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***-0892/11.35* SECTION 1639.** 49.665 (4) (at) 1. a. of the statutes is amended to read:

49.665 **(4)** (at) 1. a. Except as provided in subd. 1. b., the department shall establish a lower maximum income level for the initial eligibility determination if funding under s. 20.435 (4) ~~(bc),~~ (jz), (p), and (x) is insufficient to accommodate the projected enrollment levels for the health care program under this section. The adjustment may not be greater than necessary to ensure sufficient funding.

***-0892/11.36* SECTION 1640.** 49.665 (4) (at) 1. cm. of the statutes is amended to read:

49.665 **(4)** (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the plan submitted under subd. 1. b., the joint committee on finance determines that the amounts appropriated under s. 20.435 (4) ~~(bc),~~ (jz), (p), and (x) are insufficient to accommodate the projected enrollment levels, the committee may transfer appropriated moneys from the general purpose revenue appropriation account of any state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation account, to the appropriation account under s. 20.435 (4) ~~(bc)~~ (b) to supplement the health care program under this section if the committee finds that the transfer will eliminate unnecessary duplication of functions, result in more efficient and effective methods for performing programs, or more effectively carry out legislative intent, and that legislative intent will not be changed by the transfer.

***-0892/11.37* SECTION 1641.** 49.665 (4) (at) 2. of the statutes is amended to read:

49.665 **(4)** (at) 2. If, after the department has established a lower maximum income level under subd. 1., projections indicate that funding under s. 20.435 (4) ~~(bc),~~ (jz), (p), and (x) is sufficient to raise the level, the department shall, by state plan

amendment, raise the maximum income level for initial eligibility, but not to exceed 185% of the poverty line.

b0279/2.2 **SECTION 1641d.** 49.665 (4g) of the statutes is created to read:

49.665 **(4g)** DISEASE MANAGEMENT PROGRAM. Based on the health conditions identified by the physical health risk assessments, if performed under sub. (4m), the department shall develop and implement, for individuals who are eligible under sub. (4), disease management programs that are similar to that developed and followed by the Marshfield Clinic in this state under the Physician Group Practice Demonstration Program authorized under 42 USC 1315 (e) and (f). These programs shall have at least the following characteristics:

(a) The use of information science to improve health care delivery by summarizing a patient's health status and providing reminders for preventive measures.

(b) Educating health care providers on health care process improvement by developing best practice models.

(c) The improvement and expansion of care management programs to assist in standardization of best practices, patient education, support systems, and information gathering.

(d) Establishment of a system of provider compensation that is aligned with clinical quality, practice management, and cost of care.

(e) Focus on patient care interventions for certain chronic conditions, to reduce hospital admissions.

b0279/2.2 **SECTION 1641e.** 49.665 (4m) of the statutes is created to read:

49.665 **(4m)** PHYSICAL HEALTH RISK ASSESSMENT. The department shall encourage each individual who is determined on or after the effective date of this

subsection .... [revisor inserts date], to be eligible under sub. (4) to receive a physical health risk assessment as part of the first physical examination the individual receives under Badger Care.

-0248/3.19 **SECTION 1642.** 49.665 (5m) of the statutes is repealed and recreated to read:

49.665 **(5m)** INFORMATION ABOUT BADGER CARE RECIPIENTS. The department shall obtain and share information about Badger Care health care program recipients as provided in s. 49.475.

-0905/3.66 **SECTION 1644.** 49.665 (7) (a) 1. of the statutes is amended to read:

49.665 **(7)** (a) 1. Notwithstanding sub. (4) (a) 3m. ~~and (ap) 2.~~, the department shall mail information verification forms to the employers of the individuals required to provide the verifications under sub. (4) (a) 3m. ~~and (ap) 2.~~ to obtain the information specified.

-1609/2.2 **SECTION 1646.** 49.686 (6) of the statutes is created to read:

49.686 **(6)** HEALTH INSURANCE RISK-SHARING PLAN PILOT PROGRAM. (a) Subject to par. (b), the department shall conduct a 3-year pilot program, to begin on January 1, 2008, under which the department may pay premiums for coverage under the Health Insurance Risk-Sharing Plan under subch. II of ch. 149, and pay copayments under that plan for prescription drugs for which reimbursement may be provided under sub. (2), for individuals who satisfy all of the following:

1. The individuals are eligible for reimbursement under this section.

2. The individuals are currently taking antiretroviral drugs.

3. The individuals do not have health insurance coverage.

4. The individuals are not eligible for premium subsidies under s. 252.16 or 252.17 because they are not on unpaid medical leave, are not unable to continue

employment, and have not had to reduce their employment hours because of an illness or medical condition arising from or related to HIV.

(b) The pilot program shall be open to a minimum of 100 participants, with more participants if the department determines that it is cost-effective.

(c) The department may promulgate rules for the administration of the pilot program. Notwithstanding s. 227.24 (3), rules under this paragraph may be promulgated as emergency rules under s. 227.24 without a finding of emergency.

***-0248/3.20* SECTION 1650.** 49.687 (6) of the statutes is created to read:

49.687 **(6)** The department shall obtain and share information about individuals who receive benefits under s. 49.68, 49.683, or 49.685 as provided in s. 49.475.

***-0905/3.67* SECTION 1651.** 49.688 (5) (a) (intro.) of the statutes is amended to read:

49.688 **(5)** (a) (intro.) Beginning on September 1, 2002, except as provided in sub. (7) (b), as a condition of participation by a pharmacy or pharmacist in the program under s. 49.45, 49.46, ~~or~~ 49.47, or 49.471, the pharmacy or pharmacist may not charge a person who presents a valid prescription order and a card indicating that he or she meets eligibility requirements under sub. (2) an amount for a prescription drug under the order that exceeds the following:

***-0248/3.21* SECTION 1655.** 49.688 (8m) of the statutes is repealed and recreated to read:

49.688 **(8m)** The department shall obtain and share information about participants in the program under this section as provided in s. 49.475.

***-1261/5.585* *-1267/P1.129* SECTION 1656.** 49.775 (2) (bm) of the statutes is amended to read:

49.775 **(2)** (bm) The custodial parent assigns to the state any right of the custodial parent or of the dependent child to support from any other person. No amount of support that begins to accrue after the individual ceases to receive payments under this section may be considered assigned to the state. Any money that is received by the department of ~~workforce development~~ children and families under an assignment to the state under this paragraph and that is not the federal share of support shall be paid to the custodial parent. The department of ~~workforce development~~ children and families shall pay the federal share of support assigned under this paragraph as required under federal law or waiver.

