State of Wisconsin
2013 – 2014 LEGISLATURE

RMNR

LRB–1221/P1
MED:jld:ph

DOA:.....Dombrowski, BB0402 – Coordinated service teams

FOR 2013–2015 BUDGET — NOT READY FOR INTRODUCTION

Only changes are removing notes

Do not gen

1 AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Under current law, the county board of a county or a federally recognized American Indian tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more systems of care and their families (initiative). A system of care is defined as a public or private organization that provides services for children, including services for children with disabilities and child welfare, juvenile justice, educational, economic support, substance abuse, and health care services. A county or tribe that establishes an initiative must appoint a coordinating committee and designate a particular agency to administer the initiative. Initiatives that satisfy certain requirements may apply to the state for state funding for the initiative.

Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi–entity initiative. The agreement to establish the multi–entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi–entity initiative. The bill also provides that DHS may establish additional

requirements to apply with respect to multi–entity initiatives, including requirements that conflict with any of the statutory requirements related to initiatives, other than provisions for DHS's duties related to initiatives and provisions for state funding of initiatives.

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

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

1 **SECTION 1.** 20.435 (5) (co) of the statutes is amended to read:

2 20.435 **(5)** (co) *Initiatives for coordinated services.* The amounts in the schedule
3 to fund county and tribal initiatives <u>and multi–entity initiatives</u> under s. 46.56 to
4 provide coordinated services.

5 **SECTION 2.** 46.56 (1) (hm) of the statutes is created to read:

6 46.56 **(1)** (hm) "Multi–entity initiative" means an initiative including more
7 than one county or tribe that is established under sub. (2) (b).

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
9 to read:

10 46.56 **(2)** (a) ~~If~~ <u>Except as provided in par. (b), if</u> a county board of supervisors
11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

16 **SECTION 4.** 46.56 (2) (b) of the statutes is created to read:

17 46.56 **(2)** (b) A county may enter into an agreement with one or more other
18 counties or tribes to establish an initiative and a tribe may enter into an agreement
19 with one or more counties or tribes to establish an initiative. The parties to the

agreement shall designate in the agreement a single lead administrative county or lead administrative tribe. The county board of the lead administrative county or the lead administrative tribe shall appoint a coordinating committee and designate an administering agency. The initiative may be funded by the participating entities, or the county board of supervisors of the lead administrative county or the lead administrative tribe may apply for funding by the state in accordance with sub. (15).

SECTION 5. 46.56 (3) (bm) of the statutes is created to read:

46.56 **(3)** (bm) 1. The coordinating committee of a multi–entity initiative shall include representatives described under par. (a) 1. to 7. who are from any county or tribe included in the multi–entity initiative, except that, of the representatives described under par. (a) 1. to 7., the committee shall include at least one representative from each county or tribe included in the initiative.

2. For purposes of a coordinating committee appointed for a multi–entity initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any county or tribe included in the multi–entity initiative.

SECTION 6. 46.56 (3) (d) 6. of the statutes is amended to read:

46.56 **(3)** (d) 6. If a county or tribe <u>or a multi–entity initiative</u> applies for funding under sub. (15), assist the administering agency in developing the application required under sub. (15) (b).

SECTION 7. 46.56 (3) (d) 14. of the statutes is amended to read:

46.56 **(3)** (d) 14. Establish target groups of children who are involved in 2 or more systems of care and their families to be served by the initiative. For a county or tribe <u>or a multi–entity initiative</u> that applies for funding under sub. (15), severely emotionally disturbed children are required to be a priority target group.

SECTION 8. 46.56 (3) (f) of the statutes is created to read:

46.56 **(3)** (f) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 9. 46.56 (4) (intro.) of the statutes is amended to read:

46.56 **(4)** ROLE OF ADMINISTERING AGENCY. (intro.) ~~The~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, the administering agency designated under sub. (2) shall do all of the following:

SECTION 10. 46.56 (4) (d) of the statutes is amended to read:

46.56 **(4)** (d) If the county board of supervisors or tribe or a multi–entity initiative decides to seek state funding under sub. (15), develop the application in cooperation with the coordinating committee.

