Institute and be subject to all federal and state laws, rules, and regulations that apply to the institute. Operational planning shall provide close interrelationship between the department and the University of Wisconsin ~~Medical~~ School of Medicine and Public Health for conduct of educational and research programs.

***-0216/P1.1* SECTION 1283.** 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,365,500 in each fiscal year and, from the appropriation account under s. 20.410 (3) (hm), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) ~~$2,872,300~~ $2,890,700 in fiscal year ~~2009-10~~ 2011-12 and ~~$2,896,100~~ $2,964,000 in fiscal year ~~2010-11~~ 2012-13, for services for juveniles placed at the Mendota juvenile treatment center. The department of health services may charge the department of corrections not more than the actual cost of providing those services.

***-1019/5.18* SECTION 1284.** 46.206 (1) (bm) of the statutes is amended to read:

46.206 **(1)** (bm) All records of the department relating to aid provided under s. 49.77, 2009 stats., or s. 49.46, 49.465, 49.468, 49.47, or 49.471~~, or 49.77~~ are open to inspection at reasonable hours by members of the legislature who require the information contained in the records in pursuit of a specific state legislative purpose. All records of any county relating to aid provided under s. 49.77, 2009 stats., or s. 49.46, 49.465, 49.468, 49.47, or 49.471~~, or 49.77~~ are open to inspection at reasonable hours by members of the board of supervisors of the county or the governing body of a city, village or town located in the county who require the information contained in the records in pursuit of a specific county or municipal legislative purpose. The right to records access provided by this paragraph does not apply if access is

prohibited by federal law or regulation or if this state is required to prohibit such access as a condition precedent to participation in a federal program in which this state participates.

***-1187/P5.372* SECTION 1285.** 46.21 (2) (b) of the statutes is amended to read:

46.21 **(2)** (b) May make such arrangements with the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health or the Medical College of Wisconsin, or any other duly accredited medical colleges and medical societies for teaching and research in such institutions as in its judgment will best promote the purpose of hospitals and sanatoriums under sub. (4m).

***-1324/P1.1* SECTION 1286.** 46.21 (2m) (am) of the statutes is created to read:

46.21 **(2m)** (am) *Multicounty department.* A county board of supervisors may establish with one or more other counties a county department of human services on a multicounty basis. A multicounty department of human services established under this paragraph shall meet the requirements for a county department of human services under this section.

***-1019/5.19* SECTION 1287.** 46.215 (1) (intro.) of the statutes is amended to read:

46.215 **(1)** CREATION; POWERS AND DUTIES. (intro.) In a county with a population of 500,000 or more the administration of welfare services, other than child welfare services under s. 48.48 (17) administered by the department and except as provided in ss. 49.155 (3g), 49.78 (1m), 49.825, and 49.826, is vested in a county department of social services under the jurisdiction of the county board of supervisors under s. 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services under this section applies to a county department under s. 46.21 (2m) in its administration under s. 46.21 (2m) of the powers and duties of the county

department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m), 49.825, and 49.826, the county department of social services shall have the following functions, duties, and powers, and such other welfare functions as may be delegated to it:

***-1019/5.20* SECTION 1288.** 46.215 (1) (intro.) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

46.215 **(1)** CREATION; POWERS AND DUTIES. (intro.) In a county with a population of 500,000 or more the administration of welfare services, other than child welfare services under s. 48.48 (17) administered by the department and except as provided in ss. 49.155 (3g), 49.78 (1m), ~~49.825,~~ and 49.826, is vested in a county department of social services under the jurisdiction of the county board of supervisors under s. 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services under this section applies to a county department under s. 46.21 (2m) in its administration under s. 46.21 (2m) of the powers and duties of the county department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m), ~~49.825,~~ and 49.826, the county department of social services shall have the following functions, duties, and powers, and such other welfare functions as may be delegated to it:

***-1195/2.12* SECTION 1289.** 46.215 (1) (k) of the statutes is amended to read:

46.215 **(1)** (k) Certify eligibility for and issue ~~food coupons~~ benefits to needy households in conformity with the federal ~~food stamp act of 1964~~ supplemental nutrition assistance program under 7 USC 2011 to 2036, as amended, and, in addition, the county department of social services may certify eligibility for and distribute surplus commodities and food stuffs.

***-1019/5.21* SECTION 1290.** 46.215 (1) (L) of the statutes is amended to read:

46.215 **(1)** (L) Within the limits of available state and federal funds and of county funds appropriated to match state funds, to provide social services for persons eligible for or receiving benefits under the supplementary security income program under federal Title XVI, the supplemental payments program under s. ~~49.77~~ 49.39 or aid to families with dependent children under s. 49.19.

***-1324/P1.2* SECTION 1291.** 46.215 (1) (t) of the statutes is created to read:

46.215 **(1)** (t) At the discretion of the county board of supervisors, to combine with one or more other counties to establish a county department of social services on a multicounty basis. A multicounty department of social services established under this paragraph shall meet the requirements for a county department of human services under this section.

***-0203/P3.2* SECTION 1292.** 46.215 (2) (c) 3. of the statutes is amended to read:

46.215 **(2)** (c) 3. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related care and services to be purchased. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and if state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of corrections may not make any payments to a county for programs included in a contract under review by the committee. The department of corrections shall reimburse each county for the contracts from the appropriations under s. 20.410 (3) (cd)~~, (ko), and (o)~~ and (ko) as appropriate.

***-1324/P1.3* SECTION 1293.** 46.22 (1) (a) of the statutes is amended to read:

46.22 **(1)** (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county board of supervisors of any county with a population of less than 500,000, or the

county boards of 2 or more ~~contiguous~~ counties ~~each with a population of less than 500,000~~, shall establish a county department of social services on a single-county or multicounty basis. The county department of social services shall consist of a county social services board, a county social services director and necessary personnel.

***-1019/5.22* SECTION 1294.** 46.22 (1) (b) 1. (intro.) of the statutes is amended to read:

46.22 **(1)** (b) 1. (intro.) ~~The~~ Except as provided in s. 49.78 (1m), the county department of social services shall have the following functions, duties and powers in accordance with the rules promulgated by the department of health services and subject to the supervision of the department of health services:

***-1019/5.23* SECTION 1295.** 46.22 (1) (b) 1. c. of the statutes is renumbered 46.22 (1) (b) 2. h. and amended to read:

46.22 **(1)** (b) 2. h. Within the limits of available state and federal funds and of county funds appropriated to match state funds, to provide social services for persons eligible for or receiving supplemental security aids under Title XVI of the social security act, eligible for or receiving state supplemental payments under s. ~~49.77~~ 49.39 or eligible for or receiving aid to families with dependent children under s. 49.19.

***-1019/5.24* SECTION 1296.** 46.22 (1) (b) 2. d. of the statutes is repealed.

****NOTE: This is reconciled s. 46.22 (1) (b) 2. d. This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1019/5.25* SECTION 1297.** 46.22 (1) (d) of the statutes is amended to read:

46.22 **(1)** (d) *Merit system; records.* The county department of social services is subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g). The county department of social services and all county officers and employees performing any duties in connection with the

administration of aid to families with dependent children shall observe all rules promulgated by the department of children and families under s. ~~49.78 (4)~~ 49.19 (19g) (a) and shall keep records and furnish reports as the department of children and families requires in relation to their performance of such duties.

***-0203/P3.3* SECTION 1298.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

46.22 **(1)** (e) 3. c. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related care and services to be purchased. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of corrections may not make any payments to a county for programs included in the contract that is under review by the committee. The department of corrections shall reimburse each county for the contracts from the appropriations under s. 20.410 (3) (cd)~~, (ko), and (o)~~ and (ko) as appropriate.

***-1019/5.26* SECTION 1299.** 46.22 (2) (b) of the statutes is amended to read:

46.22 **(2)** (b) Appoint the county social services director under sub. (3) subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the rules promulgated thereunder and subject to the approval of the county board of supervisors in a county with a single-county department of social services or the county boards of supervisors in counties with a multicounty department of social services.

