

2009 DRAFTING REQUEST

Bill

Received: **01/15/2009**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Willing**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

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Subject: **Public Assistance - misc**

Extra Copies:

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Pre Topic:

DOA:.....Willing, BB0427 -

Topic:

Eliminate general relief

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>
/?	pkahler 01/16/2009	jdyer 01/20/2009		_____			S&L
/1			phenry 01/20/2009	_____	lparisi 01/20/2009		S&L
/2	pkahler 01/21/2009	jdyer 01/22/2009	phenry 01/22/2009	_____	mbarman 01/22/2009		S&L
/3	pkahler 01/30/2009	jdyer 01/30/2009	phenry 01/30/2009	_____	cduerst 01/31/2009		

FE Sent For:

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/?	pkahler 01/16/2009	jdyer 01/20/2009		_____			S&L
/1		<i>3/1/30 jld</i>	phenry 01/20/2009	_____	lparisi 01/20/2009		S&L
/2	pkahler 01/21/2009	jdyer 01/22/2009	phenry 01/22/2009	<i>1/30</i>	mbarman 01/22/2009		

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*1/30
ph*

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FE Sent For:			<i>[Signature]</i> ph	<i>[Signature]</i> <END>			

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pkahler

1/17 JLD

1/20 ph

1/20 ph/gf

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: General Relief Block Grant
- Tracking Code: BB0427
- SBO team: Health and Insurance
- SBO analyst: Krista Willing
 - Phone: 267-7980
 - Email: krista.willing@wisconsin.gov
- Agency acronym: DHS
- Agency number: 435
- Priority (Low, Medium, High): High

Intent:

Eliminate the General Relief program outlined in statutes 49.025, 49.027 and 49.029.

See attached paper.

Please feel free to call me with any questions!

per Krista on 1-15, get rid of whole
subchapter re relief
block grants

General Relief Block Grant

Problem Description

Counties participating in the general relief block grant program are statutorily required to provide health care services if they wish to use general relief block grant funds to provide cash assistance and other nonmedical benefits. When BadgerCare Plus Childless Adults begins, the state will assume the role of providing medical benefits to most, if not all, recipients of general relief assistance.

Background and Rationale for Change

The general relief block grant programs are optional programs for counties and tribes to receive funds from the state for medical care provided to indigent persons. Counties (other than Milwaukee County) may use block grant funds to provide cash assistance and other nonmedical benefits, as long as health care services are also provided. Counties must contribute local revenues in order to receive block grant funds from the state. The state reimburses approximately 50 percent of the total costs incurred by the county for health care services and 40 percent of the total cost of cash benefits. Payments are offset by the amount the Department pays in Disproportionate Share Hospital and supplemental payments to hospitals in each county. In calendar year 2007, 33 counties had approved general relief programs, although only 19 of the programs had program participants. The state paid \$254,200 (GPR) in reimbursements to these counties. The program appears to be under-utilized. Also, with the onset of BadgerCare Plus Childless Adults, there will be less necessity for General Relief programs.

There is a separate statutory section for the general relief block to Milwaukee County. In the 2007-09 biennial budget, the statutory provisions for the general relief block to Milwaukee County were modified to reduce the grant amount by the amount the Department spends on the recently established BadgerCare Plus Childless Adults program.

Current Language

49.025 Relief block grants to counties with a population of 500,000 or more; medical relief. (1) APPLICABILITY. This section applies only to a county having a population of 500,000 or more.....

49.027. Relief block grants to counties having a population of less than 500,000; medical and nonmedical relief. (1) APPLICABILITY. This section applies only to a county having a population of less than 500,000. (2) AMOUNT OF RELIEF BLOCK GRANT.

49.029. Block grants to tribal governing bodies; medical relief. (1) APPLICABILITY. This section applies only to tribal governing bodies.....

Proposed Change

Eliminate the General Relief program outlined in statutes 49.025, 49.027, and 49.029.

Desired Effective Date: Effective for general relief services provided on or after July 1, 2009.
Agency: DHFS
Agency Contact: Carrie Schneck
Phone: 266-5362



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1537/2

PJK:A:...

Handwritten initials: jld

DOA:.....Willittg, BB0427 - Eliminate general relief ✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Handwritten note: D-vote 1-16

Handwritten note: do not enact

1 AN ACT ... relating to: the budget. ✓

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES ✓

PUBLIC ASSISTANCE ✓

Under current law, DHS provides relief block grant moneys to counties and tribal governing bodies for providing health care services, as well as cash assistance, to persons who meet the criteria for dependency. Counties and tribal governing bodies must apply for the grants and contribute local revenues to receive relief block grants. This bill eliminates the relief block grant program. ✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.435 (4) (bt) of the statutes is repealed. ✓

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.435 (4) (h) of the statutes is amended to read: ✓

Handwritten note: (also known as "general relief")

1 20.435 (4) (h) ~~General or medical~~ [✓] Medical assistance medical program;
 2 intergovernmental transfer. As a continuing appropriation, the amounts in the
 3 schedule to provide supplemental payments to eligible health care providers that
 4 contract with Milwaukee County to provide health care services funded by a relief
 5 block grant under s. 49.025 [✓] or to provide benefits under the demonstration project
 6 under s. 49.45 (23). All moneys received from Milwaukee County for either [✓] this
 7 purpose shall be credited to this appropriation account.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 321, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; s. 13.92 (2) (i).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 20.435 (4) (kb) [✓] of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 4.** 20.505 (8) (hm) 18. [✓] of the statutes is repealed.

10 **SECTION 5.** 46.208 (1) of the statutes is amended to read:

11 46.208 (1) All records of the county or tribal governing body relating to the
 12 administration of relief that is [✓] funded by a relief block grant under ~~ch. 49~~, as defined
 13 in s. 49.001 (5p) [✓], shall be open to inspection at all reasonable hours by authorized
 14 representatives of the department.