SECTION 11. 46.56 (5) (intro.) of the statutes is amended to read:

46.56 **(5)** INTERAGENCY AGREEMENT. (intro.) ~~An~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, an interagency agreement shall include all of the following:

SECTION 12. 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and amended to read:

46.56 **(6)** (cr) 1. ~~Every~~ Except as provided in subd. 2., every county and tribe that operates any initiative shall develop written policies and procedures specifying the selection process for the initiative coordinator.

SECTION 13. 46.56 (6) (cr) 2. of the statutes is created to read:

46.56 **(6)** (cr) 2. For a multi–entity initiative, the lead administrative county or the lead administrative tribe shall develop the written policies and procedures under subd. 1. specifying the selection process for the initiative coordinator.

SECTION 14. 46.56 (6) (e) of the statutes is created to read:

46.56 **(6)** (e) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 15. 46.56 (7) (intro.) of the statutes is amended to read:

46.56 **(7)** ELIGIBILITY OF CHILDREN AND FAMILIES. (intro.) ~~Children~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, children who are involved in 2 of more systems of care and their families shall be eligible for the initiative, except that the coordinating committee may establish specific additional criteria for eligibility for services and may establish certain target groups of children who are involved in 2 or more systems of care to receive services. If target groups are established, only children falling within the target groups may be enrolled in the initiative. Any eligibility criteria shall meet all of the following conditions:

SECTION 16. 46.56 (8) (t) of the statutes is created to read:

46.56 **(8)** (t) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 17. 46.56 (9) to (13) of the statutes are amended to read:

46.56 **(9)** IMMEDIATE CARE. Individual county departments, tribal agencies, other agencies, and other service providers shall provide immediate services and other resources as necessary and appropriate to children who are involved in 2 or

more systems of care and their families who have been referred for an evaluation of eligibility for and appropriateness of enrollment in the initiative while assessment and planning take place. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(10) RELATION TO OTHER SUPPORT PROGRAMS. In any county or for a tribe that has a family support program under s. 46.985 or other support programs, including comprehensive community services or office of justice assistance programs, the initiative shall coordinate its activities with the support programs. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(11) CONFLICT MANAGEMENT. The department, administering agency, service coordination agencies, and service coordinators shall establish and use informal means for conflict management, including consultation, mediation, and independent assessment, whenever possible. A formal conflict management policy shall be established in writing by the coordinating committee for use by families, providers, and other individuals involved in the initiative. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(12) ADMINISTRATIVE APPEALS. Decisions by the service coordination agency regarding eligibility, enrollment, denial, termination, reduction, or appropriateness of services and decisions by the individuals designated by the coordinating committee regarding eligibility, enrollment, or denial may be appealed to the coordinating committee by a child who is a service applicant or recipient or by the

parent or guardian or guardian ad litem of the applicant or recipient. Decisions of the coordinating committee may be appealed to the department under ch. 227. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES. Nothing in this section shall limit, modify, or expand the rights, remedies, or procedures established in federal statutes or regulations or state statutes or rules for individuals or families receiving services provided by individual organizations that are participating in the coordinated services plan of care. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 18. 46.56 (14) (b) (intro.) of the statutes is amended to read:

46.56 **(14)** (b) (intro.) The department shall provide, either directly or through purchase of services, the following support services to the counties and tribes that elect to participate in the initiative and to multi–entity initiatives:

****NOTE: Please review this change and let me know if you want any further changes to this provision.

SECTION 19. 46.56 (14) (d) of the statutes is amended to read:

46.56 **(14)** (d) Notwithstanding eligibility requirements for enrollment in the initiative, if the state is funding the initiative in a particular county or for a tribe or is funding a multi–entity initiative under sub. (15), the department may permit the county ~~or~~, tribe, or multi–entity initiative to serve under this section any individual who has a severe disability and who has not attained 22 years of age, and his or her family, if the individual's mental, physical, sensory, behavioral, emotional, or

1 developmental disability or whose combination of multiple disabilities meets the
2 requirements specified in sub. (1) (om) 1. to 4.