***-1019/5.27* SECTION 1300.** 46.22 (3m) (a) of the statutes is amended to read:

46.22 **(3m)** (a) In any county with a county executive or a county administrator that has established a single-county department of social services, the county executive or county administrator, subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the rules promulgated thereunder, shall appoint and supervise the county social services director. The appointment is subject to the confirmation of the county board of supervisors unless the county board of supervisors, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

***-1324/P1.4* SECTION 1301.** 46.23 (3) (a) of the statutes is amended to read:

46.23 **(3)** (a) *Creation.* Upon approval by the secretary of health services, by the secretary of corrections, and by the secretary of children and families of a feasibility study and a program implementation plan, the county board of supervisors of any county with a population of less than 500,000, or the county boards of supervisors of 2 or more ~~contiguous~~ counties, ~~each of which has a population of less than 500,000,~~ may establish by resolution a county department of human services on a single-county or multicounty basis to provide the services required under this section. The county department of human services shall consist of the county human services board, the county human services director and necessary personnel.

***-1019/5.28* SECTION 1302.** 46.27 (7) (am) of the statutes is amended to read:

46.27 **(7)** (am) From the appropriation under s. 20.435 (7) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts to pay assessment and case plan costs under sub. (6) not otherwise paid by fee or under s. 49.45 ~~or 49.78 (2)~~. The department shall reimburse counties for the cost of assessing persons who are eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) ~~as part of the administrative services~~

1 ~~of medical assistance, payable~~, as provided under s. 49.45 (3) (a). Counties may use
2 unspent funds allocated under this paragraph to pay the cost of long-term
3 community support services and for a risk reserve under par. (fr).

4 ***-0809/4.3* SECTION 1303.** 46.27 (9) (a) of the statutes is amended to read:

5 46.27 **(9)** (a) The department may select up to 5 counties that volunteer to
6 participate in a pilot project under which they will receive certain funds allocated for
7 long-term care. The department shall allocate a level of funds to these counties
8 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)
9 to nursing homes for providing care because of increased utilization of nursing home
10 services, as estimated by the department. In estimating these levels, the department
11 shall exclude any increased utilization of services provided by state centers for the
12 developmentally disabled. The department shall calculate these amounts on a
13 calendar year basis under sub. (10).

14 ***-0809/4.4* SECTION 1304.** 46.27 (10) (a) 1. of the statutes is amended to read:

15 46.27 **(10)** (a) 1. The department shall determine for each county participating
16 in the pilot project under sub. (9) a funding level of state medical assistance
17 expenditures to be received by the county. This level shall equal the amount that the
18 department determines would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)
19 because of increased utilization of nursing home services, as estimated by the
20 department.

21 ***-0809/4.5* SECTION 1305.** 46.275 (5) (a) of the statutes is amended to read:

22 46.275 **(5)** (a) Medical Assistance reimbursement for services a county, or the
23 department under sub. (3r), provides under this program is available from the
24 appropriation accounts under s. 20.435 (4) (b), (gm), (o), and (w). If 2 or more counties
25 jointly contract to provide services under this program and the department approves

the contract, Medical Assistance reimbursement is also available for services provided jointly by these counties.

***-0809/4.6* SECTION 1306.** 46.275 (5) (c) of the statutes is amended to read:

46.275 **(5)** (c) The total allocation under s. 20.435 (4) (b), (gm), (o), and (w) to counties and to the department under sub. (3r) for services provided under this section may not exceed the amount approved by the federal department of health and human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

***-0809/4.7* SECTION 1307.** 46.278 (6) (d) of the statutes is amended to read:

46.278 **(6)** (d) If a county makes available nonfederal funds equal to the state share of service costs under a waiver received under sub. (3), the department may, from the appropriation under s. 20.435 (4) (o), provide reimbursement for services that the county provides under this section to persons who are in addition to those who may be served under this section with funds from the appropriation accounts under s. 20.435 (4) (b), (gm), or (w).

***-0809/4.8* SECTION 1308.** 46.2785 (5) (a) of the statutes is amended to read:

46.2785 **(5)** (a) Medical assistance reimbursement for services a county or private agency contracts for or provides under the waiver program shall be made from the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

***-0241/4.3* SECTION 1309.** 46.281 (3) of the statutes is amended to read:

46.281 **(3)** DUTY OF THE SECRETARY. The secretary shall certify to each county, hospital, nursing home, community-based residential facility, adult family home, ~~as defined in s. 50.01 (1) (a) or (b),~~ and residential care apartment complex the date on

which a resource center that serves the area of the county, hospital, nursing home, community-based residential facility, adult family home, or residential care apartment complex is first available to perform functional screenings and financial and cost-sharing screenings. To facilitate phase-in of services of resource centers, the secretary may certify that the resource center is available for specified groups of eligible individuals or for specified facilities in the county.

***-1019/5.29* SECTION 1310.** 46.283 (3) (k) of the statutes is amended to read:

46.283 **(3)** (k) A determination of eligibility for state supplemental payments under s. ~~49.77~~ 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or the federal food stamp program under 7 USC 2011 to 2029.

***-1195/2.13* SECTION 1311.** 46.283 (3) (k) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

46.283 **(3)** (k) A determination of eligibility for state supplemental payments under s. 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or the federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to ~~2029~~ 2036.

****NOTE: This is reconciled s. 46.283 (3) (k). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-0241/4.4* SECTION 1312.** 46.283 (4) (e) of the statutes is amended to read:

46.283 **(4)** (e) Provide information about the services of the resource center, including the services specified in sub. (3) (d), about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c), and about the family care benefit and the self-directed services option to all older persons and adults with a physical or developmental disability who are residents of nursing homes, community-based residential facilities, adult family homes, ~~as defined in s. 50.01 (1) (a) or (b),~~ and

residential care apartment complexes in the area of the resource center when the benefit under s. 46.286 first becomes available in the county where the nursing home, community-based residential facility, adult family home, or residential care apartment complex is located.

***-0241/4.5* SECTION 1313.** 46.283 (4) (g) of the statutes is amended to read:

46.283 **(4)** (g) Perform a functional screening and a financial and cost-sharing screening for any person seeking admission to a nursing home, community-based residential facility, residential care apartment complex, or adult family home, ~~as defined in s. 50.01 (1) (a) or (b),~~ if the secretary has certified that the resource center is available to the person and the facility and the person is determined by the resource center to have a condition that is expected to last at least 90 days that would require care, assistance, or supervision. A resource center may not require a financial and cost-sharing screening for a person seeking admission or about to be admitted on a private pay basis who waives the requirement for a financial and cost-sharing screening under this paragraph, unless the person is expected to become eligible for medical assistance within 6 months. A resource center need not perform a functional screening for a person seeking admission or about to be admitted for whom a functional screening was performed within the previous 6 months.

***-0809/4.9* SECTION 1314.** 46.283 (5) of the statutes is amended to read:

46.283 **(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

***-0809/4.10* SECTION 1315.** 46.284 (5) (a) of the statutes is amended to read:

46.284 **(5)** (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gm), (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

***-1465/P4.328* *-0808/2.193* SECTION 1316.** 46.29 (3) (e) of the statutes is amended to read:

46.29 **(3)** (e) The secretary of ~~commerce~~ safety and professional services.

***-0174/4.2* SECTION 1317.** 46.40 (9) (d) of the statutes is amended to read:

46.40 **(9)** (d) *Payment adjustments for certain Medical Assistance services.* The department may decrease a county's allocation under sub. (2) by the amount of any payment adjustments under s. 49.45 (52) (a) made for that county from the appropriation account under s. 20.435 (7) (b) for services described under s. 49.45 (52) (a) 1. The total amount of the decrease for a county under this paragraph during any fiscal year may not exceed that part of the county's allocation under sub. (2) that derives from the appropriation account under s. 20.435 (7) (b) for that fiscal year.

***-1019/5.30* SECTION 1318.** 46.40 (9) (e) of the statutes is created to read:

46.40 **(9)** (e) *Adjustment for income maintenance programs.* In each fiscal year, beginning in fiscal year 2012-13, the department shall decrease a county's allocation under sub. (2) from the appropriation under s. 20.435 (7) (b) by the amount that the department determines the county expended in calendar year 2009 to provide income maintenance programs, as defined in s. 49.78 (1) (b).

***-0713/2.3* SECTION 1319.** 46.48 (1) of the statutes is amended to read:

46.48 **(1)** GENERAL. From the appropriation accounts under s. 20.435 (5) (bc) and (7) (bc), the department shall award grants for community programs as provided in ~~this section~~ subs. (4) to (30).

***-0713/2.4* SECTION 1320.** 46.48 (31) of the statutes is created to read:

46.48 **(31)** BRIGHTER FUTURES INITIATIVE. From the appropriation account under s. 20.435 (5) (bc), the department shall transfer not more than $865,000 in each fiscal year to the appropriation account under s. 20.437 (1) (kb) to award grants under s. 48.545.

