

1           **SECTION 798.** 46.02 of the statutes is amended to read:

2           **46.02 Agency powers and duties.** Any institution which that is subject to  
3 chs. 46, 48 49 to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of  
4 conflict between chs. 46, 48 49 to 51, 55, and 58 and ch. 150, be governed by ch. 150.  
5 The department shall promulgate rules and establish procedures for resolving any  
6 such ~~controversy~~ a conflict.

7           **SECTION 799.** 46.023 of the statutes is renumbered 48.562.

8           **SECTION 800.** 46.03 (4) (b) of the statutes is amended to read:

9           **46.03 (4) (b)** In order to discharge more effectively its responsibilities under  
10 this chapter ~~and ch. 48~~ and other relevant provisions of the statutes, be authorized  
11 to study causes and methods of prevention and treatment of mental illness, mental  
12 deficiency, mental infirmity, and related social problems, including establishment of  
13 demonstration projects to apply and evaluate such methods in actual cases. The  
14 department is directed and authorized to utilize all powers provided by the statutes,  
15 including the authority under sub. (2a), to accept grants of money or property from  
16 federal, state, or private sources, and to enlist the cooperation of other appropriate  
17 agencies and state departments. The department may enter into agreements with  
18 local government subdivisions, departments, and agencies for the joint conduct of  
19 these projects, and it may purchase services when deemed considered appropriate.

20           **SECTION 801.** 46.03 (7) (a) of the statutes is amended to read:

21           **46.03 (7) (a)** Promote the enforcement of laws for the protection of  
22 developmentally disabled children, ~~children and unborn children in need of~~  
23 ~~protection or services and nonmarital children~~; and to this end cooperate with courts  
24 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare  
25 agencies, and public and private institutions and take the initiative in all matters

1 involving the interests of those children ~~and unborn children~~ when adequate  
2 provision for those interests has not already been made, including the establishment  
3 and enforcement of standards for services provided under ss. 48.345 and 48.347.

4 **SECTION 802.** 46.03 (7) (bm) of the statutes is amended to read:

5 46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
6 under s. 891.40, ~~declarations of paternal interest under s. 48.025,~~ and statements  
7 acknowledging paternity under s. 69.15 (3) (b). The department may release those  
8 records, ~~declarations,~~ and statements only upon an order of the court except that the  
9 department may use nonidentifying information concerning artificial inseminations  
10 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~  
11 ~~released as provided in s. 48.025 (3) (b) and (e),~~ and statements acknowledging  
12 paternity shall be released without a court order to the department of workforce  
13 ~~development~~ children and families or a county child support agency under s. 59.53  
14 (5) upon the request of that department or county child support agency pursuant to  
15 the program responsibilities under s. 49.22 or to any other person with a direct and  
16 tangible interest in the statement.

17 **SECTION 803.** 46.03 (7) (c) of the statutes is repealed.

18 **SECTION 804.** 46.03 (7) (cm) of the statutes is renumbered 48.47 (7) (cm).

19 **SECTION 805.** 46.03 (7) (d) of the statutes is renumbered 48.47 (7) (d).

20 **SECTION 806.** 46.03 (7) (e) of the statutes is repealed.

21 **SECTION 807.** 46.03 (7) (f) of the statutes is renumbered 48.47 (7) (f).

22 **SECTION 808.** 46.03 (7) (h) of the statutes is renumbered 48.47 (7) (h).

23 **SECTION 809.** 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended

24 to read:

1           **48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM.** Establish  
2 a statewide automated child welfare information system. Notwithstanding ss.  
3 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,  
4 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~  
5 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the  
6 content of any record kept or information received by the department into the  
7 statewide automated child welfare information system, and a county department  
8 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has  
9 entered into an information sharing and access agreement with the department or  
10 any of those county departments and that has been approved for access to the  
11 statewide automated child welfare information system by the department may have  
12 access to information that is maintained in that system, if necessary to enable the  
13 county department, department, or organization to perform its duties under this  
14 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the  
15 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to  
16 679b.

17           **SECTION 810.** 46.03 (7m) of the statutes is renumbered 48.62 (7) and amended  
18 to read:

19           **48.62 (7) FOSTER CARE.** In each federal fiscal year, the department shall ensure  
20 that there are no more than 2,200 children in foster care and treatment foster care  
21 placements for more than 24 months, consistent with the best interests of each child.  
22 Services provided in connection with this requirement shall comply with the  
23 requirements under P.L. 96-272.

24           **SECTION 812c.** 46.03 (18) (a) of the statutes is amended to read:

1           46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of  
2 ~~health and family services~~ shall establish a uniform system of fees for services  
3 provided or purchased by the department of ~~health and family services~~, or a county  
4 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided  
5 under ch. 48 and subch. III of ch. 49; ~~services relating to adoption; services provided~~  
6 ~~to courts; outreach, information and referral services; or where when, as determined~~  
7 ~~by the department of health and family services~~, a fee is administratively unfeasible  
8 or would significantly prevent accomplishing the purpose of the service. A county  
9 department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees ~~which that~~  
10 it collects under this program to cover the cost of ~~such those~~ services. The  
11 ~~department of health and family services shall report to the joint committee on~~  
12 ~~finance no later than March 1 of each year on the number of children placed for~~  
13 ~~adoption by the department of health and family services during the previous year~~  
14 ~~and the costs to the state for services relating to such adoptions.~~

15           **SECTION 813.** 46.03 (18) (am) of the statutes is amended to read:

16           46.03 (18) (am) ~~Paragraph (a) does not prevent the department from charging~~  
17 ~~and collecting the cost of adoptive placement investigations and child care as~~  
18 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county  
19 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
20 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

21           **SECTION 814.** 46.03 (18) (ar) of the statutes is created to read:

22           46.03 (18) (ar) A county may retain fees that it collects under this subsection  
23 for services the county provides without state funding under the disabled children's  
24 long-term support program.

