

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: **Fredi-Ellen Bove**
DHFS 6-2907

Alt. Drafters:

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

Extra Copies:

Topic:

DOA:.....Fossum - Community aids funding

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 11/20/98	jgeller 11/20/98		_____			S&L
/1			ismith 11/23/98	_____	lrb_docadmin 11/23/98		S&L
/2	malaigm 01/5/99	jgeller 01/8/99	jfrantze 01/11/99	_____	lrb_docadmin 01/11/99		S&L
/3	malaigm 01/26/99	jgeller 01/27/99	jfrantze 01/27/99	_____	lrb_docadmin 01/27/99		S&L
/4	malaigm 01/29/99	jgeller 01/31/99	martykr 01/31/99	_____	lrb_docadmin 01/31/99		S&L
/5	malaigm	jgeller	lpaasch	_____	lrb_docadmin		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/2/99	02/2/99	02/3/99	_____	02/3/99		

FE Sent For:

<END>

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: **Fredi-Ellen Bove**
DHFS 6-2907

Alt. Drafters:

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

Extra Copies:

Topic:

DOA:.....Fossum - Community aids funding

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 11/20/98	jgeller 11/20/98		_____			S&L
/1			ismith 11/23/98	_____	lrb_docadmin 11/23/98		S&L
/2	malaigm 01/5/99	jgeller 01/8/99	jfrantze 01/11/99	_____	lrb_docadmin 01/11/99		S&L
/3	malaigm 01/26/99	jgeller 01/27/99	jfrantze 01/27/99	_____	lrb_docadmin 01/27/99		S&L
/4	malaigm 01/29/99	jgeller 01/31/99	martykr 01/31/99	_____	lrb_docadmin 01/31/99		

15 3/2 JLG
23LP
WIS

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: **Fredi-Ellen Bove**
DHFS 6-2907

Alt. Drafters:

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

Extra Copies:

Topic:

DOA:.....Fossum - Community aids funding

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 11/20/98	jgeller 11/20/98		_____			S&L
/1			ismith 11/23/98	_____	lrb_docadmin 11/23/98		S&L
/2	malaigm 01/5/99	jgeller 01/8/99	jfrantze 01/11/99	_____	lrb_docadmin 01/11/99		S&L
/3	malaigm 01/26/99	jgeller 01/27/99	jfrantze 01/27/99	_____	lrb_docadmin 01/27/99		

FE Sent For:

4/31 jlg

km/31

DM/31

<END>

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: **Fredi-Ellen Bove**
DHFS 6-2907

Alt. Drafters:

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

Extra Copies:

Topic:

DOA:.....Fossum - Community aids funding

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 11/20/98	ygeller 11/20/98		_____			S&L
/1			ismith 11/23/98	_____	lrb_docadmin 11/23/98		S&L
/2	malaigm 01/5/99	ygeller 01/8/99	jfrantze 01/11/99	_____	lrb_docadmin 01/11/99		

FE Sent For:

13 1/27 jlg
 1/27
 1/27
 1/27
 <END>
 1/27

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: Fredi-Ellen Bove
DHFS 6-2907

Alt. Drafters:

Subject: Public Assistance - comm. aids

Extra Copies: DAK
TAY

Topic:

DOA:.....Fossum - Community aids funding

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm	1-11-20-98 JLG	IS 11/23	IS/HH 11/23			
		***NTES					

FE Sent For:

<END>

DHFS

Department of Health and Family Services
1999-2001 Biennial Budget Statutory Language Request
September 11, 1998

Community Aids Funding

Current Language

Current statutes (s.46.40 and s.46.495(1)(am)) set the levels for Community Aids funding and the parameters for state payment of Community Aids.

Proposed Change

Revise this provision to:

- ✓ conform to the funding levels in the Department's 99-01 budget, as follows:
 - ✓ --change the Basic County Allocation levels in s.46.40(2) from \$285,082,000 for fiscal year 1997-98 and \$284,948,500 for fiscal year 1998-99 to \$283,856,100 in 1999-2000 and \$288,679,100 in 2000-2001.
 - ✓ --change the Substance Abuse level in s.46.40(2m)(a) from \$10,493,900 in fiscal year 1997-98 and \$10,224,100 in fiscal year 1998-99 to \$11,381,700 in each fiscal year.
 - change the child welfare provision in s.48.985(2) to read "the Department shall distribute no more than \$3,734,000 in each fiscal year of the moneys received under..."
- / revise s.46.40(1)(a), s.46.40(2), and s.46.495(1)(am) as needed to enable the Department to allocate up to \$4.5 million in each fiscal year of Basic County Allocation funding based on performance criteria which would be specified in the state/county contract, rather than using the current county allocation methodology and reimbursing for services. Specify that
 - ✓ the performance-based funds would be paid to counties by December 31 following the end
 - ✓ of the fiscal year and that counties are entitled to carry over these funds into any future year.
- ✓ enable the Department to transfer 22% of a county's Basic County Allocation from the county's Community Aids contract to the Department's Family Care program, in accordance with the Department's phase-in schedule for Family Care

- enable the Department to adjust a county's Basic County Allocation to account for individuals who participate in the Medical Assistance (MA) Purchase Plan program who were formerly receiving services funded by Community Aids.

Effect of Change

This change reflects the Department's projected funding levels for Community Aids in the 1999-01 biennium. In addition, this change will enable the Department to allocate a small portion of the BCA based on a county's performance on specified outcome measures, rather than the current community aids county allocation formula. The third change will enable the Department to transfer a portion of a county's Community Aids BCA allocation to the Department's Family Care program at the time the county is phased-in to the Family Care program. The last change will enable the Department to utilize Community Aids funding to fund the non-federal portion of the MA purchase plan costs for participants who would otherwise be receiving Community Aids-funded services.

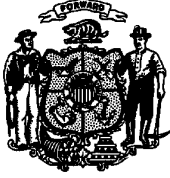
Rationale for the Change

1. Currently, there are no defined outcome expectations or performance-based payments in the state/county Community Aids contract.
2. A Department workgroup of OSF, DCFS, DCTF, DSL, OPRA, and county staff was formed in the fall of 1997 for the purpose of developing performance expectations that could be incorporated into the State/County Community Aids contract. The workgroup's developed preliminary performance indicators in the areas of community placement of individuals with developmental disabilities, AODA and substance abuse services, mental health services, and child welfare services. The Department has submitted a budget proposal to incorporate performance expectations in the state/county Community Aids contract beginning in CY2000.
3. The Department is projecting a net increase in the Community Aids BCA of approximately \$5 million per year in the 99-01 biennium. Under the Department's Community Aids proposal, the Department plans to allocate an amount roughly equal to this net increase to counties based on the extent to which they succeed in meeting the specified performance criteria. This performance-based funding will provide an incentive for counties to meet the defined performance criteria.
4. Under the Department's new long-term care plan for the elderly and disabled—Family Care—funding will be combined from a number of funding sources, including a portion of Medical Assistance funding, Community Options funding, and Community Aids funding, which now fund separate long-term care services. Under the Department's Family Care proposal, a portion—22%—of Community Aids funding will be transferred from the current Community Aids program to Family Care. The proportion to be transferred is based on a July 1998 Department survey to counties which reported the amount of

Community Aids currently spent on long-term care clients for long-term care services. Under the Department's plan, Family Care will be phased in on a geographic basis across the state over a five year period from July 1, 1999-July 1, 2004. As the Resource Center component of Family Care is phased-in to a county, 22% of the county's Basic County Allocation is transferred to the Family Care program.