***-1465/P4.329* *-0808/2.194* SECTION 1321.** 46.90 (1) (gr) 3. of the statutes is amended to read:

46.90 **(1)** (gr) 3. The department of ~~regulation and licensing~~ safety and professional services.

***-1465/P4.330* *-0808/2.195* SECTION 1322.** 46.90 (5m) (br) 5. of the statutes is amended to read:

46.90 **(5m)** (br) 5. Refer the case to the department of ~~regulation and licensing~~ safety and professional services if the financial exploitation, neglect, self-neglect, or abuse involves an individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460.

***-0724/1.3* SECTION 1323.** 46.99 (3) of the statutes is amended to read:

46.99 **(3)** If the waiver requested under sub. (2) is granted, counties shall provide to the department the nonfederal share of costs for medical assistance services provided under the waiver. Counties may use moneys appropriated under s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the nonfederal share of medical assistance costs.

***-0724/1.4* SECTION 1324.** 46.99 (3m) of the statutes is created to read:

46.99 **(3m)** If the waiver requested under sub. (2) is granted, counties shall provide to the department the nonfederal share of the cost incurred by an entity to administer the waiver program under this section.

***-0724/1.5* SECTION 1325.** 46.99 (4) of the statutes is amended to read:

46.99 **(4)** From the appropriation account under s. 20.435 (4) (o), the department ~~shall~~ may distribute to counties that provide services under this section the amount of federal moneys received by the state as the federal share of medical assistance for those services, minus the amount transferred to the appropriation account under s. 20.435 (7) (im) for the department's costs of administering this section. Counties shall use moneys distributed under this section to provide services under this section or s. 51.44.

***-0724/1.6* SECTION 1326.** 46.995 of the statutes is created to read:

46.995 Disabled children's long-term support program; local funding. **(1)** A county shall provide to the department the nonfederal share of the cost incurred by an entity to administer services provided without state funding under the disabled children's long-term support program for a child enrolled in the program after December 31, 2010.

(2) A county shall provide to the department the nonfederal share of the cost of services provided without state funding under the disabled children's long-term support program.

***-0197/1.1* SECTION 1327.** 47.03 (11) (a) of the statutes is amended to read:

47.03 **(11)** (a) The department shall provide services, including vocational training~~, craft instruction~~ and a supervised business initiatives program for persons with severe disabilities who are eligible for vocational rehabilitation services. Under this subsection, the department may own, lease, manage, supervise or operate

businesses for the benefit of persons with severe disabilities, ~~including home-based employment and craft work,~~ with the ultimate objective of enabling persons with severe disabilities to operate their own businesses. ~~The department shall assist persons with severe disabilities who receive these services in marketing the finished products.~~

***-0197/1.2* SECTION 1328.** 47.03 (11) (c) of the statutes is repealed.

***-0197/1.3* SECTION 1329.** 47.03 (11) (d) of the statutes is repealed.

***-0197/1.4* SECTION 1330.** 47.03 (11) (e) of the statutes is repealed.

***-1213/1.13* SECTION 1331.** 48.345 (12) (a) 1. of the statutes is amended to read:

48.345 **(12)** (a) 1. A nonresidential educational program~~, including a program for children at risk under s. 118.153,~~ provided by the school district in which the child resides.

***-1213/1.14* SECTION 1332.** 48.487 (4m) (a) 2. of the statutes is amended to read:

48.487 **(4m)** (a) 2. "Dropout" has the meaning given under s. ~~118.153 (1) (b)~~ 115.001 (2m).

***-0713/2.5* SECTION 1333.** 48.545 (2) (a) (intro.) of the statutes is amended to read:

48.545 **(2)** (a) (intro.) From the appropriations under s. 20.437 (1) (eg), (kb), and (nL), the department shall distribute $2,097,700 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more, $1,171,800 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

having a population of 500,000 or more, and $55,000 in each fiscal year to Diverse and Resilient, Inc. to provide programs to accomplish all of the following:

***-0885/1.7* SECTION 1334.** 48.563 (1) (a) of the statutes is amended to read:

48.563 **(1)** (a) Within the limits of available federal funds and of the appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute funds for children and family services to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

***-1321/2.4* SECTION 1335.** 48.565 (2) (c) of the statutes is amended to read:

48.565 **(2)** (c) The department shall credit to the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) any moneys carried forward under par. (a), but not distributed to counties, and may expend those moneys as provided in s. 48.567.

***-1321/2.5* SECTION 1336.** 48.567 (1) of the statutes is amended to read:

48.567 **(1)** From the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp), the department shall support costs that are exclusively related to the ongoing and recurring operational costs of augmenting the amount of moneys received under 42 USC 670 to 679a and to any other purpose provided for by the legislature by law or in budget determinations. In addition, the department may expend moneys from ~~the~~ those appropriation ~~account under s. 20.437 (3) (mp)~~ accounts as provided in subs. (1m) and (2).

***-1321/2.6* SECTION 1337.** 48.567 (1m) of the statutes is amended to read:

48.567 **(1m)** In addition to expending moneys from the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for the augmentation activities specified in sub. (1), the department may expend moneys ~~received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a and~~

~~credited to the~~ from that appropriation account ~~under s. 20.437 (3) (mp)~~ to support the counties' share of implementing the statewide automated child welfare information system under s. 46.22 (1) (c) 8. f. and to provide services to children and families under s. 48.48 (17).

***-1321/2.7* SECTION 1338.** 48.567 (2) of the statutes is amended to read:

48.567 **(2)** If the department proposes to use any moneys from the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for any purpose other than the purposes specified in subs. (1) and (1m), the department shall submit a plan for the proposed use of those moneys to the secretary of administration by September 1 of the fiscal year after the fiscal year in which those moneys were received. If the secretary of administration approves the plan, he or she shall submit the plan to the joint committee on finance by October 1 of the fiscal year after the fiscal year in which those moneys were received. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan only with the approval of the committee.

***-0885/1.8* SECTION 1339.** 48.569 (1) (am) of the statutes is amended to read:

48.569 **(1)** (am) The department shall reimburse each county from the appropriations under s. 20.437 (1) (b), (km), and (o) for children and family services as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

***-0885/1.9* SECTION 1340.** 48.569 (1) (d) of the statutes is amended to read:

48.569 **(1)** (d) From the appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute the funding for children and family services, including funding for foster care or subsidized guardianship care of a child on whose behalf aid is received under s. 48.645 to county departments as provided under s. 48.563. County matching funds are required for the distribution under s. 48.563 (2). Each county's required match for the distribution under s. 48.563 (2) shall be specified in a schedule established annually by the department. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the county that meet the requirements specified in sub. (1m). Private donations may not exceed 25 percent of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

***-1019/5.31* SECTION 1341.** 48.57 (3m) (am) 6. of the statutes is amended to read:

48.57 **(3m)** (am) 6. The child for whom the kinship care relative is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39.

***-1019/5.32* SECTION 1342.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

48.57 **(3n)** (am) 5r. The child for whom the long-term kinship care relative is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39.

***-1465/P4.331* *-0808/2.196* SECTION 1343.** 48.67 (intro.) of the statutes is amended to read:

48.67 Rules governing child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments. (intro.) The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments. Those rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of ~~commerce~~ safety and professional services, the department of public instruction, and the child abuse and neglect prevention board before promulgating those rules. For foster homes, those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall include rules that require all of the following:

***-1465/P4.332* *-0808/2.197* SECTION 1344.** 48.685 (2) (am) 3. of the statutes is amended to read:

48.685 **(2)** (am) 3. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

***-1465/P4.333* *-0808/2.198* SECTION 1345.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

48.685 **(2)** (b) 1. c. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

***-1465/P4.334* *-0808/2.199* SECTION 1346.** 48.685 (4m) (a) 5. of the statutes is amended to read:

48.685 **(4m)** (a) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

***-1465/P4.335* *-0808/2.200* SECTION 1347.** 48.685 (4m) (b) 5. of the statutes is amended to read:

48.685 **(4m)** (b) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

***-1019/5.33* SECTION 1348.** 48.685 (5) (br) 5. of the statutes is amended to read:

48.685 **(5)** (br) 5. An offense involving fraudulent activity as a participant in the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent children under s. 49.19, medical assistance under subch. IV of ch. 49, food stamps benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, payments for the support of children of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395, or health care benefits under the Badger Care health care program under s. 49.665.

