

1999 ASSEMBLY BILL 493

September 28, 1999 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Government Operations.

1 **AN ACT to create** 15.197 (3), 20.435 (3) (fr) and 46.505 of the statutes; **relating**
 2 **to:** creating a prevention coordination council and a prevention planning grant
 3 program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council in the bill.

For further information see the **state** 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:

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on programs for prevention services. The bill creates a prevention coordination council in the department of health and family services (DHFS). The bill also creates a pilot prevention planning grant program for counties, other political subdivisions and nonprofit agencies, to be administered by DHFS with assistance from the department of public instruction (DPI).

More detailed descriptions of the provisions of the bill are contained in the NOTES following each SECTION of the bill.

4 **SECTION 1.** 15.197 (3) of the statutes is created to read:

ASSEMBLY BILL 493

1 15.197 (3) PREVENTION COORDINATION COUNCIL. (a) There is created in the
2 department of health and family services a prevention coordination council. The
3 council shall consist of the following members:

4 1. The secretary of health and family services or his or her designee.

5 2. The state superintendent of public instruction or his or her designee.

6 3. The secretary of workforce development or his or her designee.

7 4. The secretary of corrections or his or her designee.

8 5. The attorney general or his or her designee.

9 6. One majority party representative of the assembly appointed as are the
10 members of assembly standing committees.

11 7. One minority party representative of the assembly appointed as are the
12 members of assembly standing committees.

13 8. One majority party senator appointed as are the members of senate standing
14 committees.

15 9. One minority party senator appointed as are the members of senate standing
16 committees.

17 10. One employe of the University of Wisconsin System or the University of
18 Wisconsin–Extension with expertise in the area of prevention services for children,
19 youth and families appointed by the president of the University of Wisconsin System.

20 11. One employe of the office of justice assistance appointed by the secretary
21 of administration.

22 12. One member appointed by the child abuse and neglect prevention board.

23 13. One member appointed by the adolescent pregnancy prevention and
24 pregnancy services board.

ASSEMBLY BILL 493

1 14. Four other members representing diverse geographical areas of the state,
2 at least one of whom is a provider of medical services, and one of whom is a member
3 of a taxpayers' association, appointed by the governor.

4 (b) The members appointed under par. (a) 10. to 14. shall be appointed for
5 3-year terms.

NOTE: Creates a prevention coordination council in DHFS and specifies the membership and terms of certain members of the council.

6 **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
7 the following amounts for the purposes indicated:

| | | |
|--|----------------|----------------|
| | 1999-00 | 2000-01 |
|--|----------------|----------------|

8
9 **20.435 Health and family services, department**
10 **of**

11 (3) CHILDREN AND FAMILY SERVICES

| | | | | |
|---------------------------------|-----|---|-----|---------|
| (fr) Prevention planning grants | GPR | A | -0- | 800,000 |
|---------------------------------|-----|---|-----|---------|

12
13 **SECTION 3.** 20.435 (3) (fr) of the statutes is created to read:

14 20.435 (3) (fr) *Prevention planning grants.* The amounts in the schedule for
15 prevention planning grants under s. 46.505.

NOTE: Makes an appropriation to DHFS for prevention planning grants.

16 **SECTION 4.** 46.505 of the statutes is created to read:

17 **46.505 Prevention coordination council and prevention planning**
18 **grants. (1) DEFINITIONS.** In this section:

19 (a) "Prevention services" means services or programs whose primary purpose
20 is to provide children, youth and families with the knowledge, skills and other
21 resources necessary to address stressful conditions and avoid harmful behaviors in
22 order to prevent the onset or worsening of social, behavioral or health problems.

ASSEMBLY BILL 493

1 (b) “Rural area” means an area that is not an urban area.

2 (c) “Urban area” means an area that includes a federal metropolitan statistical
3 area or a primary metropolitan statistical area, as designated by the federal office
4 of management and budget.

5 **(2) DUTIES OF PREVENTION COORDINATION COUNCIL.** The prevention coordination
6 council shall do all of the following:

7 (a) Promote the coordination and evaluation of prevention services that achieve
8 the following:

9 1. Children who are healthy.

10 2. Children who are ready for and who succeed in school.

11 3. Youth who engage in positive behaviors and avoid risky behaviors.

12 4. Families that are economically self-sufficient and in which children are safe.

13 5. Communities that promote healthy and safe children and families.

14 (b) Develop statewide goals for prevention services and identify measures of
15 progress of prevention services toward meeting those goals.

16 (c) Identify duplication in the provision of prevention services; develop
17 recommendations, state budget proposals and proposed legislation to consolidate
18 funding for prevention services and to coordinate the provision of prevention
19 services; and develop strategies to eliminate duplication in the provision of
20 prevention services.

