1999 DRAFTING REQUEST

Bill

Received: **09/22/98**   Received By: **malaigm**

Wanted: **As time permits**   Identical to LRB:

For: **Administration-Budget 6-2288**   By/Representing: **Fossum**

This file may be shown to any legislator: **NO**   Drafter: **malaigm**

May Contact: **Sherwood Seigel**   Alt. Drafters:
DHFS
7-7805

Subject: **Public Assistance - comm. aids**   Extra Copies:

Topic:

DOA:......Fossum - SACWIS (Statewide automated child welfare information system)

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	malaigm 11/3/98	gilfokm 11/5/98		_____ _____			S&L
/1			martykr 11/5/98	_____ _____	lrb_docadmin 11/5/98		S&L
/2	malaigm 02/2/99	gilfokm 02/2/99	jfrantze 02/3/99	_____ _____	lrb_docadmin 02/3/99		

FE Sent For:

<END>

LRB-0274

1999 DRAFTING REQUEST

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/1		/2-2-2-99 kmg	martykr 11/5/98	——— ———	lrb_docadmin 11/5/98		

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/?	malaigm	/\-11-4 kmg	Kmr 11/5	Kmr 11/5			

FE Sent For:

<END>

DHFS

Title: SACWIS

Current Language

Section 46.45(2) describes the allocation of excess title IV-E funds received by the Department. Excess funds represent the amount of federal title IV-E child welfare funds claimed by the Department that are in excess of the amount of IV-E funds budgeted in support of the community aids basic county allocation under s. 46.40(2). Under s. 46.45(2), fifty percent of the excess funds are to be distributed to counties other than Milwaukee County for services to assist children and families.

Proposed Change

6/30
6/5/2006

Require all counties to implement the Wisconsin Statewide Automated Child Welfare Information System (WISACWIS) by the end of FY 2005. Also, make the commitment to implement WISACWIS an eligibility requirement, beginning July 1, 2001, for counties to receive any of the excess IV-E funds currently available under s. 46.45(2). Authorize the Department to recoup any of the funds provided to any counties under s. 46.45(2) that do not meet their commitment to implement the system.

Effect of the Change

Counties that have not implemented WISACWIS will not be eligible to receive any of the excess federal title IV-E funds claimed by the Department.

Rationale for the Change

The Department received state approval and funding to develop SACWIS. The system will be implemented first in Milwaukee. To be eligible for enhanced federal funding, however, the system must be statewide. The Department's Advanced Planning Document (APD), which was approved by the federal government, states that a statewide system is being developed. The automated system being designed for the Milwaukee child protective services program will be the base SACWIS system. If the federal government determines that the state is not making a good faith effort to implement the system statewide, the state is liable for returning the enhanced federal IV-E matching funds received for development of the system. Current estimates show $2.7 million in enhanced funds received by the state and $1.8 million in

enhanced funds received by the nine pilot counties. The $4.5 million will have to be returned to the federal government, if Wisconsin does not have a statewide system. Also, federal funding for the ongoing operation of the system will be 50% if it is a statewide system, and only 27.5% if it is not.

Desired Effective Date: Passage of budget bill
Agency: DHFS
Agency Contact: Sherwood Seigel
Phone: 267-7805

DOA:......Fossum – SACWIS (Statewide automated child welfare information system)

FOR 1999–01 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, the state receives federal foster care and adoption assistance funding under Title IV–E of the federal social security act (generally referred to as "IV–E funds"), in reimbursement of moneys expended by the state and the counties for activities relating to foster care and the adoption of children. Currently, IV–E funds are credited to the community aids appropriation account of the department of health and family services (DHFS) and distributed to counties to provide social services for children and families. Currently, if on December 31 of any year there remains unspent or unencumbered in the community aids basic county allocation an amount that exceeds the amount of IV–E funds allocated as community aids in that year (excess IV–E funds), DHFS must carry forward to the next year those excess IV–E funds and distribute not less than 50% of those excess IV–E funds to counties having a population of less than 500,000 (counties) for services and projects to assist children and families.