5. Under the Department's MA Purchase Plan program, the Department will be extending MA eligibility to working age individuals with disabilities who have income and assets below certain levels. Some of the clients served will be individuals, such as individuals with mental illness, who are currently receiving Community Aids-funded services from the county. Since the cost of providing services for these individuals will shift from the county to the state, the Department plans to revise downward a county's BCA funding to reflect the cost the state will incur to provide services to the individual under the MA Purchase Plan program.

Desired Effective Date: Upon passage
Agency: DHFS
Agency Contact: Fredi-Ellen Bove
Phone: 266-2907



State of Wisconsin
1999 - 2000 LEGISLATURE

SOON

LRB-02757
GMM.....

1
jlg

DOA:.....Fossum – Community aids funding

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ^{do not gen} ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

OTHER HEALTH AND HUMAN SERVICES ✓

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services (basic county allocation). ✓ Currently, a county's annual basic county allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's basic county allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, amounts allocated to counties, but not ~~spent~~ or encumbered by December 31 of each year, lapse to the general fund unless carried forward to the next year by DHFS or the joint committee on finance.

spent

This bill sets the basic county allocations for fiscal years 1999-00 and 2000-01. ✓ The bill also permits DHFS to distribute \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill permits DHFS to transfer 22% of a county's basic county allocation to the family care program created under this bill if the county is a participant in the family care program. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur

4

in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

1 SECTION 1. 46.031 (2m) of the statutes is created to read:

2 46.031 (2m) [✓]TRANSFER OR ADJUSTMENT OF FUNDS. (a) [✓]Transfer of funds. If a
3 county is a participant in the [✓]family care program under s. 46.285, the department
4 may transfer 22%[✓] of the amounts allocated to the county departments under s.
5 46.215,[✓] 46.22,[✓] 46.23,[✓] 51.42[✓] or 51.437[✓] of that county under sub. [✓](2g) (a) to the family
6 care program under s. 46.285.

7 (b) [✓]Adjustment of funds. If a former recipient of services funded under an
8 allocation under sub. (2g) (a) is a participant in the medical assistance buy-in
9 program under s. 49.472, the [✓]department may decrease that allocation by the
10 amount that the department estimates it will incur in providing services to that
11 participant under s. 49.472.

****NOTE: Section [✓]46.031 (2m) (a), as created by this SECTION, cross-references the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, paragraph (a) must be deleted from this draft. Similarly, s. 46.031 (2m) (b), as created by this SECTION, cross references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, paragraph (b) must be deleted from this draft.

12 SECTION 2. 46.40 (2) of the statutes is amended to read:

13 46.40 (2) BASIC COUNTY ALLOCATION. For social services under s. 46.495 (1) (d)
14 and services under s. 51.423 (2), the department shall distribute not more than
15 \$285,081,000 \$283,856,100 for fiscal year 1997-98 1999-00[✓] and \$284,948,500

1 \$288.679,100 for fiscal year 1998-99 2000-01. ✓ Of those amounts, the department
 2 shall distribute \$4,500,000 ✓ in each fiscal year, as provided in s. ✓46.495 (3), based on
 3 performance standards developed under s. ✓46.47 and incorporated into the contracts
 4 under s. 46.031 (2g). ✓

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292.

5 **SECTION 3.** 46.40 (2m) (a) of the statutes is amended to read:

6 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
 7 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
 8 department shall distribute not more than ~~\$10,493,900 in fiscal year 1997-98 and~~
 9 ~~not more than \$10,224,100 in fiscal year 1998-99~~ ✓ \$11,381,700 in each fiscal year.

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292.

10 **SECTION 4.** 46.40 (14m) of the statutes is amended to read:

11 46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,
 12 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each
 13 tribal governing body shall submit to the department a proposed budget for the
 14 expenditure of funds allocated under this section, distributed under s. 46.45 (2) (a)
 15 ~~or (4)~~ ✓ or carried forward under s. 46.45 (3) (a). The proposed budget shall be
 16 submitted on a form developed by the department and approved by the department
 17 of administration.

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292.

18 **SECTION 5.** 46.45 (4) of the statutes is created to read:

19 46.45 (4) The department shall carry forward from one calendar to the next any
 20 amounts distributed under s. 46.495 (3) ✓ or 51.423 (2m) ✓ to a county department under
 21 s. ✓46.215, 46.22, 46.23, 51.42 or 51.437 and the county department may expend those
 22 amounts for any purpose specified in s. 20.435 (7) (b) ✓

23 **SECTION 6.** 46.47 of the statutes is amended to read:

1 **46.47 Community aids performance standards.** The department, after
2 consultation with the department of administration and with county departments
3 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
4 standards for services funded by community aids funds allocated under s. 46.40. The
5 department shall ~~implement~~ incorporate the performance standards ~~no later than~~
6 July 1, 1996 into all contracts under s. 46.031 (2g) [✓] that cover contract periods
7 beginning on or after January 1, 2000.

8 History: 1987 a. 27; 1995 a. 27.

8 **SECTION 7.** 46.495 (3) of the statutes is created to read:

9 46.495 (3) The department shall pay any performance-based distribution
10 under s. 46.40 (2) [✓] earned by a county department under s. [✓]46.215, [✓]46.22 or [✓]46.23 by
11 December 31 of the year after the year in which the performance-based distribution
12 was earned. The department shall carry forward that distribution, and the county
13 department may expend that distribution, as provided in s. [✓]46.45 (4).

14 **SECTION 8.** 48.985 (2) of the statutes is amended to read:

15 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
16 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
17 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
18 ~~1998-99~~ \$3,734,000 in each fiscal year [✓] of the moneys received under 42 USC 620 to
19 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
20 purchase of child welfare projects and services, for services to children and families,
21 for services to the expectant mothers of unborn children and for family-based child
22 welfare services.