3 **SECTION 20.** 46.56 (14) (e) of the statutes is created to read:

4 46.56 **(14)** (e) The department may establish additional requirements to apply
5 with respect to multi–entity initiatives, including requirements that conflict with
6 any requirements in subs. (3) to (13).

****NOTE: Because sub. (1) only provides definitions to give meaning to the terms used throughout s. 46.56., and does not itself impose any substantive requirements, I did not include sub. (1) within the range in this provision. Also, because multi–entity initiatives are themselves established under sub. (2) (b), I cannot include sub. (2) within the range in this provision. I therefore used the range of "subs. (3) to (13)" here and added language to each subsection to alert the reader to the possibility that these subsections may not apply to multi–entity initiatives. However, in the interest of making the law as clear as possible, I recommend identifying more specifically which parts of current law could potentially need to be waived for multi–entity initiatives.

7 **SECTION 21.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

8 46.56 **(15)** (b) (intro.) In order to apply for funds under this subsection, the
9 county board of supervisors or tribe <u>or, for a multi–entity initiative, the county board</u>
10 <u>of the lead administrative county or the lead administrative tribe</u> shall do all of the
11 following:

12 **SECTION 22.** 46.56 (15) (b) 4. of the statutes is amended to read:

13 46.56 **(15)** (b) 4. Submit a description of the existing services and other
14 resources in the county or tribe <u>or in the area or areas served by a multi–entity</u>
15 <u>initiative</u> for children who are involved in 2 or more systems of care, an assessment
16 of any gaps in services, and a plan for using the funds received under this subsection
17 or funds from other sources to develop or expand the initiative.

****NOTE: Because a multi–entity initiative is itself not a geographical area, I instead referred to the "area or areas served by a multi–entity initiative." Does this satisfy your intent?

18 **SECTION 23.** 46.56 (15) (c) of the statutes is amended to read:

46.56 **(15)** (c) In order for a county or tribe or a multi–entity initiative to obtain funds under this subsection, all of the participating agencies and organizations shall provide matching funds that, in total, equal 20% of the requested funding. The match may be cash or in–kind. The department shall determine what may be used as in–kind match.

SECTION 24. 46.56 (15) (d) of the statutes is amended to read:

46.56 **(15)** (d) In order to apply for funding, a county or tribe or a multi–entity initiative shall have a coordinating committee that meets the requirements under sub. (3) (a) and (b)~~,~~ and, if applicable, sub. (3) (bm) that will carry out the responsibilities under sub. (3) (d).

SECTION 25. 48.345 (6m) of the statutes is amended to read:

48.345 **(6m)** If the report prepared under s. 48.33 (1) recommends that the child is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, for a child who is a member of a tribe, as defined in s. 46.56 (1) (q), ~~by~~ for a tribe, the judge may order an assessment of the child and the child's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

SECTION 26. 938.34 (6m) of the statutes is amended to read:

938.34 **(6m)** COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for

1 enrollment in the initiative, that a coordinated services plan of care be developed and
2 implemented.

3 **(END)**

State of Wisconsin
2013 – 2014 LEGISLATURE

LRB–1221/2
MED:jld:rs

DOA:.....Dombrowski, BB0402 – Coordinated service teams

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

D-note

Inserts

Do not gen

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Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi–entity initiative. The agreement to establish the multi–entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi–entity initiative. The bill also provides that DHS may establish additional

requirements to apply with respect to multi–entity initiatives, including requirements that conflict with any of the statutory requirements related to initiatives, other than provisions for DHS's duties related to initiatives and provisions for state funding of initiatives.

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

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4 provide coordinated services.

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7 than one county or tribe that is established under sub. (2) (b).