***-1195/2.14* SECTION 1349.** 48.685 (5) (br) 5. of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

48.685 **(5)** (br) 5. An offense involving fraudulent activity as a participant in the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of

a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent children under s. 49.19, medical assistance under subch. IV of ch. 49, ~~food stamps~~ benefits under the ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, payments for the support of children of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395, or health care benefits under the Badger Care health care program under s. 49.665.

****NOTE: This is reconciled s. 48.685 (5) (br) 5. This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1465/P4.336* *-0808/2.201* SECTION 1350.** 48.78 (2) (g) of the statutes is amended to read:

48.78 **(2)** (g) Paragraph (a) does not prohibit an agency from disclosing information about an individual in its care or legal custody on the written request of the department of ~~regulation and licensing~~ safety and professional services or of any interested examining board or affiliated credentialing board in that department for use in any investigation or proceeding relating to any alleged misconduct by any person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457. Unless authorized by an order of the court, the department of ~~regulation and licensing~~ safety and professional services and any examining board or affiliated credentialing board in that department shall keep confidential any information obtained under this paragraph and may not disclose the name of or any other identifying information about the individual who is the subject of the information disclosed, except to the extent that redisclosure of that information is necessary for the conduct of the investigation or proceeding for which that information was obtained.

***-1187/P5.373* SECTION 1351.** 48.84 (1) of the statutes is amended to read:

48.84 **(1)** Before a child may be placed under s. 48.833 for adoption by a proposed adoptive parent who has not previously adopted a child, before a proposed adoptive parent who has not previously adopted a child may petition for placement of a child for adoption under s. 48.837, and before a proposed adoptive parent who has not previously adopted a child may bring a child into this state for adoption under s. 48.839, the proposed adoptive parent shall complete the preadoption preparation required under this section. The preparation shall be provided by a licensed child welfare agency, a licensed private adoption agency, the state adoption information exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded foster care and adoption resource center, a state-funded postadoption resource center, a technical college district school, the University of Wisconsin-Madison, or an institution or college campus within the University of Wisconsin System. If the proposed adoptive parent does not reside in this state, he or she may meet this requirement by obtaining equivalent preparation in his or her state of residence.

***-0183/1.1* SECTION 1352.** 48.981 (3m) (b) (intro.) of the statutes is amended to read:

48.981 **(3m)** (b) (intro.) The department shall establish a pilot program under which an agency in a county having a population of 500,000 or more or a county department that is selected to participate in the pilot program may employ alternative responses to a report of abuse or neglect or of threatened abuse or neglect. The department shall select ~~an agency in a county having a population of 500,000 or more and not more than 4~~ agencies and county departments to participate in the pilot program in accordance with the department's request-for-proposal procedures and according to criteria developed by the department. Those criteria shall include

an assessment of the plan of an agency or county department for involving the community in providing services for a family that is participating in the pilot program and a determination of whether an agency or a county department has an agreement with local law enforcement agencies and the representative of the public under s. 48.09 to ensure interagency cooperation in implementing the pilot program. To implement the pilot program, the department shall provide all of the following:

***-1195/2.15* SECTION 1353.** 49.131 (3) of the statutes is amended to read:

49.131 **(3)** ~~The~~ Except as provided in s. 49.377 (2), the department may not require a county or tribal governing body to participate in an electronic benefit transfer system under this section if the costs to the county or tribal governing body would be greater than the costs that the county or tribal governing body would incur in delivering the benefits through a system that is not an electronic benefit transfer system.

***-1195/2.16* SECTION 1354.** 49.141 (7) (c) 3. of the statutes is amended to read:

49.141 **(7)** (c) 3. Fraudulently misstating or misrepresenting his or her identity or place of residence for the purpose of receiving simultaneously in this state and at least one other state benefits under the federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to ~~2029~~ 2036.

***-1195/2.17* SECTION 1355.** 49.143 (2) (d) of the statutes is amended to read:

49.143 **(2)** (d) If the Wisconsin ~~works~~ Works agency is not a county department under s. 46.215, 46.22 or 46.23 or tribal governing body, cooperate with the county department or tribal governing body to ensure that services delivered under Wisconsin ~~works~~ Works, the ~~food stamp~~ supplemental nutrition assistance program and medical assistance are coordinated with the county or tribal governing body in a manner that most effectively serves the recipients of those services.

***-1146/1.1* SECTION 1356.** 49.143 (2r) of the statutes is amended to read:

49.143 **(2r)** JOB PROGRAMS. A Wisconsin Works agency shall collaborate with the local workforce development board to connect individuals seeking employment with employment opportunities, including the trial job program under s. 49.147 (3) ~~and, if operating in the geographical area in which the Wisconsin Works agency administers Wisconsin Works, the transitional jobs demonstration project under s. 49.162~~.

***-1019/5.34* SECTION 1357.** 49.145 (2) (i) of the statutes is amended to read:

49.145 **(2)** (i) The individual is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39 and, if the individual is a dependent child, the custodial parent of the individual does not receive a payment on behalf of the individual under s. ~~49.775~~ 49.395. The department may require an individual who receives benefits under s. 49.148 and who has applied for supplemental security income under 42 USC 1381 to 1383c to authorize the federal social security administration to reimburse the department for the benefits paid to the individual under s. 49.148 during the period that the individual was entitled to supplemental security income benefits to the extent that retroactive supplemental security income benefits are made available to the individual.

***-1146/1.2* SECTION 1358.** 49.147 (3) (c) of the statutes is created to read:

49.147 **(3)** (c) *Time-limited participation.* A participant under this subsection may participate in a trial job for a maximum of 3 months, with an opportunity for a 3-month extension under circumstances determined by the Wisconsin Works agency. A participant may participate in more than one trial job, but may not exceed a total of 24 months of participation under this subsection. The months need not be

consecutive. The department or, with the approval of the department, the Wisconsin Works agency may grant an extension of the 24-month limit on a case-by-case basis if the participant has made all appropriate efforts to find unsubsidized employment and has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable job opportunity for that participant, as determined by a Wisconsin Works agency and approved by the department.

***-1146/1.3* SECTION 1359.** 49.147 (4) (as) of the statutes is amended to read:

49.147 **(4)** (as) *Required hours.* Except as provided in pars. (at) and (av) and sub. (5m), a Wisconsin Works agency shall require a participant placed in a community service job program to work in a community service job for the number of hours determined by the Wisconsin Works agency to be appropriate for the participant at the time of application or review, ~~except that the~~ but not to exceed 30 hours per week. Except as provided in pars. (at) and (av), a Wisconsin Works agency may ~~not~~ require a participant under this subsection to ~~spend more than 40 hours per week in combined activities under this subsection~~ participate in education or training activities for not more than 10 hours per week.

***-1146/1.4* SECTION 1360.** 49.147 (4) (b) of the statutes is created to read:

49.147 **(4)** (b) *Time-limited participation.* An individual may participate in a community service job for a maximum of 6 months, with an opportunity for a 3-month extension under circumstances approved by the department. An individual may participate in more than one community service job, but may not exceed a total of 24 months of participation under this subsection. The months need not be consecutive. The department or, with the approval of the department, the Wisconsin Works agency may grant an extension to the 24-month limit on a case-by-case basis if the Wisconsin Works agency determines that the individual has made all

appropriate efforts to find unsubsidized employment and has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable employment opportunity in unsubsidized employment for that participant, as determined by a Wisconsin Works agency and approved by the department, and if the Wisconsin Works agency determines, and the department agrees, that no trial job opportunities are available in the specified local labor market.

***-1146/1.5* SECTION 1361.** 49.147 (5) (b) (intro.) of the statutes is renumbered 49.147 (5) (b) 1. (intro.) and amended to read:

49.147 **(5)** (b) 1. (intro.) The Wisconsin ~~works~~ Works agency shall assign a participant under this subsection to work activities such as a community rehabilitation program, as defined by the department, a job similar to a community service job, or a volunteer activity. A Wisconsin ~~works~~ Works agency may require a participant under this subsection to participate in any of the following:

***-1146/1.6* SECTION 1362.** 49.147 (5) (b) 1m. of the statutes is renumbered 49.147 (5) (b) 1. a. and amended to read:

49.147 **(5)** (b) 1. a. An alcohol and other drug abuse evaluation, assessment, and treatment program.