23 History: 1987 a. 27; 1989 a. 31, 107; 1991 a. 39, 269; 1993 a. 16, 446; 1995 a. 27; 1997 a. 27, 292.

23 **SECTION 9.** 51.423 (2m) of the statutes is created to read:

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: December 30, 1998

To: Gordon M. Malaise, Senior Legislative Attorney
Legislative Reference Bureau

From: Gretchen A. Fossum, Budget Analyst *GAF*
State Budget Office

Subject: LRB Draft 0275/1

Attached are the Department of Health and Family Services' changes and comments regarding LRB draft 0275/1, Community Aids Funding.

If you have any questions, please contact me at 266-2288.



**Department of Health and Family Services
Office of Strategic Finance**

PO Box 7850
Madison WI 53707-7850
Phone (608) 266-3816
Fax (608) 267-0358

Date: December 30, 1998
To: Gretchen Fossum
From: Fredi Bove
Subject: Comments on Community Aids Statutory Language: LRB 0275/1

Thank you for the opportunity to review this LRB draft. Department comments are as follows:

Page1, Section 1, lines 1-6, Revise to read:

46.031 (2m) TRANSFER OR ADJUSTMENT OF FUNDS. (a) *Transfer of funds.* If a care management organization under s. 46.285 is available in a county ~~is a participant in the family care program under s. 46.285,~~ the department may transfer up to 22% of the amounts allocated to the county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 of that county under sub. (2g) (a) to the family care program under s. 46.285 and to the county's allocation for adult protective services under s.46.xx.

Create a new s. 46.xx to authorize the Department to distribute funds for adult protective services (APS). For counties in which a Family Care care management organization is operating, the Department will distribute a portion of Community Aids funding for adult protective services which is designed to meet 37% of the projected total APS costs. The county will be required to provide matching funds in an amount that equals the remaining 63% of total projected APS costs. The county will no longer be required to provide a 9.89% match on the Community Aids funding that has been transferred to Family Care.

Explanation: Since submission of the original drafting instructions, the Department has refined how it will treat the transfer of Community Aids in the Family Care program. Based on consultations with county staff and the conclusions of a workgroup that addressed this issue, as a county is phased-in to Family Care, the Department will establish a separate Adult Protective Services allocation. APS will remain a responsibility of the county regardless of whether the county chooses to contract to be the Family Care care management organization. Under the

revised program design, the Department will be capturing the same dollar level of county match on the funds that are transferred to Family Care and the APS allocation. However, rather than requiring the county to maintain a 9.89% county match across the board on all of the Family Care and APS transferred funds, the Department will be basing the entire match requirement on the APS component. Thus, the required county match on the APS component will increase and the county match requirement on the Family Care component will drop to 0. The county match on the remainder of Community Aids (the non-Family Care and APS components) will remain at 9.89%.

The above revisions include authority to transfer “up to 22%” to accommodate the possibility that a CMO could be available for some, but not all target groups. If there’s no CMO yet for the elderly, for example, the Department would not transfer the full 22%.

The Department anticipates that there may be cases where we need to reduce contracts disproportionately among separate agencies within a county to meet the Family Care/APS transfer requirement. For example, if LTC costs are split unequally between a 51 agency and a DSS, we might reduce the DSS allocation by less than 22% and the 51 agency’s by more than 22%. We are assuming that the statutory language as drafted would allow the Department to do that. There are a few counties that have formed multi-agency consortia and receive Community Aids through a contract with the multi-agency entity. We are assuming that the current statutory language enables us to reduce the multi-agency Community Aids contracts by 22%. We would appreciate it if the drafter verified that our assumptions are correct.

✓ Page 2, Section 2: Revise to read:

“\$277,177,800 for fiscal year 1999-00 and \$265,748,600 for fiscal year 2000-01.”

Explanation: The funding amounts are being revised to reflect recent federal legislation (including legislation passed since the submission of the original drafting instructions) regarding funding levels of block grants used in Community Aids.

✓ Page 3, Section 3: Revise to read:

“\$11,381,600 in each fiscal year”

Explanation: This corrects a minor technical error in the original drafting instructions.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0275/2

GMM:jlg:ijs

2
RMR

DMote

DOA:.....Fossum - Community aids funding

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

is available in the county. If DHFS makes such a transfer, DHFS must distribute to the county in each fiscal year an amount that DHFS estimates will meet 37% of the projected total adult protective services costs to the county for the fiscal year, and the county must meet the remaining 63% of those projected total costs

do not gen

1

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services (basic county allocation). Currently, a county's annual basic county allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's basic county allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, amounts allocated to counties, but not spent or encumbered by December 31 of each year, lapse to the general fund unless carried forward to the next year by DHFS or the joint committee on finance.

This bill sets the basic county allocations for fiscal years 1999-00 and 2000-01. The bill also permits DHFS to distribute \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill permits DHFS to transfer 22% of a county's basic county allocation to the family care program created under this bill if the county is a participant in the family care program. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur

a care management organization under

stat

up to the 29

county's allocations for adult protective services and the

is available in the county

in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

1 SECTION 1. 46.031 (2m) of the statutes is created to read:

2 46.031 (2m) TRANSFER OR ADJUSTMENT OF FUNDS. (a) *Transfer of funds.* If a
3 county is a participant in the family care program under s. 46.285, the department
4 may transfer 22% of the amounts allocated to the county departments under s.
5 46.215, 46.22, 46.23, 51.42 or 51.437 of that county under sub. (2g) (a) to the family
6 care program under s. 46.285.

7 (b) *Adjustment of funds.* If a former recipient of services funded under an
8 allocation under sub. (2g) (a) is a participant in the medical assistance buy-in
9 program under s. 49.472, the department may decrease that allocation by the
10 amount that the department estimates it will incur in providing services to that
11 participant under s. 49.472.

\$ 277,177,800

****NOTE/ Section 46.031 (2m) (a), as created by this SECTION, cross-references the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, paragraph (a) must be deleted from this draft. Similarly, s. 46.031 (2m) (b), as created by this SECTION, cross references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, paragraph (b) must be deleted from this draft.

Insert
2-12

12 SECTION 2. 46.40 (2) of the statutes is amended to read:

13 46.40 (2) BASIC COUNTY ALLOCATION. For social services under s. 46.495 (1) (d)
14 and services under s. 51.423 (2), the department shall distribute not more than
15 \$285,081,000 ~~\$283,856,100~~ for fiscal year 1997-98 ~~1999-00~~ and \$284,948,500

2005

Subject to sub. (9), for

\$265,748,600 ✓

①

~~\$288,679,100~~ for fiscal year ~~1998-99~~ 2000-01. Of those amounts, the department shall distribute \$4,500,000 in each fiscal year, as provided in s. 46.495 (3), based on performance standards developed under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

SECTION 3. 46.40 (2m) (a) of the statutes is amended to read:

⑥ ✓

46.40 (2m) (a) *Prevention and treatment of substance abuse*. For prevention and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the department shall distribute not more than \$10,493,900 in fiscal year ~~1997-98~~ and not more than \$10,224,100 in fiscal year ~~1998-99~~ \$11,381,700 in each fiscal year.

