

State of Wisconsin



2015 Assembly Bill 667

Date of enactment: April 19, 2016
Date of publication*: April 20, 2016

2015 WISCONSIN ACT 365

AN ACT to create 48.981 (11) of the statutes; relating to: development and implementation of a plan for identifying and addressing areas in which there is a need for improvement in the practices used to investigate reports of abuse or neglect involving children with disabilities.

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

SECTION 1. 48.981 (11) of the statutes is created to read:

48.981 (11) INVESTIGATIONS INVOLVING CHILDREN WITH DISABILITIES. (a) In this subsection, "child with a disability" means a child with a disability, as defined in s. 106.50 (1m) (g), including a child with a disability, as defined in s. 115.76 (5) (a).

(b) The department shall develop and implement a plan for identifying and addressing areas in which there is a need for improvement in the practices used to investigate reports of suspected or threatened abuse or neglect of a child with a disability. In developing that plan the department shall use an open public participation process that includes the input of representatives of law enforcement agencies, the department of health services, and other stakeholders that the department considers appropriate. On completion of the plan, the department shall post the plan on its Internet site and distribute copies of the plan to all agencies that conduct abuse and neglect investigations in this state. At a minimum, the department shall consider including in the plan all of the following:

1. A requirement that each agency, on receipt of a report of suspected or threatened abuse or neglect, ask the

reporter whether the child who is the subject of the report is a child with a disability.

2. Procedures for agencies to use to identify and address any specific categories of disabilities that a child with a disability reported to the agency may have.

3. Procedures to ensure that each agency is in compliance with Part A of Title II of the Americans with Disabilities Act, 42 USC 12131 to 12134. Those procedures shall include reasonable modifications to the rules, policies, and practices of the agency, the removal of architectural, communication, and transportation barriers, and the provision of auxiliary aids and services as necessary to enable a person with a disability to receive the services or participate in the programs or activities provided by the agency.

4. Interviewing strategies tailored to the investigation of abuse or neglect reports involving children with disabilities that include forensic interviewing strategies for interviewing those children, including children with communication issues.

5. Information on how to access collateral information regarding a child with a disability.

6. Information on how to access specialized follow-up services for children with disabilities.

8. Plans for the training of agency staff in the implementation of the plan.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(c) The department shall take action on the plan under par. (b) by January 1, 2017. Each agency that conducts abuse and neglect investigations in this state shall adopt the plan by July 1, 2017, and shall provide a copy of the

plan to all law enforcement agencies within the jurisdiction of the agency as well as to any other person on request.