-1261/5.586 ***-1267/P1.130*** **SECTION 1657.** 49.78 (4) of the statutes is amended to read:

49.78 **(4)** RULES; MERIT SYSTEM. The department of ~~workforce development~~ children and families shall promulgate rules for the efficient administration of aid to families with dependent children in agreement with the requirement for federal aid, including the establishment and maintenance of personnel standards on a merit basis. The provisions of this section relating to personnel standards on a merit basis supersede any inconsistent provisions of any law relating to county personnel. This subsection shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

-1261/5.587 ***-1261/P3.493*** **SECTION 1658.** 49.78 (5) of the statutes is amended to read:

49.78 **(5)** PERSONNEL EXAMINATIONS. Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the administrator of the division of merit recruitment and selection in the office of state employment relations. The office of state employment relations shall be reimbursed for actual expenditures incurred in

the performance of its functions under this section from the appropriations available to the department of ~~health and family services~~ children and families for administrative expenditures.

***-1261/5.588* *-1267/P1.131* SECTION 1659.** 49.78 (7) of the statutes is amended to read:

49.78 **(7)** COUNTY PERSONNEL SYSTEMS. Pursuant to rules promulgated under sub. (4), the department of ~~workforce development~~ children and families where requested by the county shall delegate to that county, without restriction because of enumeration, any or all of the authority of the department of ~~workforce development's authority~~ children and families under sub. (4) to establish and maintain personnel standards including salary levels.

***-0905/3.68* SECTION 1660.** 49.785 (1) (intro.) of the statutes is amended to read:

49.785 **(1)** (intro.) Except as provided in sub. (1m), if any recipient ~~of benefits under s. 49.148, 49.46 or 49.77, or under 42 USC 1381 to 1385 in effect on May 8, 1980,~~ specified in sub. (1c) dies and the estate of the deceased recipient is insufficient to pay the funeral, burial, and cemetery expenses of the deceased recipient, the county or applicable tribal governing body or organization responsible for burial of the recipient shall pay, to the person designated by the county department under s. 46.215, 46.22, or 46.23 or applicable tribal governing body or organization responsible for the burial of the recipient, all of the following:

***-0905/3.69* SECTION 1661.** 49.785 (1c) of the statutes is created to read:

49.785 **(1c)** All of the following are eligible recipients under this section:

(a) A recipient of benefits under s. 49.148, 49.46, or 49.77, or under 42 USC 1381 to 1385 in effect on May 8, 1980.

(b) A recipient of benefits under s. 49.471 who is any of the following:

1. A pregnant woman or a child under 6 years of age with a family income not exceeding 185 percent of the poverty line at the time of death.

2. A child at least 6 years of age but less than 19 years of age with a family income not exceeding 100 percent of the poverty line at the time of death.

3. A parent or caretaker relative with a family income not exceeding 50 percent of the poverty line at the time of death.

***-1313/3.15* SECTION 1662.** 49.79 (1) (b) of the statutes is repealed.

***-1313/3.16* SECTION 1663.** 49.79 (1) (d) of the statutes is repealed.

***-1313/3.17* SECTION 1664.** 49.79 (1) (e) of the statutes is repealed.

***-1313/3.18* SECTION 1665.** 49.79 (1) (g) of the statutes is created to read:

49.79 **(1)** (g) "Wisconsin Works employment position" has the meaning given in s. 49.141 (1) (r).

***-1313/3.19* SECTION 1666.** 49.79 (2) (a) of the statutes is repealed.

SECTION 1667. 49.79 (2) (b) of the statutes is renumbered 49.79 (2) and amended to read:

49.79 **(2)** An individual who fails to comply with the work requirements of the employment and training program under ~~s. 49.13 (2) (a)~~ sub. (9) is ineligible to participate in the food stamp program as specified under ~~s. 49.13 (3)~~ sub. (9) (b).

***b0249/1.1* SECTION 1667f.** 49.79 (8m) of the statutes is created to read:

49.79 **(8m)** APPLICANTS FROM CORRECTIONAL INSTITUTIONS. (a) The department shall allow a prisoner who is applying for the food stamp program from a correctional institution in anticipation of being released from the institution to use the address of the correctional institution as his or her address on the application.

(b) The department shall allow an employee of a correctional institution who has been authorized by a prisoner of the institution to act on his or her behalf in matters related to the food stamp program to receive and conduct telephone calls on behalf of the prisoner in matters related to the food stamp program.

***-1313/3.21* SECTION 1669.** 49.79 (10) of the statutes is repealed.

***-1261/5.589* *-1267/P1.133* SECTION 1670.** 49.81 (intro.) of the statutes is amended to read:

49.81 Public assistance recipients' bill of rights. (intro.) The department of health and family services, the department of ~~workforce development~~ children and families, and all public assistance and relief-granting agencies shall respect rights for recipients of public assistance. The rights shall include all rights guaranteed by the U.S. constitution and the constitution of this state, and in addition shall include:

***-0905/3.70* SECTION 1671.** 49.81 (4) of the statutes is amended to read:

49.81 **(4)** The right to a speedy determination of the recipient's status or eligibility for public assistance, to notice of any proposed change in such status or eligibility, and, in the case of assistance granted under s. 49.19, 49.46, 49.468 ~~or~~, 49.47, or 49.471, to a speedy appeals process for resolving contested determinations.

***-1261/5.590* *-1267/P1.134* SECTION 1672.** 49.82 (1) of the statutes is amended to read:

49.82 **(1)** DEPARTMENTS TO ADVISE COUNTIES. The department of health and family services and the department of ~~workforce development~~ children and families shall advise all county officers charged with the administration of requirements relating to public assistance programs under this chapter and shall render all possible assistance in securing compliance therewith, including the preparation of necessary forms and reports. The department of health and family services and the

department of ~~workforce development~~ children and families shall also publish any information that those departments consider advisable to acquaint persons entitled to public assistance, and the public generally, with the laws governing public assistance under this chapter.

***-1311/1.1* SECTION 1673.** 49.82 (2) of the statutes is renumbered 49.82 (2) (a) and amended to read:

49.82 **(2)** (a) ~~Proof shall be provided~~ Except as provided in par. (b), for each person included in an application for public assistance under this chapter, ~~except for a child who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a (e) (4) or an unborn child who is eligible for coverage under the Badger Care health care program under s. 49.665 (4) (ap),~~ proof shall be provided of his or her social security number or that an application for a social security number has been made.