History: 1985 a. 29 ss. 831, 3200 (23); 1985 a. 120, 176; 1989 a. 359; 1995 a. 27.

15 **SECTION 6.** 46.208 (2m) of the statutes is amended to read:

16 46.208 (2m) The department may at any time audit all records of the relief
 17 agency relating to the administration of relief funded by a relief block grant under
 18 ~~ch. 49~~, as defined in s. 49.001 (5p) [✓], and may at any time conduct administrative
 19 reviews of a county department under s. 46.215, 46.22, or 46.23. The department

1 shall furnish a copy of the county audit or administrative review report to the
 2 chairperson of the county board of supervisors and the county clerk in a county with
 3 a single-county department or to the county boards of supervisors and the county
 4 clerks in counties with a multicounty department, and to the county director of the
 5 county department under s. 46.215, 46.22, or 46.23.

History: 1985 a. 29 ss. 831, 3200 (23); 1985 a. 120, 176; 1989 a. 359; 1995 a. 27.

6 **SECTION 7.** 46.21 (1) (d) of the statutes is amended to read:

7 46.21 (1) (d) "Human services" means the total range of services to people,
 8 including mental illness treatment, developmental disabilities services, physical
 9 disabilities services, relief funded by a relief block grant under ch. 49, income
 10 maintenance, youth probation, extended supervision and parole services, alcohol
 11 and drug abuse services, services to children, youth and families, family counseling,
 12 early intervention services for children from birth to the age of 3, and manpower
 13 services. "Human services" does not include child welfare services under s. 48.48 (17)
 14 administered by the department in a county having a population of 500,000 or more.

History: 1973 c. 136, 153, 262; 1975 c. 224; 1975 c. 413 s. 18; 1977 c. 271, 272, 449; 1979 c. 34; 1981 c. 217, 329, 391; 1983 a. 27, 239, 368, 524; 1985 a. 29 s. 3202 (23); 1985 a. 120, 176, 332; 1987 a. 399; 1989 a. 31, 112, 319; 1991 a. 274; 1993 a. 27, 186, 213, 446; 1995 a. 27, 77, 201; 1997 a. 27, 79, 164, 237, 283; 1999 a. 9; 2005 a. 264, 388, 443; 2007 a. 20, 45.

15 **SECTION 8.** 46.215 (1) (d) of the statutes is amended to read:

16 46.215 (1) (d) To make investigations that relate to services under subchs. II,
 17 IV, and V of ch. 49 upon request by the department of health services, to make
 18 investigations that relate to juvenile delinquency-related services at the request of
 19 the department of corrections, and to make investigations that relate to programs
 20 under ch. 48 and subch. III of ch. 49 upon request by the department of children and
 21 families.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6), 9130 (4); 2007 a. 45, 96; s. 13.92 (2) (i).

22 **SECTION 9.** 46.215 (1) (fm) of the statutes is repealed.

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

2 46.22 (1) (b) 1. d. To submit a final budget [✓] in accordance with s. 46.031 (1) for
3 services authorized in this section, except for the administration of and cost of aid
4 granted under ss. 49.02, [✓] 49.19 and 49.45 to 49.471.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; [✓] s. 13.92 (2) (i).

5 **SECTION 11.** 46.22 (1) (b) 1. h. of the statutes is repealed.

6 **SECTION 12.** 46.23 (2) (a) [✓] of the statutes is amended to read:

7 46.23 (2) (a) "Human services" means the total range of services to people
8 including, but not limited to, health care, mental illness treatment, developmental
9 disabilities services, [✓] relief funded by a block grant under ch. 49, income
10 maintenance, probation, extended supervision and parole services, alcohol and drug
11 abuse services, services to children, youth and aging, family counseling, special
12 education services, and manpower services.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; s. 13.92 (2) (i).

13 **SECTION 13.** 46.495 (1) (am) of the statutes is amended to read:

14 46.495 (1) (am) The department shall reimburse each county from the
15 appropriations under s. 20.435 (7) (b) and (o) for social services as approved by the
16 department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b) 1. d. and (e) 3. a.
17 except that no reimbursement may be made for the administration of or aid granted
18 under s. 49.02. [✓]

History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 a. 3, 27, 252; 1999 a. 9; 2001 a. 16; 2003 a. 318; 2005 a. 25 ss. 883, 884, 2502, 2510; 2007 a. 20.

19 **SECTION 14.** 49.001 (5p) of the statutes is amended to read:

1 49.001 (5p) "Relief block grant" means a block grant awarded to a county or
2 tribal governing body under s. 49.025, 2007 stats., s. 49.027 or, 2007 stats., or s.
3 49.029, 2007 stats.

4 History: 1995 a. 27 ss. 2639, 2644, 2654 to 2666, 3083; 1995 a. 289; 1997 a. 3; 2005 a. 264, 387; 2007 a. 20, 45.

4 **SECTION 15.** 49.002 of the statutes is repealed.

5 **SECTION 16.** 49.01 of the statutes is repealed.

6 **SECTION 17.** 49.015 of the statutes is repealed.

7 **SECTION 18.** 49.02 of the statutes is repealed.

8 **SECTION 19.** 49.025 of the statutes is repealed.

9 **SECTION 20.** 49.027 of the statutes is repealed.

10 **SECTION 21.** 49.029 of the statutes is repealed.

11 **SECTION 22.** 49.031 of the statutes is repealed.

12 **SECTION 23.** 49.141 (1) (s) of the statutes is amended to read:

13 49.141 (1) (s) "Wisconsin ~~works~~ Works group" means an individual who is a
14 custodial parent, all dependent children with respect to whom the individual is a
15 custodial parent, and all dependent children with respect to whom the individual's
16 dependent child is a custodial parent. "Wisconsin ~~works~~ Works group" includes any
17 nonmarital coparent or any spouse of the individual who resides in the same
18 household as the individual and any dependent children with respect to whom the
19 spouse or nonmarital coparent is a custodial parent. "~~Wisconsin works~~ group" does
20 not include any person who is receiving benefits under s. 49.027 (3) (b).