SECTION 4. 46.40 (14m) of the statutes is amended to read:

46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year, each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each tribal governing body shall submit to the department a proposed budget for the expenditure of funds allocated under this section, distributed under s. 46.45 (2) (a) or carried forward under s. 46.45 (3) (a) or (4). The proposed budget shall be submitted on a form developed by the department and approved by the department of administration.

SECTION 5. 46.45 (4) of the statutes is created to read:

46.45 (4) The department shall carry forward from one calendar year to the next any amounts distributed under s. 46.495 (3) or 51.423 (2m) to a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, and the county department may expend those amounts for any purpose specified in s. 20.435 (7) (b).

SECTION 6. 46.47 of the statutes is amended to read:

46.47 Community aids performance standards. The department, after consultation with the department of administration and with county departments

Insert
3-9
⑨

1 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
 2 standards for services funded by community aids funds allocated under s. 46.40. The
 3 department shall ~~implement~~ incorporate the performance standards ~~no later than~~
 4 July 1, 1996 into all contracts under s. 46.031 (2g) that cover contract periods
 5 beginning on or after January 1, 2000.

Insert
4-5 ✓



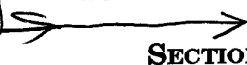
6 **SECTION 7.** 46.495 (3) of the statutes is created to read:

7 46.495 (3) The department shall pay any performance-based distribution
 8 under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by
 9 December 31 of the year after the year in which the performance-based distribution
 10 was earned. The department shall carry forward that distribution, and the county
 11 department may expend that distribution, as provided in s. 46.45 (4).

12 **SECTION 8.** 48.985 (2) of the statutes is amended to read:

13 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
 14 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
 15 \$3,801,000 in ~~fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
 16 1998-99 \$3,734,000 in each fiscal year of the moneys received under 42 USC 620 to
 17 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
 18 purchase of child welfare projects and services, for services to children and families,
 19 for services to the expectant mothers of unborn children and for family-based child
 20 welfare services.

Insert
4-20 ✓



21 **SECTION 9.** 51.423 (2m) of the statutes is created to read:

22 51.423 (2m) The department shall pay any performance-based distribution
 23 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
 24 December 31 of the year after the year in which the performance-based distribution

1 was earned. The department shall carry forward that distribution, and the county
2 department may expend that distribution, as provided in s. 46.45 (4).

3 (END)

Insert 2-12

Section #. 46.40 (1) (a) of the statutes is amended to read:

(9)

46.40 (1) (a) Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2), (2m) and (7) to ~~(8)~~.

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292.

(end insert)

Insert 3-9

SEC. CR; 46.40 (a)⁴

46.40 (a) ^(b) ^(c) TRANSFER OR ADJUSTMENT OF BASIC COUNTY

ALLOCATION. (a) ⁽¹⁾ Transfer to family care program and adult

protective services allocation. IF a care management organization

under s. 46.285[✓] is available in a county, the department may

transfer not more than 22% of the amount allocated under sub.

(2)[✓] to the county departments under ss. 46.215[✓], 46.22[✓], 46.23[✓],

51.42[✓] and 51.437[✓] of that county, to ~~the~~ ^{that county's} adult protective

services allocation under par. (b)[✓] and family care program

allocation under s. 46.285[✓] and shall distribute the amount

~~to the~~ ~~adult protective services allocation.~~

transferred as provided in par. (b)[✓] and s. 46.285.[✓]

¶ (b) ⁽²⁾ Adult protective services allocation. IF the

department transfers under par. (a)[✓] an amount

allocated under sub. (2) to the county departments under ss.

46.215[✓], 46.22[✓], 46.23[✓], 51.42[✓] and 51.437[✓] of a county, ↓

Insert 3-9

From the amount transferred the department shall distribute to that county in each fiscal year ~~an amount~~ for adult protective services an amount that the department estimates will meet 37% of the ~~projected~~ total adult protective services costs to the county for the fiscal year ~~the~~ county shall meet the remaining 63% of ~~that~~ ^{those} projected total costs as provided in s. 46.495 (1)(d) and 51.423 (2).

① Adjustment for medical assistance buy-in program.

If a former recipient of services funded under ^{the allocation under} sub. (2) is a participant in the medical assistance buy-in program under s. 49.472, the department may decrease that allocation by the amount that the department estimates it will incur in providing services to that participant under s. 49.472.



Insert 3-9

*** NOTE: ~~SECTION~~ ^{Section} 46.40 (a) ^(a), as created by this SECTION, cross-references the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, the references to the family care program in s. 46.40 (a) (a) must be deleted from this draft. Similarly, s. 46.40 (a) (c) ^(c), as created by this SECTION, cross-references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, s. 46.40 (a) (c) must be deleted from this draft.

End of insert

Insert 4-5

under s. 46.40 (2) and (8)

Section #. 46.495 (1) (d) of the statutes is amended to read:

and (9)(b)

for the distributions under s. 46.40 (2) and (8)

46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for social services, including funding for foster care or treatment foster care of a child on whose behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) ~~and (8)~~. Each county's required match for a year equals 9.89% of the total of the county's distributions for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its distribution for 1987. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 a. 3, 27, 252.

Each county's required match for the distributions under s. 46.40 (9)(b) for a year equals 63% of the total adult protective services costs to the county for the year projected by the department.

(end of insert)

Insert 4-20

Section #. 51.423 (2)^x of the statutes is amended to read:

and (a) (b)

under s. 46.40 (2)

for the distributions under s. 46.40 (2)

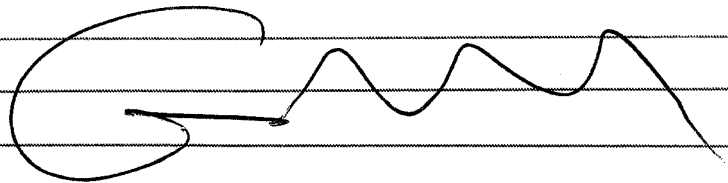
51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2). Each county's required match for a year equals 9.89% of the total of the county's distributions for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its distribution for 1987. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

History: 1985 a. 176 ss. 452 to 454, 456 to 461, 463, 466; 1987 a. 27, 186; 1989 a. 31, 56, 122; 1991 a. 39, 269; 1993 a. 16, 445; 1995 a. 27; 1997 a. 27.

Each county's required match for the distributions
under s. 46.40 (a) (b) for a year equals 63.9%
of the total adult protective services costs to
the county for the year projected by the
department.