***-1311/1.2* SECTION 1674.** 49.82 (2) (b) of the statutes is created to read:

49.82 **(2)** (b) Paragraph (a) does not apply to any of the following:

1. A child who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a (e) (4).

2. An unborn child who is eligible for coverage under the Badger Care health care program under s. 49.665 (4) (ap).

3. A person who is applying for medical assistance under subch. IV, coverage under the Badger Care health care program under s. 49.665, or coverage under the program for prescription drug assistance for elderly persons under s. 49.688 and who refuses to obtain a social security number because of well-established religious objections, as defined in 42 CFR 435.910 (h) (2).

***-0905/3.71* SECTION 1675.** 49.82 (2) (b) 1. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.82 **(2)** (b) 1. A child who is eligible for medical assistance under s. 49.46 ~~or~~, 49.47, or 49.471 because of 42 USC 1396a (e) (4).

***-0905/3.72* SECTION 1676.** 49.82 (2) (b) 2. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.82 **(2)** (b) 2. An unborn child who is eligible for coverage under s. 49.471 or the Badger Care health care program under s. 49.665 (4) (ap).

***-1261/5.591* *-1267/P1.135* SECTION 1677.** 49.83 of the statutes is amended to read:

49.83 Limitation on giving information. Except as provided under s. 49.32 (9), (10), and (10m), no person may use or disclose information concerning applicants and recipients of relief funded by a relief block grant, aid to families with dependent children, Wisconsin Works under ss. 49.141 to 49.161, social services, child and spousal support and establishment of paternity and medical support liability services under s. 49.22, or supplemental payments under s. 49.77 for any purpose not connected with the administration of the programs, except that the department of ~~workforce development~~ children and families may disclose such information to the department of revenue for the sole purpose of administering state taxes. Any person violating this section may be fined not less than $25 nor more than $500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

***-0265/3.1* SECTION 1678.** 49.84 (6) of the statutes is created to read:

49.84 **(6)** (a) In this subsection, "department" means the department of health and family services.

(b) 1. Notwithstanding any other eligibility requirements for the programs specified in par. (c), unless excepted by par. (c) an applicant for or recipient under any of those programs who declares himself or herself to be a citizen or national of the United States shall provide, as a further condition of eligibility, satisfactory documentary evidence, as provided in par. (d), that he or she is a citizen or national of the United States.

2. An applicant shall provide the documentation at the time of application. If a recipient was not required to provide documentation at the time he or she applied, the recipient shall provide the documentation the first time his or her eligibility is reviewed or redetermined after the effective date of this subdivision .... [revisor inserts date]. An applicant or recipient shall be granted a reasonable time, as determined by the department, to submit the documentation before his or her eligibility is denied or terminated.

(c) The requirement to provide satisfactory documentary evidence under par. (b) applies to applicants for and recipients under all of the following:

1. The Medical Assistance program under subch. IV, except for any of the following:

a. An applicant or recipient who is entitled to benefits under or enrolled in any part of Medicare under 42 USC 1395 et seq., as amended.

b. An applicant or recipient who is receiving supplemental security income under 42 USC 1381 to 1383c.

c. A person who is eligible for medical assistance under s. 49.45 (27).

d. A child who is receiving medical assistance under s. 49.46 (1) (a) 13. or 49.47 (4) (am) 3.

e. A pregnant woman who is receiving medical assistance under s. 49.465.

2. The Badger Care health care program under s. 49.665, except for an unborn child under s. 49.665 (4) (ap).

3. The part of the prescription drug assistance for elderly persons program under s. 49.688 that is supported by a Medical Assistance waiver under 42 USC 1315 (a), as authorized under s. 49.688 (11).

(d) Satisfactory documentary evidence that an applicant or a recipient is a citizen or national of the United States consists of the documents or other forms of evidence specified in 42 CFR 435.407.

***-0905/3.73* SECTION 1679.** 49.84 (6) (c) 1. d. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.84 **(6)** (c) 1. d. A child who is receiving medical assistance under s. 49.46 (1) (a) 13. ~~or~~, 49.47 (4) (am) 3., or 49.471 (4) (a) 2. or (b) 2. or an unborn child receiving prenatal care under s. 49.471.

***-0905/3.74* SECTION 1680.** 49.84 (6) (c) 1. e. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.84 **(6)** (c) 1. e. A pregnant woman who is receiving medical assistance under s. 49.465 or a child or pregnant woman who is receiving medical assistance under s. 49.471 (5) (b) 1. or 2.

***-1261/5.592* *-1267/P1.136* SECTION 1681.** 49.845 (1) of the statutes is amended to read:

49.845 **(1)** FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4) (bn), (kz), (L), and (nn), the department of health and family services shall establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments under

s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775, and health care benefits under the Badger Care health care program under s. 49.665 and, if the department of ~~workforce development~~ children and families contracts with the department of health and family services under sub. (4), on the part of recipients of aid to families with dependent children under s. 49.19 and participants in the Wisconsin Works program under ss. 49.141 to 49.161. The activities of the department of health and family services under this subsection may include comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The department of health and family services shall cooperate with district attorneys regarding fraud prosecutions.

-1261/5.593 ***-1267/P1.137*** **SECTION 1682.** 49.845 (2) of the statutes is amended to read:

49.845 **(2)** STATE ERROR REDUCTION ACTIVITIES. The department of health and family services shall conduct activities to reduce payment errors in the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665 and, if the department of ~~workforce development~~ children and families contracts with the department of health and family services under sub. (4), in Wisconsin Works under ss. 49.141 to 49.161.

***-1261/5.594* *-1267/P1.138* SECTION 1683.** 49.845 (3) of the statutes is amended to read:

49.845 **(3)** WISCONSIN WORKS AGENCY ERROR REDUCTION. If the department of ~~workforce development~~ children and families contracts with the department of health and family services under sub. (4), the department of health and family services shall provide funds from the appropriation under s. 20.435 (4) (kz) to Wisconsin Works agencies to offset the administrative costs of reducing payment errors in Wisconsin Works under ss. 49.141 to 49.161.

***-1261/5.595* *-1267/P1.139* SECTION 1684.** 49.845 (4) of the statutes is amended to read:

49.845 **(4)** CONTRACT FOR WISCONSIN WORKS. Notwithstanding s. 49.197 (1m) and (3), the department of ~~workforce development~~ children and families may contract with the department of health and family services to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19 and participants in Wisconsin Works under ss. 49.141 to 49.161 and to conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, as provided in this section.

***-1261/5.596* *-1267/P1.140* SECTION 1685.** 49.85 (1) of the statutes is amended to read:

49.85 **(1)** DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health and family services may recover an amount under s. 49.497, 49.793, or 49.847, or that the department of ~~workforce development~~ children and families may recover an amount under s. 49.161 or 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county

department or governing body shall notify the affected department of the determination. If a Wisconsin Works agency determines that the department of ~~workforce development~~ children and families may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the Wisconsin Works agency shall notify the department of ~~workforce development~~ children and families of the determination.