25           **SECTION 814m.** 46.03 (18) (f) of the statutes is amended to read:

1           46.03 (18) (f) Notwithstanding par. (a), any person who submits to an  
2 assessment or airman or driver safety plan under s. 23.33 (13) (e), 30.80 (6) (d), 114.09  
3 (2) (bm), 343.16 (5) (a), 343.30 (1q), 343.305 (10) or 350.11 (3) (d) shall pay a  
4 reasonable fee therefor to the appropriate county department under s. 51.42 or traffic  
5 safety school under s. 345.60. A county may allow the person to pay the assessment  
6 fee in 1, 2, 3 or 4 equal installments. The fee for the airman or driver safety plan may  
7 be reduced or waived if the person is unable to pay the complete fee, but no fee for  
8 assessment or attendance at a traffic safety school under s. 345.60 may be reduced  
9 or waived. Nonpayment of the assessment fee is noncompliance with the court order  
10 that required completion of an assessment and airman or driver safety plan. Upon  
11 a finding that the person has the ability to pay, nonpayment of the airman or driver  
12 safety plan fee is noncompliance with the court order that required completion of an  
13 assessment and airman or driver safety plan.

14           **SECTION 815.** 46.03 (20) (a) of the statutes is amended to read:

15           46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,  
16 the department may make payments directly to recipients of public assistance or to  
17 such persons authorized to receive such payments in accordance with law and rules  
18 of the department on behalf of the counties. Except for payments provided under ch.  
19 48 or subch. III of ch. 49, the department may charge the counties for the cost of  
20 operating public assistance systems which make such payments.

21           **SECTION 816.** 46.03 (22) (title) of the statutes is amended to read:

22           46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

23           **SECTION 817.** 46.03 (22) (a) of the statutes is amended to read:

24           46.03 (22) (a) "Community ~~In this subsection, "community living arrangement~~  
25 for adults" means ~~any of the following facilities licensed or operated, or permitted~~

1 ~~under the authority of the department: residential care centers for children and~~  
2 ~~youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under~~  
3 ~~s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based~~  
4 ~~residential facilities~~ a community-based residential facility, as defined in s. 50.01  
5 (1g); ~~but does not include adult family homes, as defined in s. 50.01 (1), day care~~  
6 ~~centers, nursing homes, general hospitals, special hospitals, prisons, and jails.~~

7 **SECTION 818.** 46.03 (22) (b) of the statutes is amended to read:

8 46.03 (22) (b) Community living arrangements for adults shall be subject to the  
9 same building and housing ordinances, codes, and regulations of the municipality or  
10 county as similar residences located in the area in which the facility is located.

11 **SECTION 819.** 46.03 (22) (c) of the statutes is amended to read:

12 46.03 (22) (c) The department shall designate a subunit to keep records and  
13 supply information on community living arrangements for adults under ss. 59.69  
14 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving  
15 all complaints regarding community living arrangements for adults and for  
16 coordinating all necessary investigatory and disciplinary actions under the laws of  
17 this state and under the rules of the department relating to the licensing of  
18 community living arrangements for adults.

19 **SECTION 820.** 46.03 (22) (d) of the statutes is amended to read:

20 46.03 (22) (d) A community living arrangement for adults with a capacity for  
21 8 or fewer persons shall be a permissible use for purposes of any deed covenant which  
22 limits use of property to single-family or 2-family residences. A community living  
23 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible  
24 use for purposes of any deed covenant which limits use of property to more than

1 2-family residences. Covenants in deeds which expressly prohibit use of property  
2 for community living arrangements for adults are void as against public policy.

3 **SECTION 821.** 46.03 (22) (e) of the statutes is amended to read:

4 46.03 (22) (e) If a community living arrangement for adults is required to  
5 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,  
6 at the request of the unit of government responsible for granting the special zoning  
7 permission, inspect the proposed facility and review the program proposed for the  
8 facility. After such inspection and review, the department shall transmit to the unit  
9 of government responsible for granting the special zoning permission a statement  
10 that the proposed facility and its proposed program have been examined and are  
11 either approved or disapproved by the department.

12 **SECTION 822.** 46.03 (29) of the statutes is repealed.

13 **SECTION 823.** 46.03 (39) of the statutes is renumbered 48.47 (39).

14 **SECTION 824.** 46.031 (3) (a) of the statutes is amended to read:

15 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the  
16 county board of supervisors of each county or the county boards of supervisors of 2  
17 or more counties jointly shall establish a citizen advisory committee to the county  
18 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory  
19 committee shall advise in the formulation of the budget under sub. (1). Membership  
20 on the committee shall be determined by the county board of supervisors in a county  
21 with a single-county committee or by the county boards of supervisors in counties  
22 with a multicounty committee and shall include representatives of those persons  
23 receiving services, providers of service and citizens. A majority of the members of the  
24 committee shall be citizen and service consumers. ~~At least one member of the~~  
25 ~~committee shall be chosen from the governing or administrative board of the~~

1 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The  
2 committee's membership may not consist of more than 25% county supervisors, nor  
3 of more than 20% service providers. The chairperson of the committee shall be  
4 appointed by the county board of supervisors establishing it. In the case of a  
5 multicounty committee, the chairperson shall be nominated by the committee and  
6 approved by the county boards of supervisors establishing it. The county board of  
7 supervisors in a county with a single-county committee or the county boards of  
8 supervisors in counties with a multicounty committee may designate an agent to  
9 determine the membership of the committee and to appoint the committee  
10 chairperson or approve the nominee.

11 **SECTION 825.** 46.034 (1) of the statutes is amended to read:

12 46.034 (1) The department, in order to discharge more effectively its  
13 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant  
14 provisions of the statutes, may establish community human services pilot programs  
15 for the study, implementation, and evaluation of improved human services delivery  
16 systems. In the implementation of such those pilot programs, the requirement of  
17 statewide uniformity with respect to the organization and governance of human  
18 services shall not apply. The department and local governmental bodies may  
19 establish such departments, boards, committees, organizational structures, and  
20 procedures as may be needed to implement the pilot programs. The departments,  
21 boards, committees, and organizational structures may assume responsibilities  
22 currently assigned by statute to the departments, boards, committees, or  
23 organizational structures that are replaced.

24 **SECTION 826.** 46.036 (1) of the statutes is amended to read:

1           46.036 (1) All care and services purchased by the department or by a county  
2 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under  
3 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the  
4 standards established under this section. The department may require the county  
5 departments to submit the contracts to the department for review and approval. For  
6 purchases of \$10,000 or less the requirement for a written contract may be waived  
7 by the department. ~~No contract is required for care provided by foster homes or~~  
8 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the  
9 department directly contracts for services, it shall follow the procedures in this  
10 section in addition to meeting purchasing requirements established in s. 16.75.

