

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0030/P3insdk
DAK&TAY:kmg:ijs

Note: There are a few pencilled - w changes to this insert.

INSERT 1-2 ✓

1 SECTION 1. 13.94 (4) (a) 1. of the statutes is amended to read:
2 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
3 credentialing board, commission, independent agency, council or office in the
4 executive branch of state government; all bodies created by the legislature in the
5 legislative or judicial branch of state government; any public body corporate and
6 politic created by the legislature including specifically a professional baseball park
7 district and a family care district under s. 46.2895 ✓; every Wisconsin works agency
8 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.
9 49; technical college district boards; development zones designated under s. 560.71;
10 every county department under s. 51.42 or 51.437; every nonprofit corporation or
11 cooperative to which moneys are specifically appropriated by state law; and every
12 corporation, institution, association or other organization which receives more than
13 50% of its annual budget from appropriations made by state law, including
14 subgrantee or subcontractor recipients of such funds.

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252.

15 SECTION 2. 13.94 (4) (b) of the statutes is amended to read:
16 13.94 (4) (b) In performing audits of family care districts under s. 46.2895, ✓
17 Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance
18 under subch. IV of ch. 49, corporations, institutions, associations, or other
19 organizations, and their subgrantees or subcontractors, the legislative audit bureau
20 shall audit only the records and operations of such providers and organizations

1 which pertain to the receipt, disbursement or other handling of appropriations made
2 by state law.

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252.

INSERT 4-20

3 **SECTION 3.** 17.13 (intro.) of the statutes is amended to read:

4 **17.13** ~~(title)~~ **Removal of village, town, town sanitary district, school**
5 **district and technical college and family care district officers.** (intro.)
6 Officers of towns, town sanitary districts, villages, school districts and technical
7 college districts and family care districts may be removed as follows:

History: 1971 c. 154; 1977 c. 449; 1983 a. 532; 1993 a. 399; 1995 a. 34, 225.

8 **SECTION 4.** 17.13 (4) of the statutes is created to read:

9 **17.13 (4) APPOINTIVE OFFICERS OF A FAMILY CARE DISTRICT.** Any member of a
10 family care district board appointed under s. 46.2895 (3) (a) 1., by the appointing
11 authority for cause.

12 **SECTION 5.** 17.15 (5) of the statutes is created to read:

13 **17.15 (5) FAMILY CARE DISTRICT.** Any member of a family care district governing
14 board appointed under s. 46.2895 (3) (a) 2. may be removed by the appointing
15 authority for cause.

16 **SECTION 6.** 17.27 (3m) of the statutes is created to read:

17 **17.27 (3m) FAMILY CARE DISTRICT BOARD.** If a vacancy occurs in the position of
18 any appointed member of a family care district board, the appointing authority shall
19 fill the position with a person who meets the applicable requirements under s. ~~46.2895~~
20 (3) (b). 46.2895

21 **SECTION 7.** 19.32 (1) of the statutes is amended to read:

1 19.32 (1) "Authority" means any of the following having custody of a record: a
 2 state or local office, elected official, agency, board, commission, committee, council,
 3 department or public body corporate and politic created by constitution, law,
 4 ordinance, rule or order; a governmental or quasi-governmental corporation except
 5 for the Bradley center sports and entertainment corporation; a local exposition
 6 district under subch. II of ch. 229; a family care district under s. 46.2895; any court
 7 of law; the assembly or senate; a nonprofit corporation which receives more than 50%
 8 of its funds from a county or a municipality, as defined in s. 59.001 (3), and which
 9 provides services related to public health or safety to the county or municipality; a
 10 nonprofit corporation operating the Olympic ice training center under s. 42.11 (3);
 11 or a formally constituted subunit of any of the foregoing.

History: 1981 c. 335; 1985 a. 26, 29, 332; 1987 a. 305; 1991 a. 39, 1991 a. 269 ss. 26pd. 33b; 1993 a. 215, 263, 491; 1995 a. 158; 1997 a. 79, 94.

12 **SECTION 8.** 19.82 (1) of the statutes is amended to read:

13 19.82 (1) "Governmental body" means a state or local agency, board,
 14 commission, committee, council, department or public body corporate and politic
 15 created by constitution, statute, ordinance, rule or order; a governmental or
 16 quasi-governmental corporation except for the Bradley center sports and
 17 entertainment corporation; a local exposition district under subch. II of ch. 229; a
 18 family care district under s. 46.2895; a nonprofit corporation operating the Olympic
 19 ice training center under s. 42.11 (3); or a formally constituted subunit of any of the
 20 foregoing, but excludes any such body or committee or subunit of such body which
 21 is formed for or meeting for the purpose of collective bargaining under subch. I, IV
 22 or V of ch. 111.

History: 1975 c. 426; 1977 c. 364, 447; 1985 a. 26, 29, 332; 1987 a. 305; 1993 a. 215, 263, 456, 491; 1995 a. 27, 185; 1997 a. 79.

23 **SECTION 9.** 20.435 (1) (bm) of the statutes is amended to read:

*renumbered 20.435 (4) (bm)
and*

*** NOTE: The renumbering of this appropriation is dependent on the renumbering in LRB-0028. If LRB-0028 is not included in the budget bill, the renumbering must be deleted.

1 20.435 (3) (bm) *Medical assistance administration*. Biennially, the amounts
 2 in the schedule to provide the state share of administrative contract costs for the
 3 medical assistance program under ss. 49.45 and 49.665, to reimburse insurers for
 4 their costs under s. 49.475 and ^g for costs associated with outreach activities and for
 5 services of resource centers under s. 46.283. No state positions may be funded in the
 6 department of health and family services from this appropriation, except positions
 7 for the performance of duties under a contract in effect before January 1, 1987,
 8 related to the administration of the medical assistance program between the subunit
 9 of the department primarily responsible for administering the medical assistance
 10 program and another subunit of the department. Total administrative funding
 11 authorized for the program under s. 49.665 may not exceed 10% of the amounts
 12 budgeted under sub. (5) (bc) and (p).

~~NOTE: BUD~~ → NOTE: BUD
 History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

13 SECTION 10. 20.435 (1) (p) of the statutes is ^{renumbered} amended to read: ^{20.435 (4) (p)} and
 14 20.435 (1) (p) *Federal aid; medical assistance contracts administration*. All
 15 federal moneys received for the federal share of the cost of contracting for payment
 16 and services administration and reporting, and to reimburse insurers for their costs
 17 under s. 49.475 and for services of resource centers under s. 46.283.

→ NOTE: BUD
 History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

INSERT 8-4

18 SECTION 11. 20.435 (7) (im) of the statutes is amended to read:

1 20.435 (7) (im) ~~title~~ *Community options program and family care benefit;*
 2 *recovery of costs of care.* From the moneys received from the recovery of costs of care
 3 under ss. 46.27 (7g) ~~46.286(1)~~ and 867.035, all moneys not appropriated under sub.
 4 (1) (in), for payments to county departments and aging units under s. 46.27 (7g) (d),
 5 payments to care management organizations for provision of the family care benefit
 6 under s. 46.284 (4), ⁵ payment of claims under s. 867.035 (3) and payments for
 7 long-term community support services funded under s. 46.27 (7) as provided in ss.
 8 46.27 (7g) (e) and 867.035 (4m).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

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

9 **SECTION 12.** 20.927 (1) of the statutes is amended to read:
 10 20.927 (1) Except as provided under subs. (2) and (3), no funds of this state or
 11 of any county, city, village or ~~town~~ *or family care district under s. 46.2895* or of any
 12 subdivision or agency of this state or of any county, city, village or town and no federal
 13 funds passing through the state treasury shall be authorized for or paid to a
 14 physician or surgeon or a hospital, clinic or other medical facility for the performance
 15 of an abortion.

History: 1977 c. 245.

16 **SECTION 13.** 20.9275 (1) (b) of the statutes is amended to read:
 17 20.9275 (1) (b) "Local governmental unit" means a city, village, town or ~~county~~ *or family care district under s. 46.2895* or an agency or subdivision of a city, village,
 18 or family care district under s. 46.2895 or an agency or subdivision of a city, village,
 19 town or county.

History: 1997 a. 27, 237.

20 **SECTION 14.** 25.50 (1) (d) of the statutes is amended to read:

1 25.50 (1) (d) "Local government" means any county, town, village, city, power
 2 district, sewerage district, drainage district, town sanitary district, public inland
 3 lake protection and rehabilitation district, local professional baseball park district
 4 created under subch. III of ch. 229, family care district under s. 46.2895, public
 5 library system, school district or technical college district in this state, any
 6 commission, committee, board or officer of any governmental subdivision of this
 7 state, any court of this state, other than the court of appeals or the supreme court,
 8 or any authority created under s. 231.02, 233.02 or 234.02.