21 History: 1995 a. 289; 1997 a. 27, 41, 283; 1999 a. 9; 2001 a. 105, 109; 2003 a. 173; 2005 a. 443 s. 265.

21 **SECTION 24.** 49.32 (10m) (a) of the statutes is amended to read:

22 49.32 (10m) (a) A county department, relief agency under s. 49.01 (3m), 2007
23 stats., or Wisconsin ~~works~~ Works agency shall, upon request, and after providing the
24 notice to the recipient required by this paragraph, release the current address of a

1 recipient of relief under s. 49.01 (3), 2007 stats. ✓ aid to families with dependent
2 children, or benefits under s. 49.148 to a person, the person's attorney, or an employee
3 or agent of that attorney, if the person is a party to a legal action or proceeding in
4 which the recipient is a party or a witness, unless the person is a respondent in an
5 action commenced by the recipient under s. 813.12, 813.122, 813.123, 813.125, or
6 813.127. If the person is a respondent in an action commenced by the recipient under
7 s. 813.12, 813.122, 813.123, 813.125, or 813.127, the county department, relief
8 agency, or ~~Wisconsin works~~ Works ✓ agency may not release the current address of the
9 recipient. No county department, relief agency, or ~~Wisconsin works~~ Works ✓ agency
10 may release an address under this paragraph until 21 days after the address has
11 been requested. A person requesting an address under this paragraph shall be
12 required to prove his or her identity and his or her participation as a party in a legal
13 action or proceeding in which the recipient is a party or a witness by presenting a
14 copy of the pleading or a copy of the subpoena for the witness. The person shall also
15 be required to sign a statement setting forth his or her name, address, and the
16 reasons for making the request and indicating that he or she understands the
17 provisions of par. (b) with respect to the use of the information obtained. The
18 statement shall be made on a form prescribed by the department and shall be sworn
19 and notarized. Within 7 days after an address has been requested under this
20 paragraph, the county department, relief agency, or ~~Wisconsin works~~ Works ✓ agency
21 shall mail to each recipient whose address has been requested a notification of that
22 fact on a form prescribed by the department. The form shall also include the date
23 on which the address was requested, the name and address of the person who
24 requested the disclosure of the address, the reason that the address was requested,
25 and a statement that the address will be released to the person who requested the

1 address no sooner than 21 days after the date on which the request for the address
2 was made. County departments, relief agencies, and Wisconsin ~~works~~ [✓] Works
3 agencies shall keep a record of each request for an address under this paragraph.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a).

4 **SECTION 25.** 49.45 (6m) (br) 1. of the statutes is amended to read:

5 **49.45 (6m) (br) 1.** Notwithstanding s. 20.410 (3) (cd), ~~20.435 (4) (bt)~~ ^{plain ✓} or (7) (b)
6 or 20.437 (2) (dz), the department shall reduce allocations of funds to counties in the
7 amount of the disallowance from the appropriation account under s. 20.435 [✓] ~~(4) (bt)~~
8 or (7) (b), or the department shall direct the department of children and families to
9 reduce allocations of funds to counties or Wisconsin Works agencies in the amount
10 of the disallowance from the appropriation account under s. 20.437 (2) (dz) or direct
11 the department of corrections to reduce allocations of funds to counties in the amount
12 of the disallowance from the appropriation account under s. 20.410 (3) (cd), in
13 accordance with s. 16.544 to the extent applicable.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 380, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153.

14 **SECTION 26.** 49.45 (6y) of the statutes is repealed.

15 **SECTION 27.** 49.45 (6z) of the statutes is repealed.

16 **SECTION 28.** 49.46 (2) (d) of the statutes is amended to read:

17 49.46 (2) (d) Benefits authorized under this subsection may not include
18 payment for that part of any service payable through 3rd-party liability or any
19 federal, state, county, municipal, or private benefit system to which the beneficiary
20 is entitled. "Benefit system" does not include any public assistance program such as,

1 but not limited to, Hill-Burton benefits under 42 USC 291c (e), in effect on April 30,
 2 1980, ~~or relief funded by a relief block grant.~~ ✓

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 253; 2007 a. 20, 91.

3 **SECTION 29.** 49.493 (1) (b) ✓ of the statutes is amended to read:

4 49.493 (1) (b) "Medical benefits or assistance" means medical benefits under
 5 s. ~~49.02~~ ✓ ~~or~~ 253.05 or medical assistance.

History: 1991 a. 178, 214; 1993 a. 481; 1995 a. 27, 407; 1999 a. 32. ✓

6 **SECTION 30.** 49.688 (3) (d) ✓ of the statutes is amended to read:

7 49.688 (3) (d) ~~Notwithstanding s. 49.002,~~ ✓ ~~if~~ If a person who is eligible under this
 8 section has other available coverage for payment of a prescription drug, this section
 9 applies only to costs for prescription drugs for the person that are not covered under
 10 the person's other available coverage.

History: 1995 a. 27 ss. 3142, 3144; Stats. ✓ 1995 s. 49.83; 1995 a. 289, 361, 404; 1997 a. 35; 2005 a. 25; 2007 a. 20.

11 **SECTION 31.** 49.84 (3) of the statutes is repealed.

12 **SECTION 32.** ✓ 49.84 (4) of the statutes is repealed.

13 **SECTION 33.** 252.06 (10) (b) 4. of the statutes is amended to read:

14 252.06 (10) (b) 4. The expense of care provided under par. (a) to any dependent
 15 person, as defined in s. 49.01 (2), ✓ 2007 stats.