***-1261/5.597* *-1267/P1.141* SECTION 1686.** 49.85 (2) (b) of the statutes is amended to read:

49.85 **(2)** (b) At least annually, the department of ~~workforce development~~ children and families shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of ~~workforce development~~ children and families, the department of ~~workforce development~~ children and families has determined that it may recover under ss. 49.161 and 49.195 (3) and collect under s. 49.147 (6) (cm), except that the department of ~~workforce development~~ children and families may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

***-1261/5.598* *-1267/P1.142* SECTION 1687.** 49.85 (3) (b) (intro.) of the statutes is amended to read:

49.85 **(3)** (b) (intro.) At least 30 days before certification of an amount, the department of ~~workforce development~~ children and families shall send a notice to the last-known address of the person from whom that department intends to recover or collect the amount. The notice shall do all of the following:

***-1261/5.599* *-1267/P1.143* SECTION 1688.** 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 **(3)** (b) 1. Inform the person that the department of ~~workforce development~~ children and families intends to certify to the department of revenue an amount that the department of ~~workforce development~~ children and families has determined to be due under s. 49.161 or 49.195 (3) or to be delinquent under a repayment agreement for a loan under s. 49.147 (6), for setoff from any state tax refund that may be due the person.

***-1261/5.600* *-1267/P1.144* SECTION 1689.** 49.85 (3) (b) 2. of the statutes is amended to read:

49.85 **(3)** (b) 2. Inform the person that he or she may appeal the determination of the department of ~~workforce development~~ children and families to certify the amount by requesting a hearing under sub. (4) within 30 days after the date of the letter and inform the person of the manner in which he or she may request a hearing.

***-1261/5.601* *-1267/P1.145* SECTION 1690.** 49.85 (3) (b) 3. of the statutes is amended to read:

49.85 **(3)** (b) 3. Inform the person that, if the determination of the department of ~~workforce development~~ children and families is appealed, that department will not certify the amount to the department of revenue while the determination of the department of ~~workforce development~~ children and families is under appeal.

***-1261/5.602* *-1267/P1.146* SECTION 1691.** 49.85 (3) (b) 4. of the statutes is amended to read:

49.85 **(3)** (b) 4. Inform the person that, unless a contested case hearing is requested to appeal the determination of the department of ~~workforce development~~ children and families, the person may be precluded from challenging any subsequent

setoff of the certified amount by the department of revenue, except on the grounds that the certified amount has been partially or fully paid or otherwise discharged, since the date of the notice.

***-1261/5.603* *-1267/P1.147* SECTION 1692.** 49.85 (3) (b) 5. of the statutes is amended to read:

49.85 **(3)** (b) 5. Request that the person inform the department of ~~workforce development~~ children and families if a bankruptcy stay is in effect with respect to the person or if the claim has been discharged in bankruptcy.

***-1261/5.604* *-1267/P1.148* SECTION 1693.** 49.85 (4) (b) of the statutes is amended to read:

49.85 **(4)** (b) If a person has requested a hearing under this subsection, the department of ~~workforce development~~ children and families shall hold a contested case hearing under s. 227.44, except that the department of ~~workforce development~~ children and families may limit the scope of the hearing to exclude issues that were presented at a prior hearing or that could have been presented at a prior opportunity for hearing.

***-1261/5.605* *-1267/P1.149* SECTION 1694.** 49.85 (5) of the statutes is amended to read:

49.85 **(5)** EFFECT OF CERTIFICATION. Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93. Certification of an amount under this section does not prohibit the department of health and family services or the department of ~~workforce development~~ children and families from attempting to recover or collect the amount through other legal means. The department of health and family

services or the department of ~~workforce development~~ children and families shall promptly notify the department of revenue upon recovery or collection of any amount previously certified under this section.

***-1261/5.606* *-1267/P1.150* SECTION 1695.** 49.852 (1) of the statutes is renumbered 49.852 (1m) and amended to read:

49.852 **(1m)** The department ~~of workforce development~~ may direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b) from any lump sum payment from a pension plan that may be paid a delinquent support obligor, except that the department ~~of workforce development~~ may not direct that an amount be withheld under this subsection unless it has met the notice requirements under sub. (2) and unless the amount specified has either not been appealed or is no longer under appeal under s. 49.854.

***-1261/5.607* *-1267/P1.151* SECTION 1696.** 49.852 (1c) of the statutes is created to read:

49.852 **(1c)** In this section, "department" means the department of children and families.

***-1261/5.608* *-1267/P1.152* SECTION 1697.** 49.852 (2) (intro.) of the statutes is amended to read:

49.852 **(2)** (intro.) The department ~~of workforce development~~ shall send a notice to the last-known address of the person from whom the department intends to recover the amount specified in the statewide support lien docket under s. 49.854 (2) (b). The notice shall do all of the following:

***-1261/5.609* *-1267/P1.153* SECTION 1698.** 49.852 (2) (c) of the statutes is amended to read:

49.852 **(2)** (c) Request that the person inform the department ~~of workforce development~~ or the appropriate county child support agency under s. 59.53 (5) if a bankruptcy stay is in effect with respect to the person.

***-1261/5.610* *-1267/P1.154* SECTION 1699.** 49.852 (3) of the statutes is amended to read:

49.852 **(3)** If a person has requested a hearing pursuant to sub. (2) (b), the hearing shall be conducted before the circuit court that rendered the initial order to pay support. The court shall schedule a hearing within 10 business days after receiving a request for a hearing. A circuit court commissioner may conduct the hearing. If the court determines that the person owes the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department ~~of workforce development~~ may direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan, whichever is appropriate, to withhold the amount from any lump sum payment from a pension plan that may be paid the person. If the court determines that the person does not owe the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department ~~of workforce development~~ may not direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan, whichever is appropriate, to withhold the amount from any lump sum payment from a pension plan that may be paid the person.

***-1261/5.611* *-1267/P1.155* SECTION 1700.** 49.852 (4) (a) of the statutes is amended to read:

49.852 **(4)** (a) If the department ~~of workforce development~~ directs the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b), this directive shall constitute a lien, equal to the amount specified in the statewide support lien docket, on any lump sum payment from a pension plan that may be paid the person.