11           **SECTION 827.** 46.036 (4) (a) of the statutes is amended to read:

12           46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double  
13 entry accounting system and a management information system which are  
14 compatible with cost accounting and control systems prescribed by the department.  
15 ~~The department shall establish a simplified double entry bookkeeping system for use~~  
16 ~~by family-operated group homes. Each purchaser shall determine whether a~~  
17 ~~family-operated group home from which it purchases services shall use the double~~  
18 ~~entry accounting system or the simplified system and shall include this~~  
19 ~~determination in the purchase of service contract. In this paragraph,~~  
20 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~  
21 ~~which the licensee is one or more individuals who operate not more than one group~~  
22 ~~home.~~

23           **SECTION 829c.** 46.036 (4) (c) of the statutes is amended to read:

24           46.036 (4) (c) Unless waived by the department, biennially, or annually if  
25 required under federal law, provide the purchaser with a certified financial and

1 compliance audit report if the care and services purchased exceed \$25,000. The audit  
2 shall follow standards that the department prescribes. ~~A purchaser may waive the~~  
3 ~~requirements of this paragraph for any family-operated group home, as defined~~  
4 ~~under par. (a), from which it purchases services.~~

5 SECTION 830. 46.037 of the statutes is renumbered 49.343 and amended to  
6 read:

7 **49.343 Rates for residential child care centers and group homes. (1)**

8 Subject to sub. (1m), each residential child care center for children and youth, as  
9 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is  
10 ~~licensed under s. 48.625 and~~ incorporated under ch. 180, 181, 185, or 193 shall  
11 establish a per client rate for its services and shall charge all purchasers the same  
12 rate.

13 (1m) Notwithstanding sub. (1), the department, a county department under  
14 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the  
15 department and one or more of those county departments, and a residential child  
16 care center for children and youth or group home, as described in sub. (1), may  
17 negotiate a per client rate for the services of that residential child care center for  
18 children and youth or group home, if the department, that county department, the  
19 county departments in that group of county departments, or the department and one  
20 or more of those county departments, agree to place 75% or more of the residents of  
21 that residential child care center for children and youth or group home during the  
22 period for which that rate is effective. A residential child care center for children and  
23 youth or group home that negotiates a per client rate under this subsection shall  
24 charge that rate to all purchasers of its services.

1           (2) A residential ~~child~~ care center for children and youth or a group home, as  
2 described in sub. (1) or (1m), shall submit to the department the rate it charges and  
3 any change in that rate before a charge is made to any purchaser. The department  
4 shall provide forms and instructions for the submission of rates and changes in rates  
5 under this subsection and a residential ~~child~~ care center for children and youth or  
6 a group home that is required to submit a rate or a change in a rate under this  
7 subsection shall submit that rate or change in a rate using those forms and  
8 instructions.

9           (3) The department may require an audit of any residential ~~child~~ care center  
10 for children and youth or group home, as described in sub. (1) or (1m), for the purpose  
11 of collecting federal funds.

12           **SECTION 831.** 46.043 (1) of the statutes is amended to read:

13           46.043 (1) In addition to inpatient and outpatient services provided at mental  
14 health institutes under ss. 51.05 and 51.07, the department may authorize mental  
15 health institutes to offer services other than inpatient mental health services when  
16 the department determines that community services need to be supplemented.  
17 Services that may be offered under this section include mental health outpatient  
18 treatment and services, day programming, consultation and services in residential  
19 facilities, including group homes, ~~child-caring institutions~~ residential care centers  
20 for children and youth and community-based residential facilities.

21           **SECTION 832.** 46.057 (2) of the statutes is amended to read:

22           46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
23 department of corrections shall transfer to the appropriation account under s. 20.435  
24 (2) (kx) \$1,379,300 in each fiscal year ~~2005-06~~ and \$1,379,300 in fiscal year ~~2006-07~~  
25 and, from the appropriation account under s. 20.410 (3) (hm), the department of

1 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)  
2 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and  
3 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the  
4 Mendota juvenile treatment center. The department of health and family services  
5 may charge the department of corrections not more than the actual cost of providing  
6 those services.

7 **SECTION 833.** 46.10 (14) (b) of the statutes is amended to read:

8 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
9 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the  
10 parent's minor child who has been placed by a court order under s. 48.355 or 48.357  
11 in a residential, nonmedical facility such as a group home, foster home, treatment  
12 foster home, subsidized guardianship home, or residential care center for children  
13 and youth shall be determined by the court by using the percentage standard  
14 established by the department of ~~workforce development~~ children and families  
15 under s. 49.22 (9) and by applying the percentage standard in the manner  
16 established by the department under ~~s. 46.247~~ par. (g).

17 **SECTION 834.** 46.10 (14) (g) of the statutes is created to read:

18 46.10 (14) (g) For purposes of determining child support under par. (b), the  
19 department shall promulgate rules related to the application of the standard  
20 established by the department of children and families under s. 49.22 (9) to a child  
21 support obligation for the care and maintenance of a child who is placed by a court  
22 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall  
23 take into account the needs of any person, including dependent children other than  
24 the child, whom either parent is legally obligated to support.

25 **SECTION 835.** 46.10 (16) of the statutes is amended to read:

1           46.10 (16) The department shall delegate to county departments under ss.  
2           51.42 and 51.437 or the local providers of care and services meeting the standards  
3           established by the department under s. 46.036, the responsibilities vested in the  
4           department under this section for collection of patient fees for services other than  
5           those provided at state facilities ~~or~~, those provided to children that are reimbursed  
6           under a waiver under s. 46.27 (11), 46.275,, 46.278, or 46.2785, or a waiver requested  
7           ~~under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section~~  
8           ~~9124 (8e),~~ those provided under the disabled children's long-term support program  
9           if the county departments or providers meet the conditions that the department  
10          determines are appropriate. The department may delegate to county departments  
11          under ss. 51.42 and 51.437 the responsibilities vested in the department under this  
12          section for collection of patient fees for services provided at the state facilities if the  
13          necessary conditions are met.

14          **SECTION 836.** 46.16 (1) of the statutes is amended to read:

15          46.16 (1) GENERALLY. The department shall investigate and supervise all the  
16          charitable and curative institutions, including county infirmaries, of every county  
17          and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~  
18          ~~children and, and~~ and all hospitals, asylums, and institutions, organized for the purpose  
19          set forth in s. 58.01, and familiarize itself with all the circumstances affecting their  
20          management and usefulness.