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
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11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

16 **SECTION 4.** 46.56 (2) (b) of the statutes is created to read:

17 46.56 **(2)** (b) A county may enter into an agreement with one or more other
18 counties or tribes to establish an initiative and a tribe may enter into an agreement
19 with one or more counties or tribes to establish an initiative. The parties to the

agreement shall designate in the agreement a single lead administrative county or lead administrative tribe. The county board of the lead administrative county or the lead administrative tribe shall appoint a coordinating committee and designate an administering agency. The initiative may be funded by the participating entities, or the county board of supervisors of the lead administrative county or the lead administrative tribe may apply for funding by the state in accordance with sub. (15).

SECTION 5. 46.56 (3) (bm) of the statutes is created to read:

46.56 **(3)** (bm) 1. The coordinating committee of a multi–entity initiative shall include representatives described under par. (a) 1. to 7. who are from any county or tribe included in the multi–entity initiative, except that, of the representatives described under par. (a) 1. to 7., the committee shall include at least one representative from each county or tribe included in the initiative.

2. For purposes of a coordinating committee appointed for a multi–entity initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any county or tribe included in the multi–entity initiative.

SECTION 6. 46.56 (3) (d) 6. of the statutes is amended to read:

46.56 **(3)** (d) 6. If a county or tribe <u>or a multi–entity initiative</u> applies for funding under sub. (15), assist the administering agency in developing the application required under sub. (15) (b).

SECTION 7. 46.56 (3) (d) 14. of the statutes is amended to read:

46.56 **(3)** (d) 14. Establish target groups of children who are involved in 2 or more systems of care and their families to be served by the initiative. For a county or tribe <u>or a multi–entity initiative</u> that applies for funding under sub. (15), severely emotionally disturbed children are required to be a priority target group.

SECTION 8. 46.56 (3) (f) of the statutes is created to read:

46.56 **(3)** (f) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 9. 46.56 (4) (intro.) of the statutes is amended to read:

46.56 **(4)** ROLE OF ADMINISTERING AGENCY. (intro.) ~~The~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, the administering agency designated under sub. (2) shall do all of the following:

SECTION 10. 46.56 (4) (d) of the statutes is amended to read:

46.56 **(4)** (d) If the county board of supervisors or tribe or a multi–entity initiative decides to seek state funding under sub. (15), develop the application in cooperation with the coordinating committee.

SECTION 11. 46.56 (5) (intro.) of the statutes is amended to read:

46.56 **(5)** INTERAGENCY AGREEMENT. (intro.) ~~An~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, an interagency agreement shall include all of the following:

SECTION 12. 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and amended to read:

46.56 **(6)** (cr) 1. ~~Every~~ Except as provided in subd. 2., every county and tribe that operates any initiative shall develop written policies and procedures specifying the selection process for the initiative coordinator.

SECTION 13. 46.56 (6) (cr) 2. of the statutes is created to read:

46.56 **(6)** (cr) 2. For a multi–entity initiative, the lead administrative county or the lead administrative tribe shall develop the written policies and procedures under subd. 1. specifying the selection process for the initiative coordinator.

SECTION 14. 46.56 (6) (e) of the statutes is created to read:

46.56 **(6)** (e) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 15. 46.56 (7) (intro.) of the statutes is amended to read:

46.56 **(7)** ELIGIBILITY OF CHILDREN AND FAMILIES. (intro.) ~~Children~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, children who are involved in 2 of more systems of care and their families shall be eligible for the initiative, except that the coordinating committee may establish specific additional criteria for eligibility for services and may establish certain target groups of children who are involved in 2 or more systems of care to receive services. If target groups are established, only children falling within the target groups may be enrolled in the initiative. Any eligibility criteria shall meet all of the following conditions:

SECTION 16. 46.56 (8) (t) of the statutes is created to read:

46.56 **(8)** (t) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 17. 46.56 (9) to (13) of the statutes are amended to read:

46.56 **(9)** IMMEDIATE CARE. Individual county departments, tribal agencies, other agencies, and other service providers shall provide immediate services and other resources as necessary and appropriate to children who are involved in 2 or

more systems of care and their families who have been referred for an evaluation of eligibility for and appropriateness of enrollment in the initiative while assessment and planning take place. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection. Ins 6-5