***-1261/5.612* *-1267/P1.156* SECTION 1701.** 49.852 (4) (b) of the statutes is amended to read:

49.852 **(4)** (b) If the department ~~of workforce development~~ directs the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan shall deduct from any lump sum payment that may be paid the person the amount specified in the statewide support lien docket, less any amount specified under par. (d). If the amount specified in the statewide support lien docket under s. 49.854 (2) (b), less any amount specified under par. (d), exceeds the lump sum payment, the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan shall deduct the entire lump sum payment, less any withholdings

otherwise required by law. The amount deducted under this paragraph shall be remitted to the department ~~of workforce development~~.

-1261/5.613 ***-1267/P1.157*** **SECTION 1702.** 49.852 (4) (c) of the statutes is amended to read:

49.852 **(4)** (c) A directive to the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b) under this section does not prohibit the department ~~of workforce development~~ from attempting to recover the amount through other legal means.

-1261/5.614 ***-1267/P1.158*** **SECTION 1703.** 49.852 (4) (d) of the statutes is amended to read:

49.852 **(4)** (d) The department ~~of workforce development~~ shall promptly notify the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan upon recovery of any amount previously specified in the statewide support lien docket under s. 49.854 (2) (b).

-1261/5.615 ***-1267/P1.159*** **SECTION 1704.** 49.853 (1) (b) of the statutes is amended to read:

49.853 **(1)** (b) "Department" means the department of ~~workforce development~~ children and families.

-1261/5.616 ***-1267/P1.160*** **SECTION 1705.** 49.854 (1) (a) of the statutes is amended to read:

49.854 **(1)** (a) "Department" means the department of ~~workforce development~~ children and families.

***-0485/2.1* SECTION 1706.** 49.854 (5) (a) 3. of the statutes is created to read:

49.854 **(5)** (a) 3. "Lien" means a lien under this section or a lien in favor of another state based on a support obligation, including a lien placed under s. 769.305 (2) (g).

***-0485/2.2* SECTION 1707.** 49.854 (5) (b) of the statutes is amended to read:

49.854 **(5)** (b) *Notice to the financial institution.* To enforce a lien ~~under this section~~ by levying against an account at a financial institution, the department shall send a notice of levy to the financial institution instructing the financial institution to prohibit the closing of or withdrawals from one or more accounts that the obligor owns in whole or in part, up to a total amount that is sufficient to pay the support owed, financial institution fees under par. (e), and estimated levy fees and costs under sub. (11), until further notice from the department or a court. The financial institution shall comply with the notice of levy and shall hold the amount specified in the notice until the financial institution receives further instructions from the department or a court.

***-0485/2.3* SECTION 1708.** 49.854 (5) (c) of the statutes is created to read:

49.854 **(5)** (c) *Liens in favor of other states.* Notwithstanding par. (b), if a lien under par. (b) is in favor of another state, the notice sent by the department to the financial institution may consist of the request from the other state to enforce the lien, a certification by the department that any necessary due process requirements were met in the other state, a request that the financial institution honor the request from the other state by sending the amount specified in the request directly to the other state, and the address to which the financial institution shall send the funds. Notice and hearing requirements under pars. (d) and (f) do not apply to a lien in favor of another state.

***-0485/2.4* SECTION 1709.** 49.854 (5) (e) of the statutes is amended to read:

49.854 **(5)** (e) *Financial institution fees.* A financial institution may continue to collect fees, under the terms of the account agreement, on accounts frozen under this subsection. In addition to the levy fee authorized under sub. (11) (a), a financial institution may collect any early withdrawal penalty incurred under the terms of an account as a result of the levy. Financial institution fees authorized under this paragraph may be charged to the account immediately prior to the remittance of the amount to the department or the other state and may be charged even if the amounts in the obligor's accounts are insufficient to pay the total amount of support owed and the department's levy costs under sub. (11) (b).

***-1261/5.617* *-1267/P1.161* SECTION 1710.** 49.854 (11) (b) of the statutes is amended to read:

49.854 **(11)** (b) *The department.* The department may assess a collection fee to recover the department's costs incurred in levying against property under this section. The department shall determine its costs to be paid in all cases of levy. The obligor is liable to the department for the amount of the collection fee authorized under this paragraph. Fees collected under this paragraph shall be credited to the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja).

***-1261/5.618* *-1267/P1.162* SECTION 1711.** 49.855 (1) of the statutes is amended to read:

49.855 **(1)** If a person obligated to pay child support, family support, maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is delinquent in making any of those payments, or owes an outstanding amount that has been ordered by the court for past support, medical expenses, or birth expenses, upon application under s. 59.53 (5) the department of ~~workforce development~~

children and families shall certify the delinquent payment or outstanding amount to the department of revenue and, at least annually, shall provide to the department of revenue any certifications of delinquencies or outstanding amounts that it receives from another state because the obligor resides in this state.

-1261/5.619 ***-1261/P3.494*** **SECTION 1712.** 49.855 (2r) of the statutes is created to read:

49.855 **(2r)** At least annually, the department of children and families shall certify to the department of revenue any obligation owed to that department under s. 49.345 if the obligation is rendered to a judgment.

-1261/5.620 ***-1261/P3.495*** **SECTION 1713.** 49.855 (3) of the statutes is amended to read:

49.855 **(3)** Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or a circuit court commissioner, the department of

~~workforce development~~ children and families or its designee, whichever is appropriate, is prohibited from disbursing the obligor's state tax refund or credit. A circuit court commissioner may conduct the hearing. The sole issues at that hearing shall be whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay shall also be an issue at the hearing if the obligation relates to an order under ~~s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1.~~ s. ~~767.89 (3) (e) 1. or~~ 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

-1261/5.621 ***-1267/P1.164*** **SECTION 1714.** 49.855 (4) (a) of the statutes is amended to read:

49.855 **(4)** (a) The department of revenue shall send the portion of any state tax refunds or credits withheld for delinquent child or family support or maintenance or past support, medical expenses, or birth expenses to the department of ~~workforce development~~ children and families or its designee for deposit in the support collections trust fund under s. 25.68 and shall send the portion of any state tax refunds or credits withheld for delinquent receiving and disbursing fees to the department of ~~workforce development~~ children and families or its designee for deposit in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja). The department of ~~workforce development~~ children and families shall make a settlement at least annually with the department of revenue. The settlement shall state the amounts certified, the amounts deducted from tax refunds and credits, and the administrative costs incurred by the department of revenue.

-1261/5.622 ***-1267/P1.165*** **SECTION 1715.** 49.855 (4) (b) of the statutes is amended to read:

49.855 **(4)** (b) The department of administration shall send the portion of any federal tax refunds or credits received from the internal revenue service that was withheld for delinquent child or family support or maintenance or past support, medical expenses, or birth expenses to the department of ~~workforce development~~ children and families or its designee for deposit in the support collections trust fund under s. 25.68 and shall send the portion of any federal tax refunds or credits received from the internal revenue service that was withheld for delinquent receiving and disbursing fees to the department of ~~workforce development~~ children and families or its designee for deposit in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja).