History: 1981 c. 291; 1983 a. 189 s. 329 (19); 1993 a. 27 s. 295; Stats. 1993 s. 252.06; 2001 a. 109; 2003 a. 186.

16 **SECTION 34.** 252.07 (10) of the statutes is amended to read:

17 252.07 (10) Inpatient care for isolated pulmonary tuberculosis patients, and
 18 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are
 19 not eligible for federal medicare benefits, or for medical assistance under subch. IV
 20 of ch. 49 ✓ ~~or for health care services funded by a relief block grant under~~ ✓ ~~subch. II of~~
 21 ~~ch. 49~~ may be reimbursed if provided by a facility contracted by the department. If

1 the patient has private health insurance, the state shall pay the difference between
2 health insurance payments and total charges.

History: 1971 c. 158; 1975 c. 383 s. 4; 1975 c. 421; 1981 c. 291; 1993 a. 27 s. 296, 472; Stats. 1993 s. 252.07; 1993 a. 490; 1999 a. 9 ss. 2400rg to 2400rp, 2400ru; 2005 a. 187.

3 **SECTION 35.** 560.71 (1) (e) 4. c. of the statutes is amended to read:

4 560.71 (1) (e) 4. c. The percentage of households in the area receiving
5 unemployment insurance under ch. 108, ~~relief funded by a relief block grant under~~
6 ~~ch. 49~~ or aid to families with dependent children under s. 49.19 is higher than the
7 state average.

History: 1987 a. 328; 1989 a. 31, 336; 1993 a. 16; 1995 a. 209; 1997 a. 27, 39, 103.

8 **SECTION 36.** 560.797 (2) (a) 4. c. of the statutes is amended to read:

9 560.797 (2) (a) 4. c. The percentage of households in the area receiving
10 unemployment insurance under ch. 108, ~~relief funded by a relief block grant under~~
11 ~~ch. 49~~ or aid to families with dependent children under s. 49.19 is higher than the
12 state average.

History: 1995 a. 27 ss. 6936s to 6936v, 9130 (4); 1995 a. 209, 227, 417; 1997 a. 3, 27, 39; 1999 a. 9, 32; 2005 a. 25, 259.

13 **SECTION 37.** 632.72 (1g) (b) of the statutes is amended to read:

14 632.72 (1g) (b) "Medical benefits or assistance" means health care services
15 funded by a relief block grant under ~~ch. 49~~, as defined in s. 49.001 (5p); medical
16 assistance, as defined under s. 49.43 (8); or maternal and child health services under
17 s. 253.05.

History: 1977 c. 29; 1985 a. 29; 1987 a. 27 s. 3202; 1989 a. 31, 173; 1991 a. 178, 214; 1993 a. 481; 1995 a. 27 ss. 7042 to 7046, 9126 (19); 1995 a. 407; 2007 a. 20 s. 9121 (6) (a).

18 **SECTION 38.** 812.30 (9) of the statutes is amended to read:

19 812.30 (9) "Need-based public assistance" means aid to families with
20 dependent children, ~~relief funded by a relief block grant under ch. 49~~, relief provided
21 by counties under s. 59.53 (21), medical assistance, supplemental security income,

1 food stamps, or benefits received by veterans under s. 45.40 (1) or under 38 USC 501
2 to 562.

History: 1993 a. 80; 1995 a. 27, 201; 2001 a. 61; 2005 a. 22.

3 **SECTION 39.** 812.44 (4) (form) 2. of the statutes is amended to read:

4 812.44 (4) (form)

5 2. You receive aid to families with dependent children, relief funded by a relief
6 ~~block grant under ch. 49,~~ relief provided by counties under section s. 59.53 (21) of the
7 Wisconsin Statutes, medical assistance, supplemental security income, food stamps,
8 or veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of
9 the Wisconsin Statutes, or have received these benefits within the past 6 months.

History: 1993 a. 80, 490; 1995 a. 27, 224; 1997 a. 35, 250, 291; 1999 a. 32; 2001 a. 38; 2003 a. 138.

10 **SECTION 40.** 812.44 (5) (form) 2. of the statutes is amended to read:

11 812.44 (5) (form)

12 L.J. ← ... 2. (5) (form) paragraph 2. I receive, am eligible for, or have within 6 months
13 received, aid to families with dependent children, relief funded by a relief block grant
14 ~~under ch. 49,~~ relief provided by counties under section 59.53 (21) of the Wisconsin
15 Statutes, medical assistance, supplemental security income, food stamps, or
16 veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of the
17 Wisconsin Statutes.

History: 1993 a. 80, 490; 1995 a. 27, 224; 1997 a. 35, 250, 291; 1999 a. 32; 2001 a. 38; 2003 a. 138.

18 **SECTION 41.** 814.29 (1) (d) 1. of the statutes is amended to read:

19 814.29 (1) (d) 1. That the person is a recipient of means-tested public
20 assistance, including aid to families with dependent children, relief funded by a relief
21 ~~block grant under ch. 49,~~ relief provided by counties under s. 59.53 (21), medical
22 assistance, supplemental security income, food stamps, or benefits received by
23 veterans under s. 45.40 (1) or under 38 USC 501 to 562.

History: Sup. Ct. Order, 67 Wis. 2d 585, 761 (1975); Stats. 1975 s. 814.29; 1981 c. 317; 1983 a. 538; 1989 a. 31; Sup. Ct. Order No. 93-15, 179 Wis. 2d xxxi; 1993 a. 490; 1995 a. 27, 201; 1997 a. 133; Sup. Ct. Order No. 03-06A, 2005 WI 86, 280 Wis. 2d xiii; 2005 a. 22.

