



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0838/P2
TJD:amn

DOA:.....Hutter, BB0107 - Reorganize DHS appropriations

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

This bill reorganizes certain appropriations for DHS.

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

SECTION 1. 20.435 (1) (a) of the statutes is amended to read:

20.435 (1) (a) *General program operations.* The amounts in the schedule for general program operations, including public health services regulation, administration, and field services, and for the operation of the council on physical disabilities under s. 46.29.

SECTION 2. 20.435 (1) (b) of the statutes is amended to read:

20.435 (1) (b) *General aids and local assistance.* The amounts in the schedule for aids and local assistance relating to public health services and for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 3. 20.435 (1) (n) of the statutes is amended to read:

20.435 (1) (n) *Federal program operations.* All moneys received from the federal government or any of its agencies for the state administration of continuing programs relating to public health services, for the purposes for which received, and for services of resource centers under s. 46.283.

SECTION 4. 20.435 (4) (a) of the statutes is amended to read:

20.435 (4) (a) *General program operations.* The amounts in the schedule for general program operations, including health care financing regulation, administration, field services, ~~operation of the council on physical disabilities under s. 46.29,~~ and medical assistance eligibility determinations under s. 49.45 (2) (a) 3.

SECTION 5. 20.435 (4) (hs) of the statutes is renumbered 20.435 (1) (hs).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 6. 20.435 (7) (bg) of the statutes is renumbered 20.435 (1) (bg).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 7. 20.435 (7) (bm) of the statutes is renumbered 20.435 (1) (bm).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 8. 20.435 (7) (br) of the statutes is renumbered 20.435 (1) (br).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 9. 20.435 (7) (c) of the statutes is renumbered 20.435 (1) (cx).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 10. 20.435 (7) (cg) of the statutes is renumbered 20.435 (1) (cg).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 11. 20.435 (7) (d) of the statutes is renumbered 20.435 (1) (da).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 12. 20.435 (7) (dh) of the statutes is renumbered 20.435 (1) (dh).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 13. 20.435 (7) (kc) of the statutes is renumbered 20.435 (1) (kc).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 14. 20.435 (7) (kn) of the statutes is renumbered 20.435 (1) (kn).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 15. 20.435 (7) (ky) of the statutes is amended to read:

20.435 (7) (ky) *Interagency and intra-agency aids.* Except as provided in ~~par.~~ sub. (1) (kc), all moneys received from other state agencies and all moneys received by the department from the department for aids to individuals and organizations relating to long-term care services, for the purposes for which received.

SECTION 16. 20.435 (7) (kz) of the statutes is amended to read:

20.435 (7) (kz) *Interagency and intra-agency local assistance.* Except as provided in ~~par.~~ sub. (1) (kn), all moneys received from other state agencies and all moneys received by the department from the department for local assistance relating to long-term care services, for the purposes for which received.

SECTION 17. 20.445 (5) (n) of the statutes is amended to read:

20.445 (5) (n) *Federal program aids and operations.* All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer \$600,000 of the moneys from the account under this paragraph to the appropriation account under s. 20.435 ~~(7)~~ (1) (kc).

SECTION 18. 20.505 (8) (hm) 18dm. of the statutes is amended to read:

20.505 (8) (hm) 18dm. The amount transferred to s. 20.435 ~~(7)~~ (1) (kn) shall be the amount in the schedule under s. 20.435 ~~(7)~~ (1) (kn).

SECTION 19. 46.283 (5) of the statutes is amended to read:

46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (1) (n), (4) (b), (bd), (bm), (gm), (pa), and (w), and (7) (b) 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.

SECTION 20. 46.29 (1) (intro.) of the statutes is amended to read:

46.29 (1) (intro.) From the appropriation account under s. 20.435 ~~(4)~~ (1) (a), the department shall distribute at least \$16,100 in each fiscal year for operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

SECTION 21. 46.295 (1) of the statutes is amended to read:

46.295 (1) The department may, on the request of any hearing-impaired person, city, village, town, or county or private agency, provide funds from the appropriation accounts under s. 20.435 (4) (1) (da) and (hs) ~~and (7) (d)~~ to reimburse interpreters for hearing-impaired persons for the provision of interpreter services.

SECTION 22. 46.297 (1) of the statutes is amended to read:

46.297 (1) ASSISTANCE. From the appropriation under s. 20.435 ~~(7) (d)~~ (1) (da), the department shall, subject to the availability of funds, provide assistance to hearing-impaired persons to secure telecommunication devices capable of serving their needs. Except in extraordinary circumstances, the department shall purchase or provide funds for the purchase of telecommunication devices.

SECTION 23. 46.48 (1) of the statutes is amended to read:

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

SECTION 24. 46.80 (2m) (b) of the statutes is amended to read:

46.80 (2m) (b) May operate the foster grandparent project specified under [42 USC 5011](#) (a). If the department operates that project, the department shall distribute funds from the appropriation under s. 20.435 ~~(7) (1)~~ (dh) to supplement any federal foster grandparent project funds received under [42 USC 5011](#) (a).