(10) RELATION TO OTHER SUPPORT PROGRAMS. In any county or for a tribe that has a family support program under s. 46.985 or other support programs, including comprehensive community services or office of justice assistance programs, the initiative shall coordinate its activities with the support programs. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(11) CONFLICT MANAGEMENT. The department, administering agency, service coordination agencies, and service coordinators shall establish and use informal means for conflict management, including consultation, mediation, and independent assessment, whenever possible. A formal conflict management policy shall be established in writing by the coordinating committee for use by families, providers, and other individuals involved in the initiative. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(12) ADMINISTRATIVE APPEALS. Decisions by the service coordination agency regarding eligibility, enrollment, denial, termination, reduction, or appropriateness of services and decisions by the individuals designated by the coordinating committee regarding eligibility, enrollment, or denial may be appealed to the coordinating committee by a child who is a service applicant or recipient or by the

parent or guardian or guardian ad litem of the applicant or recipient. Decisions of the coordinating committee may be appealed to the department under ch. 227. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES. Nothing in this section shall limit, modify, or expand the rights, remedies, or procedures established in federal statutes or regulations or state statutes or rules for individuals or families receiving services provided by individual organizations that are participating in the coordinated services plan of care. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

INS 7-12

SECTION 18. 46.56 (14) (b) (intro.) of the statutes is amended to read:

46.56 **(14)** (b) (intro.) The department shall provide, either directly or through purchase of services, the following support services to the counties and tribes that elect to participate in the initiative and to multi–entity initiatives:

SECTION 19. 46.56 (14) (d) of the statutes is amended to read:

46.56 **(14)** (d) Notwithstanding eligibility requirements for enrollment in the initiative, if the state is funding the initiative in a particular county or for a tribe or is funding a multi–entity initiative under sub. (15), the department may permit the county ~~or~~, tribe, or multi–entity initiative to serve under this section any individual who has a severe disability and who has not attained 22 years of age, and his or her family, if the individual's mental, physical, sensory, behavioral, emotional, or developmental disability or whose combination of multiple disabilities meets the requirements specified in sub. (1) (om) 1. to 4.

1 **SECTION 20.** 46.56 (14) (e) of the statutes is created to read:

2 46.56 **(14)** (e) The department may establish additional requirements to apply
3 with respect to multi–entity initiatives, including requirements that conflict with
4 any requirements in subs. (3) to (13).

5 **SECTION 21.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

6 46.56 **(15)** (b) (intro.) In order to apply for funds under this subsection, the
7 county board of supervisors or tribe <u>or, for a multi–entity initiative, the county board</u>
8 <u>of the lead administrative county or the lead administrative tribe</u> shall do all of the
9 following:

10 **SECTION 22.** 46.56 (15) (b) 4. of the statutes is amended to read:

11 46.56 **(15)** (b) 4. Submit a description of the existing services and other
12 resources in the county or tribe <u>or in the area or areas served by a multi–entity</u>
13 <u>initiative</u> for children who are involved in 2 or more systems of care, an assessment
14 of any gaps in services, and a plan for using the funds received under this subsection
15 or funds from other sources to develop or expand the initiative.

16 **SECTION 23.** 46.56 (15) (c) of the statutes is amended to read:

17 46.56 **(15)** (c) In order for a county or tribe <u>or a multi–entity initiative</u> to obtain
18 funds under this subsection, all of the participating agencies and organizations shall
19 provide matching funds that, in total, equal 20% of the requested funding. The
20 match may be cash or in–kind. The department shall determine what may be used
21 as in–kind match.

22 **SECTION 24.** 46.56 (15) (d) of the statutes is amended to read:

23 46.56 **(15)** (d) In order to apply for funding, a county or tribe <u>or a multi–entity</u>
24 <u>initiative</u> shall have a coordinating committee that meets the requirements under

sub. (3) (a) and (b)~~,~~ and, if applicable, sub. (3) (bm) that will carry out the responsibilities under sub. (3) (d).