-1261/5.623 **SECTION 1716.** 49.855 (4m) (b) of the statutes is amended to read:

49.855 **(4m)** (b) The department of revenue may provide a certification that it receives under sub. (1), (2m), ~~or~~ (2p), or (2r) to the department of administration. Upon receipt of the certification, the department of administration shall determine whether the obligor is a vendor or is receiving any other payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of administration determines that the obligor is a vendor or is receiving payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount certified from those payments and shall notify the obligor that the state intends to reduce any payments due the obligor by the amount the obligor is delinquent under

the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph, the court shall set the matter for hearing. A circuit court commissioner may conduct the hearing. Pending further order by the court or circuit court commissioner, the department of ~~workforce development~~ children and families or its designee, whichever is appropriate, may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay is also an issue at the hearing if the obligation relates to an order under ~~s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1.~~ s. ~~767.89 (3) (e) 1. or~~ 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

-1261/5.624 ***-1267/P1.167*** **SECTION 1717.** 49.855 (4m) (c) of the statutes is amended to read:

49.855 **(4m)** (c) Except as provided by order of the court after hearing under par. (b), the department of administration shall continue withholding until the amount certified is recovered in full. The department of administration shall transfer the amounts withheld under this paragraph to the department of ~~workforce~~

~~development~~ children and families or its designee, the department of health and family services, or the department of corrections, whichever is appropriate. The department of ~~workforce development~~ children and families or its designee shall deposit amounts withheld for delinquent child or family support, maintenance, or receiving and disbursing fees or past support, medical expenses, or birth expenses in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (kp).

***-1261/5.625* *-1267/P1.168* SECTION 1718.** 49.855 (5) of the statutes is amended to read:

49.855 **(5)** Certification of an obligation to the department of revenue does not deprive any party of the right to collect the obligation or to prosecute the obligor. The department of ~~workforce development~~ children and families or its designee shall immediately notify the department of revenue of any collection of an obligation that has been certified to the department of revenue.

***-1261/5.626* *-1267/P1.169* SECTION 1719.** 49.856 (1) (b) of the statutes is amended to read:

49.856 **(1)** (b) "Department" means the department of ~~workforce development~~ children and families.

***-1261/5.627* *-1267/P1.170* SECTION 1720.** 49.857 (1) (cf) of the statutes is created to read:

49.857 **(1)** (cf) "Department" means the department of children and families.

***-1261/5.628* *-1267/P1.171* SECTION 1721.** 49.857 (1) (f) of the statutes is amended to read:

49.857 **(1)** (f) "Subpoena or warrant" means a subpoena or warrant issued by the department ~~of workforce development~~ or a child support agency and relating to paternity or support proceedings.

***-1261/5.629* *-1267/P1.172* SECTION 1722.** 49.857 (2) (a) of the statutes is amended to read:

49.857 **(2)** (a) The department ~~of workforce development~~ shall establish a system, in accordance with federal law, under which a licensing authority is requested, and a licensing agency or credentialing board is required, to restrict, limit, suspend, withhold, deny, refuse to grant or issue, or refuse to renew or revalidate a license in a timely manner upon certification by and in cooperation with the department ~~of workforce development~~, if the individual holding or applying for the license is delinquent in making court-ordered payments of support or fails to comply, after appropriate notice, with a subpoena or warrant.

***-1261/5.630* *-1267/P1.173* SECTION 1723.** 49.857 (2) (b) (intro.) of the statutes is amended to read:

49.857 **(2)** (b) (intro.) Under the system, the department ~~of workforce development~~ shall enter into a memorandum of understanding with a licensing authority, if the licensing authority agrees, and with a licensing agency. A memorandum of understanding under this paragraph shall address at least all of the following:

***-1261/5.631* *-1267/P1.174* SECTION 1724.** 49.857 (2) (b) 2. (intro.) of the statutes is amended to read:

49.857 **(2)** (b) 2. (intro.) Procedures that the department ~~of workforce development~~ shall use for doing all of the following:

***-1261/5.632* *-1267/P1.175* SECTION 1725.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

49.857 **(2)** (b) 2. a. Certifying to the licensing authority or licensing agency a delinquency in support or a failure to comply with a subpoena or warrant. The

memorandum of understanding with the department of regulation and licensing shall include procedures for the department of regulation and licensing to notify a credentialing board that a certification of delinquency in support or failure to comply with a subpoena or warrant has been made by the department of ~~workforce development~~ children and families with respect to an individual who holds or applied for a credential granted by the credentialing board.

***-1261/5.633* *-1267/P1.176* SECTION 1726.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

49.857 **(2)** (b) 3. c. Issuing or reinstating a license if the department of ~~workforce development~~ children and families notifies the licensing authority or licensing agency that an individual who was delinquent in making court-ordered payments of support has paid the delinquent support or made satisfactory alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant. The memorandum of understanding with the department of regulation and licensing shall include procedures for the department of regulation and licensing to direct a credentialing board to grant or reinstate a credential if the department of ~~workforce development~~ children and families notifies the department of regulation and licensing that an individual who holds or applied for a credential granted by the credentialing board has paid the delinquent support or made satisfactory alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant.

***-1261/5.634* *-1267/P1.177* SECTION 1727.** 49.857 (2) (b) 5. of the statutes is amended to read:

49.857 **(2)** (b) 5. Procedures for safeguarding the confidentiality of information about an individual, including social security numbers obtained by the department ~~of workforce development~~, the licensing authority, the licensing agency, or a credentialing board.

***-1261/5.635* *-1267/P1.178* SECTION 1728.** 49.857 (3) (a) (intro.) of the statutes is amended to read:

49.857 **(3)** (a) (intro.) Before the department ~~of workforce development~~ certifies to a licensing authority or a licensing agency under the system established under sub. (2) that an individual is delinquent in making court-ordered payments of support, the department ~~of workforce development~~ or a child support agency shall provide notice to the individual by regular mail. The notice shall inform the individual of all of the following:

***-1261/5.636* *-1267/P1.179* SECTION 1729.** 49.857 (3) (a) 4. of the statutes is amended to read:

49.857 **(3)** (a) 4. That the certification will not be made if the individual pays the delinquent amount in full or makes satisfactory alternative payment arrangements with the department ~~of workforce development~~ or a child support agency. The notice shall inform the individual of how he or she may pay the delinquent amount or make satisfactory alternative payment arrangements.