21          **SECTION 837.** 46.16 (2) of the statutes is repealed.

22          **SECTION 838.** 46.16 (2m) of the statutes is repealed.

23          **SECTION 839.** 46.16 (2s) of the statutes is repealed.

24          **SECTION 840.** 46.16 (3) of the statutes is amended to read:

1           46.16 (3) COUNTY HOMES, POOR RELIEF. ~~It~~ The department shall visit the county  
2 homes and ascertain the number of each sex and the number of mentally ill, mentally  
3 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and  
4 under what circumstances affecting their health, comfort, morals, and education;  
5 collect statistics of the cost of support, and other important facts, of the poor relieved  
6 at public expense outside of county homes; and collect information as to the adequacy  
7 and efficiency of existing laws for the support and relief of the poor, and the causes  
8 of pauperism in the state.

9           **SECTION 841.** 46.16 (7) of the statutes is amended to read:

10           46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon  
11 request of the department, the attorney general or the district attorney of the proper  
12 county shall aid in any investigation, inspection, hearing, or trial had under the  
13 provisions of this chapter, ~~or those sections of ch. 48~~ relating to powers of the  
14 department, and shall institute and prosecute all necessary actions or proceedings  
15 for the enforcement of ~~such~~ those provisions and for the punishment of violations of  
16 ~~the same~~ those provisions. The attorney general or district attorney so requested  
17 shall report or confer with the department regarding the request, within 30 days  
18 after the receipt of ~~such~~ the request.

19           **SECTION 842.** 46.17 (1) of the statutes is amended to read:

20           46.17 (1) The department shall fix reasonable standards and regulations for  
21 the design, construction, repair, and maintenance of county homes, county  
22 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,  
23 with respect to their adequacy and fitness for the needs which they are to serve.

24           **SECTION 843.** 46.206 (1) (a) of the statutes is amended to read:

1           46.206 (1) (a) The department shall supervise the administration of social  
2 services, except as provided under ch. 48 and subch. III of ch. 49 and except for  
3 juvenile delinquency-related services. The department shall submit to the federal  
4 authorities state plans for the administration of social services, except as provided  
5 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related  
6 services, in such form and containing such information as the federal authorities  
7 require, and shall comply with all requirements prescribed to ensure their  
8 correctness.

9           **SECTION 844.** 46.206 (1) (bm) of the statutes is amended to read:

10           46.206 (1) (bm) All records of the department relating to aid provided under  
11 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable  
12 hours by members of the legislature who require the information contained in the  
13 records in pursuit of a specific state legislative purpose. All records of any county  
14 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are  
15 open to inspection at reasonable hours by members of the board of supervisors of the  
16 county or the governing body of a city, village or town located in the county who  
17 require the information contained in the records in pursuit of a specific county or  
18 municipal legislative purpose. The right to records access provided by this  
19 paragraph does not apply if access is prohibited by federal law or regulation or if this  
20 state is required to prohibit such access as a condition precedent to participation in  
21 a federal program in which this state participates.

22           **SECTION 845.** 46.206 (2) of the statutes is amended to read:

23           46.206 (2) The county administration of all laws relating to social services,  
24 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to

1 juvenile delinquency-related programs, shall be vested in the officers and agencies  
2 designated in the statutes.

3 **SECTION 846.** 46.21 (2m) (c) of the statutes is amended to read:

4 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78  
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07  
6 (3) (c), a subunit of a county department of human services or tribal agency acting  
7 under this subsection may exchange confidential information about a client, without  
8 the informed consent of the client, with any other subunit of the same county  
9 department of human services or tribal agency, with a resource center, a care  
10 management organization, or a family long-term care district, with an  
11 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral  
12 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person  
13 providing services to the client under a purchase of services contract with the county  
14 department of human services or tribal agency or with a resource center, a care  
15 management organization, or a family long-term care district, if necessary to enable  
16 an employee or service provider to perform his or her duties, or to enable the county  
17 department of human services or tribal agency to coordinate the delivery of services  
18 to the client. An agency that releases information under this paragraph shall  
19 document that a request for information was received and what information was  
20 provided.

21 **SECTION 847.** 46.21 (5) (b) of the statutes is amended to read:

22 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the  
23 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

24 **SECTION 848.** 46.215 (1) (d) of the statutes is amended to read:

1           46.215 (1) (d) To make investigations that relate to services under subchs. II,  
2 IV, and V of ch. 49 upon request by the department of health and family services, to  
3 make investigations that relate to juvenile delinquency-related services at the  
4 request of the department of corrections, and to make investigations that relate to  
5 programs under ch. 48 and subch. III of ch. 49 upon request by the department of  
6 ~~workforce development~~ children and families.

7           **SECTION 849.** 46.215 (1) (j) of the statutes is amended to read:

8           46.215 (1) (j) To make payments in such manner as the department of  
9 ~~workforce development~~ children and families may determine for training of  
10 recipients, former recipients, and potential recipients of aid in programs established  
11 under s. 49.193, 1997 stats., and s. 49.26 (1).

12           **SECTION 850.** 46.215 (1m) of the statutes is amended to read:

13           46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.  
14 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
15 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social  
16 services or tribal agency acting under this section may exchange confidential  
17 information about a client, without the informed consent of the client, with any other  
18 subunit of the same county department of social services or tribal agency, with a  
19 resource center, a care management organization, or a family long-term care  
20 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
21 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
22 lg., or with a person providing services to the client under a purchase of services  
23 contract with the county department of social services or tribal agency or with a  
24 resource center, a care management organization, or a family long-term care  
25 district, if necessary to enable an employee or service provider to perform his or her

1 duties, or to enable the county department of social services or tribal agency to  
2 coordinate the delivery of services to the client. An agency that releases information  
3 under this subsection shall document that a request for information was received  
4 and what information was provided.