***-1146/1.7* SECTION 1363.** 49.147 (5) (b) 2. of the statutes is created to read:

49.147 **(5)** (b) 2. An individual may participate in a transitional placement for a maximum of 24 months. The months need not be consecutive. This period may be extended on a case-by-case basis by the department or by the Wisconsin Works agency with the approval of the department.

***-1146/1.8* SECTION 1364.** 49.147 (5) (b) 2m. of the statutes is renumbered 49.147 (5) (b) 1. b.

***-1146/1.9* SECTION 1365.** 49.147 (5) (b) 3. of the statutes is renumbered 49.147 (5) (b) 1. c.

***-1146/1.10* SECTION 1366.** 49.147 (5) (b) 4. of the statutes is renumbered 49.147 (5) (b) 1. d. and amended to read:

49.147 **(5)** (b) 1. d. Other activities that the Wisconsin ~~works~~ Works agency determines are consistent with the capabilities of the individual.

***-1146/1.11* SECTION 1367.** 49.147 (5) (bs) of the statutes is amended to read:

49.147 **(5)** (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m), a Wisconsin Works agency may require a participant placed in a transitional placement to engage in activities under par. (b) ~~1m. to 4. The~~ 1. for up to 28 hours per week. Except as provided in sub. (5m), a Wisconsin Works agency may ~~not~~ require a participant under this subsection to ~~spend more than 40 hours per week in combined activities under this subsection~~ participate in education or training activities under par. (bm) for not more than 12 hours per week.

***-1146/1.12* SECTION 1368.** 49.148 (1) (b) 1. of the statutes is amended to read:

49.148 **(1)** (b) 1. Except as provided in subd. 1m., for a participant in a community service job under s. 49.147 (4), a monthly grant of ~~$673~~ $653, paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or education or training activities without good cause, the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse. If a participant in a community service job under s. 49.147 (4) is required to work fewer than 30 hours per week because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this paragraph shall equal the amount

specified under subd. 1m. minus $5.15 for each hour that the participant misses work or education or training activities without good cause.

***-1146/1.13* SECTION 1369.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

49.148 **(1)** (b) 1m. d. For a participant placed in a community service job for more than 20 hours per week, ~~$673~~ $653.

***-1146/1.14* SECTION 1370.** 49.148 (1) (b) 3. of the statutes is amended to read:

49.148 **(1)** (b) 3. For a participant in a community service job who participates in technical college education under s. 49.147 (5m), a monthly grant of ~~$673~~ $653, paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or other required activities without good cause, the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse.

***-1146/1.15* SECTION 1371.** 49.148 (1) (c) of the statutes is amended to read:

49.148 **(1)** (c) *Transitional placements.* For a participant in a transitional placement under s. 49.147 (5) or in a transitional placement and in technical college education under s. 49.147 (5m), a grant of ~~$628~~ $608, paid monthly by the Wisconsin Works agency. For every hour that the participant fails to participate in any required activity without good cause, including any activity under s. 49.147 (5) (b) ~~1m. to 4.~~ 1. a. to d., the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse.

***-1146/1.16* SECTION 1372.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

49.148 **(1m)** (c) (intro.) For purposes of the time ~~limit~~ limits under ~~s.~~ ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

***-1146/1.17* SECTION 1373.** 49.148 (4) (b) of the statutes is amended to read:

49.148 **(4)** (b) The Wisconsin Works agency may require an individual who tests positive for use of a controlled substance under par. (a) to participate in a drug abuse evaluation, assessment, and treatment program as part of the participation requirement under s. 49.147 (4) ~~(a) and (am)~~ (as) or (5) ~~(b) and (bm)~~ (bs).

***-1146/1.18* SECTION 1374.** 49.151 (1) (b) of the statutes is amended to read:

49.151 **(1)** (b) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), fails, without good cause, as determined by the Wisconsin Works agency, to appear for an interview with a prospective employer or, if the participant is in a Wisconsin Works transitional placement, the participant fails to appear for an assigned activity, including an activity under s. 49.147 (5) (b) ~~1m. to 4.~~ 1. a. to d., without good cause, as determined by the Wisconsin Works agency.

***-1146/1.19* SECTION 1375.** 49.1515 (title) of the statutes is amended to read:

49.1515 (title) **Determining nonparticipation ~~without good cause~~.**

***-1146/1.20* SECTION 1376.** 49.1515 (2) of the statutes is repealed.

***-1146/1.21* SECTION 1377.** 49.1515 (3) of the statutes is repealed.

***-1146/1.22* SECTION 1378.** 49.153 (1) (am) of the statutes is repealed.

***-1146/1.23* SECTION 1379.** 49.153 (1) (bm) of the statutes is renumbered 49.153 (1) (a) and amended to read:

49.153 **(1)** (a) ~~After providing the explanation under par. (am), provide~~ Provide to the participant written notice of the proposed action and of the reasons for the proposed action.

***-1146/1.24* SECTION 1380.** 49.153 (1) (c) of the statutes is amended to read:

49.153 **(1)** (c) After providing the ~~explanation or the attempts to provide an explanation under par. (am) and the~~ notice under par. ~~(bm), if the participant has not already been afforded a conciliation period under s. 49.1515 (3)~~ (a), allow the participant a reasonable time to rectify the deficiency, failure, or other behavior to avoid the proposed action.

***-1146/1.25* SECTION 1381.** 49.153 (2) of the statutes is amended to read:

49.153 **(2)** RULES. The department shall promulgate rules that establish procedures for the notice ~~and explanation~~ under sub. (1) (a) and that define ~~"reasonable attempts" for the purpose of sub. (1) (am) and~~ "reasonable time" for the purpose of sub. (1) (c).

***-1019/5.35* SECTION 1382.** 49.155 (1) (ah) of the statutes is amended to read:

49.155 **(1)** (ah) "County department or agency" means a county department under s. 46.215, 46.22, or 46.23~~, the unit, as defined in s. 49.825 (1) (e),~~ or a Wisconsin Works agency, child care resource and referral agency, or other agency.

***-0149/2.5* SECTION 1383.** 49.155 (1g) (ac) of the statutes is amended to read:

49.155 **(1g)** (ac) A child care scholarship and bonus program, in the amount of at least ~~$3,475,000~~ $3,975,000 per fiscal year.

***-0149/2.6* SECTION 1384.** 49.155 (1g) (c) of the statutes is amended to read:

49.155 **(1g)** (c) Child care licensing activities, in the amount of at least ~~$5,763,900~~ $8,767,000 per fiscal year.

***-0149/2.7* SECTION 1385.** 49.155 (1g) (g) of the statutes is created to read:

49.155 **(1g)** (g) Contracts and grants to implement the child care quality rating system under s. 48.659.

***-1203/1.1* SECTION 1386.** 49.155 (1h) of the statutes is repealed.

***-1195/2.18* SECTION 1387.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

49.155 **(1m)** (a) 3m. Participate in a job search or work experience component of the ~~food stamp~~ supplemental nutrition assistance employment and training program under s. ~~49.79 (9)~~ 49.37 (9).

***-1019/5.36* SECTION 1388.** 49.155 (3g) (a) (intro.) of the statutes is amended to read:

49.155 **(3g)** (a) (intro.) The department may contract with the ~~Milwaukee County enrollment services unit, as provided in s. 49.825 (2) (b)~~ department of health services, to do any of the following:

***-0148/P2.1* SECTION 1389.** 49.155 (6) (e) of the statutes is renumbered 49.155 (6) (e) 2. and amended to read:

49.155 **(6)** (e) 2. ~~The~~ Except as provided in subd. 3., the department may not increase the maximum reimbursement rates for child care providers ~~in 2009, in 2010, or~~ before June 30 ~~in 2011~~, 2013.

***-0148/P2.2* SECTION 1390.** 49.155 (6) (e) 1. of the statutes is created to read:

49.155 **(6)** (e) 1. In this paragraph, "quality rating plan" means the plan for implementing the child care quality rating system under s. 48.659 submitted by the department under 2009 Wisconsin Act 28, section 9108 (7f).