SECTION 25. 48.345 (6m) of the statutes is amended to read:

48.345 **(6m)** If the report prepared under s. 48.33 (1) recommends that the child is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, for a child who is a member of a tribe, as defined in s. 46.56 (1) (q), ~~by~~ for a tribe, the judge may order an assessment of the child and the child's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

SECTION 26. 938.34 (6m) of the statutes is amended to read:

938.34 **(6m)** COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

(END)

D-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB–1221/2dn
MED:...

Date

This draft reconciles LRB–1221/1 and LRB–0839/P3. LRB–1221 and LRB–0839 should continue to appear in the compiled bill.

Michael Duchek
Legislative Attorney
Phone: (608) 266–0130
E–mail: michael.duchek@legis.wisconsin.gov

INSERT 6-5

(10) RELATION TO OTHER SUPPORT PROGRAMS. In any county or for a tribe that has a family support program under s. 46.985 or other support programs, including comprehensive community services or ~~office of justice assistance~~ department of justice or department of corrections programs, the initiative shall coordinate its activities with the support programs. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

INSERT 7-12

****NOTE: This is reconciled s. 46.56 (10). This SECTION has been affected by drafts with the following LRB numbers: LRB–1221/1 and LRB–0839/P3.

(end ins 7-12)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB–1221/2dn
MED:jld:ph

February 13, 2013

This draft reconciles LRB–1221/1 and LRB–0839/P3. LRB–1221 and LRB–0839 should continue to appear in the compiled bill.

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State of Wisconsin
2013 - 2014 LEGISLATURE

LRB-1221/2
MED:jld:ph

DOA:.....Dombrowski, BB0402 – Coordinated service teams

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Under current law, the county board of a county or a federally recognized American Indian tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more systems of care and their families (initiative). A system of care is defined as a public or private organization that provides services for children, including services for children with disabilities and child welfare, juvenile justice, educational, economic support, substance abuse, and health care services. A county or tribe that establishes an initiative must appoint a coordinating committee and designate a particular agency to administer the initiative. Initiatives that satisfy certain requirements may apply to the state for state funding for the initiative.

Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi-entity initiative. The agreement to establish the multi-entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi-entity initiative. The bill also provides that DHS may establish additional

requirements to apply with respect to multi–entity initiatives, including requirements that conflict with any of the statutory requirements related to initiatives, other than provisions for DHS's duties related to initiatives and provisions for state funding of initiatives.

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

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

1 **SECTION 1.** 20.435 (5) (co) of the statutes is amended to read:

2 20.435 **(5)** (co) *Initiatives for coordinated services.* The amounts in the schedule
3 to fund county and tribal initiatives <u>and multi–entity initiatives</u> under s. 46.56 to
4 provide coordinated services.

5 **SECTION 2.** 46.56 (1) (hm) of the statutes is created to read:

6 46.56 **(1)** (hm) "Multi–entity initiative" means an initiative including more
7 than one county or tribe that is established under sub. (2) (b).

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
9 to read:

10 46.56 **(2)** (a) ~~If~~ <u>Except as provided in par. (b), if</u> a county board of supervisors
11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

16 **SECTION 4.** 46.56 (2) (b) of the statutes is created to read:

17 46.56 **(2)** (b) A county may enter into an agreement with one or more other
18 counties or tribes to establish an initiative and a tribe may enter into an agreement
19 with one or more counties or tribes to establish an initiative. The parties to the

agreement shall designate in the agreement a single lead administrative county or lead administrative tribe. The county board of the lead administrative county or the lead administrative tribe shall appoint a coordinating committee and designate an administering agency. The initiative may be funded by the participating entities, or the county board of supervisors of the lead administrative county or the lead administrative tribe may apply for funding by the state in accordance with sub. (15).

SECTION 5. 46.56 (3) (bm) of the statutes is created to read:

46.56 **(3)** (bm) 1. The coordinating committee of a multi–entity initiative shall include representatives described under par. (a) 1. to 7. who are from any county or tribe included in the multi–entity initiative, except that, of the representatives described under par. (a) 1. to 7., the committee shall include at least one representative from each county or tribe included in the initiative.