21 (d) Determine whether any federal funding restrictions or other restrictions
22 under federal law or regulation impede the effectiveness or coordination of any
23 prevention services and, if so, develop requests for waivers of those restrictions.

24 (e) Identify sources of data and methods for collection of data relating to
25 prevention services and make recommendations to the department of health and

ASSEMBLY BILL 493

1 family services and the department of public instruction for a uniform statewide
2 system of data collection.

3 (f) Review the evaluation of the planning grant program under sub. (3) (a) 3.
4 and advise the department of health and family services and the department of
5 public instruction on the eventual statewide implementation of the program.

6 (g) Submit to the governor, the secretary, the superintendent of public
7 instruction and the chief clerk of each house of the legislature, for distribution to the
8 appropriate standing committees under s. 13.172 (3), the initial statewide goals and
9 measures of progress towards meeting those goals developed and identified under
10 par. (b) and the initial recommendations, state budget proposals and proposed
11 legislation developed under par. (c) by no later than July 1, 2000. Upon establishing
12 benchmarks under par. (h), adopting any change to the statewide goals or
13 benchmarks or developing any additional recommendations, state budget proposals
14 or proposed legislation, the prevention coordination council shall prepare a report
15 summarizing the benchmarks, changes, recommendations, state budget proposals
16 or proposed legislation for submission to the governor, the secretary, the
17 superintendent of public instruction and the chief clerk of each house of the
18 legislature, for distribution to the appropriate standing committees under s. 13.172
19 (3).

20 (h) Establish benchmarks that set forth the expected level of progress of
21 prevention services toward meeting the statewide goals developed under par. (b),
22 when sufficient data are available on the appropriateness of the measures identified
23 under par. (b) for measuring the progress of prevention services toward meeting
24 those goals.

ASSEMBLY BILL 493

1 **(3) PREVENTION PLANNING.** (a) *Duties of departments.* The department of health
2 and family services, with the assistance of the department of public instruction, shall
3 do all of the following:

4 1. Notify counties by April 1, 2000, of the opportunity to apply for a prevention
5 planning grant under this subsection.

6 2. Develop and distribute by July 1, 2000, a request for proposals from counties,
7 other political subdivisions and nonprofit agencies to apply for a prevention planning
8 grant. The request for proposals shall require the applicant to specify the county or
9 multicounty area, or another area approved by the department of health and family
10 services and the department of public instruction, to which a prevention plan
11 developed under sub. (4) (b) will apply. Applications for prevention planning grants
12 shall be submitted to the department of health and family services by November 1,
13 2000. In the 1999-2001 state fiscal biennium, no more than 4 applicants from rural
14 areas and 4 applicants from urban areas may be selected to receive prevention
15 planning grants.

16 3. Annually, evaluate and report to the prevention coordination council on the
17 progress of recipients of prevention planning grants under par. (b) in developing and
18 implementing prevention plans, developing uniform systems of data collection and
19 establishing systems for evaluating prevention services in the areas specified by
20 those recipients under subd. 2.

21 4. Serve as or identify another entity to serve as a state clearinghouse to make
22 available information about prevention programs and approaches that have been
23 proven to be effective and information about methods for evaluating prevention
24 programs.

ASSEMBLY BILL 493

1 5. Determine whether the waiver of any federal funding restriction or other
2 restriction under federal law or regulation is necessary for the implementation of the
3 prevention planning grant under this subsection and subs. (4) to (6) and, if so, seek
4 a waiver of that restriction.

5 (b) *Administration of grants.* From the appropriation under s. 20.435 (3) (fr),
6 the department of health and family services, beginning on January 1, 2001, shall,
7 with assistance from the department of public instruction, provide 2-year
8 prevention planning grants for the purposes specified in sub. (4).

9 (c) *Staff.* The secretary and the superintendent of public instruction each shall
10 designate a staff person to carry out the duties under this subsection.

11 **(4) PURPOSE AND USE OF GRANT FUNDS.** The purpose of a grant awarded under
12 sub. (3) (b) is to develop and implement a plan for the coordination of local prevention
13 services and funding in the area specified by the applicant under sub. (3) (a) 2.,
14 develop a uniform system of data collection among providers of prevention services
15 in that area and establish a system for evaluating prevention services in that area.
16 The grants awarded under this section shall be used for all of the following purposes:

17 (a) To establish and maintain the local prevention consortium under sub. (5)
18 (a), including the cost of the designated staff person under sub. (5) (b).

19 (b) To pay expenses incurred in the development and implementation of a
20 prevention plan for the area specified by the applicant under sub. (3) (a) 2. under
21 which comprehensive prevention services are provided in the area using the
22 available prevention resources in the area.

23 (c) To pay expenses incurred in developing a uniform system of data collection
24 by the county or counties, other appropriate political subdivisions and prevention
25 service providers in the area specified by the applicant under sub. (3) (a) 2.