***-0148/P2.3* SECTION 1391.** 49.155 (6) (e) 3. of the statutes is created to read:

1 49.155 **(6)** (e) 3. The department may modify a child care provider's
2 reimbursement rate under subd. 2. on the basis of the provider's quality rating, as
3 described in the quality rating plan, in the following manner:
4 a. For a child care provider who receives a 1-star rating, the department may
5 deny reimbursement.
6 b. For a child care provider who receives a 2-star rating, the department may
7 reduce the maximum reimbursement rate by up to 5 percent.
8 c. For a child care provider who receives a 3-star rating, the department shall
9 pay the maximum reimbursement rate.
10 d. For a child care provider who receives a 4-star rating, the department may
11 increase the maximum reimbursement rate by up to 5 percent.
12 e. For a child care provider who receives a 5-star rating, the department may
13 increase the maximum reimbursement rate by up to 10 percent.
14 ***-0148/P2.4* SECTION 1392.** 49.155 (6) (e) 4. of the statutes is created to read:
15 49.155 **(6)** (e) 4. The department may use a severity-index tool, as described
16 in the quality rating plan, to disqualify child care providers who receive a low quality
17 rating, as described in the quality rating plan, from providing child care services to
18 individuals under this section.
19 ***-1204/1.1* SECTION 1393.** 49.155 (6d) of the statutes is created to read:
20 49.155 **(6d)** COST-SAVING MEASURES. To reduce costs under the program under
21 this section, the department may do any of the following:
22 (a) Notwithstanding sub. (1m), implement a waiting list for receipt of a child
23 care subsidy under this section.
24 (b) Notwithstanding sub. (5), increase the copayment amount that an
25 individual must pay toward the cost of child care received under this section.

(c) Notwithstanding sub. (6), adjust the amount of reimbursement paid to child care providers providing child care services under this section.

(d) Notwithstanding sub. (1m), adjust the gross income levels for eligibility for receipt of a child care subsidy under this section.

***-1195/2.19* SECTION 1394.** 49.159 (2) of the statutes is amended to read:

49.159 **(2)** MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING. A custodial parent who is under the age of 18 is eligible, regardless of that individual's or that individual's parent's income or assets, to meet with a financial and employment planner. The financial and employment planner may provide the individual with information regarding Wisconsin ~~works~~ Works eligibility, available child care services, employment and financial planning, family planning services, as defined in s. 253.07 (1) (b), community resources, eligibility for ~~food stamps~~ the supplemental nutrition assistance program, and other food and nutrition programs.

***-1146/1.26* SECTION 1395.** 49.162 of the statutes, as affected by 2009 Wisconsin Act 333, is repealed.

***-1465/P4.337* *-0808/2.202* SECTION 1396.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

49.165 **(2)** (c) (intro.) No grant may be made to an organization which provides or will provide shelter facilities unless the department of ~~commerce~~ safety and professional services determines that the physical plant of the facility will not be dangerous to the health or safety of the residents when the facility is in operation. No grant may be given to an organization which provides or will provide shelter facilities or private home shelter care unless the organization ensures that the following services will be provided either by that organization or by another organization, person or agency:

***-1195/2.20* SECTION 1397.** 49.173 (3) (a) 2. of the statutes is amended to read:

49.173 **(3)** (a) 2. ~~Food stamp~~ Supplemental nutrition assistance employment and training.

***-0149/2.8* SECTION 1398.** 49.175 (1) (intro.) of the statutes, as affected by 2009 Wisconsin Act 28, section 1227, is amended to read:

49.175 **(1)** ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (ed), (k), (kx), (L), (mc), (md), (me), ~~(mf),~~ and (s), the department shall allocate the following amounts for the following purposes:

****NOTE: This is reconciled s. 49.175 (1) (intro.). This section has been affected by drafts with the following LRB numbers: LRB-0149/1 and LRB-1019/4.

***-0149/2.9* SECTION 1399.** 49.175 (1) (a) of the statutes is amended to read:

49.175 **(1)** (a) *Wisconsin Works benefits.* For Wisconsin Works benefits, ~~$49,139,400~~ $78,787,800 in fiscal year ~~2009-10~~ 2011-12 and ~~$51,229,600~~ $61,779,400 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.10* SECTION 1400.** 49.175 (1) (b) of the statutes is amended to read:

49.175 **(1)** (b) *Wisconsin Works administration.* For administration of Wisconsin Works performed under contracts under s. 49.143, ~~$8,247,000~~ $11,830,800 in fiscal year ~~2009-10~~ 2011-12 and ~~$8,247,000~~ $11,117,100 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.11* SECTION 1401.** 49.175 (1) (f) of the statutes is amended to read:

49.175 **(1)** (f) *Wisconsin Works ancillary services.* For program services under Wisconsin Works provided under contracts under s. 49.143, ~~$38,471,500~~ $54,846,300 in fiscal year ~~2009-10~~ 2011-12 and ~~$35,471,500~~ $45,637,000 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.12* SECTION 1402.** 49.175 (1) (g) of the statutes is amended to read:

49.175 **(1)** (g) *State administration of public assistance programs and ~~costs of~~ overpayment collections.* For state administration of public assistance programs and ~~costs associated with~~ the collection of public assistance overpayments, ~~$16,985,900 in fiscal year 2009-10 and $17,091,700~~ $12,322,400 in each fiscal year ~~2010-11~~.

***-0149/2.13* SECTION 1403.** 49.175 (1) (i) of the statutes is amended to read:

49.175 **(1)** (i) *Emergency assistance.* For emergency assistance under s. 49.138~~,~~ ~~$6,500,000~~ and for transfer to the department of administration for low-income energy or weatherization assistance programs, $6,200,000 in fiscal year ~~2009-10~~ 2011-12 and $6,000,000 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.14* SECTION 1404.** 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Direct child care services.* For direct child care services under s. 49.155, ~~$384,987,600~~ $290,042,500 in fiscal year ~~2009-10~~ 2011-12 and ~~$402,496,800~~ $288,018,300 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.15* SECTION 1405.** 49.175 (1) (q) of the statutes is amended to read:

49.175 **(1)** (q) *Child care state administration and child care licensing activities.* For administration of child care programs under s. 49.155 and the allocation under s. 49.155 (1g) (c) for child care licensing activities, ~~$8,534,700~~ $21,061,700 in fiscal year ~~2009-10~~ 2011-12 and ~~$8,889,700~~ $21,143,400 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.16* SECTION 1406.** 49.175 (1) (qm) of the statutes is amended to read:

49.175 **(1)** (qm) *Quality care for quality kids.* For the child care quality improvement activities specified in s. 49.155 (1g), ~~$5,384,600~~ $13,486,700 in fiscal year ~~2009-10~~ 2011-12 and ~~$5,384,600~~ $13,169,400 in fiscal year ~~2010-11~~ 2012-13.

***-0149/2.17* SECTION 1407.** 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *Children of recipients of supplemental security income.* For payments made under s. ~~49.775~~ 49.395 for the support of the dependent children of recipients of supplemental security income, ~~$29,899,800 in fiscal year 2009-10 and $29,933,200~~ $31,232,200 in each fiscal year ~~thereafter~~.

****NOTE: This is reconciled s. 49.175 (1) (r). This section has been affected by drafts with the following LRB numbers: LRB-0149/1 and LRB-1019/4.

***-0149/2.18* SECTION 1408.** 49.175 (1) (s) of the statutes is amended to read:

49.175 **(1)** (s) *Kinship care, long-term kinship care, and foster care assistance.* For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and (3p) and for foster care for relatives under s. 48.62, ~~$24,435,000 in fiscal year 2009-10 and $24,435,000~~ $21,375,800 in each fiscal year ~~2010-11~~.

***-0149/2.19* SECTION 1409.** 49.175 (1) (v) of the statutes is created to read:

49.175 **(1)** (v) *Program improvement plan.* For services provided under the child welfare program improvement plan developed under 45 CFR 1355.35, $680,400 in fiscal year 2011-12 and $1,360,800 in each fiscal year thereafter.

***-0149/2.20* SECTION 1410.** 49.175 (1) (zh) of the statutes is amended to read:

49.175 **(1)** (zh) *Earned income tax credit supplement.* For the transfer of moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, ~~$6,664,200 in fiscal year 2009-10 and $6,664,200~~ $43,664,200 in each fiscal year ~~2010-2011~~.

***-1019/5.37* SECTION 1411.** 49.19 (5) (d) of the statutes is amended to read:

49.19 **(5)** (d) The department shall ~~reimburse the county for~~ pay the funeral, burial, and cemetery expenses of a dependent child or the child's parents as provided in s. 49.785.