2. For purposes of a coordinating committee appointed for a multi–entity initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any county or tribe included in the multi–entity initiative.

SECTION 6. 46.56 (3) (d) 6. of the statutes is amended to read:

46.56 **(3)** (d) 6. If a county or tribe <u>or a multi–entity initiative</u> applies for funding under sub. (15), assist the administering agency in developing the application required under sub. (15) (b).

SECTION 7. 46.56 (3) (d) 14. of the statutes is amended to read:

46.56 **(3)** (d) 14. Establish target groups of children who are involved in 2 or more systems of care and their families to be served by the initiative. For a county or tribe <u>or a multi–entity initiative</u> that applies for funding under sub. (15), severely emotionally disturbed children are required to be a priority target group.

SECTION 8. 46.56 (3) (f) of the statutes is created to read:

46.56 **(3)** (f) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 9. 46.56 (4) (intro.) of the statutes is amended to read:

46.56 **(4)** ROLE OF ADMINISTERING AGENCY. (intro.) ~~The~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, the administering agency designated under sub. (2) shall do all of the following:

SECTION 10. 46.56 (4) (d) of the statutes is amended to read:

46.56 **(4)** (d) If the county board of supervisors or tribe or a multi–entity initiative decides to seek state funding under sub. (15), develop the application in cooperation with the coordinating committee.

SECTION 11. 46.56 (5) (intro.) of the statutes is amended to read:

46.56 **(5)** INTERAGENCY AGREEMENT. (intro.) ~~An~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, an interagency agreement shall include all of the following:

SECTION 12. 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and amended to read:

46.56 **(6)** (cr) 1. ~~Every~~ Except as provided in subd. 2., every county and tribe that operates any initiative shall develop written policies and procedures specifying the selection process for the initiative coordinator.

SECTION 13. 46.56 (6) (cr) 2. of the statutes is created to read:

46.56 **(6)** (cr) 2. For a multi–entity initiative, the lead administrative county or the lead administrative tribe shall develop the written policies and procedures under subd. 1. specifying the selection process for the initiative coordinator.

SECTION 14. 46.56 (6) (e) of the statutes is created to read:

46.56 **(6)** (e) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 15. 46.56 (7) (intro.) of the statutes is amended to read:

46.56 **(7)** ELIGIBILITY OF CHILDREN AND FAMILIES. (intro.) ~~Children~~ Except when otherwise provided in requirements established by the department under sub. (14) (e) that apply with respect to multi–entity initiatives, children who are involved in 2 ~~of~~ or more systems of care and their families shall be eligible for the initiative, except that the coordinating committee may establish specific additional criteria for eligibility for services and may establish certain target groups of children who are involved in 2 or more systems of care to receive services. If target groups are established, only children falling within the target groups may be enrolled in the initiative. Any eligibility criteria shall meet all of the following conditions:

SECTION 16. 46.56 (8) (t) of the statutes is created to read:

46.56 **(8)** (t) This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

SECTION 17. 46.56 (9) to (13) of the statutes are amended to read:

46.56 **(9)** IMMEDIATE CARE. Individual county departments, tribal agencies, other agencies, and other service providers shall provide immediate services and other resources as necessary and appropriate to children who are involved in 2 or

more systems of care and their families who have been referred for an evaluation of eligibility for and appropriateness of enrollment in the initiative while assessment and planning take place. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(10) RELATION TO OTHER SUPPORT PROGRAMS. In any county or for a tribe that has a family support program under s. 46.985 or other support programs, including comprehensive community services or ~~office of justice assistance~~ department of justice or department of corrections programs, the initiative shall coordinate its activities with the support programs. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(11) CONFLICT MANAGEMENT. The department, administering agency, service coordination agencies, and service coordinators shall establish and use informal means for conflict management, including consultation, mediation, and independent assessment, whenever possible. A formal conflict management policy shall be established in writing by the coordinating committee for use by families, providers, and other individuals involved in the initiative. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(12) ADMINISTRATIVE APPEALS. Decisions by the service coordination agency regarding eligibility, enrollment, denial, termination, reduction, or appropriateness of services and decisions by the individuals designated by the coordinating committee regarding eligibility, enrollment, or denial may be appealed to the coordinating committee by a child who is a service applicant or recipient or by the