This bill requires DHFS to establish and counties to implement a statewide automated child welfare information system (generally referred to as "WISACWIS") before July 1, 2006, permits DHFS, beginning on July 1, 2001, to distribute excess

insert semicolon ✓

IV–E funds/only to counties that are making a good faith effort to implement WISACWIS;and permits DHFS to recover from a county that does not implement WISACWIS before July 1, 2006, any excess IV–E funds distributed to that county after June 30, 2001.   *Cf V E–S/L*

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

1   **SECTION 1.** 46.03 (7) (g) of the statutes is created to read:

2   46.03 **(7)** (g) Before July 1, 2006, establish a statewide automated child welfare

3   information system.

4   **SECTION 2.** 46.22 (1) (c) 8. f. of the statutes is created to read:

5   46.22 **(1)** (c) 8. f. Before July 1, 2006, the county department of social services

6   shall implement the statewide automated child welfare information system

7   established by the department under s. 46.03 (7) (g). *, as affected by 1999 Wisconsin Act .... (this act),*

8   **SECTION 3.** 46.45 (2) (a) of the statutes is repealed and recreated to read:

9   46.45 **(2)** (a) If on December 31 of any year there remains unspent or

10   unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the

11   amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that

12   year, the department shall carry forward the excess moneys and distribute not less

13   than 50% of the excess moneys to counties having a population of less than 500,000

14   that are making a good faith effort, as determined by the department, to comply with

15   s. 46.22 (1) (c) 8. f. for services and projects to assist children and families. A county

16   shall use not less than 50% of the moneys distributed to the county under this

17   paragraph for services for children who are at risk of abuse or neglect to prevent the

18   need for child abuse and neglect intervention services. If a county does not comply

19   with s. 46.22 (1) (c) 8. f. before July 1, 2006, the department may recover any amounts

1   distributed to that county under this paragraph after June 30, 2001, by billing the

2   county or deducting from that county's allocation under s. 46.40 (2).

> ****NOTE: Section 46.45 (2) (a), stats., is also treated but with an immediate effective
> date in LRB–0271. Accordingly, if both LRB–0271 and this draft are included in the
> budget, the treatment of s. 46.45 (2) (a), stats., by this SECTION must be reconciled with
> the treatment of s. 46.45 (2) (a), stats., by LRB–0271. *If LRB-0271 is not included,*

3   **SECTION 9423. Effective dates; health and family services.**

4   (1) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. The repeal and

5   recreation of sections 46.45 (2) (a) of the statutes takes effect on July 1, 2001.

6   **(END)**

", as affected ..." must be removed from the bill SECTION heading; and, in SECTION 9423 (1), "repeal and recreation" should be changed to "treatment".

auto ref "A"

DOA:......Fossum – SACWIS (Statewide automated child welfare information system)

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IV–E funds only to counties that are making a good faith effort to implement WISACWIS; and permits DHFS to recover from a county that does not implement WISACWIS before July 1, 2006, any excess IV–E funds distributed to that county after June 30, 2001.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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9 (this act), is repealed and recreated to read: [and 42 USC 1396 to 1397e] *Combined*

10   46.45 **(2)** (a) If on December 31 of any year there remains unspent or

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7   **(END)**

D-Note

Gretchen Fossum:

This draft reconciles LRB-0271/3 and LRB-0274/1.

Both LRB-0271 and LRB-0274 should continue to appear ~~It replaces~~

in the compiled bill.

GMM

Insert 3-4

**** NOTE: This is reconciled s 46.45 (2)(a).
This section has been affected by drafts with
the following LRB #'s: LRB-0271/3 and LRB-
0274/1.

February 3, 1999

Gretchen Fossum:

This draft reconciles LRB–0271/3 and LRB–0274/1. Both LRB–0271 and LRB–0274 should continue to appear in the compiled bill.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266–9738
E–mail: Gordon.Malaise@legis.state.wi.us

DOA:......Fossum – SACWIS (Statewide automated child welfare information system)

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