***-1019/5.38* SECTION 1412.** 49.19 (19m) of the statutes is amended to read:

49.19 **(19m)** Notwithstanding subs. (1) to (19), no aid may be paid under this section for a child on whose behalf a payment is made under s. ~~49.775~~ 49.395.

***-1019/5.39* SECTION 1413.** 49.197 (1m) of the statutes is amended to read:

49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2) (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19, supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and payments for the support of children of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin Works program under ss. 49.141 to 49.161, and, if the department of health services contracts with the department under sub. (5), on the part of recipients of medical assistance under subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, ~~supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775,~~ and health care benefits under the Badger Care health care program under s. 49.665. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The department shall cooperate with district attorneys regarding fraud prosecutions.

***-1195/2.21* SECTION 1414.** 49.197 (1m) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2) (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19, on the part of recipients of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and payments for the support of children of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin Works program under ss. 49.141 to 49.161, and, if the department of health services contracts with the department under sub. (5), on the part of recipients of medical assistance under subch. IV~~, food stamp benefits under the food stamp program under 7 USC 2011 to 2036,~~ and health care benefits under the Badger Care health care program under s. 49.665. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The department shall cooperate with district attorneys regarding fraud prosecutions.

****NOTE: This is reconciled s. 49.197 (1m). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1019/5.40* SECTION 1415.** 49.197 (2) (cm) of the statutes is amended to read:

49.197 **(2)** (cm) Any amounts recovered with respect to the child care subsidy program under s. 49.155 by a county department in a county having a population of

500,000 or more as a result of a program under par. (b) or due to the efforts of an employee of such a county who is supervised by the department ~~or the department of health services under s. 49.825~~ shall be credited to the appropriation account under s. 20.437 (2) (me).

***-1019/5.41* SECTION 1416.** 49.197 (3) of the statutes is amended to read:

49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, the supplemental security income payments program under s. 49.39, the program providing payments for the support of children of supplemental security income recipients under s. 49.395, and, if the department of health services contracts with the department under sub. (5), the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775,~~ and the Badger Care health care program under s. 49.665.

***-1195/2.22* SECTION 1417.** 49.197 (3) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, the supplemental nutrition assistance program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.39, and the program providing payments for the support of children of supplemental security income recipients under s. 49.395, and, if the department of health services contracts with the department under sub. (5), the Medical Assistance program under subch. IV, ~~the~~

~~food stamp program under 7 USC 2011 to 2036,~~ and the Badger Care health care program under s. 49.665.

****NOTE: This is reconciled s. 49.197 (3). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1019/5.42* SECTION 1418.** 49.197 (4) of the statutes is amended to read:

49.197 **(4)** COUNTY AND TRIBAL ERROR REDUCTION. If the department of health services contracts with the department under sub. (5), the department shall provide funds from the appropriation under s. 20.437 (2) (kx) to counties and governing bodies of federally recognized American Indian tribes administering Medical Assistance under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775,~~ and the Badger Care health care program under s. 49.665, as applicable, to offset administrative costs of reducing payment errors in those programs.

***-1195/2.23* SECTION 1419.** 49.197 (4) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

49.197 **(4)** COUNTY AND TRIBAL ERROR REDUCTION. If the department of health services contracts with the department under sub. (5), the department shall provide funds from the appropriation under s. 20.437 (2) (kx) to counties and governing bodies of federally recognized American Indian tribes administering Medical Assistance under subch. IV~~, the food stamp program under 7 USC 2011 to 2036,~~ and the Badger Care health care program under s. 49.665, as applicable, to offset administrative costs of reducing payment errors in those programs.

****NOTE: This is reconciled s. 49.197 (4). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1019/5.43* SECTION 1420.** 49.197 (5) of the statutes is amended to read:

49.197 **(5)** CONTRACTS FOR MEDICAL ASSISTANCE~~,~~ AND FOOD STAMPS~~, SUPPLEMENTAL SECURITY INCOME, AND CARETAKER SUPPLEMENT~~. Notwithstanding s. 49.845 (1) and (2), the department of health services may contract with the department to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, ~~supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775,~~ and health care benefits under the Badger Care health care program under s. 49.665 and to conduct activities to reduce payment errors in the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775,~~ and the Badger Care health care program under s. 49.665, as provided in this section.

***-1195/2.24* SECTION 1421.** 49.197 (5) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

49.197 **(5)** CONTRACTS FOR MEDICAL ASSISTANCE ~~AND FOOD STAMPS~~. Notwithstanding s. 49.845 (1) and (2), the department of health services may contract with the department to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV~~, food stamp benefits under the food stamp program under 7 USC 2011 to 2036,~~ and health care benefits under the Badger Care health care program under s. 49.665 and to conduct activities to reduce payment errors in the Medical Assistance program under subch. IV~~, the food~~

~~stamp program under 7 USC 2011 to 2036,~~ and the Badger Care health care program under s. 49.665, as provided in this section.

****NOTE: This is reconciled s. 49.197 (5). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1195/1.

***-1195/2.25* SECTION 1422.** 49.22 (6) of the statutes is amended to read:

49.22 **(6)** The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this section to individuals not receiving aid under s. 48.645, 49.19, 49.47, or 49.471; benefits under s. 49.148, 49.155, or ~~49.79~~ 49.37; foster care maintenance payments under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The system of fees may take into account an individual's ability to pay. Any fee paid and collected under this subsection may be retained by the county providing the service except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

***-1213/1.15* SECTION 1423.** 49.26 (1) (g) 12. of the statutes is repealed.

***-1213/1.16* SECTION 1424.** 49.26 (1) (gm) 1. c. of the statutes is amended to read:

49.26 **(1)** (gm) 1. c. Dropouts, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m), including individuals who were dropouts and reenrolled in school in the same or immediately succeeding semester in which they dropped out of school.

***-0059/4.5* SECTION 1425.** 49.265 (4) (a) of the statutes is amended to read:

49.265 **(4)** (a) The department shall distribute the federal community services block grant funds received under 42 USC 9903 and ~~deposited in~~ credited to the ~~appropriations~~ appropriation account under s. 20.437 ~~(1) (mc) and (md)~~ (2) (mg).

***-1195/2.26* SECTION 1426.** 49.32 (7) (b) of the statutes is amended to read:

49.32 **(7)** (b) The department shall conduct a program to periodically match the records of recipients of aid to families with dependent children under s. 49.19 and recipients of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036 and, if the department of health services contracts with the department under s. 49.197 (5), recipients of medical assistance under subch. IV ~~and food stamp benefits under the food stamp program under 7 USC 2011 to 2036~~ with the records of recipients under those programs in other states. If an agreement with the other states can be obtained, matches with records of states contiguous to this state shall be conducted at least annually.

***-1195/2.27* SECTION 1427.** 49.32 (7) (c) of the statutes is amended to read:

49.32 **(7)** (c) The department shall conduct a program to periodically ~~match~~ review the address records of recipients of aid to families with dependent children under s. 49.19 and recipients of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036 and, if the department of health services contracts with the department under s. 49.197 (5), recipients of medical assistance under subch. IV ~~and food stamp benefits under the food stamp program under 7 USC 2011 to 2036~~ to verify residency and to identify recipients receiving duplicate or fraudulent payments.

***-1195/2.28* SECTION 1428.** 49.32 (7) (d) of the statutes is amended to read:

49.32 **(7)** (d) The department, with assistance from the department of corrections, shall conduct a program to periodically match the records of persons confined in state correctional facilities with the records of recipients of aid to families with dependent children under s. 49.19 and benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036 and, if the department of health services contracts with the department under s. 49.197 (5), recipients of

medical assistance under subch. IV ~~and food stamp benefits under the food stamp program under 7 USC 2011 to 2036~~ to identify recipients who may be ineligible for benefits.

***-1195/2.29* SECTION 1429.** 49.32 (10) (a) (intro.) of the statutes is amended to read:

49.32 **(10)** (a) (intro.) Each county department under s. 46.215, 46.22, or 46.23 may release the current address of a recipient of ~~food stamps~~ supplemental nutrition assistance program benefits under s. 49.37 or of aid under s. 49.19, and each Wisconsin works agency may release the current address of a participant in Wisconsin works under ss. 49.141 to 49.161, to a law enforcement officer if the officer meets all of the following conditions:

***-1019/5.44* SECTION 1430.** 49.35 (1) (bm) of the statutes is amended to read:

49.35 **(1)** (bm) All records of the department relating to aid provided under s. 49.19 or 49.39 are open to inspection at reasonable hours by members of the legislature who require the information contained in the records in pursuit of a specific state legislative purpose. All records of any county relating to aid provided under s. 49.19 or 49.39 are open to inspection at reasonable hours by members of the board of supervisors of the county or the governing body of a city, village or town located in the county who require the information contained in the records in pursuit of a specific county or municipal legislative purpose. The right to records access provided by this paragraph does not apply if access is prohibited by federal law or regulation or if this state is required to prohibit such access as a condition precedent to participation in a federal program in which this state participates.