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SECTION 42. 948.22 (4) (b) ✓ of the statutes is amended to read:

948.22 (4) (b) For a person not subject to a court order requiring child, grandchild, or spousal support payments, when the person knows or reasonably should have known that he or she has a dependent, failure to provide support equal to at least the amount established by rule by the department of children and families under s. 49.22 (9) or causing a spouse, grandchild, or child to become a dependent person, or continue to be a dependent person, as defined in s. 49.01 (2), 2007 stats.

History: 1985 a. 29, 56; 1987 a. 332 s. 33; Stats. 1987 s. 948.22; 1989 a. 31, 212; 1993 a. 274, 481; 1995 a. 289; 1997 a. 35, 191, 252; 1999 a. 9; 2001 a. 109; 2003 a. 321; 2005 a. 443 s. 265; 2007 a. 20.

(END)

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1537/dn

PJK:.....

date

Jed

Krista:

I tried to make decisions about whether a section cross-referencing relief block grants should be amended or repealed. I kept sections that I thought might have continuing application, such as ss. 46.208 (1) and 49.08.

Note the two forms under s. 812.44 (4) (2) and (5) (2). I don't know if we need to worry about the six-month delay. If counties are no longer providing relief, there is no problem. If they may be providing relief right up to passage of the budget, theoretically, there may be garnishment actions for up to six months after passage of the budget that involve persons who received relief "within the past six months."

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1537/1dn
PJK:jld:ph

January 20, 2009

Krista:

I tried to make decisions about whether a section cross-referencing relief block grants should be amended or repealed. I kept sections that I thought might have continuing application, such as ss. 46.208 (1) and 49.08.

Note the two forms under s. 812.44 (4) (form) 2. and (5) (form) 2. I don't know if we need to worry about the six-month delay. If counties are no longer providing relief, there is no problem. If they may be providing relief right up to passage of the budget, theoretically, there may be garnishment actions for up to six months after passage of the budget that involve persons who received relief "within the past six months."

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

Kahler, Pam

From: Palchik, Laurie A - DOA [laurie.palchik@wisconsin.gov]
Sent: Wednesday, January 21, 2009 8:26 AM
To: Kahler, Pam
Cc: Willing, Krista - DOA
Subject: FW: LRB Draft: 09-1537/1 Eliminate general relief
Attachments: 09-1537/1.pdf; 09-1537/1dn.pdf

A couple of changes for the LRB Draft – 09-1537/1 Eliminate General Relief:

The General Relief stat language draft should be changed to reflect that the appropriations will continue to exist through the end of the biennium to pay lagging claims. In addition, we'll need to keep the GR language in 49.025, 49.027, and 49.029 to reflect that we will accept claims for the program for services rendered prior to July 1, 2009. At the end of the biennium, the items slated in the current draft to be repealed can all be repealed.

The statutory language for General Relief needs to be modified to reflect that the appropriations will continue to exist through the end of the biennium to pay for lagging claims. This affects sections 1, 2, and 3.

From: Henry, Patty [mailto:Patty.Henry@legis.wisconsin.gov]
Sent: Tuesday, January 20, 2009 10:57 AM
To: Willing, Krista - DOA
Cc: Gauger, Michelle C - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1537/1 Eliminate general relief

Following is the PDF version of draft 09-1537/1.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1537/2
PJK:jld:ph

✓ wis men

DOA:.....Willing, BB0427 - Eliminate general relief

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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1 AN ACT relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Under current law, DHS provides relief block grant moneys to counties and tribal governing bodies for providing health care services, as well as cash assistance, (also known as "general relief") to persons who meet the criteria for dependency. Counties and tribal governing bodies must apply for the grants and contribute local revenues to receive relief block grants. This bill eliminates the relief block grant program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insert 1-2 ✓

2

SECTION 1. 20.435 (4) (bt) of the statutes is repealed. ✓

as affected by 2009 Wisconsin Act ... (this act)

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3

SECTION 2. 20.435 (4) (h) of the statutes is amended to read: ✓

note: delay ✓

1 20.435 (4) (h) ~~General or medical~~ Medical assistance medical program;
 2 intergovernmental transfer. As a continuing appropriation, the amounts in the
 3 schedule to provide supplemental payments to eligible health care providers that
 4 contract with Milwaukee County to provide health care services funded by a relief
 5 block grant under s. 49.025 or to provide benefits under the demonstration project
 6 under s. 49.45 (23). All moneys received from Milwaukee County for either this
 7 purpose shall be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 20.435 (4) (kb) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 4.** 20.505 (8) (hm) 18. of the statutes is repealed.

10 **SECTION 5.** 46.208 (1) of the statutes is amended to read:

11 46.208 (1) All records of the county or tribal governing body relating to the
 12 administration of relief that is funded by a relief block grant under ch. 49, as defined
 13 in s. 49.001 (5p), shall be open to inspection at all reasonable hours by authorized
 14 representatives of the department.

15 **SECTION 6.** 46.208 (2m) of the statutes is amended to read:

16 46.208 (2m) The department may at any time audit all records of the relief
 17 agency relating to the administration of relief funded by a relief block grant under
 18 ch. 49, as defined in s. 49.001 (5p), and may at any time conduct administrative
 19 reviews of a county department under s. 46.215, 46.22, or 46.23. The department
 20 shall furnish a copy of the county audit or administrative review report to the
 21 chairperson of the county board of supervisors and the county clerk in a county with
 22 a single-county department or to the county boards of supervisors and the county

Insert 2-7

as affected by 2009 Wisconsin Act (this act),

note: delay

1 clerks in counties with a multicounty department, and to the county director of the
2 county department under s. 46.215, 46.22, or 46.23.

3 **SECTION 7.** 46.21 (1) (d) of the statutes is amended to read:

4 46.21 (1) (d) "Human services" means the total range of services to people,
5 including mental illness treatment, developmental disabilities services, physical
6 disabilities services, ~~relief funded by a relief block grant under ch. 49,~~ income
7 maintenance, youth probation, extended supervision and parole services, alcohol
8 and drug abuse services, services to children, youth and families, family counseling,
9 early intervention services for children from birth to the age of 3, and manpower
10 services. "Human services" does not include child welfare services under s. 48.48 (17)
11 administered by the department in a county having a population of 500,000 or more.