5 **SECTION 851.** 46.215 (1p) of the statutes is amended to read:

6 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE  
7 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78  
8 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
9 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
10 (2) (a), a county department under this section may enter the content of any record  
11 kept or information received by that county department into the statewide  
12 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

13 **SECTION 852.** 46.215 (2) (a) 2. of the statutes is amended to read:

14 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
15 services, the county department of social services may contract, either directly or  
16 through the department of ~~workforce development~~ children and families, with public  
17 or voluntary agencies or others to purchase, in full or in part, care and services under  
18 ch. 48 and subch. III of ch. 49 which the county department of social services is  
19 authorized to furnish. This care and these services may be purchased from the  
20 department of ~~workforce development~~ children and families if the department of  
21 ~~workforce development~~ children and families has staff to furnish the services. If the  
22 county department of social services has adequate staff, it may sell the care and  
23 services directly to another county or state agency.

24 **SECTION 853.** 46.215 (2) (b) of the statutes is amended to read:

1           46.215 (2) (b) A county department of social services may purchase  
2 development and training services from the department of health and family  
3 services, from the department of ~~workforce development~~ children and families, from  
4 the department of corrections or from other county agencies when the services are  
5 available. A county department of social services may sell the development and staff  
6 training services to another county or state agency if the county department has  
7 adequate staff to provide the services.

8           **SECTION 854.** 46.215 (2) (c) 2. of the statutes is amended to read:

9           46.215 (2) (c) 2. A county department of social services shall develop, under the  
10 requirements of s. 49.34, plans and contracts for care and services to be purchased  
11 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~  
12 children and families may review the contracts and approve them if they are  
13 consistent with s. 49.34 and if state or federal funds are available for such purposes.  
14 The joint committee on finance may require the department of ~~workforce~~  
15 ~~development~~ children and families to submit the contracts to the committee for  
16 review and approval. The department of ~~workforce development~~ children and  
17 families may not make any payments to a county for programs included in a contract  
18 under review by the committee.

19           **SECTION 856.** 46.215 (3) of the statutes is amended to read:

20           46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
21 submit a final budget to the department of health and family services under s. 46.031  
22 (1), to the department of corrections under s. 301.031 (1), and to the department of  
23 ~~workforce development~~ children and families under s. 49.325 (1), for authorized  
24 services.

25           **SECTION 857.** 46.22 (1) (b) 1. b. of the statutes is amended to read:

1           46.22 (1) (b) 1. b. To make investigations which relate to welfare services,  
2           except as provided under ch. 48 and subch. III of ch. 49, upon request by the  
3           department of health and family services.

4           **SECTION 858.** 46.22 (1) (b) 1. d. of the statutes is amended to read:

5           46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for  
6           services authorized in this section, except for the administration of and cost of aid  
7           granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

8           **SECTION 859.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

9           **SECTION 860.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

10          46.22 (1) (b) 2. (intro.) A county department of social services shall have the  
11          following functions, duties, and powers in accordance with the rules promulgated by  
12          the department of ~~workforce development~~ children and families and subject to the  
13          supervision of the department of ~~workforce development~~ children and families:

14          **SECTION 861.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

15          46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.  
16          III of ch. 49 upon request by the department of ~~workforce development~~ children and  
17          families.

18          **SECTION 862.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

19          46.22 (1) (b) 2. e. To make payments in such manner as the department of  
20          ~~workforce development~~ children and families may determine for training of  
21          recipients, former recipients and potential recipients of aid in programs established  
22          under ss. 49.193, 1997 stats., and s. 49.26 (1).

23          **SECTION 863.** 46.22 (1) (b) 2. g. of the statutes is amended to read:

1           46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal  
2 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility  
3 for which is based on need.

4           **SECTION 864.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

5           46.22 (1) (b) 3. (intro.) A county department of social services shall have the  
6 following functions, duties, and powers in accordance with the rules promulgated  
7 and standards established by the department of health and family services and  
8 subject to the supervision of the department of ~~workforce development~~ children and  
9 families:

10          **SECTION 865.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

11          46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~  
12 ~~development~~ children and families in accordance with s. 49.325 for services  
13 authorized in this subdivision.

14          **SECTION 866.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

15          46.22 (1) (c) 8. f. The county department of social services shall implement the  
16 statewide automated child welfare information system established ~~by the~~  
17 ~~department~~ under s. 46.03 48.47 (7g).

18          **SECTION 867.** 46.22 (1) (d) of the statutes is amended to read:

19          46.22 (1) (d) *Merit system; records.* The county department of social services  
20 is subject to s. 49.78 (4) to (7). The county department of social services and all county  
21 officers and employees performing any duties in connection with the administration  
22 of aid to families with dependent children shall observe all rules promulgated by the  
23 department of ~~workforce development~~ children and families under s. 49.78 (4) and  
24 shall keep records and furnish reports as the department of ~~workforce development~~  
25 children and families requires in relation to their performance of such duties.

1           **SECTION 868.** 46.22 (1) (dm) of the statutes is amended to read:

2           46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.  
3 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
4 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social  
5 services or tribal agency acting under this subsection may exchange confidential  
6 information about a client, without the informed consent of the client, with any other  
7 subunit of the same county department of social services or tribal agency, with a  
8 resource center, a care management organization, or a family long-term care  
9 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
10 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
11 lg., or with a person providing services to the client under a purchase of services  
12 contract with the county department of social services or tribal agency or with a  
13 resource center, a care management organization, or a family long-term care  
14 district, if necessary to enable an employee or service provider to perform his or her  
15 duties, or to enable the county department of social services or tribal agency to  
16 coordinate the delivery of services to the client. An agency that releases information  
17 under this paragraph shall document that a request for information was received  
18 and what information was provided.

19           **SECTION 869.** 46.22 (1) (dp) of the statutes is amended to read:

20           46.22 (1) (dp) *Exchange of information; statewide automated child welfare*  
21 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
22 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
23 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
24 (2) (a), a county department under this section may enter the content of any record

1 kept or information received by that county department into the statewide  
2 automated child welfare information system established under s. 46.03 ~~48.47~~ (7g).

3 **SECTION 870.** 46.22 (1) (e) 1. of the statutes is amended to read:

4 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
5 services, a county department of social services may contract, either directly or  
6 through the department of health and family services, the department of workforce  
7 development children and families, or the department of corrections, with public or  
8 voluntary agencies or others to purchase, in full or in part, care and services which  
9 the county department of social services is authorized by any statute to furnish in  
10 any manner. The services may be purchased from the department of health and  
11 family services, the department of ~~workforce development~~ children and families, or  
12 the department of corrections if the department of health and family services, the  
13 department of ~~workforce development~~ children and families, or the department of  
14 corrections has staff to furnish the services. The county department of social  
15 services, if it has adequate staff, may sell the care and services directly to another  
16 county or state agency.