***-1195/2.30* SECTION 1431.** 49.37 (1m) of the statutes is created to read:

49.37 **(1m)** ADMINISTRATION BY DEPARTMENT. The department shall administer, and may enter into contracts for the administration of, the supplemental nutrition assistance program in this state. Administration of the supplemental nutrition assistance program includes all of the following:

(a) Receiving applications.

(b) Determining eligibility.

(c) Conducting fraud investigation and fraud prevention activities.

(d) Implementing error reduction procedures.

(e) Recovering overpayments of benefits.

***-1019/5.45* SECTION 1432.** 49.43 (1e) of the statutes is amended to read:

49.43 **(1e)** "Accommodated person" means any person in a hospital or in a skilled nursing facility or intermediate care facility, as defined in Title XIX of the social security act, who would have been eligible for benefits under s. 49.19 or ~~49.77~~ 49.39 or federal Title XVI if the person were not in such a hospital or facility, and any person in such an institution who can be found eligible for Title XIX under the social security act.

***-1019/5.46* SECTION 1433.** 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 **(2)** (a) 3. Determine the eligibility of persons for medical assistance, rehabilitative, and social services under ss. 49.46, 49.468, 49.47, and 49.471 and rules and policies adopted by the department and may, under a contract under s. 49.78 (2), delegate all, or any portion, of this function to ~~the county department under s. 46.215, 46.22, or 46.23 or~~ a tribal governing body.

***-1019/5.47* SECTION 1434.** 49.45 (3) (a) of the statutes is amended to read:

49.45 **(3)** (a) Reimbursement shall be made to each county department under ss. 46.215, 46.22, and 46.23 for ~~any administrative services performed in the Medical~~

~~Assistance program on the basis of s. 49.78 (8). For purposes of reimbursement under this paragraph,~~ assessments completed under s. 46.27 (6) (a) ~~are administrative services performed in the Medical Assistance program~~.

***-1019/5.48* SECTION 1435.** 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

49.45 **(5)** (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the department shall give the applicant or recipient reasonable notice and opportunity for a fair hearing. The department may make such additional investigation as it considers necessary. Notice of the hearing shall be given to the applicant or recipient and, if a county department under s. 46.215, 46.22, or 46.23 ~~is responsible for making~~ made the medical assistance determination, to the county clerk of the county. The county may be represented at such hearing. The department shall render its decision as soon as possible after the hearing and shall send a certified copy of its decision to the applicant or recipient~~,~~ and to the county clerk~~, and to any county officer charged with administration of the Medical Assistance program. The decision of the department shall have the same effect as an order of a county officer charged with the administration of the Medical Assistance program~~ of the county that made the medical assistance determination. The decision shall be final, but may be revoked or modified as altered conditions may require. The department shall deny a petition for a hearing or shall refuse to grant relief if:

***-1019/5.49* SECTION 1436.** 49.45 (5) (b) 2. (intro.) of the statutes is amended to read:

49.45 **(5)** (b) 2. (intro.) If a recipient requests a hearing within the timely notice period specified in 42 CFR 431.231 (c), medical assistance coverage shall not be suspended, reduced, or discontinued until a decision is rendered after the hearing

but medical assistance payments made pending the hearing decision may be recovered by the department if the contested decision or failure to act is upheld. If a county department ~~is responsible for making~~ made the medical assistance determination, the department shall notify the county department of the county in which the recipient resides that the recipient has requested a hearing. Medical assistance coverage shall be suspended, reduced, or discontinued if:

***-0809/4.11* SECTION 1437.** 49.45 (5m) (am) of the statutes is amended to read:

49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gm), (o), (w) and (xc), the department shall distribute not more than $5,000,000 in each fiscal year, to provide supplemental funds to rural hospitals that, as determined by the department, have high utilization of inpatient services by patients whose care is provided from governmental sources, except that the department may not distribute funds to a rural hospital to the extent that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

***-0243/2.1* SECTION 1438.** 49.45 (6m) (a) 6. of the statutes is amended to read:

49.45 **(6m)** (a) 6. "Resource Utilization Groupings ~~III~~" means a comparative resource utilization grouping that classifies each facility resident based on information obtained from performing, for the resident, a minimum data set assessment developed by the federal Centers for Medicare and Medicaid Services.

***-0809/4.12* SECTION 1439.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 (4) (b), (gm), (o), (pa), or (w) shall, except as provided in pars. (bg), (bm), and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement

standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

***-0243/2.2* SECTION 1440.** 49.45 (6m) (ag) 3p. a. of the statutes is amended to read:

49.45 **(6m)** (ag) 3p. a. The system ~~shall~~ may incorporate acuity measurements under the most recent Resource Utilization Groupings ~~III~~ methodology to determine factors for case-mix adjustment.

***-0174/4.3* SECTION 1441.** 49.45 (6tw) of the statutes is amended to read:

49.45 **(6tw)** PAYMENTS TO CITY HEALTH DEPARTMENTS. From the appropriation account under s. 20.435 (7) (b), if the department selects the payment procedure under s. 49.45 (52) (a), the department may make payments to local health departments, as defined under s. 250.01 (4) (a) 3. Payment under this subsection to such a local health department may not exceed on an annualized basis payment made by the department to the local health department under s. 49.45 (6t), 2003 stats., for services provided by the local health department in 2002.

***-0809/4.13* SECTION 1442.** 49.45 (6v) (b) of the statutes is amended to read:

49.45 **(6v)** (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997-98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

***-0986/3.1* SECTION 1443.** 49.45 (6x) of the statutes is repealed.

***-0809/4.14* SECTION 1444.** 49.45 (6y) (a) of the statutes is amended to read:

1 49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts
2 under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute funding in
3 each fiscal year to provide supplemental payment to hospitals that enter into a
4 contract under s. 49.02 (2) to provide health care services funded by a relief block
5 grant, as determined by the department, for hospital services that are not in excess
6 of the hospitals' customary charges for the services, as limited under 42 USC 1396b
7 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of
8 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the
9 department may distribute funds to hospitals that have not entered into a contract
10 under s. 49.02 (2).

11 ***-0809/4.15* SECTION 1445.** 49.45 (6z) (a) (intro.) of the statutes is amended
12 to read:

13 49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation
14 accounts under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute
15 funding in each fiscal year to supplement payment for services to hospitals that enter
16 into indigent care agreements, in accordance with the approved state plan for
17 services under 42 USC 1396a, with relief agencies that administer the medical relief
18 block grant under this chapter, if the department determines that the hospitals serve
19 a disproportionate number of low-income patients with special needs. If no medical
20 relief block grant under this chapter is awarded or if the allocation of funds to such
21 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
22 may distribute funds to hospitals that have not entered into indigent care
23 agreements. The department may not distribute funds under this subsection to the
24 extent that the distribution would do any of the following:

25 ***-0809/4.16* SECTION 1446.** 49.45 (8) (b) of the statutes is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 (4) (b), (gm), (o), and (w) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

***-1187/P5.374* SECTION 1447.** 49.45 (8r) of the statutes is amended to read:

49.45 **(8r)** PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. The rate of payment for obstetric and gynecological care provided in primary care shortage areas, as defined in s. ~~36.60~~ 37.60 (1) (cm), or provided to recipients of medical assistance who reside in primary care shortage areas, that is equal to 125% of the rates paid under this section to primary care physicians in primary care shortage areas, shall be paid to all certified primary care providers who provide obstetric or gynecological care to those recipients.

***-1019/5.50* SECTION 1448.** 49.45 (19) (bm) of the statutes is amended to read:

49.45 **(19)** (bm) The department ~~or the county department under s. 46.215 or 46.22~~ shall notify applicants of the requirements of this subsection at the time of application.

***-0809/4.17* SECTION 1449.** 49.45 (24m) (intro.) of the statutes is amended to read:

49.45 **(24m)** (intro.) From the appropriation accounts under s. 20.435 (4) (b), (gm), (o), and (w), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall: