

**2009 DRAFTING REQUEST**

**Senate Amendment (SA-SB299)**

Received: **10/05/2009**

Received By: **gmalaise**

Wanted: **10/06/2009**

Identical to LRB:

For: **Robert Jauch (608) 266-3510**

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: **Sen.Jauch@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Public disclosure of child abuse or neglect; disclosure of disciplinary action; applicability to juvenile justice code

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**Instructions:**

See attached

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**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<br>10/05/2009 | jdyer<br>10/06/2009    |                        | _____          |                       |                       |                 |
| /1           |                        |                        | phenry<br>10/06/2009   | _____          | cduerst<br>10/06/2009 | cduerst<br>10/06/2009 |                 |
| /2           | gmalaise<br>10/06/2009 | kfollett<br>10/06/2009 | jfrantze<br>10/06/2009 | _____          | lparisi<br>10/06/2009 | lparisi<br>10/06/2009 |                 |

FE Sent For:

<END>

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|--------------|------------------------|--------------------|----------------------|------------------------|-----------------------|-----------------------|-----------------|
| /?           | gmalaise<br>10/05/2009 | jdye<br>10/06/2009 |                      | _____                  |                       |                       |                 |
| /1           |                        | 12kjf<br>10/6      | phenry<br>10/06/2009 | _____                  | cduerst<br>10/06/2009 | cduerst<br>10/06/2009 |                 |
| FE Sent For: |                        |                    | Jo<br>10/6           | Jo/ph<br>10/6<br><END> |                       |                       |                 |

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|--------------|----------------|-----------------|---------------|-----------------------------|------------------|-----------------|-----------------|
| /?           | gmalaise       | 1/10/09<br>ojkd | 10/6/09<br>ph | <del>Km</del> 10/4/09<br>JA |                  |                 |                 |

FE Sent For:

<END>

## Malaise, Gordon

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**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

LRBa08077?

GMM

6/2 10/5

Fws 10/6 10:30 AM

①  
JLD

SENATE AMENDMENT,  
TO 2009 SENATE BILL 299

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At the locations indicated, amend the bill as follows:

2

1. Page 9, line 21: after "chapter" insert "or ch 938".

3

2. Page 10, line 2: after "chapter" insert "or ch 938".

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3. Page 10, line 15: after that line insert:

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"gm. A summary of any disciplinary actions taken by the agency with respect

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to any employee or contractor of the agency involved in providing services under this

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chapter or ch. 938 to the child, any member of the child's family, or the person

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suspected of the abuse or neglect on any supervisor of such an employee or contractor.

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If that information is not available when the summary report under subd. 3. is

10

submitted, the subunit of the department that prepares the summary report shall

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make the information available to the public within 6 months after receiving the

12

information provided under subd. 2."

13

4. Page 10, line 16: after "placement" insert "under this chapter or ch. 938".

1           **5.** Page 11, line 13: after that line insert:

2           “fm. A summary of any disciplinary actions taken by the agency with respect  
3 to any employee or contractor of the agency involved in supervising the child’s  
4 placement or any supervisor of such an employee or contractor. If that information  
5 is not available when the summary report under subd. 3. is submitted, the subunit  
6 of the department that prepares the summary report shall make the information  
7 available to the public within 6 months after receiving the information provided  
8 under subd. 2.”.

9

(END)

Carrie 1011

delete items 3 & 5 and insert at p 9, l 1

" any actions taken by the agency in response to the  
incident



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0807/A  
GMM:jld:ph

IN 1016  
10/24/10

2  
JF  
P102

**SENATE AMENDMENT,  
TO 2009 SENATE BILL 299**

# Page 9, line 1: after "summary" insert " of any actions taken by the agency in response to the incident and".  
# Page 9, line 4: after "those" insert "actions or".  
# Page 9, line 6: after "those" insert "actions or".

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At the locations indicated, amend the bill as follows:

**1.** Page 9, line 21: after "chapter" insert "or ch. 938".

**2.** Page 10, line 2: after "chapter" insert "or ch. 938".

**3.** Page 10, line 15: after that line insert:

~~"gm. A summary of any disciplinary actions taken by the agency with respect to any employee or contractor of the agency involved in providing services under this chapter or ch. 938 to the child, any member of the child's family, or the person suspected of the abuse or neglect or with respect to any supervisor of such an employee or contractor. If that information is not available when the summary report under subd. 3. is submitted, the subunit of the department that prepares the summary report shall make the information available to the public within 6 months after receiving the information provided under subd. 2."~~

**4.** Page 10, line 16: after "placement" insert "under this chapter or ch. 938".

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5. Page 11, line 13: after that line insert:

“fm. A summary of any disciplinary actions taken by the agency with respect to any employee or contractor of the agency involved in supervising the child’s placement or any supervisor of such an employee or contractor. If that information is not available when the summary report under subd. 3. is submitted, the subunit of the department that prepares the summary report shall make the information available to the public within 6 months after receiving the information provided under subd. 2.”.

(END)