

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB428)

Received: 10/06/2009

Received By: gmalaise

Wanted: Today

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Carrie Kahn

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Reporting of sexual assaults of children placed in out-of-home care

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/06/2009	nmatzke 10/06/2009		_____			
/1			phenry 10/06/2009	_____	lparisi 10/06/2009	lparisi 10/06/2009	
/2	gmalaise 10/06/2009	nmatzke 10/06/2009	phenry 10/06/2009	_____	mbarman 10/07/2009	mbarman 10/07/2009	

FE Sent For:

<END>

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FE Sent For:

10/6
gh
ph/gr
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FE Sent For: <END>

Malaise, Gordon

From: Kahn, Carrie
Sent: Monday, October 05, 2009 4:17 PM
To: Malaise, Gordon
Cc: Sappenfield, Anne; Mcginnis, Cindy
Subject: Amendments to SB 299/AB 428

Hi Gordon,

I need a couple amendments to SB 299/AB 428, the child welfare disclosure bill. Please see the notes below. I'll call you in just a minute to discuss. Both our committee and Grigsby's committee are execing on this bill on Wed., so we need the amendments quickly:

1) ~~Require summary reports of incidents to include information about any discipline or dismissal enacted on the **social worker/supervisor** involved in the case, if applicable. If that information is not available at the time of the summary report, must be provided within 6 months of the incident.~~

~~Add a requirement that in the summary report the department must also report whether the child was receiving services under chapter 938. In s. 48.981(7)(cr)4.b. and c. (Page 9, lines 21-25; Page 10, Lines 1-3), there is required to be a statement as to whether any services under Ch. 48 were provided to the child, et. al., but this bill also applies to a child placed outside of the home under Ch. 938 who commits suicide. Therefore the language should require a statement as to whether any services under Ch. 48 or Ch. 938 were provided. [Also applies to subd. 5.]~~

2) Expand reporting of sexual assaults of children in out-of-home care to include anyone who assaults the child, not just the caregiver or relative or contractor of the caregiver. This could include a neighbor of the foster parent, an unrelated person residing in the foster home, a teacher at school, etc.

Amend the language in Section 6 of the bill:

- So that the information reported on injury, disease, or pregnancy is only reported on an annual basis (the other information would still be required on a quarterly basis). This will better assure that the information is accurate.
- Better specify and define injury, pregnancy and disease to mean injury that is known to be directly caused by the incident of sexual abuse. In addition, add the language that the Department shall make an active effort to obtain this information from counties/agencies and report it.

Carrie Kahn
Legislative Assistant
State Senator Bob Jauch
P.O. Box 7882
Madison, WI 53707-7882

608-266-3510
1-800-469-6562



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0819/1
GMM.....
nwn

LN 1016
TODAY!

ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 428

1 At the locations indicated, amend the bill[✓] as follows:

2 1. Page 13, line 21[✓]: delete the material beginning with that line and ending
3 with page 15, line 21[✓] and substitute:

4 "SECTION 5d.[✓] 48.981 (9) (b) of the statutes is created to read:

5 48.981 (9) (b) *Quarterly reports.* 1. Within 30 days after the end of each
6 calendar quarter, the department shall prepare and transmit to the governor, and to
7 the appropriate standing committees of the legislature under s. 13.172 (3)[✓], a
8 summary report of all reports received by the department under sub. (3) (c) 8.[✓] during
9 the previous calendar quarter of abuse, as defined in s. 48.02 (1) (b) to (f)[✓], of a child
10 who is placed in the home of a foster parent, treatment foster parent, or relative other
11 than a parent or in a group home, shelter care facility, or residential care center for
12 children and youth.[✓] For each report included in the summary report the department
13 shall provide the number of incidents of abuse reported; the dates of those incidents;

1 the county in which those incidents occurred; the age or age group of the child who
2 is the subject of the report; the type of placement in which the child was placed at the
3 time of the incident; whether it was determined under sub. (3) (c) 4. that abuse
4 occurred; and, if so, the nature of the abuse, but may not provide any of the
5 information specified in sub. (7) (cr) 6. or any information that would jeopardize an
6 investigation, prosecution, or proceeding described in sub. (7) (cr) 7. a. or b.

7 2. In every 4th summary report prepared and transmitted under subd. 1., the
8 department shall provide for all reports of abuse, as defined in s. 48.02 (1) (b) to (f),
9 of a child who is placed as described in subd. 1. received by the department under sub.
10 (3) (c) 8. during the previous year information indicating whether the abuse resulted
11 in any injury, disease, or pregnancy that is known to be directly caused by the abuse,
12 but may not provide any of the information specified in sub. (7) (cr) 6. or any
13 information that would jeopardize an investigation, prosecution, or proceeding
14 described in sub. (7) (cr) 7. a. or b. A county department reporting under sub. (3) (c)
15 8. shall make an active effort to obtain that information and report the information
16 to the department under sub. (3) (c) 8.

17 3. The appropriate standing committees of the legislature shall review all
18 summary reports transmitted under subd. 1., conduct public hearings on those
19 summary reports no less often than annually, and submit recommendations to the
20 department regarding those summary reports. The department shall also make
21 those summary reports available to the public.

22 **SECTION 6d.** 48.981 (9) (b) 1. of the statutes, as created by 2009 Wisconsin Act
23 (this act), is amended to read:

24 48.981 (9) (b) 1. Within 30 days after the end of each calendar quarter, the
25 department shall prepare and transmit to the governor, and to the appropriate

1 standing committees of the legislature under s. 13.172 (3), a summary report of all
2 reports received by the department under sub. (3) (c) 8. during the previous calendar
3 quarter of abuse, as defined in s. 48.02 (1) (b) to (f), of a child who is placed in the home
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12 in sub. (7) (cr) 6. or any information that would jeopardize an investigation,
13 prosecution, or proceeding described in sub. (7) (cr) 7. a. or b.”.

14 **2.** Page 16, line 5: after “(b)” insert “1.”.

15 (END)

Corrie 10/6

Instead of "nature of the abuse"

report "nature of the relationship between the child and the
abuser"



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0819/1
GMM:nwn:ph

SN 1016
FADAY

2
10/16

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