17 **SECTION 871.** 46.22 (1) (e) 2. of the statutes is amended to read:

18 46.22 (1) (e) 2. A county department of social services may purchase  
19 development and training services from the department of health and family  
20 services, the department of ~~workforce development~~ children and families, or the  
21 department of corrections or from other county agencies if the services are available  
22 or sell the development and staff training services to another county or state agency  
23 if the county department of social services has adequate staff to provide the services.

24 **SECTION 872.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

1           46.22 (1) (e) 3. a. A county department of social services shall develop, under  
2 the requirements of s. 46.036, plans and contracts for care and services, except under  
3 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of  
4 health and family services may review the contracts and approve them if they are  
5 consistent with s. 46.036 and to the extent that state or federal funds are available  
6 for such purposes. The joint committee on finance may require the department of  
7 health and family services to submit the contracts to the committee for review and  
8 approval. The department of health and family services may not make any payments  
9 to a county for programs included in the contract that is under review by the  
10 committee. The department of health and family services shall reimburse each  
11 county for the contracts from the appropriations under s. 20.435 (7) (b) and (c)  
12 according to s. 46.495.

13           **SECTION 873.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

14           46.22 (1) (e) 3. b. A county department of social services shall develop, under  
15 the requirements of s. 49.34, plans and contracts for care and services under ch. 48  
16 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~  
17 children and families may review the contracts and approve them if they are  
18 consistent with s. 49.34 and to the extent that state or federal funds are available for  
19 such purposes. The joint committee on finance may require the department of  
20 ~~workforce development~~ children and families to submit the contracts to the  
21 committee for review and approval. The department of ~~workforce development~~  
22 children and families may not make any payments to a county for programs included  
23 in the contract that is under review by the committee.

24           **SECTION 875.** 46.22 (2g) (d) of the statutes is amended to read:

1           46.22 (2g) (d) Prepare, with the assistance of the county social services director  
2 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or  
3 county administrator, a final budget for submission to the department of health and  
4 family services in accordance with s. 46.031 (1) for authorized services, except  
5 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for  
6 submission to the department of ~~workforce development~~ children and families in  
7 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.  
8 49, and a final budget for submission to the department of corrections in accordance  
9 with s. 301.031 (1) for authorized juvenile delinquency-related services.

10           **SECTION 876.** 46.22 (3m) (b) 12. of the statutes is amended to read:

11           46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the  
12 department of health and family services, by the department of ~~workforce~~  
13 ~~development~~ children and families, or by the department of corrections.

14           **SECTION 877.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

15           46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of  
16 health and family services, the secretary of ~~workforce development~~ children and  
17 families, the secretary of corrections, and the county board of supervisors.

18           **SECTION 878.** 46.23 (3) (a) of the statutes is amended to read:

19           46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family  
20 services, by the secretary of corrections, and by the secretary of ~~workforce~~  
21 ~~development~~ children and families of a feasibility study and a program  
22 implementation plan, the county board of supervisors of any county with a  
23 population of less than 500,000, or the county boards of supervisors of 2 or more  
24 contiguous counties, each of which has a population of less than 500,000, may  
25 establish by resolution a county department of human services on a single-county

1 or multicounty basis to provide the services required under this section. The county  
2 department of human services shall consist of the county human services board, the  
3 county human services director and necessary personnel.

4 **SECTION 879.** 46.23 (3) (am) 4. of the statutes is amended to read:

5 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of  
6 human services until the counties have drawn up a detailed contractual agreement,  
7 approved by the secretary of health and family services, by the secretary of  
8 corrections, and by the secretary of workforce development children and families,  
9 setting forth the plan for joint sponsorship.

10 **SECTION 880.** 46.23 (3) (e) of the statutes is amended to read:

11 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.  
12 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
13 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of  
14 human services or tribal agency acting under this section may exchange confidential  
15 information about a client, without the informed consent of the client, with any other  
16 subunit of the same county department of human services or tribal agency, with a  
17 resource center, a care management organization, or a family long-term care  
18 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
19 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
20 lg., or with a person providing services to the client under a purchase of services  
21 contract with the county department of human services or tribal agency or with a  
22 resource center, a care management organization, or a family long-term care  
23 district, if necessary to enable an employee or service provider to perform his or her  
24 duties, or to enable the county department of human services or tribal agency to  
25 coordinate the delivery of services to the client. An agency that releases information

1 under this paragraph shall document that a request for information was received  
2 and what information was provided.

3 **SECTION 881.** 46.23 (3) (ed) of the statutes is amended to read:

4 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*  
5 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
6 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
7 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
8 (2) (a), a county department under this section may enter the content of any record  
9 kept or information received by that county department into the statewide  
10 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

11 **SECTION 882.** 46.23 (5) (a) 1. of the statutes is amended to read:

12 46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
13 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
14 delinquency-related policies, within limits established by the department of health  
15 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
16 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
17 for the department of health and family services may be delegated by the secretary  
18 to the county human services board.

19 **SECTION 883.** 46.23 (5) (a) 2. of the statutes is amended to read:

20 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
21 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~  
22 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of  
23 ch. 49 not reserved by statute for the department of ~~workforce development~~ children  
24 and families may be delegated by the secretary of ~~workforce development~~ children  
25 and families to the county human services board.

1           **SECTION 884.** 46.23 (5) (b) of the statutes is amended to read:

2           46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
3 department of health and family services, the department of corrections, or the  
4 department of ~~workforce development~~ children and families.

5           **SECTION 885.** 46.23 (5) (c) 1. of the statutes is amended to read:

6           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
7 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
8 services, are provided or purchased or contracted for with local providers, and  
9 monitor the performance of such contracts. Purchase of services contracts shall be  
10 subject to the conditions specified in s. 46.036.

11           **SECTION 886.** 46.23 (5) (c) 2. of the statutes is amended to read:

12           46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
13 and subch. III of ch. 49 are provided or purchased or contracted for with local  
14 providers, and monitor the performance of such contracts. Purchase of services  
15 contracts shall be subject to the conditions specified in s. 49.34.