(Card front)

are not broad enough to cover multi-agency consortia because other provisions in current s. 46.031[✓] specifically reference multi-agency consortia. Therefore, one can argue that by failing to mention multi-agency consortia in one provision of s. 46.031[✓] when those consortia are specifically ^{mentioned} ~~included~~ ^{intends} elsewhere in s. 46.031, the legislature ~~intended~~ ^{intends} to exclude ^{mentioned} multi-agency consortia where not expressly ~~included~~. The canons of ~~use~~ statutory construction underlying such an interpretation are: 1) that statutes are construed ^① in pari materia, ^{that is,} ~~not~~ not in isolation, but rather in relation to all related statutes; and 2) ^② expressio unius est exclusio alterius, that is, the expression of one is the exclusion of the other. By moving the language to s. 46.40⁴ where multi-agency consortia are not mentioned, this draft should obviate that argument.



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0275/2dn
GMM:jlj:jf

January 11, 1999

Gretchen:

To address the assumptions at page 2 of Fredi Bove's December 30, 1998, memorandum to yourself, please note all of the following:

1. That this draft addresses the issue of reducing one county department's allocation by less than 22% and another county department's allocation by more than 22%, so long as the overall reduction to that county is not more than 22%, by referring to the county departments of a county in the conjunctive, rather than the disjunctive, that is, by connecting them with "and" rather than "or".

2. That this draft addresses the issue of whether multi-agency consortia are covered by moving the operative language from ss. 46.031 to s. 46.40. The references to county departments and counties in s. 46.40 are broad enough to cover multi-agency consortia. References to county departments and counties in s. 46.031, however, arguably are not broad enough to cover multi-agency consortia because other provisions in current s. 46.031 specifically reference multi-agency consortia. Therefore, one can argue that by failing to mention multi-agency consortia in one provision of s. 46.031 when those consortia are specifically mentioned elsewhere in s. 46.031, the legislature intends to exclude multi-agency consortia where not expressly mentioned. The canons of statutory construction underlying such an interpretation are: 1) that statutes are construed *in pari materia*, that is, not in isolation, but rather in relation to all related statutes; and 2) *expressio unius est exclusio alterius*, that is, the expression of one is the exclusion of the other. By moving the language to s. 46.40 where multi-agency consortia are not mentioned, this draft should obviate that argument.

Gordon M. Malaise
Senior Legislative Attorney
266-9738

Malaise, Gordon

From: Fossum, Gretchen
Sent: Monday, January 25, 1999 2:13 PM
To: Malaise, Gordon
Subject: FW: Department Comments on Revised LRB Draft on Community Aids

Gordon:

Attached are Fredi Bove's revisions to the Community Aids draft (LRB 0275/2). In addition to these changes, please make the following additional changes:

1. On page 2, line 12 change the dollar amount from ~~\$265,748,600~~ to ~~\$252,034,800~~.
2. On page 4, delete section 6.

If you have any questions, please contact me at 266-2288.

Gretchen

-----Original Message-----

From: Bove, Fredi-Ellen
Sent: Tuesday, January 19, 1999 5:04 PM
To: Minkus, Paul; Dombrowicki, Dennis; Barniskis, Lorraine; Young, Otto; Fossum, Gretchen
Subject: Department Comments on Revised LRB Draft on Community Aids

As promised, attached is e-mail version of Dept. comments (This is identical to version faxed to you over the weekend.)



carevdraft.doc

Date: January 15, 1999
To: Gretchen Fossum
From: Fredi Bove
Budget Section
Subject: Department Comments on Revised LRB Draft of Community Aids Statutory Language (LRB-0275/2)

Thank you for the opportunity to review LRB Draft LRB-0275/2. Department comments are as follows:

1. Section 2, s.46.40(2), line 13: Insert "up to" before the \$4,500,000.

Explanation: The amount of funding to be used for performance-based funding is based on the net increase in the Community Aids BCA due to policy changes, particularly the new policy DHFS intends to implement of claiming federal funds under MA targeted case management. The Department is still engaged in discussions with federal officials to get federal approval for our proposed claiming methodology. It is possible that federal officials may require the Department to use a different, more restrictive claiming methodology. If so, the net increase to the BCA would be lower. The Department wants the flexibility to lower the amount of performance-based Community Aids funding in the event there are federal actions that cause a lower net increase in the BCA.

2. Section 4, s.46.40(9)(a): Retain first clause, change second part of line 9 through 14 to read: "the department may transfer not more than 21.3% of the amount allocated under sub.(2) to the county departments under ss.46.215,46.22,46.23,51.42,51.437 of that county and the amount allocated under sub (8) (Alzheimer's Support program) to that county to that county's adult protective services allocation under par. (b) and shall distribute the amount transferred as provided in s.46.283(5) and s.46.284 (4)."

Explanation: Under Family Care, the Department will be transferring the Alzheimer's Support Program Community Aids allocation as a county comes "on-line" in Family Care. As a result, the amount of funding that will be transferred from the BCA part of Community Aids is somewhat less than 22%--21.3%. (In the original instructions Department staff erroneously stated that 22% of the BCA would be transferred because we failed to take account of the Alzheimer's Support Funding.)

There will not be a Family Care "allocation" under Community Aids. Rather, the amount that is transferred from the county's Community Aids (and not used in the new APS allocation) will be used by the state to fund the state's contracts with Resource Centers (s.46.283(5)) and Care Management Organizations (s.46.284(4)).

for services of

3. Section 4, s.46.40 (9)(b): line 18-22 should be changed to read: "department shall distribute to that county an amount in each fiscal year for adult protective services." (Remainder of section should be deleted).

Explanation: The Department will not be estimating the total adult protective services (APS) costs for each county that falls under this provision. Rather, each fiscal year there will be a budgeted amount for the APS allocation as part of the biennial budget. In our view, the match requirement should not be specified in this section, but rather be specified only in s.46.495 (1)(d) and s.51.423 (2), as is the case for the match requirement for the BCA. As noted below, the wording for the APS match requirement needs to be revised.

4. Drafter's Note, p. 4: The second sentence should read: "If LRB-0030 is not included in the budget, s.46.40(9)(a) and (b) must be deleted from this draft."

Explanation: If Family Care is not approved by the legislature, the Department will not be establishing the APS allocation under Community Aids (s.46.40(9)(b)) and will not be applying any of the Family care transfer provisions (all of s.46.40(9)(a)).

5. In Section 8, s.46.495(1)(d) lines 14-16 and Section 11, s.51.423 (2) lines 22-24: Change the sentence to read as follows: "Each county must spend \$2.00 for every \$1 received from the state under s.46.40 (9)(b) for adult protective services or Resource Center functions under s.46.283(3)."