***-1261/5.637* *-1267/P1.180* SECTION 1730.** 49.857 (3) (ac) 1. of the statutes is amended to read:

49.857 **(3)** (ac) 1. If an individual timely requests a hearing under par. (a) 5., the court shall schedule a hearing within 10 business days after receiving the request. A circuit court commissioner may conduct the hearing. The only issues at the hearing shall be whether the individual is delinquent in making court-ordered

payments of support and whether any alternative payment arrangement offered by the department ~~of workforce development~~ or the county child support agency is reasonable.

***-1261/5.638* *-1267/P1.181* SECTION 1731.** 49.857 (3) (ac) 2. of the statutes is amended to read:

49.857 **(3)** (ac) 2. If at a hearing under subd. 1. the court or circuit court commissioner finds that the individual does not owe delinquent support, or if within 20 business days after receiving a notice under par. (a) the individual pays the delinquent amount in full or makes satisfactory alternative payment arrangements, the department ~~of workforce development~~ may not place the individual's name on a certification list.

***-1261/5.639* *-1267/P1.182* SECTION 1732.** 49.857 (3) (ac) 3. of the statutes is amended to read:

49.857 **(3)** (ac) 3. If at a hearing under subd. 1. the court or circuit court commissioner makes a written determination that alternative payment arrangements proposed by the department ~~of workforce development~~ or a child support agency are not reasonable, the court or circuit court commissioner may order for the individual an alternative payment arrangement. If the court or circuit court commissioner orders an alternative payment arrangement, the department ~~of workforce development~~ may not place the individual's name on a certification list.

***-1261/5.640* *-1267/P1.183* SECTION 1733.** 49.857 (3) (am) (intro.) of the statutes is amended to read:

49.857 **(3)** (am) (intro.) If an individual, after receiving notice under par. (a), does not timely request a hearing or pay the delinquent amount of support or make satisfactory alternative payment arrangements, the department ~~of workforce~~

~~development~~ shall place the individual's name on a certification list. Thereafter, the department ~~of workforce development~~ or a child support agency shall provide a 2nd notice to the individual by regular mail that informs the individual of all of the following:

***-1261/5.641* *-1267/P1.184* SECTION 1734.** 49.857 (3) (am) 4. of the statutes is amended to read:

49.857 **(3)** (am) 4. That the certification will not be made if the individual pays the delinquent amount in full or makes satisfactory alternative payment arrangements with the department ~~of workforce development~~ or a child support agency. The notice shall inform the individual of how he or she may pay the delinquent amount or make satisfactory alternative payment arrangements.

***-1261/5.642* *-1267/P1.185* SECTION 1735.** 49.857 (3) (ar) 1. of the statutes is amended to read:

49.857 **(3)** (ar) 1. If an individual timely requests a hearing under par. (am) 5., the court shall schedule a hearing within 10 business days after receiving the request. A circuit court commissioner may conduct the hearing. The only issues at the hearing shall be whether the individual is delinquent in making court-ordered payments of support and whether any alternative payment arrangement offered by the department ~~of workforce development~~ or the county child support agency is reasonable.

***-1261/5.643* *-1267/P1.186* SECTION 1736.** 49.857 (3) (ar) 2. of the statutes is amended to read:

49.857 **(3)** (ar) 2. If at a hearing under subd. 1. the court or circuit court commissioner finds that the individual does not owe delinquent support, or if within 20 business days after receiving a notice under par. (am) the individual pays the

delinquent amount in full or makes satisfactory alternative payment arrangements, the department ~~of workforce development~~ shall remove the individual's name from the certification list.

***-1261/5.644* *-1267/P1.187* SECTION 1737.** 49.857 (3) (ar) 3. of the statutes is amended to read:

49.857 **(3)** (ar) 3. If at a hearing under subd. 1. the court or circuit court commissioner makes a written determination that alternative payment arrangements proposed by the department ~~of workforce development~~ or a child support agency are not reasonable, the court or circuit court commissioner may order for the individual an alternative payment arrangement. If the court or circuit court commissioner orders an alternative payment arrangement, the department ~~of workforce development~~ may not place the individual's name on a certification list.

***-1261/5.645* *-1267/P1.188* SECTION 1738.** 49.857 (3) (b) (intro.) of the statutes is amended to read:

49.857 **(3)** (b) (intro.) Any subpoena or warrant shall include notice to the individual of the effect that a failure to comply with the subpoena or warrant may have on any license that the individual holds or for which the individual applies. If the individual fails to comply, before the department ~~of workforce development~~ certifies to a licensing authority or a licensing agency under the system established under sub. (2) that an individual has failed to comply with a subpoena or warrant, the department ~~of workforce development~~ or a child support agency shall provide notice to the individual by regular mail. The notice shall inform the individual of all of the following:

***-1261/5.646* *-1267/P1.189* SECTION 1739.** 49.857 (3) (bm) of the statutes is amended to read:

49.857 **(3)** (bm) If an individual, after receiving notice under par. (b), does not satisfy the requirements under the subpoena or warrant, the department ~~of workforce development~~ shall place the individual's name on a certification list.

***-1261/5.647* *-1267/P1.190* SECTION 1740.** 49.857 (3) (c) (intro.) of the statutes is amended to read:

49.857 **(3)** (c) (intro.) If the department of ~~workforce development~~ children and families provides a certification list to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of regulation and licensing, upon receipt of the list the licensing authority if the licensing authority agrees, the licensing agency or, with respect to a credential granted by a credentialing board, the department of regulation and licensing shall do all of the following:

***-1261/5.648* *-1267/P1.191* SECTION 1741.** 49.857 (3) (d) 1. of the statutes is amended to read:

49.857 **(3)** (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of delinquent support, is denied a license or whose license, on the basis of delinquent support, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) pays the delinquent amount of support in full or makes satisfactory alternative payment arrangements, the department of ~~workforce development~~ children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual's license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of regulation and licensing shall, upon notice by the department of ~~workforce~~

~~development~~ children and families, notify the credentialing board to grant or reinstate the individual's credential.

***-1261/5.649* *-1267/P1.192* SECTION 1742.** 49.857 (3) (d) 2. of the statutes is amended to read:

49.857 **(3)** (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a failure to comply with a subpoena or warrant, is denied a license or whose license, on the basis of a failure to comply with a subpoena or warrant, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) satisfies the requirements under the subpoena or warrant, the department of ~~workforce development~~ children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual's license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of regulation and licensing shall, upon notice by the department of ~~workforce development~~ children and families, notify the credentialing board to grant or reinstate the individual's credential.