16           **SECTION 887.** 46.23 (5) (n) 1. of the statutes is amended to read:

17           46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
18 authorized services, except for services under ch. 48 and subch. III of ch. 49 and  
19 juvenile delinquency-related services. Notwithstanding the categorization of or  
20 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
21 of the department of health and family services the county human services board  
22 may expend these funds consistent with any service provided under s. 46.495 or  
23 51.42.

24           **SECTION 888.** 46.23 (5) (n) 2. of the statutes is amended to read:

1           46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
2 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the  
3 categorization of or limits specified for funds allocated under s. 48.569, with the  
4 approval of the department of children and families the county human services board  
5 may expend these funds consistent with any service provided under s. 48.569.

6           **SECTION 889.** 46.23 (5m) (c) of the statutes is amended to read:

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

17           **SECTION 890.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

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

1 to the rules promulgated by the department of corrections for juvenile  
2 delinquency-related services or programs. In consultation with the county human  
3 services board under sub. (5) and subject to its approval, the county human services  
4 director shall prepare:

5 **SECTION 891.** 46.23 (6) (a) 3. of the statutes is amended to read:

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

11 **SECTION 892.** 46.24 of the statutes is renumbered 48.375 (9) and amended to  
12 read:

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

20 **SECTION 893.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended  
21 to read:

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

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

5 **SECTION 894.** 46.261 (title) of the statutes is renumbered 48.645 (title).

6 **SECTION 895.** 46.261 (1) of the statutes is renumbered 48.645 (1).

7 **SECTION 896.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

8 **SECTION 897.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)  
9 (intro.).

10 **SECTION 898.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and  
11 amended to read:

12 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
13 home or treatment foster home having a license under s. 48.62, in a foster home or  
14 treatment foster home located within the boundaries of a federally recognized  
15 American Indian reservation in this state and licensed by the tribal governing body  
16 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
17 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
18 custodial parent who cares for the dependent child, regardless of the cause or  
19 prospective period of dependency. The state shall reimburse counties pursuant to the  
20 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set  
21 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the  
22 child does not have legal settlement in the granting county, state reimbursement  
23 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the  
24 department under s. 48.48 (17) shall determine the legal settlement of the child. A

1 child under one year of age shall be eligible for aid under this subsection irrespective  
2 of any other residence requirement for eligibility within this section.

3 **SECTION 899.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and  
4 amended to read:

5 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
6 the department, on behalf of a child in the legal custody of a county department under  
7 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
8 who was removed from the home of a relative, ~~as defined under s. 48.02 (15),~~ as a  
9 result of a judicial determination that continuance in the home of a relative would  
10 be contrary to the child's welfare for any reason when such the child is placed in a  
11 licensed ~~child-caring institution~~ residential care center for children and youth by the  
12 county department or the department. Reimbursement shall be made by the state  
13 pursuant to as provided in subd. 1.

14 **SECTION 900.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and  
15 amended to read:

16 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
17 the department, when the child is placed in a licensed foster home, treatment foster  
18 home, group home, or residential care center for children and youth or in a subsidized  
19 guardianship home by a licensed child welfare agency or by a federally recognized  
20 American Indian tribal governing body in this state or by its designee, if the child is  
21 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
22 department under s. 48.48 (17) or if the child was removed from the home of a  
23 relative, ~~as defined under s. 48.02 (15),~~ as a result of a judicial determination that  
24 continuance in the home of the relative would be contrary to the child's welfare for

1 any reason and the placement is made ~~pursuant to~~ under an agreement with the  
2 county department or the department.

3 **SECTION 901.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and  
4 amended to read:

5 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
6 or residential care center for children and youth or a subsidized guardianship home  
7 when the child is in the custody or guardianship of the state, when the child is a ward  
8 of an American Indian tribal court in this state and the placement is made under an  
9 agreement between the department and the tribal governing body, or when the child  
10 was part of the state's direct service case load and was removed from the home of a  
11 relative, ~~as defined under s. 48.02 (15),~~ as a result of a judicial determination that  
12 continuance in the home of a relative would be contrary to the child's welfare for any  
13 reason and the child is placed by the department.

14 **SECTION 902.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

15 **SECTION 903.** 46.261 (3) of the statutes is renumbered 48.645 (3).

16 **SECTION 904.** 46.27 (4) (am) of the statutes is amended to read:

17 46.27 (4) (am) If a ~~local long-term care council in a county~~ the governing board  
18 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10. the duties of the  
19 county long-term support planning committee under this subsection, the county  
20 long-term support planning committee for the county is dissolved.

21 **SECTION 905.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

22 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
23 ~~long-term care council~~ the governing board of a resource center has under s. ~~46.282~~  
24 ~~(3) (b)~~ 46.283 (6) (b) 10. assumed the duties of the planning committee, the ~~local~~

1 ~~long-term care council governing board of the resource center~~ shall recommend a  
2 community options plan for participation in the program. The plan shall include:

3 **SECTION 906.** 46.27 (4) (c) 5. of the statutes is amended to read:

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

9 **SECTION 907.** 46.27 (4) (c) 8. of the statutes is amended to read:

10 46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2)  
11 is established in the county, a description of how the activities of the entity relate to  
12 and are coordinated with the county's proposed program.

13 **SECTION 908.** 46.27 (5) (am) of the statutes is amended to read:

14 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county  
15 department or aging unit shall utilize persons for each assessment who can  
16 determine the needs of the person being assessed and who know the availability  
17 within the county of services alternative to placement in a nursing home. If any  
18 hospital patient is referred to a nursing home for admission, these persons shall work  
19 with the hospital discharge planner in performing the activities specified in sub. (6).  
20 The county department or aging unit shall coordinate the involvement of  
21 representatives from the county departments under ss. 46.215, 46.22, 51.42 and  
22 51.437, health service providers and the county commission on aging in the  
23 assessment activities specified in sub. (6), as well as the person being assessed and  
24 members of the person's family or the person's guardian. This paragraph does not

1 apply to a county department or aging unit in a county in which the department has  
2 contracted with an entity under s. ~~46.281 (1) (e) 1~~ 46.284 (2).