History: 1975 c. 164; 1977 c. 29, 187; 1979 c. 34 s. 2102 (46) (a); 1979 c. 175 s. 53; 1981 c. 20, 93; 1983 a. 27 s. 2202 (45), (49); 1985 a. 29 s. 3202 (46); 1987 a. 27; 1989 a. 31, 159, 336; 1991 a. 33, 39; 1993 a. 16, 399; 1995 a. 27, 56, 274.

9 **SECTION 15.** 40.02 (28) of the statutes is amended to read:

10 40.02 (28) "Employer" means the state, including each state agency, any
 11 county, city, village, town, school district, other governmental unit or
 12 instrumentality of 2 or more units of government now existing or hereafter created
 13 within the state and any federated public library system established under s. 43.19
 14 whose territory lies within a single county with a population of 500,000 or more,
 15 except as provided under ss. 40.51 (7) and 40.61 (3), ~~or~~ a local exposition district
 16 created under subch. II of ch. 229 or a family care district created under s. 46.2895.
 17 Each employer shall be a separate legal jurisdiction for OASDHI purposes.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238.

18 **SECTION 16.** 40.02 (36) of the statutes is amended to read:

19 40.02 (36) "Governing body" means the legislature or the head of each state
 20 agency with respect to employees of that agency for the state, the common council in
 21 cities, the village board in villages, the town board in towns, the county board in
 22 counties, the school board in school districts, or the board, commission or other
 23 governing body having the final authority for any other unit of government, for any

1 agency or instrumentality of 2 or more units of government, for any federated public
2 library system established under s. 43.19 whose territory lies within a single county
3 with a population of 500,000 or more ~~or~~ ✓ for a local exposition district created under
4 subch. II of ch. 229 or for a family care district created under s. 46.2895.

5

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238.

6 **SECTION 17. 46.21 (2m) (c) of the statutes is amended to read:**

7 **46.21 (2m) (c) Exchange of information.** Notwithstanding ss. 46.2895 (9) ✓, 48.78
8 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and
9 253.07 (3) (c), any subunit of the county department of human services acting under
10 this subsection may exchange confidential information about a client, without the
11 informed consent of the client, with any other subunit of the same county department
12 of human services, with a resource center, care management organization or family
13 care district, or with any person providing services to the client under a purchase of
14 services contract with the county department of human services or with a resource
15 center, care management organization or family care district, if necessary to enable
16 an employe or service provider to perform his or her duties, or to enable the county
17 department of human services to coordinate the delivery of services to the client.

History: 1973 c. 136, 153, 262; 1975 c. 224; 1975 c. 413 s. 18; 1977 c. 271, 272, 449; 1979 c. 34; 1981 c. 217, 329, 391; 1983 a. 27, 239, 368, 524; 1985 a. 29 s. 3202 (23); 1985 a. 120, 176, 332; 1987 a. 399; 1989 a. 31, 112, 319; 1991 a. 274; 1993 a. 27, 186, 213, 446; 1995 a. 27, 77, 201; 1997 a. 27, 79, 164, 237, 283.

INSERT 8-8 ✓

18 **SECTION 18. 46.215 (1) (s) of the statutes is created to read:**

19 **46.215 (1) (s)** If authorized under s. 46.284 (1) (a) 1., ✓ to apply to the department
20 of health and family services to operate a care management organization under s.
21 46.284 and, if the department contracts with the county under s. 46.284 (2), ✓ to

1 operate the care management organization and, if appropriate, place funds in a risk
2 reserve.

3 SECTION 19. 46.215 (1m) of the statutes is amended to read:

4 46.215 (1m) EXCHANGE OF INFORMATION. Notwithstanding ss. 46.2895 (9), 48.78
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
6 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
7 acting under this section may exchange confidential information about a client,
8 without the informed consent of the client, with any other subunit of the same county
9 department of social services, with a resource center, care management organization
10 or family care district, or with any person providing services to the client under a
11 purchase of services contract with the county department of social services or with
12 a resource center, care management organization or family care district, if necessary
13 to enable an employe or service provider to perform his or her duties, or to enable the
14 county department of social services to coordinate the delivery of services to the
15 client.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

INSERT 8-12 ✓

16 SECTION 20. 46.22 (1) (b) 1. k. ✓ of the statutes is created to read:

17 46.22 (1) (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the
18 department of health and family services to operate a care management organization
19 under s. 46.284 and, if the department contracts with the county under s. 46.284 (2),
20 to operate the care management organization and, if appropriate, place funds in a
21 risk reserve.

22 SECTION 21. 46.22 (1) (dm) of the statutes is amended to read:

1 46.22 (1) (dm) *Exchange of information*. Notwithstanding ss. 46.2895 (9)[✓], 48.78
2 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
3 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
4 acting under this subsection may exchange confidential information about a client,
5 without the informed consent of the client, with any other subunit of the same county
6 department of social services, with a resource center, care management organization
7 or family care district, or with any person providing services to the client under a
8 purchase of services contract with the county department of social services or with
9 a resource center, care management organization or family care district, if necessary
10 to enable an employe or service provider to perform his or her duties, or to enable the
11 county department of social services to coordinate the delivery of services to the
12 client.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

13 **SECTION 22. 46.23 (3) (e) of the statutes is amended to read:**

14 46.23 (3) (e) *Exchange of information*. Notwithstanding ss. 46.2895 (9), 48.78
15 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
16 (3) (c) and 938.78 (2) (a), any subunit of a county department of human services
17 acting under this section may exchange confidential information about a client,
18 without the informed consent of the client, with any other subunit of the same county
19 department of human services, with a resource center, care management
20 organization or family care district, or with any person providing services to the
21 client under a purchase of services contract with the county department of human
22 services or with a resource center, care management organization or family care
23 district, if necessary to enable an employe or service provider to perform his or her

1 duties, or to enable the county department of human services to coordinate the
2 delivery of services to the client.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283.

3 **SECTION 23.** 46.27 (1) (bm) of the statutes is amended to read:

4 46.27 (1) (bm) "Private nonprofit agency" means a nonprofit corporation, as
5 defined in s. 181.0103 (17), which provides ~~comprehensive health care services to~~
6 ~~elderly persons~~ a program of all-inclusive care for persons aged 65 or older
7 authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok
8 replication initiative.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

INSERT 9-10 ✓ ~~renumbered 46.27~~

9 **SECTION 24.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

10 46.27 (4) (c) (intro.) The planning committee shall develop do all of the
11 following: 1. Develop a community options plan for participation in the program.

12 The plan shall include:

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

13 **SECTION 25.** 46.27 (4) (c) 1. to 7. of the statutes are renumbered 46.27 (4) (c) 1.

14 a. to g. ✓

15 **SECTION 26.** 46.27 (4) (c) 8. of the statutes is renumbered 46.27 (4) (c) 1. h. and
16 amended to read: ✓ ✓ ✓

17 46.27 (4) (c) 1. h. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is
18 established in the county, a description of how the activities of the pilot project relate
19 to and are coordinated with the county's proposed program.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

20 **SECTION 27.** 46.27 (4) (c) 2. of the statutes is created to read:

1 46.27 (4) (c) 2. Advise the county board of supervisors and, if applicable, the
2 county administrator or county executive on whether to apply to the department for
3 a contract to operate a resource center or a care management organization and
4 whether to create a family care district to apply to the department for such a contract.

5 **SECTION 28.** 46.27 (4) (c) 3. [✓]of the statutes is created to read: existing

6 46.27 (4) (c) 3. Review initial plans and ~~existing~~ provider networks of any care
7 management organization in the area to assist the care management organization
8 in developing a network of service providers that includes a sufficient number of
9 accessible, convenient and desirable services.

10 **SECTION 29.** 46.27 (4) (c) 4. of the statutes is created to read:

11 46.27 (4) (c) 4. Advise care management organizations about whether to offer
12 optional acute and primary health care services and, if so, how these benefits should
13 be offered.