***-1261/5.650* *-1267/P1.193* SECTION 1743.** 49.857 (4) of the statutes is amended to read:

49.857 **(4)** Each licensing agency shall enter into a memorandum of understanding with the department of ~~workforce development~~ children and families under sub. (2) (b) and shall cooperate with the department of ~~workforce development~~ children and families in its administration of s. 49.22. The department of regulation and licensing shall enter into a memorandum of understanding with the department of ~~workforce development~~ children and families on behalf of a credentialing board with respect to a credential granted by the credentialing board.

***-1261/5.651* *-1267/P1.194* SECTION 1744.** 49.858 (1) of the statutes is renumbered 49.858 (1) (intro.) and amended to read:

49.858 **(1)** (intro.) In this section, ~~"support":~~

(b) "Support" has the meaning given in s. 49.857 (1) (g).

***-1261/5.652* *-1267/P1.195* SECTION 1745.** 49.858 (1) (a) of the statutes is created to read:

49.858 **(1)** (a) "Department" means the department of children and families.

***-1261/5.653* *-1267/P1.196* SECTION 1746.** 49.858 (2) (intro.) of the statutes is amended to read:

49.858 **(2)** RULES. (intro.) For the procedures under this subchapter for the administrative enforcement of support obligations, the department ~~of workforce development~~ shall promulgate rules related to all of the following:

***-1261/5.654* *-1267/P1.197* SECTION 1747.** 49.858 (3) of the statutes is amended to read:

49.858 **(3)** REVIEW OF CIRCUIT COURT COMMISSIONER DECISIONS. If a circuit court commissioner conducts a hearing in any administrative support enforcement proceeding under s. 49.852, 49.856 or 49.857, the department ~~of workforce development~~ or the obligor may, within 15 business days after the date that the circuit court commissioner makes his or her decision, request review of the decision by the court with jurisdiction over the matter.

***-1261/5.655* *-1267/P1.198* SECTION 1748.** 49.86 of the statutes is renumbered 49.86 (2) and amended to read:

49.86 **(2)** Withdrawal or disbursement of moneys deposited in a public depository, as defined in s. 34.01 (5), to the credit of the department ~~of workforce development~~ or any of its divisions or agencies shall be by check, share draft, or other

draft signed by the secretary ~~of workforce development~~ or by one or more persons in the department ~~of workforce development~~ designated by written authorization of the secretary ~~of workforce development~~. Such checks, share drafts, and other drafts shall be signed personally or by use of a mechanical device adopted by the secretary ~~of workforce development~~ or his or her designees for affixing a facsimile signature. Any public depository shall be fully warranted and protected in making payment on any check, share draft, or other draft bearing such facsimile signature notwithstanding that the facsimile may have been placed thereon without the authority of the secretary ~~of workforce development~~ or his or her designees.

***-1261/5.656* *-1267/P1.199* SECTION 1749.** 49.86 (1) of the statutes is created to read:

49.86 **(1)** In this section:

(a) "Department" means the department of children and families.

(b) "Secretary" means the secretary of children and families.

***-1261/5.657* *-1267/P1.200* SECTION 1750.** 49.89 (2) of the statutes is amended to read:

49.89 **(2)** SUBROGATION. The department of health and family services, the department of ~~workforce development~~ children and families, a county, or an elected tribal governing body that provides any public assistance under this chapter or under s. 253.05 as a result of the occurrence of an injury, sickness, or death that creates a claim or cause of action, whether in tort or contract, on the part of a public assistance recipient or beneficiary or the estate of a recipient or beneficiary against a 3rd party, including an insurer, is subrogated to the rights of the recipient, beneficiary or estate and may make a claim or maintain an action or intervene in a claim or action by the recipient, beneficiary, or estate against the 3rd party.

Subrogation under this subsection because of the provision of medical assistance under subch. IV constitutes a lien, equal to the amount of the medical assistance provided as a result of the injury, sickness, or death that gave rise to the claim. The lien is on any payment resulting from a judgment or settlement that may be due the obligor. A lien under this subsection continues until it is released and discharged by the department of health and family services.

***-1261/5.658* *-1267/P1.201* SECTION 1751.** 49.89 (6) of the statutes is amended to read:

49.89 **(6)** DEPARTMENTS' DUTIES AND POWERS. The department of health and family services and the department of ~~workforce development~~ children and families shall enforce their rights under this section and may contract for the recovery of any claim or right of indemnity arising under this section.

***-0905/3.75* SECTION 1752.** 49.89 (7) (b) of the statutes is amended to read:

49.89 **(7)** (b) The incentive payment shall be an amount equal to 15% of the amount recovered because of benefits paid under s. 49.46, 49.465, 49.468 ~~or~~, 49.47, or 49.471. The incentive payment shall be taken from the federal share of the sum recovered as provided under 42 CFR 433.153 and 433.154.

***-1261/5.659* *-1267/P1.202* SECTION 1753.** 49.89 (7) (d) 2. of the statutes is amended to read:

49.89 **(7)** (d) 2. Any county or elected tribal governing body that has made a recovery under this section for which it is eligible to receive an incentive payment under par. (c) shall report such recovery to the department of ~~workforce development~~ children and families within 30 days after the end of the month in which the recovery is made in a manner specified by the department of ~~workforce development~~ children and families.

***-1261/5.661* *-1267/P1.203* SECTION 1756.** 49.90 (2) of the statutes is amended to read:

49.90 **(2)** Upon failure of these relatives to provide maintenance the authorities or board shall submit to the corporation counsel a report of its findings. Upon receipt of the report the corporation counsel shall, within 60 days, apply to the circuit court for the county in which the dependent person under sub. (1) (a) 1. or the child of a dependent person under sub. (1) (a) 2. resides for an order to compel the maintenance. Upon such an application the corporation counsel shall make a written report to the county department under s. 46.215, 46.22, or 46.23, with a copy to the chairperson of the county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with a multicounty department, and to the department of health and family services or the department of ~~workforce development~~ children and families, whichever is appropriate.

***-1261/5.662* *-1267/P1.204* SECTION 1757.** 49.90 (2g) of the statutes is amended to read:

49.90 **(2g)** In addition to the remedy specified in sub. (2), upon failure of a grandparent to provide maintenance under sub. (1) (a) 2., another grandparent who is or may be required to provide maintenance under sub. (1) (a) 2., a child of a dependent minor or the child's parent may apply to the circuit court for the county in which the child resides for an order to compel the provision of maintenance. A county department under s. 46.215, 46.22, or 46.23, a county child support agency under s. 59.53 (5), or the department of ~~workforce development~~ children and families may initiate an action to obtain maintenance of the child by the child's grandparent under sub. (1) (a) 2., regardless of whether the child receives public assistance.