's placement from a placement  
12 outside the home to another placement outside the home, the change in placement  
13 order shall contain ~~one of the statements~~ the applicable order specified in sub. (2v)  
14 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

15 **SECTION 1251.** 48.357 (1) (c) 3. of the statutes is amended to read:

16 48.357 (1) (c) 3. If the court changes the child's placement from a placement in  
17 the child's home to a placement outside the child's home, the change in placement  
18 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the  
19 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in  
20 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances  
21 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the  
22 determination specified in sub. (2v) (a) 3.

23 **SECTION 1252.** 48.357 (2m) (c) of the statutes is amended to read:

24 48.357 (2m) (c) If the court changes the child's placement from a placement in  
25 the child's home to a placement outside the child's home, the change in placement

1 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements the~~  
2 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in  
3 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances  
4 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the  
5 determination specified in sub. (2v) (a) 3. If the court changes the child's placement  
6 from a placement outside the home to another placement outside the home, the  
7 change in placement order shall contain the applicable order specified in sub. (2v)  
8 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

9 **SECTION 1253.** 48.357 (2v) (a) 1m. of the statutes is created to read:

10 48.357 (2v) (a) 1m. If the change in placement order changes the placement of  
11 a child who is under the supervision of the county department or, in a county having  
12 a population of 500,000 or more, the department to a placement outside the child's  
13 home, whether from a placement in the home or from another placement outside the  
14 home, an order ordering the child into, or to be continued in, the placement and care  
15 responsibility of the county department or department as required under 42 USC  
16 672 (a) (2) and assigning the county department or department primary  
17 responsibility, or continued primary responsibility, for providing services to the  
18 child.

19 **SECTION 1254.** 48.357 (5m) (a) of the statutes is amended to read:

20 48.357 (5m) (a) If a proposed change in placement changes a child's placement  
21 from a placement in the child's home to a placement outside the child's home, the  
22 court shall order the child's parent to provide a statement of income, assets, debts  
23 and living expenses to the court or the person or agency primarily responsible for  
24 implementing the dispositional order by a date specified by the court. The clerk of  
25 court shall provide, without charge, to any parent ordered to provide a statement of

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1 income, assets, debts, and living expenses a document setting forth the percentage  
2 standard established by the department of ~~workforce development~~ under s. 49.22 (9)  
3 and the manner of its application established by the department of ~~health and family~~  
4 ~~services~~ under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
5 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,  
6 the court shall determine the liability of the parent in the manner provided in s. ~~46.10~~  
7 49.345 (14).

8 **SECTION 1255.** 48.36 (1) (a) of the statutes is amended to read:

9 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the  
10 court otherwise designates an alternative placement for the child by a disposition  
11 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the  
12 parent or guardian or, in the case of a transfer of guardianship and custody under  
13 s. 48.839 (4), the duty of the former guardian to provide support shall continue even  
14 though the legal custodian or the placement designee may provide the support. A  
15 copy of the order transferring custody or designating alternative placement for the  
16 child shall be submitted to the agency or person receiving custody or placement and  
17 the agency or person may apply to the court for an order to compel the parent or  
18 guardian to provide the support. Support payments for residential services, when  
19 purchased or otherwise funded or provided by the department or a county  
20 department under s. ~~46.22, 46.23, 51.42 or 51.437~~, shall be determined under s. ~~46.10~~  
21 49.345 (14). Support payments for residential services, when purchased or otherwise  
22 funded by the department of health and family services or a county department  
23 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

24 **SECTION 1256.** 48.36 (1) (b) of the statutes is amended to read:

1           48.36 (1) (b) In determining the amount of support under par. (a), the court may  
2           consider all relevant financial information or other information relevant to the  
3           parent's earning capacity, including information reported under s. 49.22 (2m) to the  
4           department of workforce development or the county child support agency under s.  
5           59.53 (5). If the court has insufficient information with which to determine the  
6           amount of support, the court shall order the child's parent to furnish a statement of  
7           income, assets, debts, and living expenses, if the parent has not already done so, to  
8           the court within 10 days after the court's order transferring custody or designating  
9           an alternative placement is entered or at such other time as ordered by the court.

10           **SECTION 1257.** 48.36 (2) of the statutes is amended to read:

11           48.36 (2) If an expectant mother or a child whose legal custody has not been  
12           taken from a parent or guardian is given educational and social services, or medical,  
13           psychological or psychiatric treatment by order of the court, the cost of those services  
14           or that treatment, if ordered by the court, shall be a charge upon the county in a  
15           county having a population of less than 500,000 or the department in a county having  
16           a population of 500,000 or more. This section does not prevent recovery of reasonable  
17           contribution toward the costs from the parent or guardian of the child or from an  
18           adult expectant mother as the court may order based on the ability of the parent,  
19           guardian or adult expectant mother to pay. This subsection shall be subject to s.  
20           46.03 (18) 49.32 (1).

21           **SECTION 1258.** 48.361 (2) (c) of the statutes is amended to read:

22           48.361 (2) (c) Payment for alcohol and other drug abuse services by a county  
23           department under this section does not prohibit the county department from  
24           contracting with another county department or approved treatment facility for the  
25           provision of alcohol and other drug abuse services. Payment by the county under this

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1 section does not prevent recovery of reasonable contribution toward the costs of the  
2 court-ordered alcohol and other drug abuse services from the parent or adult  
3 expectant mother which is based upon the ability of the parent or adult expectant  
4 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).

5 **SECTION 1259.** 48.362 (4) (c) of the statutes is amended to read:

6 48.362 (4) (c) A county department that pays for court-ordered special  
7 treatment or care under par. (a) may recover from the parent or adult expectant  
8 mother, based on the ability of the parent or adult expectant mother to pay, a  
9 reasonable contribution toward the costs of the court-ordered special treatment or  
10 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

11 **SECTION 1260.** 48.363 (1) (c) of the statutes is amended to read:

12 48.363 (1) (c) If the proposed revision is for a change in the amount of child  
13 support to be paid by a parent, the court shall order the child's parent to provide a  
14 statement of income, assets, debts and living expenses to the court and the person  
15 or agency primarily responsible for implementing the dispositional order by a date  
16 specified by the court. The clerk of court shall provide, without charge, to any parent  
17 ordered to provide a statement of income, assets, debts, and living expenses a  
18 document setting forth the percentage standard established by the department of  
19 workforce development under s. 49.22 (9) and the manner of its application  
20 established by the department of health and family services under s. ~~46.247~~ 49.345  
21 (14) (g) and listing the factors that a court may consider under s. ~~46.10~~ 49.345 (14)  
22 (c).

23 **SECTION 1261.** 48.363 (2) of the statutes is amended to read:

24 48.363 (2) If the court revises a dispositional order with respect to the amount  
25 of child support to be paid by a parent for the care and maintenance of the parent's