14 **SECTION 30.** 46.27 (5) (am) of the statutes is amended to read:

15 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
16 department or aging unit shall utilize persons for each assessment who can
17 determine the needs of the person being assessed and who know the availability
18 within the county of services alternative to placement in a nursing home. If any
19 hospital patient is referred to a nursing home for admission, these persons shall work
20 with the hospital discharge planner in performing the activities specified in sub. (6).
21 The county department or aging unit shall coordinate the involvement of
22 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
23 51.437, health service providers and the county commission on aging in the
24 assessment activities specified in sub. (6), as well as the person being assessed and
25 members of the person's family or the person's guardian. This paragraph does not

1 apply to a county department or aging unit in a county where a pilot project under
2 s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

3 **SECTION 31.** ~~46.27 (6) (a) 3.~~ of the statutes is ~~renumbered 46.27(6) (a) 3. a and~~

4 amended to read:

5 **46.27 (6) (a) 3.** In each participating county, except in counties where a pilot
6 project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established, assessments shall be
7 conducted for those persons and in accordance with the procedures described in the
8 county's community options plan. The county may elect to establish assessment
9 priorities for persons in target groups identified by the county in its plan regarding
10 gradual implementation. If a person who is already admitted to a nursing home
11 requests an assessment and if funds allocated for assessments under sub. (7) (am)
12 are available, the county shall conduct the assessment.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

13 **SECTION 32.** ~~46.27 (6g)~~ (intro.) of the statutes is amended to read:

14 **46.27 (6g) FISCAL RESPONSIBILITY.** (intro.) Except as provided in s. 51.40, and
15 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
16 assessment, unless the assessment is performed by an entity under s. ~~46.271 (2m)~~
17 46.281 (1) (d), case plan or services provided to a person under this section is as
18 follows:

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

INSERT 13-10 ✓

19 **SECTION 33.** ~~46.27 (9) (c)~~ of the statutes is amended to read:

20 **46.27 (9) (c)** All long-term community support services provided under this
21 pilot project in lieu of nursing home care shall be consistent with those services
22 described in the participating county's community options plan under sub. (4) (c) and

1 provided under sub. (5) (b). Unless the department has contracted under s. 46.271
2 (2m) 46.281 (1) (d) with an entity other than the county department, each county
3 participating in the pilot project shall assess persons under sub. (6).

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 17, 27, 39, 79, 237.

4 SECTION 34. 46.271 (2m) of the statutes is repealed.

INSERT 14-10

5 (5) "Family care district" means a special purpose district created under s.
6 46.2895 (1).

7 e

NOTE: I'm not sure why this space is here

8 (6) "Family care district board" means the governing board of a family care
9 district.

10 (7) "Functional and financial screen" means a screen prescribed by the
11 department that is used to determine functional eligibility under s. 46.286 (1) (a) and
12 financial eligibility under s. 46.286 (1) (b).

INSERT 15-18 ✓

13 (d) Before July 1, 2001, the department shall do all of the following: ✓

46.281 (1) (d)

14 1. Establish, in geographic areas determined by the department, a pilot project
15 under which the department may contract with a county, a family care district, a
16 tribe or band or the Great Lakes inter-tribal council, inc., or with any two or more
17 of these entities under a joint application, to operate a resource center. (2)

inter-tribal council, inc.

No change

18 2. Contract with counties or tribes or bands under a pilot project to demonstrate
19 the ability of counties or tribes or bands to manage all long-term care programs and
20 administer the family care benefit as care management organizations.

INSERT 16-17 ✓

21 (h) Require by contract that resource centers and care management
22 organizations establish procedures under which an individual who applies for or

1 receives the family care benefit may register a complaint or grievance and
2 procedures for resolving complaints and grievances.

INSERT 17-2 ✓

3 *No P* To facilitate phase-in of services of resource centers, the secretary may certify
4 that the resource center is available for specified groups of eligible individuals or for
5 specified facilities in the county.

INSERT 20-8 ✓

6 *No P* the department determines that the organization has no significant connection
7 to an entity that operates a care management organization and if any of the following
8 applies:

- 9 1. A county board of supervisors declines in writing to apply for a contract to
10 operate a resource center.
- 11 2. A county agency or a family care district applies for a contract but fails to
12 meet the standards specified in sub. (3). ✓

INSERT 22-16 ✓

13 (g) Provide a functional and financial screen to any person seeking admission
14 to a nursing home, community-based residential facility, residential care apartment
15 complex or adult family home if the secretary has certified that the resource center
16 is available to the person and the facility.

17 (h) Provide access to services under s. 46.90 and ch. 55 to a person who is
18 eligible for the services, through cooperation with the county agency or agencies that
19 provide the services.

20 (i) Assure that emergency calls to the resource center are responded to
21 promptly, 24 hours per day.

INSERT 23-2

1 (7) EXCHANGE OF INFORMATION. Notwithstanding ss. 48.78 (2) (a), 49.45 (4),
 2 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78
 3 (2) (a), a resource center acting under this section may exchange confidential
 4 information about a client, as defined in s. 46.287 (1), without the informed consent
 5 of the client, under ss. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284
 6 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the resource center,
 7 if necessary to enable the resource center to perform its duties or to coordinate the
 8 delivery of services to the client.

INSERT 23-4

9 (1) APPLICATION FOR CONTRACT. (a) A county board of supervisors and, in a
 10 county with a county executive or a county administrator, the county executive or
 11 county administrator, may decide all of the following:

12 1. Whether to authorize one or more county departments under s. 46.21,
 13 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the
 14 department for a contract to operate a care management organization and, if so,
 15 which to authorize and what client group to serve.

16 2. Whether to create a family care district to apply to the department for a
 17 contract to operate a care management organization.

18 (b) The governing body of a tribe or band or of the Great Lakes inter-tribal
 19 council, inc., may decide whether to authorize a tribal agency to apply to the
 20 department for a contract to operate a care management organization for tribal
 21 members and, if so, which client group to serve.

22 (c) Under the requirements of par. (a), a county board of supervisors may decide
 23 to apply to the department for a contract to operate a multicounty care management

1 organization in conjunction with the county board or boards of one or more other
2 counties or a county-tribal care management organization in conjunction with the
3 governing body of a tribe or band or the Great Lakes inter-tribal council, inc.

4 (d) Under the requirements of par. (b), the governing body of a tribe or band may
5 decide to apply to the department for a contract to operate a care management
6 organization in conjunction with the governing body or governing bodies of one or
7 more other tribes or bands or the Great Lakes inter-tribal council, inc., or with a
8 county board of supervisors.

INSERT 24-3 ✓

9 (c) During the first 24 months in which a county under s. 46.281 (1) (d) 2. ✓ has
10 a contract under which the county accepts a per person per month payment for each
11 enrollee in its care management organization, the department may not contract with
12 another organization to operate a care management organization in that county
13 unless either of the conditions under par. (b) 1. ✓ or 3. ✓ applies.

INSERT 28-13 ✓

14 3. Limitations on the distribution of funds from the risk reserve.

INSERT 29-14 ✓

15 (7) EXCHANGE OF INFORMATION. Notwithstanding ss. 48.78 (2) (a), 49.45 (4),
16 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78
17 (2) (a), a care management organization acting under this section may exchange
18 confidential information about a client, as defined in s. 46.287 (1), without the
19 informed consent of the client, under ss. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm),
20 46.23 (3) (e), 46.283 (7) ✓, 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of
21 the care management organization, if necessary to enable the care management

1 organization to perform its duties or to coordinate the delivery of services to the
2 client.

INSERT 30-2 ✓

3 *No 99*

3 In order to meet federal requirements and assure federal financial
4 participation in funding of the family care benefit, a county, a tribe or band, a family
5 care district or an organization, including a private, nonprofit corporation, may not
6 directly operate both a resource center and a care management organization. All of
7 the following apply to operation of both a resource center and a care management
8 organization:

9 (1) COUNTY OPERATION. (a) If a county board of supervisors and, if applicable,
10 a county executive or a county administrator, elect to apply to the department for a
11 contract to operate a resource center, the county board of supervisors may create a
12 family care district to apply to the ~~contract~~ for a contract to operate a care
13 management organization. *department*

14 (b) If a county board of supervisors and, if applicable, a county executive or a
15 county administrator, elect to apply to the department for a contract to operate a care
16 management organization, the county board of supervisors may create a family care
17 district to apply to the department to operate a resource center.

18 (2) TRIBAL OR BAND ORGANIZATION. (a) If the governing body of a tribe or band
19 elects to apply to the department for a contract directly to operate a resource center,
20 tribal or band members may form a separate corporation to apply to the department
21 for a contract to operate a care management organization. No members of the
22 governing board of the corporation may be members of the tribal or band governing
23 body.

1 (b) If the governing body of a tribe or band elects to apply to the department
 2 for a contract directly to operate a care management organization, tribal or band
 3 members may form a separate corporation to apply to the department for a contract
 4 to operate a resource center. No members of the governing board of the corporation
 5 may be members of the tribal or band governing body.

6 (3) JOINT COUNTY AND TRIBAL OR BAND OPERATION. Any county or family care
 7 district that seeks to operate jointly with a tribe or band or tribal or band corporation
 8 a care management organization or resource center shall submit jointly with the
 9 tribe or band or tribal or band corporation an application to the department to
 10 operate the care management organization or resource center.

12 months after

INSERT 31-10 ✓

11 2. The person has a condition that is expected to last at least 90 days or result
 12 in death within ~~one year~~ of the date of application and, on the date that the family
 13 care benefit became available in the person's county of residence, the person was a
 14 resident in a nursing home or was receiving long-term care services, as specified by
 15 the department, funded under any of the following:

INSERT 31-23 ✓

16 (b) *Financial eligibility.* A person is financially eligible if all of the following
 17 apply:

18 1. As determined by the department or its designee, either of the following
 19 applies:

20 a. The person would qualify for medical assistance except for financial criteria,
 21 and the projected cost of the person's care plan, as calculated by the department or
 22 its designee, exceeds the person's gross monthly income, plus one-twelfth of his or

1 her countable assets, less deductions and allowances permitted by rule by the
2 department.