Explanation: Department staff realized that the required county APS contribution cannot be expressed as a % of the total APS expenditure because the total APS expenditure may include county overmatch spending and the Department does not want to impose a "match" requirement on the county "overmatch". Therefore, the county APS match requirement must be expressed in relation to the state APS funding. Using this methodology, the county must spend \$2.00 for each \$1 received from the state. Because there may be years when a county has relatively few APS clients/needs, the county may not need to spend the full "\$2.00" county match share on APS services. For this reason, the Department intends to give counties the flexibility to spend their \$2.00 match requirement on APS or Resource Center functions (to account for circumstances when the full county match is not needed on APS services).



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0275/2

GMM:jljgjf

3
RMR

SOON

Vote

DOA:.....Fossum - Community aids funding

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

Currently, DHFS is required to distribute community aids in the form of a basic county allocation, together with certain categorical allocations, including an allocation for Alzheimer's family and caregiver support.

do not gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services ~~basic county allocation~~. Currently, a county's annual ~~basic county allocation~~ is specified in a contract between DHFS and the county, and DHFS distributes the county's ~~basic county~~ allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, amounts allocated to counties, but not spent or encumbered by December 31 of each year, lapse to the general fund unless carried forward to the next year by DHFS or the joint committee on finance.

Community aids

not more than

This bill sets the basic county allocations for fiscal years 1999-2000 and 2000-01. The bill also permits DHFS to distribute \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill permits DHFS to transfer up to 22% of a county's basic county allocation to the county's allocations for adult protective services ~~and the family care program~~ created under the bill if a care management organization under the family care program is available in the county. If DHFS

created under the bill,

a county's Alzheimer's family and caregiver support allocation and not more than 21.3%

Insert A ✓

makes such a transfer, DHFS must distribute to the county in each fiscal year an amount that DHFS estimates will meet 37% of the projected total adult protective services costs to the county for the fiscal year, and the county must meet the remaining 63% of those projected total costs. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

1 SECTION 1. 46.40 (1) (a) of the statutes is amended to read:

2 46.40 (1) (a) Within the limits of available federal funds and of the
3 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall
4 distribute funds for community social, mental health, developmental disabilities and
5 alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985
6 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437
7 and to county aging units, as provided in subs. (2), (2m) and (7) to (8) (9) ✓

8 SECTION 2. 46.40 (2) of the statutes is amended to read:

9 46.40 (2) BASIC COUNTY ALLOCATION. Per (subject to sub. (9), for social services
10 under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall
11 distribute not more than ~~\$285,081,000~~ \$277,177,800 for fiscal year ~~1997-98~~
12 1999-2000 and ~~\$284,948,500~~ \$265,748,600 for fiscal year ~~1998-99~~ 2000-01. Of
13 those amounts, the department shall distribute \$4,500,000 in each fiscal year, as
14 provided in s. 46.495 (3), based on performance standards developed under s. 46.47
15 and incorporated into the contracts under s. 46.031 (2g).

Not more than ✓

and the amount allocated under sub. (2) to the agency designated under s. 46.87 (3)(c) of that county and

SECTION 3. 46.40 (2m) (a) of the statutes is amended to read:

46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the department shall distribute not more than \$10,493,900 in fiscal year 1997-98 and not more than \$10,224,100 in fiscal year 1998-99 \$11,381,600 in each fiscal year.

Insert
3-5

SECTION 4. 46.40 (9) of the statutes is created to read:

46.40 (9) ~~TRANSFER OR ADJUSTMENT OF BASIC COUNTY ALLOCATION~~ (a) *Transfer to family care program and adult protective services allocation.* If a care management organization under s. 46.285 is available in a county, the department

may transfer not more than ~~2%~~ ^{21.3%} of the amount allocated under sub. (2) to the county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 of that county to that county's adult protective services allocation under par. (b) and family care program allocation under s. 46.285 and shall distribute the amount transferred as provided in par. (b) ~~and s. 46.285.~~

(b) *Adult protective services allocation.* If the department transfers under par. (a) an amount allocated under sub. (2) to the county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 of a county, from the amount transferred the department shall distribute to that county in each fiscal year for adult protective services an amount that the department estimates will meet 37% of the total adult protective services costs to the county for the fiscal year projected by the department. The county shall meet the remaining 63% of those projected total costs as provided in ss. 46.495 (1) (d) and 51.423 (2).

(c) *Adjustment for medical assistance buy-in program.* If a former recipient of services funded under the allocation under sub. (2) is a participant in the medical assistance buy-in program under s. 49.472, the department may decrease that

For adult protective services, the department shall distribute the amount transferred under par. (a) as provided in s. 46.285 (5) and 46.294 (4).

Insert
3-22

1 allocation by the amount that the department estimates it will incur in providing
2 services to that participant under s. 49.472.

****NOTE: Section 46.40 (9) (a) ^{and (b)} as created by this SECTION, cross-references the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, ~~the references to the family care program in s. 46.40 (9) (a) must be deleted from this draft.~~ Similarly, s. 46.40 (9) (c), as created by this SECTION, cross-references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, s. 46.40 (9) (c) must be deleted from this draft.

3 **SECTION 5.** ~~46.40 (14m) of the statutes is amended to read:~~

4 ~~46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,~~
5 ~~each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each~~
6 ~~tribal governing body shall submit to the department a proposed budget for the~~
7 ~~expenditure of funds allocated under this section, distributed under s. 46.45 (2) (a)~~
8 ~~or carried forward under s. 46.45 (3) (a) or (4). The proposed budget shall be~~
9 ~~submitted on a form developed by the department and approved by the department~~
10 ~~of administration.~~

11 **SECTION 6.** ~~46.45 (4) of the statutes is created to read:~~

12 ~~46.45 (4) The department shall carry forward from one calendar year to the~~
13 ~~next any amounts distributed under s. 46.495 (3) or 51.423 (2m) to a county~~
14 ~~department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, and the county~~
15 ~~department may expend these amounts for any purpose specified in s. 20.435 (7) (b).~~

16 **SECTION 7.** 46.47 of the statutes is amended to read:

17 **46.47 Community aids performance standards.** The department, after
18 consultation with the department of administration and with county departments
19 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
20 standards for services funded by community aids funds allocated under s. 46.40. The
21 department shall ~~implement~~ incorporate the performance standards ~~no later than~~

which may be in the form of expenditures for
adult protective services or resource center services under s. 46.203,
or both,

1 July 1, ~~1996~~ into all contracts under s. 46.031 (2g) that cover contract periods
2 beginning on or after January 1, 2000.