parent or guardian or guardian ad litem of the applicant or recipient. Decisions of the coordinating committee may be appealed to the department under ch. 227. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES. Nothing in this section shall limit, modify, or expand the rights, remedies, or procedures established in federal statutes or regulations or state statutes or rules for individuals or families receiving services provided by individual organizations that are participating in the coordinated services plan of care. This subsection does not apply with respect to multi–entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection.

****NOTE: This is reconciled s. 46.56 (10). This SECTION has been affected by drafts with the following LRB numbers: LRB–1221/1 and LRB–0839/P3.

SECTION 18. 46.56 (14) (b) (intro.) of the statutes is amended to read:

46.56 **(14)** (b) (intro.) The department shall provide, either directly or through purchase of services, the following support services to the counties and tribes that elect to participate in the initiative and to multi–entity initiatives:

SECTION 19. 46.56 (14) (d) of the statutes is amended to read:

46.56 **(14)** (d) Notwithstanding eligibility requirements for enrollment in the initiative, if the state is funding the initiative in a particular county or for a tribe or is funding a multi–entity initiative under sub. (15), the department may permit the county ~~or~~, tribe, or multi–entity initiative to serve under this section any individual who has a severe disability and who has not attained 22 years of age, and his or her family, if the individual's mental, physical, sensory, behavioral, emotional, or

1 developmental disability or whose combination of multiple disabilities meets the
2 requirements specified in sub. (1) (om) 1. to 4.

3 **SECTION 20.** 46.56 (14) (e) of the statutes is created to read:

4 46.56 **(14)** (e) The department may establish additional requirements to apply
5 with respect to multi–entity initiatives, including requirements that conflict with
6 any requirements in subs. (3) to (13).

7 **SECTION 21.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

8 46.56 **(15)** (b) (intro.) In order to apply for funds under this subsection, the
9 county board of supervisors or tribe <u>or, for a multi–entity initiative, the county board</u>
10 <u>of the lead administrative county or the lead administrative tribe</u> shall do all of the
11 following:

12 **SECTION 22.** 46.56 (15) (b) 4. of the statutes is amended to read:

13 46.56 **(15)** (b) 4. Submit a description of the existing services and other
14 resources in the county or tribe <u>or in the area or areas served by a multi–entity</u>
15 <u>initiative</u> for children who are involved in 2 or more systems of care, an assessment
16 of any gaps in services, and a plan for using the funds received under this subsection
17 or funds from other sources to develop or expand the initiative.

18 **SECTION 23.** 46.56 (15) (c) of the statutes is amended to read:

19 46.56 **(15)** (c) In order for a county or tribe <u>or a multi–entity initiative</u> to obtain
20 funds under this subsection, all of the participating agencies and organizations shall
21 provide matching funds that, in total, equal 20% of the requested funding. The
22 match may be cash or in–kind. The department shall determine what may be used
23 as in–kind match.

24 **SECTION 24.** 46.56 (15) (d) of the statutes is amended to read:

46.56 **(15)** (d) In order to apply for funding, a county or tribe or a multi–entity initiative shall have a coordinating committee that meets the requirements under sub. (3) (a) and (b)~~,~~ and, if applicable, sub. (3) (bm) that will carry out the responsibilities under sub. (3) (d).

SECTION 25. 48.345 (6m) of the statutes is amended to read:

48.345 **(6m)** If the report prepared under s. 48.33 (1) recommends that the child is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, for a child who is a member of a tribe, as defined in s. 46.56 (1) (q), ~~by~~ for a tribe, the judge may order an assessment of the child and the child's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

SECTION 26. 938.34 (6m) of the statutes is amended to read:

938.34 **(6m)** COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

(END)