3 b. The person is eligible under ch. 49 for medical assistance.

4 2. If subd. 1. b. applies, the person accepts medical assistance unless he or she
5 is exempt from the acceptance under rules promulgated by the department.

6 (d) *Exception.* A person whose primary disabling condition is developmental
7 disability is eligible if the person is a resident of a county or is a member of a tribe
8 or band that operates a care management organization under s. 46.281 (1) (e) and
9 meets all other eligibility criteria under this subsection.

INSERT 33-7 ✓

10 (c) A person who is required to contribute to the cost of his or her care but who
11 fails to make the required contributions is ineligible for the family care benefit unless
12 he or she is exempt from the requirement under rules promulgated by the
13 department.

INSERT 36-7 ✓

14 (b) An entitled individual who is enrolled in a care management organization
15 may not be involuntarily disenrolled except as follows:

16 1. For cause, subject to the requirements of s. 46.284 (4) (a). ✓

17 2. If the contract between the care management organization and the
18 department is cancelled or not renewed. If this circumstance occurs, the department
19 shall assure that enrollees continue to receive needed services through another care
20 management organization or through the medical assistance fee-for-service system
21 or any of the programs specified under sub. (1) (a) 2. a. to d. ✓

22 (c) Within each county and for each client group, par. (a) shall first apply on the
23 effective date of a contract under which a care management organization accepts a

1 per person per month payment to provide services under the family care benefit to
2 eligible persons in that client group in the county. Within 24 months after this date,
3 the department shall assure that sufficient capacity exists within one or more care
4 management organizations to provide the family care benefit to all entitled persons
5 in that client group in the county.

6 (d) The department shall determine the date, which shall not be later than July
7 1, 2000, on which par. (a) shall first apply to persons who are not eligible for medical
8 assistance under ch. 49.

9 (4) DIVESTMENT; RULES. The department shall promulgate rules relating to
10 prohibitions on divestment of assets of persons who receive the family care benefit,
11 that are substantially similar to applicable provisions under s. 49.453.

12 (5) TREATMENT OF TRUST AMOUNTS; RULES. The department shall promulgate
13 rules relating to treatment of trust amounts of persons who receive the family care
14 benefit, that are substantially similar to applicable provisions under s. 49.454.

15 (6) PROTECTION OF INCOME AND RESOURCES OF COUPLE FOR MAINTENANCE OF
16 COMMUNITY SPOUSE; RULES. The department shall promulgate rules relating to
17 protection of income and resources of couples for the maintenance of the spouse in
18 the community with regard to persons who receive the family care benefit, that are
19 substantially similar to applicable provisions under s. 49.455.

20 (7) RECOVERY OF FAMILY CARE BENEFIT PAYMENTS; RULES. The department shall
21 promulgate rules relating to the recovery from persons who receive the family care
22 benefit, including by liens and from estates, of correctly paid family care benefits, ✓
23 that are substantially similar to applicable provisions under ss. 49.496 and 49.497.

~~B~~ CS

INSERT 38-6

1 (2) Hearing. (a) 1. Except as provided in subd. 2., a client may contest any of
2 the following applicable matters by filing, within 45 days after receipt of notice of the
3 contested matter, a written request for a hearing that shall be held under procedures
4 for hearing these disputes that are prescribed by the department by rule:

- 5 a. Denial of eligibility under s. 46.286 (1). ✓
- 6 ^c b. Denial of entitlement under s. 46.286 (3). ✓
- 7 ^b c. Determination of cost sharing under s. 46.286 (2). ✓
- 8 d. Failure to provide timely services and support items that are included in the
9 plan of care.
- 10 e. Reduction of services or support items under the family care benefit.
- 11 f. Development of a plan of care that is unacceptable because the plan of care
12 requires the enrollee to live in a place that is unacceptable to the enrollee or the plan
13 of care provides care, treatment or support items that are insufficient to meet the
14 enrollee's needs, are unnecessarily restrictive or are unwanted by the enrollee.
- 15 g. Termination of the family care benefit.

16 2. An applicant for or recipient of medical assistance is not entitled to a hearing
17 concerning the identical dispute or matter under both this section and 42 CFR
18 431.200 to 431.246.

19 (b) An enrollee may contest a decision of a care management organization
20 regarding the type, amount or quality of the enrollee's services under the family care
21 benefit, other than those specified in par. (a) 1. d. to f., or may contest the choice of
22 service provider. In these instances, the enrollee shall first send a written request
23 for review by the unit of the department that monitors care management
24 organization contracts. This unit shall review and attempt to resolve the dispute.

1 If the dispute is not resolved to the satisfaction of the enrollee, he or she may request
2 a hearing under the procedures specified in par. (a) 1. (intro.).

3 (c) Information regarding the availability of advocacy services and notice of
4 adverse actions taken and appeal rights shall be provided to a client by the resource
5 center or care management organization in a form and manner that is prescribed by
6 the department by rule.

INSERT 40-2

7 **SECTION 35.** 46.2895 of the statutes is created to read:

8 **46.2895 Family care district.** (1) CREATION. (a) A county board of
9 supervisors may create a special purpose district that is termed a "family care
10 district", that is a local unit of government, that is separate and distinct from, and
11 independent of, the state and the county, and that has the powers and duties
12 specified in this section, if the county board does all of the following:

13 1. Adopts an enabling resolution that does all of the following:

14 a. Declares the need for establishing the family care district.

15 b. Specifies the family care district's primary purpose, which shall be to
16 operate, under contract with the department, either a resource center under s.
17 46.283 or a care management organization under s. 46.284, but not both.

18 2. Files copies of the enabling resolution with the secretary of administration,
19 the secretary of health and family services and the secretary of revenue.

20 (b) The county boards of supervisors of 2 or more contiguous counties may
21 together create a family care district with the attributes specified in par. (a) (intro.)
22 on a multicounty basis within the counties if the county boards of supervisors comply
23 with the requirements of par. (a) 1. and 2.

1 **(2) JURISDICTION.** A family care district's jurisdiction is the geographical area
2 of the county or counties of the county board or boards of supervisors who created the
3 family care district.

4 **(3) FAMILY CARE DISTRICT BOARD.** (a) 1. The county board of supervisors of a
5 county or, in a county with a county administrator or county executive, the county
6 administrator or county executive shall appoint the members of the family care
7 district board, which is the governing board of a family care district under sub. (1)
8 (a).

9 2. The county boards of supervisors of 2 or more contiguous counties shall
10 appoint the members of the family care district board, which is the governing board
11 of the family care district under sub. (1) (b). Each county board shall appoint
12 members in the same proportion that the county's population represents to the total
13 population of all of the counties that constitute the jurisdiction of the family care
14 district.

****NOTE: This does not provide for, say, Milwaukee Co. (which has a co-executive)
to create a multicounty family care district with an adjoining county that does not have
a county executive. Should it?

15 (b) 1. The family care district board appointed under par. (a) 1. shall consist
16 of 15 persons who are residents of the area of jurisdiction of the family care district.
17 At least one-fourth of the members shall be representative of the client group or
18 groups whom it is the family care district's primary purpose to serve or those clients'
19 family members, guardians or other advocates.

20 2. The family care district board appointed under par. (a) 2. shall consist of 15
21 persons, plus one additional member for each county in excess of 2, all of whom are
22 residents of the area of jurisdiction of the family care district. At least one-fourth
23 of the members shall be representative of the client group or groups whom it is the

1 family care district's primary purpose to serve or those clients' family members,
2 guardians or other advocates.

3 3. Membership of the family care district board under subd. 1. or 2. shall reflect
4 the ethnic and economic diversity of the area of jurisdiction of the family care district.
5 No member of the board may be an elected or appointed official or an employe of the
6 county or counties that created the family care district. No member of the board may
7 have a private financial interest in or profit directly or indirectly from any contract
8 or other business of the family care district.

9 (c) The members of the family care district board appointed under par. (a) shall
10 serve 3-year terms. No member may serve more than 2 consecutive terms. Of the
11 members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for
12 4 years; and 5 or, in the case of a board appointed under par. (b) 2., the remainder,
13 shall be appointed for 5 years. A member shall serve until his or her successor is
14 appointed.

~~***NOTE: Provision concerning resignations, removals, succession and
replacement are unnecessary because of ch. 17, stats.~~

and

15 (d) As soon as possible after the appointment of the initial members of the
16 family care district board, the board shall organize for the transaction of business,
17 elect a chairperson and other necessary officers. Each chairperson shall be elected
18 by the board from time to time for the term of that chairperson's office as a member
19 of the board or for the term of 3 years, whichever is shorter, and shall be eligible for
20 reelection. A majority of the board shall constitute a quorum. The board may act
21 based on the affirmative vote of a majority of a quorum.