3 SECTION 8. 46.495 (1) (d) of the statutes is amended to read:

4 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw)
5 and (o), the department shall distribute the funding for social services, including
6 funding for foster care or treatment foster care of a child on whose behalf aid is
7 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
8 as provided under s. 46.40. County matching funds are required for the distributions
9 under s. 46.40 (2) and (8) and (9) (b). Each county's required match for the
10 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
11 county's distributions under s. 46.40 (2) and (8) for that year for which matching
12 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
13 stats., to spend for juvenile delinquency-related services from its distribution for
14 1987. Each county's required match for the distributions under s. 46.40 (9) (b) for a
15 year equals 68% of the total ^{200%} adult protective services costs to the county for the year

16 projected by the department. Matching funds may be from county tax levies, federal
17 and state revenue sharing funds or private donations to the county that meet the
18 requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the
19 total county match. If the county match is less than the amount required to generate
20 the full amount of state and federal funds distributed for this period, the decrease
21 in the amount of state and federal funds equals the difference between the required
22 and the actual amount of county matching funds.

23 SECTION 9. 46.495 (3) of the statutes is created to read:

24 46.495 (3) The department shall pay any performance-based distribution
25 under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by
of the county's distribution under s. 46.40 (9) (b) for that year

for any purpose specified in s. 20.435 (7)(b)

1 December 31 of the year after the year in which the performance-based distribution
2 was earned. The department shall carry forward that distribution, and the county
3 department may expend that distribution, as provided in s. 46.45 (4).

4 SECTION 10. 48.985 (2) of the statutes is amended to read:

5 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
6 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
7 \$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year
8 1998-99 \$3,734,000 in each fiscal year of the moneys received under 42 USC 620 to
9 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
10 purchase of child welfare projects and services, for services to children and families,
11 for services to the expectant mothers of unborn children and for family-based child
12 welfare services. which may be in the form of expenditures for adult protective
services or resource center services under s. 46.283, or both.

13 SECTION 11. 51.423 (2) of the statutes is amended to read:

14 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
15 (o), the department shall distribute the funding for services provided or purchased
16 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
17 as provided under s. 46.40. County matching funds are required for the distributions
18 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions
19 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions
20 under s. 46.40 (2) for that year for which matching funds are required plus the
21 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
22 delinquency-related services from its distribution for 1987. Each county's required
23 match for the distributions under s. 46.40 (9) (b) for a year equals ^{20%}63% of the total
24 adult protective services costs to the county for the year projected by the department.

25 Matching funds may be from county tax levies, federal and state revenue sharing

of the county's distribution under s. 46.40 (9)(b) for that year

1 funds or private donations to the counties that meet the requirements specified in
2 sub. (5). Private donations may not exceed 25% of the total county match. If the
3 county match is less than the amount required to generate the full amount of state
4 and federal funds distributed for this period, the decrease in the amount of state and
5 federal funds equals the difference between the required and the actual amount of
6 county matching funds.

7 SECTION 12. 51.423 (2m) of the statutes is created to read:

8 51.423 (2m) The department shall pay any performance-based distribution
9 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
10 December 31 of the year after the year in which the performance-based distribution
11 was earned. The ~~department shall carry forward that distribution, and the county~~
12 ~~department may expend that distribution, as provided in s. 46.45 (4).~~

13

(END)

for any purpose specified in
s. 20.435 (7)(b) ✓

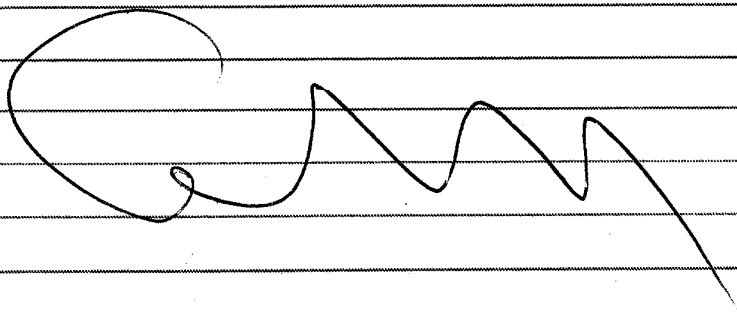
Dust

D-Note

Question:

PI note from Fred Bore's redraft instructions that the amounts transferred from community aids ~~may be~~ are to be distributed for adult protective services, resource center services and care management organization expenditures that a county is permitted to use to match that distribution only services, yet that ~~grant~~ ~~includes~~ includes funds expended on adult protective services and resource center funds expended on services, but not care management organization services.

Is this omission intentional?

A large, stylized handwritten signature in black ink, consisting of a large loop followed by several sharp, downward-pointing peaks.

~~Insert A~~

NO P The amount transferred for adult protective services, services provided by resource centers under the Family Care program and services provided by care management organizations under the Family Care program, and the county must match provide matching funds, which ~~may be~~ either in the form of expenditures for adult protective services or resource center services, or both, equal to 200%[%] of the amount distributed to the county. ✓ NO P

~~Insert 3-5~~

Section #. 46.40 (8)^x of the statutes is amended to read:

Subject to sub. (a), for

46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. For services to persons with Alzheimer's disease and their caregivers under s. 46.87, the department shall distribute not more than \$1,877,000 for each fiscal year.

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292.

(end of insert)

Insert 3-22

~~(b)~~ The department shall distribute the amounts transferred under par. (a) for ~~services provided~~ adult protective services, ~~services~~ ~~provided by~~ ~~resource~~ centers ~~under~~ under s. 46.283 and ~~(b)~~ services provided by care management organizations under s. 46.284.

(end of insert)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0275/3dn
GMM:jlg:jf

January 27, 1999

Gretchen:

I note from Fredi Bove's redraft instructions that the amounts transferred from community aids are to be distributed for adult protective services, resource center services and care management organization services, yet the expenditures that a county is permitted to use to match that distribution only includes funds expended on adult protective services and resource center services, but not funds expended on care management organization services. Is this omission intentional?

Gordon M. Malaise
Senior Legislative Attorney
266-9738

Malaise, Gordon

From: Fossum, Gretchen
Sent: Friday, January 29, 1999 12:50 PM
To: Malaise, Gordon
Subject: FW: FW: LRB Draft: 99-0275/3

Here is Fredi's response.

-----Original Message-----

From: Bove, Fredi-Ellen
Sent: Thursday, January 28, 1999 3:20 PM
To: Fossum, Gretchen
Cc: Bamiskis, Lorraine
Subject: Re: FW: LRB Draft: 99-0275/3

Attached are Dept. comments on the draft. Call if you have questions.

>>> Gretchen Fossum 01/27 1:42 PM >>>

Here is the Community Aids draft. Can I get a sinoff by 4:00PM Thursday, January 28? Thanks.