SECTION 25. 46.80 (5) (a) of the statutes is amended to read:

46.80 (5) (a) From the appropriation under s. 20.435 ~~(7) (1)~~ (dh), the department shall provide a state supplement to the federal congregate nutrition projects under [42 USC 3030e](#), in effect on April 30, 1980, which will promote expansion of projects throughout the state and, from the appropriation under s. 20.435 ~~(7) (1)~~ (kn), the department shall provide a state supplement to the federal

congregate nutrition projects of \$450,000 for home-delivered meals and \$50,000 for congregate meals. Except as provided in par. (b), the department shall allocate these funds based on the formulas developed by the department under sub. (2m) (a) 2. A county that receives federal funds for congregate nutrition projects on or after July 1, 1977, may not receive under this paragraph an amount that is less than the 1976-77 allocation as a result of the program expansion. This paragraph does not require that federal limitations on the use of federal congregate nutrition funds for home delivered meals apply to the state supplement.

SECTION 26. 46.81 (2) of the statutes is amended to read:

46.81 (2) From the appropriation account under s. 20.435 (~~7~~) (1) (dh), the department shall allocate \$2,298,400 in each fiscal year to aging units to provide benefit specialist services for older individuals. The department shall ensure that each aging unit receives funds and shall take into account the proportion of the state's population of low-income older individuals who reside in a county.

SECTION 27. 46.81 (5) of the statutes is amended to read:

46.81 (5) From the appropriation under s. 20.435 (~~7~~) (1) (dh) the department shall allocate \$182,500 in each fiscal year to area agencies on aging. Each area agency on aging shall use the funds for training, supervision and legal back-up services for benefit specialists within its area.

SECTION 28. 46.85 (3m) (a) of the statutes is amended to read:

46.85 (3m) (a) From the appropriation under s. 20.435 (~~7~~) (1) (dh), the department shall provide a state supplement to federally funded Senior Companion Program and Retired Senior Volunteer Program units that were in operation on December 1, 1988, and administered by qualified public and non-profit private agencies.

SECTION 29. 46.85 (3m) (b) (intro.) of the statutes is amended to read:

46.85 **(3m)** (b) (intro.) From the appropriation under s. 20.435 ~~(7)~~ (1) (dh), the department shall allocate funds, based on the percentage of the state's population of low-income persons over age 60 who reside in each county or are members of an American Indian tribe, and distribute the funds to counties and federally recognized tribal governing bodies to supplement any of the following:

SECTION 30. 46.856 (2) (intro.) of the statutes is amended to read:

46.856 **(2)** (intro.) From the appropriation under s. 20.435 ~~(7)~~ (1) (bg), the department shall award a grant to at least one public agency or private nonprofit organization to do all of the following:

SECTION 31. 46.90 (5m) (a) of the statutes is amended to read:

46.90 **(5m)** (a) Upon responding to a report, the elder-adult-at-risk agency or the investigative agency shall determine whether the elder adult at risk or any other individual involved in the alleged abuse, financial exploitation, neglect, or self-neglect is in need of services under this chapter or ch. 47, 49, 51, 54, or 55. From the appropriation under s. 20.435 ~~(7)~~ (1) (dh), the department shall allocate to selected counties not less than \$25,000 in each fiscal year, and within the limits of these funds and of available state and federal funds and of county funds appropriated to match the state and federal funds, the elder-adult-at-risk agency shall provide the necessary direct services to the elder adult at risk or other individual or arrange for the provision of the direct services with other agencies or individuals. Those direct services provided shall be rendered under the least restrictive conditions necessary to achieve their objective.

SECTION 32. 46.96 (2) of the statutes is amended to read:

46.96 (2) The department shall make grants from the appropriations under s. 20.435 (7) ~~(e)~~, (1) (cx) and (kc), and (7) (na) to independent living centers for nonresidential services to severely disabled individuals.

SECTION 33. 46.96 (2d) of the statutes is amended to read:

46.96 (2d) The department shall make grants from the appropriations under s. 20.435 (1) (cx) and (7) (e) ~~and~~ (na) for the purposes for which the federal moneys are received, including for independent living services.

SECTION 34. 46.977 (2) (a) of the statutes is amended to read:

46.977 (2) (a) From the appropriation under s. 20.435 (7) (1) (cg), the department may under this section, based on the criteria under par. (c), award grants to applying organizations for the purpose of training and assisting guardians for individuals found incompetent under ch. 54. No grant may be paid unless the awardee provides matching funds equal to 10 percent of the amount of the award.

SECTION 35. 46.986 (2) (a) (intro.) of the statutes is amended to read:

46.986 (2) (a) (intro.) From the appropriation account under s. 20.435 (7) (1) (br), the department shall contract for the administration of life-span respite care projects with an organization to which all of the following apply:

(END)