22
23

(4) ~~FAMILY CARE DISTRICT~~ POWERS. Subject to sub. (1) (a) 1. b., a family care
district has all the powers necessary or convenient to carry out the purposes and

1 provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family care
2 district may do all of the following:

3 (a) Adopt and alter, at pleasure, an official seal.

4 (b) Adopt bylaws and policies and procedures for the regulation of its affairs
5 and the conduct of its business. The bylaws, policies and procedures shall be
6 consistent with ss. 46.2085 to 46.2895 and, if the family care district contracts with
7 the department under par. (d), with the terms of that contract.

8 (c) Sue and be sued.

9 (d) Negotiate and enter into leases or contracts, including a contract with the
10 department to operate either a resource center under s. 46.283 or a care management
11 organization under s. 46.284, but not both.

12 (e) Provide services related to services available under the family care benefit,
13 to older persons and persons with disabilities, in addition to the services funded
14 under the contract with the department that is specified under par. (d).

15 (f) Acquire, construct, equip, maintain, improve or manage a resource center
16 under s. 46.283 or a care management organization under s. 46.284, but not both.

17 (g) Subject to sub. (8), employ any agent, employe or special advisor ^e that the
18 family care district finds necessary, fix and regulate his or her compensation and
19 provide, either directly or subject to an agreement under s. 66.30 as a participant in
20 a benefit plan of another governmental entity, any employe benefits, including an
21 employe pension plan.

22 (h) Mortgage, pledge or otherwise encumber the family care district's property
23 or funds.

24 (i) Buy, sell or lease property, including real estate, and maintain or dispose of
25 the property.

1 (j) Invest any funds not required for immediate disbursement in any of the
2 following:

3 1. An interest-bearing escrow account with a financial institution, as defined
4 in s. 69.30 (1) (b).

5 2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b), if the
6 time deposits mature in not more than 2 years.

7 3. Bonds or securities issued or guaranteed as to principal and interest by the
8 federal government or by a commission, board or other instrumentality of the federal
9 government.

10 (k) Create a risk reserve or other special reserve as the family care district
11 board desires or as the department requires under the contract with the department
12 that is specified under par. (d).

13 (L) Accept aid, including loans, to accomplish the purpose of the family care
14 district from any local, state or federal governmental agency or accept gifts, loans,
15 grants or bequests from individuals or entities, if the conditions under which the aid,
16 loan, gift, grant or bequest is furnished are not in conflict with this section.

17 (m) Make and execute other instruments necessary or convenient to exercise
18 the powers of the family care district.

19 (5) LIMITATION ON POWERS. A family care district may not issue bonds or levy
20 a tax or assessment.

21 (6) ~~FAMILY CARE DISTRICT BOARD~~ DUTIES. The family care district board shall do
22 all of the following:

23 (a) Appoint a director, who shall hold office at the pleasure of the board.

24 (b) Subject to sub. (8), develop and implement a personnel structure and other
25 employment policies for employes of the family care district.

1 (c) Assure compliance with the terms of any contract with the department
2 under sub. (4) (d).

3 (d) Establish a fiscal operating year and annually adopt a budget for the family
4 care district.

5 (e) Contract for any legal services required for the family care district.

6 (f) Subject to sub. (8), procure liability insurance covering its officers, employes
7 and agents, insurance against any loss in connection with its property and other
8 assets and other necessary insurance; establish and administer a plan of
9 self-insurance; or, subject to an agreement under s. 66.30, participate in a
10 governmental plan of insurance or self-insurance.

11 **(7) DIRECTOR; DUTIES.** The director appointed under sub. (6) (a) shall do all of
12 the following:

13 (a) Manage the property and business of the family care district and manage
14 the employes of the district, subject to the general control of the family care district
15 board.

16 (b) Comply with the bylaws and direct enforcement of all policies and
17 procedures adopted by the family care district board.

18 (c) Perform duties in addition to those specified in pars. (a) and (b) as are
19 prescribed by the family care district board.

20 **(8) EMPLOYMENT AND EMPLOYEE BENEFITS OF CERTAIN EMPLOYES.** (a) A family care
21 district board shall do all of the following:

22 1. If the family care district offers employment to any individual who was
23 previously employed by the county, who while employed by the county performed
24 duties relating to the same or a substantially similar function for which the
25 individual is offered employment by the district and whose wages, hours and

1 conditions of employment were established in a collective bargaining agreement
2 with the county under subch. IV of ch. 111 that is in effect on the date that the
3 individual commences employment with the district, with respect to that individual,
4 abide by the terms of the collective bargaining agreement concerning the individual's
5 compensation and benefits until the time of the expiration of that collective
6 bargaining agreement or adoption of a collective bargaining agreement with the
7 district under subch. IV of ch. 111 covering the individual as an employe of the
8 district, whichever occurs first.

9 2. If the family care district offers employment to any individual who was
10 previously employed by the county and who while employed by the county performed
11 duties relating to the same or a substantially similar function for which the
12 individual is offered employment by the district, but whose wages, hours and
13 conditions of employment were not established in a collective bargaining agreement
14 with the county under subch. IV of ch. 111 that is in effect on the date the individual
15 commences employment with the district, with respect to that individual, initially
16 provide that individual the same compensation and benefits that he or she received
17 while employed by the county.

18 3. If the family care district offers employment to any individual who was
19 previously employed by the county and who while employed by the county performed
20 duties relating to the same or a substantially similar function for which the
21 individual is offered employment by the district, with respect to that individual,
22 recognize all years of service with the county for any benefit provided or program
23 operated by the district for which an employe's years of service may affect the
24 provision of the benefit or the operation of the program.

1 4. If the county has not established its own retirement system for county
2 employes, adopt a resolution that the family care district be included within the
3 provisions of the Wisconsin retirement system under s. 40.21 (1). In this resolution,
4 the family care district shall agree to recognize 100% of the prior creditable service
5 of its employes earned by the employes while employed by the district.

6 (b) The county board of supervisors of the area of jurisdiction of the family care
7 district shall do all of the following:

8 1. If the county has established its own retirement system for county employes,
9 provide that family care district employes are eligible to participate in the county
10 retirement system.

11 2. Provide that, subject to the terms of any applicable collective bargaining
12 agreement as provided in par. (a) 1., family care district employes are eligible to
13 receive health care coverage under any county health insurance plan that is offered
14 to county employes.

15 3. Provide that, subject to the terms of any applicable collective bargaining
16 agreement as provided in par. (a) 1., family care district employes are eligible to
17 participate in any deferred compensation or other benefit plan offered by the county
18 to county employes, including disability and long-term care insurance coverage and
19 income continuation insurance coverage.

20 **(9) CONFIDENTIALITY OF RECORDS.** No record, as defined in s. 19.32 (2), of a family
21 care district that contains personally identifiable information, as defined in s. 19.62
22 (5), concerning an individual who receives services from the family care district may
23 be disclosed by the family care district without the individual's informed consent,
24 except as required to comply with s. 16.009 (2) (p) or 49.45 (4).

1 **(10) EXCHANGE OF INFORMATION.** Notwithstanding sub. (9) and ss. 48.78 (2) (a),
2 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c)
3 and 938.78 (2) (a), a family care district acting under this section may exchange
4 confidential information about a client, as defined in s. 46.287 (1), without the
5 informed consent of the client, under ss. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm),
6 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or 51.437 (4r) (b) in the jurisdiction
7 of the family care district, if necessary to enable the family care district to perform
8 its duties or to coordinate the delivery of services to the client.

9 **(11) OBLIGATIONS AND DEBTS NOT THOSE OF ~~THE~~ COUNTY.** The obligations and debts
10 of the family care district are not the obligations or debts of the county that created
11 the family care district.

12 **(12) ASSISTANCE TO FAMILY CARE DISTRICT.** From moneys in the county treasury
13 that are not appropriated to some other purpose, the county board of supervisors
14 under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) may
15 appropriate moneys to the family care district as a gift or may lend moneys to the
16 family care district.

17 **(13) DISSOLUTION.** Subject to the performance of the contractual obligations of
18 a family care district and if first approved by the secretary of the department, the
19 family care district may be dissolved by the joint action of the family care district
20 board and county board of supervisors under sub. (1) (a) or the county boards of
21 supervisors under sub. (1) (b) that created the family care district. If the family care
22 district is dissolved, the property of the district shall be transferred to the county
23 board of supervisors that created the family care district except as follows:

1 (a) If the family care district was created under sub. (1) (b), the county boards
2 of supervisors shall agree on the apportioning of the family care district's property
3 before the district may be dissolved.

4 (b) If the family care district operates a care management organization under
5 s. 46.284, disposition of any remaining funds in the risk reserve under s. 46.284 (d) ⁵

6 (e) shall be made under the terms of the district's contract with the department.