3 **SECTION 909.** 46.27 (5) (j) of the statutes is created to read:

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

8 **SECTION 910.** 46.27 (6) (a) 3. of the statutes is amended to read:

9 46.27 (6) (a) 3. In each participating county, except in counties in which the  
10 department has contracted with an entity under s. ~~46.281 (1) (e) 1~~ 46.284 (2),  
11 assessments shall be conducted for those persons and in accordance with the  
12 procedures described in the county's community options plan. The county may elect  
13 to establish assessment priorities for persons in target groups identified by the  
14 county in its plan regarding gradual implementation. If a person who is already  
15 admitted to a nursing home requests an assessment and if funds allocated for  
16 assessments under sub. (7) (am) are available, the county shall conduct the  
17 assessment.

18 **SECTION 911.** 46.27 (6g) (intro.) of the statutes is amended to read:

19 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and  
20 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an  
21 assessment, unless the assessment is performed by an entity under a contract as  
22 specified under s. ~~46.281 (1) (e) 1~~ 46.284 (2), case plan, or services provided to a  
23 person under this section is as follows:

24 **SECTION 912.** 46.27 (6u) (c) 1. a. of the statutes is amended to read:

1           46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 ~~or~~,  
2           49.47, or 49.471 (4) (a).

3           **SECTION 913.** 46.27 (6u) (d) (intro.) of the statutes is amended to read:

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

10          **SECTION 914.** 46.27 (7) (am) of the statutes is amended to read:

11          46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
12          shall allocate funds to each county or private nonprofit agency with which the  
13          department contracts to pay assessment and case plan costs under sub. (6) not  
14          otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse  
15          counties for the cost of assessing persons eligible for medical assistance under s.  
16          49.46, 49.468, ~~or 49.47, or 49.471 (4) (a)~~ as part of the administrative services of  
17          medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds  
18          allocated under this paragraph to pay the cost of long-term community support  
19          services and for a risk reserve under par. (fr).

20          **SECTION 915.** 46.27 (7) (b) of the statutes is amended to read:

21          46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the  
22          department shall allocate funds to each county to pay the cost of providing long-term  
23          community support services under sub. (5) (b) not otherwise paid under s. 49.45 to  
24          persons eligible for medical assistance under s. 49.46 ~~or~~, 49.47, or 49.471 (4) (a) or  
25          to persons whom the county department or aging unit administering the program

1 finds likely to become medically indigent within 6 months by spending excess income  
2 or assets for medical or remedial care. The average per person reimbursement under  
3 this paragraph may not exceed the state share of the average per person payment  
4 rate the department expects under s. 49.45 (6m). The county department or aging  
5 unit administering the program may spend funds received under this paragraph  
6 only in accordance with the case plan and service contract created for each person  
7 receiving long-term community support services. Counties may use unspent funds  
8 allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a  
9 risk reserve under par. (fr).

10 **SECTION 916.** 46.27 (7) (cj) 3. a. of the statutes is repealed.

11 **SECTION 917.** 46.27 (7) (fr) 3. c. of the statutes is amended to read:

12 46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,  
13 to transfer funds to a family long-term care district.

14 **SECTION 919.** 46.27 (9) (c) of the statutes is amended to read:

15 46.27 (9) (c) All long-term community support services provided under this  
16 pilot project in lieu of nursing home care shall be consistent with those services  
17 described in the participating county's community options plan under sub. (4) (c) 1.  
18 and provided under sub. (5) (b). Unless the department has contracted under s.  
19 ~~46.281 (1) (e) 1.~~ 46.284 (2) with an entity other than the county department, each  
20 county participating in the pilot project shall assess persons under sub. (6).

21 **SECTION 921.** 46.27 (11) (c) 5n. a. of the statutes is repealed.

22 **SECTION 922.** 46.275 (1m) (a) of the statutes is amended to read:

23 46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
24 49, except s. ss. 49.468 and 49.471.

25 **SECTION 926.** 46.277 (1m) (a) of the statutes is amended to read:

1           46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
2 49, except s. ss. 49.468 and 49.471.

3           **SECTION 927.** 46.277 (3) (d) of the statutes is created to read:

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

9           **SECTION 928.** 46.277 (5) (d) 1n. a. of the statutes is repealed.

10          **SECTION 930.** 46.278 (1m) (b) of the statutes is amended to read:

11          46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.  
12 49, except s. ss. 49.468 and 49.471.

13          **SECTION 933.** 46.28 (1) (f) of the statutes is amended to read:

14          46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
15 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

16          **SECTION 934.** 46.2803 (2) of the statutes is created to read:

17          46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management  
18 organization is operating pursuant to a contract under s. 46.284 (2) or a county in  
19 which a program described under s. 46.2805 (1) (a) or (b) is administered may use  
20 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27  
21 (7) to provide community mental health or substance abuse services and supports for  
22 persons with mental illness or persons in need of services or supports for substance  
23 abuse and to provide services under the Family Support Program under s. 46.985.

24          **SECTION 935.** 46.2804 (title) of the statutes is amended to read:

1           **46.2804** (title) ~~Managed care programs for Client management of~~  
2 ~~managed care long-term care services benefit.~~

3           **SECTION 936.** 46.2804 (1) of the statutes is repealed.

4           **SECTION 937.** 46.2804 (2) of the statutes is renumbered 46.2804.

5           **SECTION 938.** 46.2805 (5) of the statutes is renumbered 46.2805 (7r) and  
6 amended to read:

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

9           **SECTION 939.** 46.2805 (6) of the statutes is renumbered 46.2805 (7u) and  
10 amended to read:

11           46.2805 (7u) "Family Long-term care district board" means the governing  
12 board of a family long-term care district.

13           **SECTION 940.** 46.2805 (6m) of the statutes is created to read:

14           46.2805 (6m) "Family member" means a spouse or an individual related by  
15 blood, marriage, or adoption within the 3rd degree of kinship as computed under s.  
16 990.001 (16).

17           **SECTION 941.** 46.2805 (6r) of the statutes is created to read:

18           46.2805 (6r) "Financial and cost-sharing screening" means a screening to  
19 determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s.  
20 46.286 (2) using a uniform tool prescribed by the department.

21           **SECTION 942.** 46.2805 (6v) of the statutes is created to read:

22           46.2805 (6v) "Frail elder" means an individual who is 65 years of age or older  
23 and has a physical disability or irreversible dementia that restricts the individual's  
24 ability to perform normal daily tasks or that threatens the capacity of the individual  
25 to live independently.