12 **SECTION 8.** 46.215 (1) (d) of the statutes is amended to read:

13 46.215 (1) (d) To make investigations that relate to services under subchs. II,
14 IV, and V of ch. 49 upon request by the department of health services, to make
15 investigations that relate to juvenile delinquency-related services at the request of
16 the department of corrections, and to make investigations that relate to programs
17 under ch. 48 and subch. III of ch. 49 upon request by the department of children and
18 families.

19 **SECTION 9.** 46.215 (1) (fm) of the statutes is repealed.

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

21 46.22 (1) (b) 1. d. To submit a final budget ~~in accordance with s. 46.031 (1)~~ for
22 services authorized in this section, except for the administration of and cost of aid
23 granted under ss. ~~49.02,~~ 49.19 and 49.45 to 49.471.

24 **SECTION 11.** 46.22 (1) (b) 1. h. of the statutes is repealed.

25 **SECTION 12.** 46.23 (2) (a) of the statutes is amended to read:

1 46.23 (2) (a) "Human services" means the total range of services to people
 2 including, but not limited to, health care, mental illness treatment, developmental
 3 disabilities services, relief funded by a block grant under ch. 49, income
 4 maintenance, probation, extended supervision and parole services, alcohol and drug
 5 abuse services, services to children, youth and aging, family counseling, special
 6 education services, and manpower services.

7 **SECTION 13.** 46.495 (1) (am) of the statutes is amended to read:

8 46.495 (1) (am) The department shall reimburse each county from the
 9 appropriations under s. 20.435 (7) (b) and (o) for social services as approved by the
 10 department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b) 1. d. and (e) 3. a.

11 ~~except that no reimbursement may be made for the administration of or aid granted~~
 12 ~~under s. 49.02.~~ → 2009 stats ← score

13 **SECTION 14.** 49.001 (5p) of the statutes is amended to read:

14 49.001 (5p) "Relief block grant" means a block grant awarded to a county or
 15 tribal governing body under s. 49.025, ~~2007 stats.~~⁹, s. 49.027 or, ~~2007 stats.~~⁹, or s.
 16 49.029, ~~2007 stats.~~⁹

17 **SECTION 15.** 49.002 of the statutes is repealed.

18 **SECTION 16.** 49.01 of the statutes is repealed.

19 **SECTION 17.** 49.015 of the statutes is repealed.

20 **SECTION 18.** 49.02 of the statutes is repealed.

21 **SECTION 19.** 49.025 of the statutes is repealed.

22 **SECTION 20.** 49.027 of the statutes is repealed.

23 **SECTION 21.** 49.029 of the statutes is repealed.

24 **SECTION 22.** 49.031 of the statutes is repealed.

25 **SECTION 23.** 49.141 (1) (s) of the statutes is amended to read:

1 49.141 (1) (s) “Wisconsin ~~works~~ Works group” means an individual who is a
2 custodial parent, all dependent children with respect to whom the individual is a
3 custodial parent, and all dependent children with respect to whom the individual’s
4 dependent child is a custodial parent. “Wisconsin ~~works~~ Works group” includes any
5 nonmarital coparent or any spouse of the individual who resides in the same
6 household as the individual and any dependent children with respect to whom the
7 spouse or nonmarital coparent is a custodial parent. “Wisconsin ~~works~~ Works group” does
8 not include any person who is receiving benefits under s. 49.027 (3) (b).

9 **SECTION 24.** 49.32 (10m) (a) of the statutes is amended to read:

10 49.32 (10m) (a) A county department, relief agency under s. 49.01 (3m), 2007⁹
11 stats., or Wisconsin ~~works~~ Works agency shall, upon request, and after providing the
12 notice to the recipient required by this paragraph, release the current address of a
13 recipient of relief under s. 49.01 (3), 2007⁹₆ stats., aid to families with dependent
14 children, or benefits under s. 49.148 to a person, the person’s attorney, or an employee
15 or agent of that attorney, if the person is a party to a legal action or proceeding in
16 which the recipient is a party or a witness, unless the person is a respondent in an
17 action commenced by the recipient under s. 813.12, 813.122, 813.123, 813.125, or
18 813.127. If the person is a respondent in an action commenced by the recipient under
19 s. 813.12, 813.122, 813.123, 813.125, or 813.127, the county department, relief
20 agency, or Wisconsin ~~works~~ Works agency may not release the current address of the
21 recipient. No county department, relief agency, or Wisconsin ~~works~~ Works agency
22 may release an address under this paragraph until 21 days after the address has
23 been requested. A person requesting an address under this paragraph shall be
24 required to prove his or her identity and his or her participation as a party in a legal
25 action or proceeding in which the recipient is a party or a witness by presenting a

1 copy of the pleading or a copy of the subpoena for the witness. The person shall also
2 be required to sign a statement setting forth his or her name, address, and the
3 reasons for making the request and indicating that he or she understands the
4 provisions of par. (b) with respect to the use of the information obtained. The
5 statement shall be made on a form prescribed by the department and shall be sworn
6 and notarized. Within 7 days after an address has been requested under this
7 paragraph, the county department, relief agency, or Wisconsin ~~works~~ Works agency
8 shall mail to each recipient whose address has been requested a notification of that
9 fact on a form prescribed by the department. The form shall also include the date
10 on which the address was requested, the name and address of the person who
11 requested the disclosure of the address, the reason that the address was requested,
12 and a statement that the address will be released to the person who requested the
13 address no sooner than 21 days after the date on which the request for the address
14 was made. County departments, relief agencies, and Wisconsin ~~works~~ Works
15 agencies shall keep a record of each request for an address under this paragraph.