INSERT 40-6 ✓

7 **SECTION 36.** 46.82 (3) (a) 20. of the statutes is created to read:

8 46.82 (3) (a) 20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized
9 under s. 46.284 (1) (a) 1., apply to the department to operate a care management
10 organization under s. 46.284 and, if the department contracts with the county under
11 s. 46.284 (2), operate the care management organization and, if appropriate, place
12 funds in a risk reserve.

13 **SECTION 37.** 49.45 (3) (ag) of the statutes is amended to read:

14 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with
15 under s. ~~46.271 (2m)~~ for assessments completed functional screens performed under
16 s. ~~46.271 (2m)~~ (a) 2. 46.281 (1) (d) ^{46.281(1)(d)}

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293.

17 **SECTION 38.** 49.45 (6m) (c) 5. of the statutes is amended to read:

18 49.45 (6m) (c) 5. Admit only patients assessed or who waive or are exempt from
19 ⁵ the requirement of assessment under s. 46.27 (6) (a) or, if required under s.
20 40.035 (4n) or 50.04 (2h), who have been referred to a resource center.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293.

1 **SECTION 39.** 49.46 (2) (b) 8. of the statutes is amended to read:
 2 49.46 (2) (b) 8. Home or community-based services, if provided under s. 46.27
 3 (11), 46.275, 46.277 or 46.278 or under the family care benefit if a waiver is in effect
 4 under s. 46.281 (1) (c).

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237.

5 **SECTION 40.** 49.47 (4) (as) 1. of the statutes is amended to read:
 6 49.47 (4) (as) 1. The person would meet the financial and other eligibility
 7 requirements for home or community-based services under s. 46.27 (11) or 46.277
 8 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c) but for
 9 the fact that the person engages in substantial gainful activity under 42 USC 1382c
 10 (a) (3).

History: 1971 c. 125; 1971 c. 213 s. 5; 1971 c. 215; 1973 c. 90, 147, 333; 1977 c. 29 ss. 593, 1656 (18); 1977 c. 105 s. 59; 1977 c. 273, 418; 1979 c. 34; 1981 c. 20, 93; 1981 c. 314 s. 144; 1983 a. 27, 245; 1985 a. 29; 1987 a. 27, 307, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1462k to 1466d, 2909c to 2909i; 1989 a. 173, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 269, 277, 437; 1995 a. 27 ss. 3026 to 3028, 9126 (19); 1995 a. 225, 289, 295; 1997 a. 27.

11 **SECTION 41.** 49.47 (4) (as) 3. of the statutes is amended to read:
 12 49.47 (4) (as) 3. Funding is available for the person under s. 46.27 (11) or 46.277
 13 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

History: 1971 c. 125; 1971 c. 213 s. 5; 1971 c. 215; 1973 c. 90, 147, 333; 1977 c. 29 ss. 593, 1656 (18); 1977 c. 105 s. 59; 1977 c. 273, 418; 1979 c. 34; 1981 c. 20, 93; 1981 c. 314 s. 144; 1983 a. 27, 245; 1985 a. 29; 1987 a. 27, 307, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1462k to 1466d, 2909c to 2909i; 1989 a. 173, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 269, 277, 437; 1995 a. 27 ss. 3026 to 3028, 9126 (19); 1995 a. 225, 289, 295; 1997 a. 27.

14 **SECTION 42.** 50.01 (6h) of the statutes is created to read:
 15 50.01 (6h) "Secretary" means the secretary of health and family services.

INSERT 41-4 ✓

16 **SECTION 43.** 50.033 (2t) of the statutes is created to read:
 17 50.033 (2t) APPLICABILITY. Subsections (2r) ✓ and (2s) ✓ apply only if the secretary
 18 has certified under s. 46.281 (3) ✓ that a resource center is available for the adult family
 19 home and for specified groups of eligible individuals that include those persons
 20 seeking admission to or the residents of the adult family home.

INSERT 41-22 ✓

21 **SECTION 44.** 50.034 (5p) of the statutes is created to read:

1 50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
2 has certified under s. 46.281 (3) that a resource center is available for the residential
3 care apartment complex and for specified groups of eligible individuals that include
4 those person seeking admission to or the residents of the residential care apartment
5 complex.

✓
INSERT 43-20

6 **SECTION 45.** 50.035 (4p) of the statutes is created to read:

7 50.035 (4p) APPLICABILITY. Subsections (4m) and (4n) apply only if the secretary
8 has certified under s. 46.281 (3) that a resource center is available for the
9 community-based residential facility and for specified groups of eligible individuals
10 that include those persons seeking admission to or the residents of the
11 community-based residential facility.

12 **SECTION 46.** 50.035 (8) of the statutes is repealed.

✓
INSERT 46-2

13 **SECTION 47.** 50.04 (2i) of the statutes is created to read:

14 50.04 (2i) APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary
15 has certified under s. 46.281 (3) that a resource center is available for the nursing
16 home and for specified groups of eligible individuals that include those persons
17 seeking admission to or the residents of the nursing home.

18 **SECTION 48.** 50.04 (2m) of the statutes is renumbered 50.04 (2m) (a) and
19 amended to read:

20 50.04 (2m) ~~PLAN OF CARE AND ASSESSMENT REQUIRED~~ (a) No Except as provided
21 in par. (b), no nursing home may admit any patient until a physician has completed
22 a plan of care for the patient and the patient is assessed or the patient is exempt from



1 or waives assessment under s. 46.27 (6) (a) ~~or 46.271 (2m) (a) 2~~ ✓. Failure to comply
2 with this subsection is a class "C" violation under sub. (4) (b) 3.

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280.

3 **SECTION 49.** 50.04 (2m) (b) of the statutes is created to read:

4 50.04 (2m) (b) Par^{agraph} (a) does not apply to those residents for whom the secretary
5 has certified under s. 46.281 (3) that a resource center is available.

INSERT 46-8 ✓

No P

6 or, if the secretary has certified under s. 46.281 (3) that a resource center is
7 available for the individual, a functional and financial screen to determine eligibility
8 for the family care benefit under s. 46.286 (1)

INSERT 46-18 ✓

No P

9 The rules shall specify that this requirement applies only if the secretary has
10 certified under s. 46.281 (3) that a resource center is available for the hospital and
11 for specified groups of eligible individuals that include persons seeking admission to
12 or patients of the hospital.

INSERT 48-14 ✓

13 **SECTION 50.** 51.42 (3) (ar) 17. of the statutes is created to read:

14 51.42 (3) (ar) 17. If authorized under s. 46.283 (1) (a) 1., apply to the department
15 of health and family services to operate a resource center under s. 46.283 and, if the
16 department contracts with the county under s. 46.283 (2), operate the resource
17 center.

18 **SECTION 51.** 51.42 (3) (ar) 18. of the statutes is created to read:

19 51.42 (3) (ar) 18. If authorized under s. 46.284 (1) (a) 1., apply to the department
20 of health and family services to operate a care management organization under s.
21 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
22 the care management organization and, if appropriate, place funds in a risk reserve.

1 **SECTION 52.** 51.42 (3) (e) of the statutes is amended to read:

2 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
3 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
4 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs
5 acting under this section may exchange confidential information about a client,
6 without the informed consent of the client, with any other subunit of the same county
7 department of community programs, with a resource center, care management
8 organization or family care district, or with any person providing services to the
9 client under a purchase of services contract with the county department of
10 community programs or with a resource center, care management organization or
11 family care district, if necessary to enable an employe or service provider to perform
12 his or her duties, or to enable the county department of community programs to
13 coordinate the delivery of services to the client.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268.

14 **SECTION 53.** 51.437 (4m) (n) of the statutes is created to read:

15 51.437 (4m) (n) If authorized under s. 46.283 (1) (a) 1., apply to the department
16 of health and family services to operate a resource center under s. 46.283 and, if the
17 department contracts with the county under s. 46.283 (2), operate the resource
18 center.

19 **SECTION 54.** 51.437 (4m) (p) of the statutes is created to read:

20 51.437 (4m) (p) If authorized under ^{S.} 46.284 (1) (a) 1., apply to the department
21 of health and family services to operate a care management organization under s.
22 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
23 the care management organization and, if appropriate, place funds in a risk reserve.

1 SECTION 55. 51.437 (4r) (b) of the statutes is amended to read:

2 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
3 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a),
4 any subunit of the county department of developmental disabilities services acting
5 under this section may exchange confidential information about a client, without the
6 informed consent of the client, with any other subunit of the same county department
7 of developmental disabilities services, with a resource center, care management
8 organization or family care district, or with any person providing services to the
9 client under a purchase of services contract with the county department of
10 developmental disabilities services or with a resource center, care management
11 organization or family care district, if necessary to enable an employe or service
12 provider to perform his or her duties, or to enable the county department of
13 developmental disabilities services to coordinate the delivery of services to the client.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252.