ASSEMBLY BILL 493

1 (d) To pay expenses incurred in developing a system for evaluating prevention
2 services in the area specified by the applicant under sub. (3) (a) 2., which shall be
3 used to improve the delivery of those prevention services.

4 **(5) CRITERIA FOR AWARDING GRANTS.** In addition to any other criteria developed
5 by the department of health and family services and the department of public
6 instruction, an applicant shall meet all of the following criteria in order to receive a
7 planning grant under sub. (3) (b):

8 (a) The applicant shall demonstrate in the grant application that it has
9 established or has plans to establish a local prevention consortium consisting of
10 members who reside or provide services in the area specified by the applicant under
11 sub. (3) (a) 2. To the extent possible, the consortium shall consolidate existing
12 prevention councils or committees in the area specified by the applicant under sub.
13 (3) (a) 2. To the extent possible, the consortium shall consist of the following
14 members:

15 1. A representative of one or more county departments under s. 46.215, 46.22
16 or 46.23.

17 2. A representative of a county department under s. 51.42 (3).

18 3. A representative of one or more public school districts.

19 4. A representative of one or more local health departments, as defined in s.
20 250.01 (4).

21 5. A member of one or more county boards of supervisors.

22 6. A representative of a health care provider.

23 7. A representative of a law enforcement agency.

24 8. A representative of the United Way.

ASSEMBLY BILL 493

1 9. Any other members whom the applicant identifies as having a demonstrated
2 interest in prevention services, including private citizens and representatives of city,
3 town or village government, private prevention service agencies, local businesses,
4 agencies that provide funding for prevention services and religious organizations.

5 (b) The applicant shall demonstrate in the grant application that it has
6 designated or has plans to designate a staff person to facilitate the activities of the
7 local prevention consortium.

8 (c) The applicant shall provide an explanation of its plan to use the grant funds
9 received for the purposes specified in sub. (4).

10 **(6) DUTIES OF LOCAL PREVENTION CONSORTIUM.** A recipient of a planning grant
11 under sub. (3) (b) shall ensure that the local prevention consortium established
12 under sub. (5) (a) does all of the following:

13 (a) Designates the leadership for the local prevention consortium.

14 (b) Convenes at least quarterly.

15 (c) Develops goals specific to the area specified by the applicant under sub. (3)
16 (a) 2. that are consistent with the statewide goals developed under sub. (2) (b) and,
17 to the extent possible, uses measures identified under sub. (2) (b) to measure the
18 progress of prevention services toward meeting those goals.

19 (d) Identifies prevention services available in the area specified by the
20 applicant under sub. (3) (a) 2. and sources of funding available for prevention
21 services.

22 (e) Develops a plan for the coordination of those identified prevention services
23 and sources of funding with the goal of providing comprehensive prevention services
24 in the area specified by the applicant under sub. (3) (a) 2.

NOTE: The newly created s. 46.505 does the following:

ASSEMBLY BILL 493

1. Defines “prevention services”, “rural area” and “urban area”.
2. Sets forth the duties of the prevention coordination council.
3. Requires DHFS, with the assistance of DPI, to do the following:
 - a. Develop a request-for-proposals for prevention planning grants and notify counties of the opportunity to apply.
 - b. Serve as or identify another entity to serve as a state prevention clearinghouse.
 - c. Seek waivers of federal funding restrictions and other restrictions under federal laws and regulations as necessary to implement the prevention planning grant program.
 - d. Administer and evaluate the prevention planning grant program.
 - e. Each designate a staff person to carry out the duties under items a. to d., above.
4. Sets forth the purpose of the prevention planning grants and the activities for which the grants may be used.
5. Sets forth the criteria an applicant must meet in order to receive a prevention planning grant.
6. Sets forth the duties of the local prevention consortium that must be established in order to receive a prevention planning grant.

1 SECTION 9123. Nonstatutory provisions; health and family services.

2 (1) PREVENTION COORDINATION COUNCIL; INITIAL APPOINTMENTS. Notwithstanding
3 the length of term specified in section 15.197 (3) (b) of the statutes, as created by this
4 act, the initial terms of the member appointed under section 15.197 (3) (a) 12. of the
5 statutes, as created by this act, the member appointed under section 15.197 (3) (a)
6 13. of the statutes, as created by this act, and one of the members appointed under
7 section 15.197 (3) (a) 14. of the statutes, as created by this act, expire on July 1, 2001;
8 and the initial terms of 2 of the members appointed under section 15.197 (3) (a) 14.
9 of the statutes, as created by this act, expire on July 1, 2000.

NOTE: Provides for staggered initial terms of certain appointed members of the prevention coordination council so as to provide continuity in the membership of the council.