16 **SECTION 25.** 49.45 (6m) (br) 1. of the statutes is amended to read:

17 49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 ~~(4) (bt)~~ or (7) (b)
18 or 20.437 (2) (dz), the department shall reduce allocations of funds to counties in the
19 amount of the disallowance from the appropriation account under s. 20.435 ~~(4) (bt)~~
20 ~~or~~ (7) (b), or the department shall direct the department of children and families to
21 reduce allocations of funds to counties or Wisconsin Works agencies in the amount
22 of the disallowance from the appropriation account under s. 20.437 (2) (dz) or direct
23 the department of corrections to reduce allocations of funds to counties in the amount
24 of the disallowance from the appropriation account under s. 20.410 (3) (cd), in
25 accordance with s. 16.544 to the extent applicable.

1 SECTION 26. 49.45 (6y) of the statutes is repealed.

2 SECTION 27. 49.45 (6z) of the statutes is repealed.

3 SECTION 28. 49.46 (2) (d) of the statutes is amended to read:

4 49.46 (2) (d) Benefits authorized under this subsection may not include
5 payment for that part of any service payable through 3rd-party liability or any
6 federal, state, county, municipal, or private benefit system to which the beneficiary
7 is entitled. "Benefit system" does not include any public assistance program such as,
8 but not limited to, Hill-Burton benefits under 42 USC 291c (e), in effect on April 30,
9 1980, or relief funded by a relief block grant.

10 SECTION 29. 49.493 (1) (b) of the statutes is amended to read:

11 49.493 (1) (b) "Medical benefits or assistance" means medical benefits under
12 s. 49.02 or 253.05 or medical assistance.

13 SECTION 30. 49.688 (3) (d) of the statutes is amended to read:

14 49.688 (3) (d) ~~Notwithstanding s. 49.002, if~~ If a person who is eligible under this
15 section has other available coverage for payment of a prescription drug, this section
16 applies only to costs for prescription drugs for the person that are not covered under
17 the person's other available coverage.

18 SECTION 31. 49.84 (3) of the statutes is repealed.

19 SECTION 32. 49.84 (4) of the statutes is repealed.

20 SECTION 33. 252.06 (10) (b) 4. of the statutes is ~~amended to read:~~ *repealed.*

21 252.06 (10) (b) 4. The expense of care provided under par. (a) to any dependent
22 person, as defined in s. 49.01 (2), 2007 stats.

23 SECTION 34. 252.07 (10) of the statutes is amended to read:

24 252.07 (10) Inpatient care for isolated pulmonary tuberculosis patients, and
25 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are

fix component

Handwritten circle around line 20 and line 21-22 text.

Handwritten arrow pointing to line 20 with the word "repealed."

1 not eligible for federal medicare benefits, or for medical assistance under subch. IV
2 of ch. 49 ~~or for health care services funded by a relief block grant under subch. II of~~
3 ~~ch. 49~~ may be reimbursed if provided by a facility contracted by the department. If
4 the patient has private health insurance, the state shall pay the difference between
5 health insurance payments and total charges.

6 **SECTION 35.** 560.71 (1) (e) 4. c. of the statutes is amended to read:

7 560.71 (1) (e) 4. c. The percentage of households in the area receiving
8 unemployment insurance under ch. 108, ~~relief funded by a relief block grant under~~
9 ~~ch. 49~~ or aid to families with dependent children under s. 49.19 is higher than the
10 state average.

11 **SECTION 36.** 560.797 (2) (a) 4. c. of the statutes is amended to read:

12 560.797 (2) (a) 4. c. The percentage of households in the area receiving
13 unemployment insurance under ch. 108, ~~relief funded by a relief block grant under~~
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17 632.72 (1g) (b) "Medical benefits or assistance" means health care services
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19 assistance, as defined under s. 49.43 (8); or maternal and child health services under
20 s. 253.05.

21 **SECTION 38.** 812.30 (9) of the statutes is amended to read:

22 812.30 (9) "Need-based public assistance" means aid to families with
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24 by counties under s. 59.53 (21), medical assistance, supplemental security income,

1 food stamps, or benefits received by veterans under s. 45.40 (1) or under 38 USC 501
2 to 562.

3 **SECTION 39.** 812.44 (4) (form) 2. of the statutes is amended to read:

4 812.44 (4) (form)

5 2. You receive aid to families with dependent children, ~~relief funded by a relief~~
6 ~~block grant under ch. 49~~, relief provided by counties under section s. 59.53 (21) of the
7 Wisconsin Statutes, medical assistance, supplemental security income, food stamps,
8 or veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of
9 the Wisconsin Statutes, or have received these benefits within the past 6 months.

10 **SECTION 40.** 812.44 (5) (form) 2. of the statutes is amended to read:

11 812.44 (5) (form)

12 ... 2. [✓] ~~(5) (form) paragraph 2.~~ I receive, am eligible for, or have within 6 months
13 received, aid to families with dependent children, ~~relief funded by a relief block grant~~
14 ~~under ch. 49~~, relief provided by counties under section 59.53 (21) of the Wisconsin
15 Statutes, medical assistance, supplemental security income, food stamps, or
16 veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of the
17 Wisconsin Statutes.

18 **SECTION 41.** 814.29 (1) (d) 1. of the statutes is amended to read:

19 814.29 (1) (d) 1. That the person is a recipient of means-tested public
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22 assistance, supplemental security income, food stamps, or benefits received by
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24 **SECTION 42.** 948.22 (4) (b) of the statutes is amended to read:

1 948.22 (4) (b) For a person not subject to a court order requiring child,
2 grandchild, or spousal support payments, when the person knows or reasonably
3 should have known that he or she has a dependent, failure to provide support equal
4 to at least the amount established by rule by the department of children and families
5 under s. 49.22 (9) or causing a spouse, grandchild, or child to become a dependent
6 person, or continue to be a dependent person, as defined in s. 49.01 (2), 2007 stats.