14 SECTION 56. 66.04 (1m) (a) of the statutes is amended to read:

15 66.04 (1m) (a) No city, village ~~or~~ town, family care district under s. 46.2895
16 or agency or subdivision of a city, village or town may authorize funds for or pay to
17 a physician or surgeon or a hospital, clinic or other medical facility for the
18 performance of an abortion except those permitted under and which are performed
19 in accordance with s. 20.927.

History: 1971 c. 41 s. 12; 1971 c. 154, 211; 1975 c. 164, 180, 422; 1977 c. 29, 182; 1977 c. 187 s. 135; 1977 c. 245, 272, 367, 447; 1979 c. 221, 293, 355; 1981 c. 187; 1983 a. 189 s. 329 (21); 1983 a. 192 s. 304; 1983 a. 368; 1987 a. 27, 399; 1989 a. 307; 1991 a. 39; 1993 a. 203, 263, 399; 1995 a. 27, 56, 336; 1997 a. 27, 318.

20 SECTION 57. 66.04 (1m) (b) of the statutes is amended to read:

21 66.04 (1m) (b) No city, village ~~or~~ town, family care district under s. 46.2895
22 or agency or subdivision of a city, village or town may authorize payment of funds for

1 a grant, subsidy or other funding involving a pregnancy program, project or service
2 if s. 20.9275 (2) applies to the pregnancy program, project or service.

History: 1971 c. 41 s. 12; 1971 c. 154, 211; 1975 c. 164, 180, 422; 1977 c. 29, 182; 1977 c. 187 s. 135; 1977 c. 245, 272, 367, 447; 1979 c. 221, 293, 355; 1981 c. 187; 1983 a. 189 s. 329 (21); 1983 a. 192 s. 304; 1983 a. 368; 1987 a. 27, 399; 1989 a. 307; 1991 a. 39; 1993 a. 203, 263, 399; 1995 a. 27, 56, 336; 1997 a. 27, 318.

3 **SECTION 58. 66.30 (1) (a) of the statutes is amended to read:**

4 **66.30 (1) (a)** In this section “municipality” means the state or any department
5 or agency thereof, or any city, village, town, county, school district, public library
6 system, public inland lake protection and rehabilitation district, sanitary district,
7 farm drainage district, metropolitan sewerage district, sewer utility district, solid
8 waste management system created under s. 59.70 (2), local exposition district
9 created under subch. II of ch. 229, local professional baseball park district created
10 under subch. III of ch. 229, family care district under s. 46.2895, water utility district,
11 mosquito control district, municipal electric company, county or city transit
12 commission, commission created by contract under this section, taxation district or
13 regional planning commission.

History: 1971 c. 143, 152, 211; 1973 c. 301; 1975 c. 123, 228; 1977 c. 26 s. 75; 1977 c. 29 s. 1654 (8) (c); 1977 c. 418; 1979 c. 122; 1981 c. 20, 190, 247, 282, 390; 1983 a. 189 ss. 55, 329 (17); 1983 a. 207; 1985 a. 29, 225; 1987 a. 27, 403; 1989 a. 335; 1991 a. 39, 316; 1993 a. 246, 263, 406; 1995 a. 27, 56, 201; 1997 a. 27, 39.

14 **SECTION 59. 69.30 (1) (am) of the statutes is created to read:**

15 **69.30 (1) (am)** “Family care district” has the meaning given in s. 46.2805 (5).

16 **SECTION 60. 69.30 (2) of the statutes is amended to read:**

17 **69.30 (2)** A financial institution, state agency, county department, Wisconsin
18 works agency ~~or~~ ^{or} service office or family care district or an employe of a financial
19 institution, state agency, county department, Wisconsin works agency ~~or~~ ^{or} service
20 office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy
21 of a vital record for use by the financial institution, state agency, county department,
22 Wisconsin works agency ~~or~~ ^{or} service office or family care district, including use under
23 s. 45.36 (4m), if the copy is marked “FOR ADMINISTRATIVE USE”.

History: 1989 a. 313; 1991 a. 221, 269, 315; 1995 a. 27; 1997 a. 27.

1 **SECTION 61.** 70.11 (2) of the statutes is amended to read:

2 **70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.**

3 Property owned by any county, city, village, town, school district, technical college
4 district, public inland lake protection and rehabilitation district, metropolitan
5 sewerage district, municipal water district created under s. 198.22, joint local water
6 authority created under s. 66.0735, family care district under s. 46.2895 or town
7 sanitary district; lands belonging to cities of any other state used for public parks;
8 land tax-deeded to any county or city before January 2; but any residence located
9 upon property owned by the county for park purposes which is rented out by the
10 county for a nonpark purpose shall not be exempt from taxation. Except as to land
11 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
12 August 17, 1961, to any such governmental unit or for its benefit while the grantor
13 or others for his or her benefit are permitted to occupy the land or part thereof in
14 consideration for the conveyance. Leasing the property exempt under this
15 subsection, regardless of the lessee and the use of the leasehold income, does not
16 render that property taxable.

History: 1971 c. 152, 154, 312; 1973 c. 90; 1973 c. 333 s. 201m; 1973 c. 335 s. 13; 1975 c. 39; 1975 c. 94 s. 91 (10); 1975 c. 199; 1977 c. 29 ss. 745m, 1646 (3), 1647 (5), (7); 1977 c. 83 s. 26; 1977 c. 273, 282, 391, 418, 447; 1979 c. 34 s. 2102 (39) (g); 1979 c. 221, 225; 1979 c. 310 s. 12; 1981 c. 20; 1983 a. 27 ss. 1177, 1178, 1179f; 1983 a. 189 s. 329 (16); 1983 a. 201, 327; 1985 a. 26, 29, 316, 332; 1987 a. 10, 27, 395, 399; 1987 a. 403 s. 256; 1989 a. 25, 31, 307; 1991 a. 37, 39, 269; 1993 a. 263, 307, 399, 490; 1995 a. 27 ss. 3344 to 3348m, 9126 (19); 1995 a. 201, 227, 247, 366; 1997 a. 27, 35, 134, 147, 164, 184, 237.

17 **SECTION 62.** 71.26 (1) (b) of the statutes is amended to read:

18 **71.26 (1) (b) Political units.** Income received by the United States, the state
19 and all counties, cities, villages, towns, school districts, technical college districts,
20 joint local water authorities created under s. 66.0735, family care districts under s.
21 46.2895 or other political units of this state.

History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237. History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237.

22 **SECTION 63.** 101.01 (4) of the statutes is amended to read:

1 101.01 (4) "Employer" means any person, firm, corporation, state, county,
2 town, city, village, school district, sewer district, drainage district, family care
3 district and other public or quasi-public corporations as well as any agent, manager,
4 representative or other person having control or custody of any employment, place
5 of employment or of any employe.

History: 1971 c. 185 ss. 1, 5; 1971 c. 228 ss. 15, 44; 1975 c. 413, 421; 1977 c. 29; 1983 a. 189 ss. 142, 143, 329 (4); 1985 a. 135 s. 83 (3); 1987 a. 161; 1993 a. 27, 184, 327; 1995 a. 27 ss. 3611 to 3629, 9116 (5); 1997 a. 237.

6 **SECTION 64.** 102.01 (2) (d) of the statutes is amended to read:

7 102.01 (2) (d) "Municipality" includes a county, city, town, village, school
8 district, sewer district, drainage district and family care district and other public or
9 quasi-public corporations.

History: 1975 c. 147 ss. 7 to 13, 54; 1975 c. 200; 1979 c. 89, 278; 1981 c. 92; 1983 a. 98, 189; 1985 a. 83; 1987 a. 179; 1989 a. 64; 1995 a. 27 ss. 3737 to 3741, 9130 (4); 1995 a. 117, 417; 1997 a. 3.

10 **SECTION 65.** 102.04 (1) (a) of the statutes is amended to read:

11 102.04 (1) (a) The state, each county, city, town, village, school district, sewer
12 district, drainage district, family care district and other public or quasi-public
13 corporations therein.

History: 1975 c. 199; 1983 a. 98; 1989 a. 64; 1993 a. 112; 1997 a. 38.

14 **SECTION 66.** 103.001 (6) of the statutes is amended to read:

15 103.001 (6) "Employer" means any person, firm, corporation, state, county,
16 town, city, village, school district, sewer district, drainage district, family care
17 district and other public or quasi-public corporations as well as any agent, manager,
18 representative or other person having control or custody of any employment, place
19 of employment or of any employe.

History: 1995 a. 27 ss. 3612, 3613, 3746, 9130 (4); 1997 a. 3.

20 **SECTION 67.** 111.70 (1) (j) of the statutes is amended to read:

21 111.70 (1) (j) "Municipal employer" means any city, county, village, town,
22 metropolitan sewerage district, school district, family care district or any other
23 political subdivision of the state ~~which~~ that engages the services of an employe and

1 includes any person acting on behalf of a municipal employer within the scope of the
2 person's authority, express or implied.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237.

