
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 563

**Assembly Substitute
Amendment 1**

2019 ASSEMBLY BILL 563

Under current law, before a permanency plan hearing or review, the agency that prepared the plan must provide a copy and any written comments to the child's parent, guardian, or legal custodian; the district attorney or corporation counsel; the child's counsel; and child's guardian ad litem; the child's court-appointed special advocate; and, if the child is an Indian child, the child's Indian custodian and tribe.

2019 Assembly Bill 563 requires that a copy of a child's permanency plan and any written comments also be provided the child's foster parent and to the child, if the child is 12 years of age or older at the time of a permanency hearing or review.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Instead of requiring that a copy of the child's permanency plan be provided to the child's foster parent and to the foster child who is 12 years of age or older, the substitute amendment places in statute the provisions of the current administrative code relating to the provision of certain information to an out-of-home care provider.

The Department of Children and Families (DCF) has promulgated ch. DCF 37, Wis. Adm. Code, under which, the agency responsible for a child's placement is required to gather specified information related to the child and the child's family and to provide it to the out-of-home care provider within specific timelines. The information that must be provided includes:

- Medical information, including providers, health insurance coverage, medications, scheduled medical or mental health appointments, and immunization records.
- Information on the school or child care that the child current attends or most recently attended and the child's educational programming.
- Life functioning, including formula or feeding restrictions, special medical equipment, allergies, therapeutic exercises, and activity restrictions.
- Considerations for making reasonable and prudent parenting decisions.
- Any additional information critical to the care of the child.
- Placement reasons, placement history, permanency goal, and concurrent permanency goal.
- Information on the well-being of the child, including the child's trauma history and developmental, medical, cultural, emotional, behavioral, and educational needs.
- Qualifications or needs of the out-of-home care provider.
- A list of important documents and records regarding the child that have been given to the out-of-home care provider.

- A plan for managing challenging behaviors, including a list of the child's behaviors that may lead to health or safety concerns, warning signs of escalating behaviors, steps to take in response to those escalations, and the agency's reporting requirements.

The substitute amendment places all of these provisions into statute. In addition, the substitute amendment requires that a foster parent receive a copy of the child's individualized education program (IEP), if applicable, and information on the child's eligibility for medical or mental health services and for services related to life functioning.

BILL HISTORY

Representative Murphy introduced 2019 Assembly Bill 563 on October 23, 2019. Representative Dittrich offered Assembly Substitute Amendment 1 on December 11, 2019. On December 17, 2019, the Assembly Committee on Family Law recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

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