9

7

(END)

Insert 10-6 ✓

D-Write

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1537/2ins
PJK:.....

INSERT 1-2

1 SECTION 1. 20.435 (4) (bt) of the statutes is amended to read:
2 20.435 (4) (bt) *Relief block grants to counties*. The amounts in the schedule for
3 relief block grants to counties under ss. 49.025 and 49.027 for relief or health care
4 services provided before July 1, 2009.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; s. 13.92 (2) (i).

(END OF INSERT 1-2)

INSERT 2-7

5 20.435 (4) (h) *General or medical assistance medical program;*
6 *intergovernmental transfer*. As a continuing appropriation, the amounts in the
7 schedule to provide supplemental payments to eligible health care providers that
8 contract with Milwaukee County to provide for the provision of health care services
9 before July 1, 2009, funded by a relief block grant under s. 49.025 or to provide
10 benefits under the demonstration project under s. 49.45 (23). All moneys received
11 from Milwaukee County for either purpose shall be credited to this appropriation
12 account.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; s. 13.92 (2) (i).

13 SECTION 2. 20.435 (4) (h) of the statutes, as affected by 2009 Wisconsin Act
14 (this act), is amended to read:

auto rep A

1 20.435 (4) (h) ~~General or medical~~ Medical assistance medical program;
 2 intergovernmental transfer. As a continuing appropriation, the amounts in the
 3 schedule to provide supplemental payments to eligible health care providers that
 4 contract with Milwaukee County for the provision of health care services before July
 5 1, 2009, funded by a relief block grant under s. 49.025 or to provide benefits under
 6 the demonstration project under s. 49.45 (23). All moneys received from Milwaukee
 7 County for either purpose shall be credited to this appropriation account.

 ****NOTE: This SECTION involves a change in an appropriation, but should not be
 reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

8 **SECTION 3.** 20.435 (4) (kb) of the statutes is amended to read:

9 20.435 (4) (kb) *Relief block grants to tribal governing bodies.* The amounts in
 10 the schedule for relief block grants under s. 49.029 to tribal governing bodies for relief
 11 or health care services provided before July 1, 2009. All moneys transferred from the
 12 appropriation account under s. 20.505 (8) (hm) 18. shall be credited to this
 13 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
 14 balance on June 30 of each year shall revert to the appropriation account under s.
 15 20.505 (8) (hm).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; s. 13.92 (2) (i).

(END OF INSERT 2-7)

INSERT 10-6

16 **SECTION 9322. Initial applicability; Health Services.**

17 (1) RELIEF BLOCK GRANTS. The treatment of sections 20.435 (4) (h) (by SECTION
 18 X), 20.505 (8) (hm) 18., 46.21 (1) (d), 46.215 (1) (d) and (fm), 46.22 (1) (b) 1. d. and h.,

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Ins 10-6 cont'd

1 46.23 (2) (a), 49.002, 49.01, 49.015, 49.02, 49.025, 49.027, 49.029, 49.031, 49.141 (1)
 2 (s), 49.45 (6y) and (6z), 49.46 (2) (d), 49.493 (1) (b), 49.84 (3) and (4), 252.06 (10) (b)
 3 4., 252.07 (10), 560.71 (1) (e) 4. c., 560.797 (2) (a) 4. c., 812.30 (9), 812.44 (4) (form)
 4 2. and (5) (form) 2., 814.29 (1) (d) 1., and 948.22 (4) (b) of the statutes and the repeal
 5 of section 20.435 (4) (bt) and (kb) of the statutes first apply with respect to assistance
 6 or health care services provided on July 1, 2009.

SECTION 9422. Effective dates; Health Services.

8 (1) RELIEF BLOCK GRANTS. The treatment of sections 20.435 (4) (h) (by SECTION
 9 X), 20.505 (8) (hm) 18., 46.21 (1) (d), 46.215 (1) (d) and (fm), 46.22 (1) (b) 1. d. and h.,
 10 46.23 (2) (a), 46.495 (1) (am), 49.001 (5p), 49.002, 49.01, 49.015, 49.02, 49.025, 49.027,
 11 49.029, 49.031, 49.141 (1) (s), 49.32 (10m) (a), 49.45 (6m) (br) 1., (6y) and (6z), 49.46
 12 (2) (d), 49.493 (1) (b), 49.688 (3) (d), 49.84 (3) and (4), 252.06 (10) (b) 4., 252.07 (10),
 13 560.71 (1) (e) 4. c., 560.797 (2) (a) 4. c., 812.30 (9), 812.44 (4) (form) 2. and (5) (form)
 14 2., 814.29 (1) (d) 1., and 948.22 (4) (b) of the statutes, the repeal of section 20.435 (4)
 15 (bt) and (kb) of the statutes, and SECTION 9322 (1) of this act take effect on July 1,
 16 2011.

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(END OF INSERT 10-6)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1537/2dn

PJK:jld:ph

I have provided a delayed effective date of July 1, 2011, for all of the provisions except for the ones that refer to the definition of relief block grant, because that will simply change when it changes.

I have included most, but not all, of the provisions in an initial applicability that relates to when assistance or health care services are provided. I did not include a provision in the initial applicability if the treatment did not seem to relate when services were provided.

of the provision

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

to

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1537/2dn
PJK:jld:ph

January 22, 2009

I have provided a delayed effective date of July 1, 2011, for all of the provisions except for the ones that refer to the definition of relief block grant, because that will simply change when it changes.

I have included most, but not all, of the provisions in an initial applicability that relates to when assistance or health care services are provided. I did not include a provision in the initial applicability if the treatment did not seem to relate when services were provided.

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