INSERT 48-19 ✓

3 b. The exemption under subd. 10. a. does not apply if the services offered by the
4 care management organization include hospital, physician or other acute health care
5 services.

6 **SECTION 68.** 632.745 (6) (a) 2m. of the statutes is created to read:

7 632.745 (6) (a) 2m. A family care district under s. 46.2895.

8 **SECTION 69.** 700.24 of the statutes is amended to read:

9 **700.24 Death of a joint tenant; effect of liens.** A real estate mortgage, a
10 security interest under ch. 409, or a lien under s. 72.86 (2), 1985 stats., or s. 71.91 (5)
11 (b), ch. 49 or 779 or rules promulgated under s. 46.286 (7) on or against the interest
12 of a joint tenant does not defeat the right of survivorship in the event of the death
13 of such joint tenant, but the surviving joint tenant or tenants take the interest such
14 deceased joint tenant could have transferred prior to death subject to such mortgage,
15 security interest or statutory lien.

History: 1971 c. 307 s. 118; 1975 c. 39; 1979 c. 32 s. 92 (9); 1987 a. 27 s. 3202 (47) (a); 1987 a. 312 s. 17.

INSERT 49-21 ✓

16 **SECTION 70.** 859.07 (2) of the statutes is amended to read:

17 859.07 (2) If the decedent was at the time of death or at any time prior thereto
18 a patient or inmate of any state or county hospital or institution or any person
19 responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10,
20 48.36, 301.03 (18), 301.12 or 938.36 or if the decedent or the spouse of the decedent
21 ever received the family care benefit under s. 46.286, medical assistance under
22 subch. IV of ch. 49, long-term community support services funded under s. 46.27 (7)

1 or aid under s. 49.68, 49.683 or 49.685, the personal representative shall send notice
2 in writing of the date set under s. 859.01 by registered or certified mail to the
3 department of health and family services or the department of corrections, as
4 applicable, and the county clerk of the applicable county not less than 30 days before
5 the date set under s. 859.01, upon such blanks and containing such information as
6 the applicable department or county clerk may provide. The applicable county is the
7 county of residence, as defined in s. 49.001 (6).

History: 1977 c. 73; 1985 a. 29; 1989 a. 31, 96, 359; 1991 a. 39; 1995 a. 27 ss. 7191b to 7191c, 9126 (19); 1995 a. 77; 1997 a. 237.

8 **SECTION 71.** 867.01 (3) (a) 4. of the statutes is amended to read:

9 867.01 (3) (a) 4. Whether the decedent or the decedent's spouse received the
10 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
11 long-term community support services funded under s. 46.27 (7) or aid under s.
12 49.68, 49.683 or 49.685.

History: 1971 c. 40 s. 93; 1973 c. 42, 90; 1975 c. 331, 421; 1977 c. 449; 1985 a. 278; 1987 a. 27; 1989 a. 234; 1991 a. 220; 1993 a. 16, 437, 486; 1995 a. 27 ss. 7193b to 7194c, 9126 (19).

13 **SECTION 72.** 867.01 (3) (d) of the statutes is amended to read:

14 867.01 (3) (d) *Notice.* The court may hear the matter without notice or order
15 notice to be given under s. 879.03. If the decedent or the decedent's spouse received
16 the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
17 long-term community support services funded under s. 46.27 (7) or aid under s.
18 49.68, 49.683 or 49.685, the petitioner shall give notice by certified mail to the
19 department of health and family services as soon as practicable after filing the
20 petition with the court.

History: 1971 c. 40 s. 93; 1973 c. 42, 90; 1975 c. 331, 421; 1977 c. 449; 1985 a. 278; 1987 a. 27; 1989 a. 234; 1991 a. 220; 1993 a. 16, 437, 486; 1995 a. 27 ss. 7193b to 7194c, 9126 (19).

21 **SECTION 73.** 867.02 (2) (a) 6. of the statutes is amended to read:

22 867.02 (2) (a) 6. Whether the decedent or the decedent's spouse received the
23 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,

1 long-term community support services funded under s. 46.27 (7) or aid under s.
2 49.68, 49.683 or 49.685.

History: 1971 c. 40 s. 93; 1973 c. 90, 243; 1975 c. 331, 421; 1977 c. 449; 1985 a. 278; 1987 a. 27 ss. 2160w, 2170d, 3200 (47); 1989 a. 234; 1991 a. 220; 1993 a. 16, 437, 486; 1995 a. 27 ss. 7195b to 7196, 9126 (19).

3 **SECTION 74.** 867.03 (1g) (c) of the statutes is amended to read:

4 867.03 (1g) (c) Whether the decedent or the decedent's spouse ever received the
5 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
6 long-term community support services funded under s. 46.27 (7) or aid under s.
7 49.68, 49.683 or 49.685.

History: 1973 c. 43; 1975 c. 380 s. 5; 1979 c. 29; 1989 a. 234; 1993 a. 16, 205, 437; 1995 a. 27 ss. 7197b to 7199c, 9126 (19); 1997 a. 27.

8 **SECTION 75.** 867.03 (1m) (a) of the statutes is amended to read:

9 867.03 (1m) (a) Whenever an heir or person who was guardian of the decedent
10 at the time of the decedent's death intends to transfer a decedent's property by
11 affidavit under sub. (1g) and the decedent or the decedent's spouse ever received the
12 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
13 long-term community support services funded under s. 46.27 (7) or aid under s.
14 49.68, 49.683 or 49.685, the heir or person who was guardian of the decedent at the
15 time of the decedent's death shall give notice to the department of health and family
16 services of his or her intent. The notice shall include the information in the affidavit
17 under sub. (1g) and the heir or person who was guardian of the decedent at the time
18 of the decedent's death shall give the notice by certified mail, return receipt
19 requested.

History: 1973 c. 43; 1975 c. 380 s. 5; 1979 c. 29; 1989 a. 234; 1993 a. 16, 205, 437; 1995 a. 27 ss. 7197b to 7199c, 9126 (19); 1997 a. 27.

20 **SECTION 76.** 867.03 (1m) (b) of the statutes is amended to read:

21 867.03 (1m) (b) An heir or person who was guardian of the decedent at the time
22 of the decedent's death who files an affidavit under sub. (1g) that states that the
23 decedent or the decedent's spouse received the family care benefit under s. 46.286,

1 medical assistance under subch. IV of ch. 49, long-term community support services
 2 funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685 shall attach to the
 3 affidavit the proof of mail delivery of the notice required under par. (a) showing a
 4 delivery date that is not less than 10 days before the day on which the heir or person
 5 who was guardian of the decedent at the time of the decedent's death files the
 6 affidavit.

History: 1973 c. 43; 1975 c. 380 s. 5; 1979 c. 29; 1989 a. 234; 1993 a. 16, 205, 437; 1995 a. 27 ss. 7197b to 7199c, 9126 (19); 1997 a. 27.

INSERT 50-13

7 **SECTION 77.** 985.01 (1) of the statutes is renumbered 985.01 (1m).

8 **SECTION 78.** 985.01 (1g) of the statutes is created to read:

9 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and
 10 includes a family care district board under s. 46.2895. ✓

11 **SECTION 79.** 985.01 (3) of the statutes is amended to read:


12 985.01 (3) "Municipality" has the meaning in s. 345.05 (1) (c) and "governing
 13 body" the meaning in s. 345.05 (1) (b) with reference to such municipality and
 14 includes a family care district under s. 46.2895. ✓

History: 1981 c. 372; 1983 a. 189 ss. 327, 328, 329 (31); 1993 a. 486.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0030/P3dn
DAK&TAY:kmg:ijs

To Gretchen Fossum:

1. Why is the revival of 1997 Wisconsin Act 237, section 9122 (4) necessary? Because of the disability language? That could be put in s. 46.281 (1) (d).
2. For s. 46.286 (4) (b) 2., Lorraine had proposed "The department may transfer funds within or among appropriations for this purpose." I did not include this language, but do you want appropriations amended?
3. Should s. 49.45 (7) (a), stats., be amended to provide for *family care* divestment?
4. With respect to the January 27, 1999, E-mail: on the piece regarding promulgation of rules, the reference to s. 46.287 (4) is incorrect. The section that deals with eligibility should be referenced .
5. Section 20.435 (7) (im) in the bill no longer has a created source of money, since s. 46.286 (6) was deleted.
6. Should I expand mandatory rules promulgation (and emergency rules) for all rules mentioned in the bill?

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0030/P3dn
DAK:kmg:ijs&lp

January 30, 1999

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Debra A. Kennedy
Managing Attorney
Phone: (608) 266-0137

From Gretchen Fossum 2/1/99

Re drafter's note for IP3

① Delete nonstat provisions

(DK also fixed 46.286(1m) re dev. disabled
carryover)

② Refer to rules promulg. in 5.20.435(7)(im)