-----Original Message-----

From: Frantzen, Jean
Sent: Wednesday, January 27, 1999 1:42 PM
To: Fossum, Gretchen
Cc: Montgomery, John; LaBelle, Vicky; Hubli, Scott; Haugen, Caroline
Subject: LRB Draft: 99-0275/3

Following is the PDF version of draft 99-0275/3.



carev2draft.doc

**Department of Health and Family Services
Office of Strategic Finance**

PO Box 7850
Madison WI 53707-7850
Phone (608) 266-3816
Fax (608) 267-0358

Date: January 28, 1999
To: Gretchen Fossum
From: Fredi Bove
Budget Section
Subject: Department Comments on Revised LRB Draft of Community Aids Statutory Language (LRB-0275/3)

Thank you for the opportunity to review LRB Draft LRB-0275/3. Department comments are as follows. Please call if you have any questions.

Response to Drafter's Question: Yes, it is the Department's intent that county funds expended on care management organizations not be permitted to be used as match for the new adult protective services allocation.

Comments:

1. Bill Summary, p.2, line 1: Amend to read: "21.3% of a county's basic county allocation to the family care program and to the county's allocation for adult protective services..."
p.2, line 7-9: Amend to read: "and the county must provide matching funds equal to 9.89% of the amount transferred."

Explanation: This makes bill summary consistent with revisions outlined below.

2. Section 3, s.46.40(2m)(a): Amend to read: "\$11,318,600 in each fiscal year."

Explanation: The current draft incorrectly states \$11,381,600. I am sorry I did not detect this typo in previous drafts.

3. Section 5, s.46.40(9)(a), line 16: Amend to read: "Transfer to the family care program and to the adult protective services allocation."

Lines 20-22: Amend to read: "of that county to the family care program and to that county's adult protective services allocation under par.(b)." (Delete remainder of sentence.)

s.46.40(9)(b): Amend to read: "From the amount transferred under par. (a) the department shall distribute to that county in each fiscal year an amount for adult protective services." No additional sentences should be in this section.

Explanation: When a Family Care care management organization becomes operative in a county, the Department will be transferring out of the county's Community Aids its Alzheimer's funding and 21.3% of its BCA. This funding will be used for two purposes: (a) a large portion will be used by the state to fund Family Care program costs; and (b) the remaining, much smaller portion, will be provided to the counties as an Adult Protective Services allocation under Community Aids. Specifically, the bulk of this funding will be transferred to a new numeric appropriations within 20.435(7)(b) and (7)(o) to be used by the state to fund Family Care. As specified in the LRB Draft for Family Care, the state will use this funding to fund Resource Center contracts and care management organization costs. It will not be distributed via a "Family Care" Community Aids allocation (as the previous draft specified.) The remainder of the funding transferred out of the county's Community Aids funding will be transferred into the new Adult Protective Services Community Aids allocation created by this bill and provided to counties.

✓ Section 7, s.46.495(1)(d) lines 11-14 and Section 10, s.51.423(2) lines 21-25: Amend to read: "Each county's required match for the distribution under s.46.90 (9)(b) for a year equals 9.89% of the amount transferred under s.46.40 (9)(a)."

Explanation: Stating the match requirement in this manner will make it clearer to counties and others that the dollar amount of county matching funds required under Family Care is the same as under the status quo. This is one of the key policy decisions, which was supported by counties, made in the development of the Family Care program. Department staff concluded that defining the match requirement as in the last draft would create confusion and the misperception that we are requiring a higher total amount of county match under Family Care than under the status quo. In addition, we concluded that it is preferable for the Department to clarify administratively that expenditures on Resource Centers and Adult Protective Services will qualify as the match requirement, rather than put this in statute. We concluded that having it in statute would create confusion and the potential misconception that counties are required to match funding they receive in Resource Center contracts. We appreciate your patience in working with us on defining this match contribution.

Cc: Lorraine Barniskis

Malaise, Gordon

From: Fossum, Gretchen
Sent: Friday, January 29, 1999 4:46 PM
To: Malaise, Gordon
Subject: Community Aids Draft

For LRB 0275:

Please change the dollar amount on line 12, page 2 from \$265,748,600 to \$279,462,400.

The Governor has reversed a decision.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0275/4

GMM:jlg:jf

4
RMR

DOA:.....Fossum - Community aids funding

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

a county must provide matching funds for a year equal to 9.89% of that county's community aids distribution for the year

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

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. Currently, DHFS is required to distribute community aids in the form of a basic county allocation, together with certain categorical allocations, including an allocation for Alzheimer's family and caregiver support. Currently, a county's annual community aids allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, ~~amounts allocated to counties but not spent or encumbered by December 31 of each year, lapse to the general fund unless carried forward to the next year by DHFS or the joint committee on finance.~~

This bill sets the basic county allocations for fiscal years 1999-2000 and 2000-01. The bill also permits DHFS to distribute not more than \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill permits DHFS to ~~transfer~~ a county's Alzheimer's family and caregiver support allocation and not more

dispose &

may transfer the

provides that, if a case management organization under the family care program, created under the bill, is available in a county,

Insert A ✓

the

③ If DHFS transfers a portion of those allocations to a county's adult protective services allocation, the county must provide matching funds equal to 100% of the amount transferred to the family care program and to the adult services allocation for the year.

than 21.3% of a county's basic county allocation to the county's allocation for adult protective services created under the bill if a care management organization under the family care program created under the bill is available in the county. If DHFS makes such a transfer, DHFS must distribute the amount transferred for adult protective services, services provided by resource centers under the family care program and services provided by care management organizations under the family care program, and the county must provide matching funds, either in the form of expenditures for adult protective services or resource center services, or both, equal to 200% of the amount distributed to the county. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

SECTION 1. 46.40 (1) (a) of the statutes is amended to read:

46.40 (1) (a) Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2), (2m) and (7) to (8) (9).

SECTION 2. 46.40 (2) of the statutes is amended to read:

46.40 (2) BASIC COUNTY ALLOCATION. For Subject to sub. (9), for social services under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not more than ~~\$285,081,000~~ \$277,177,800 for fiscal year ~~1997-98~~ 1999-2000 and ~~\$284,948,500~~ \$265,748,000 for fiscal year ~~1998-99~~ 2000-01. Of

12

\$279,462,400 ✓

1 those amounts, the department shall distribute not more than \$4,500,000 in each
2 fiscal year, as provided in s. 46.495 (3), based on performance standards developed
3 under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

4 SECTION 3. 46.40 (2m) (a) of the statutes is amended to read:

\$11,318,600 ✓

5 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
6 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
7 department shall distribute not more than \$10,493,900 in fiscal year 1997-98 and
8 not more than \$10,224,100 in fiscal year 1998-99 ~~\$11,381,600~~ in each fiscal year.

9 SECTION 4. 46.40 (8) of the statutes is amended to read:

10 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. For Subject
11 to sub. (9), for services to persons with Alzheimer's disease and their caregivers
12 under s. 46.87, the department shall distribute not more than \$1,877,000 for each
13 fiscal year. (1) Family care program and

14 SECTION 5. 46.40 (9) of the statutes is created to read:

dispose of
dispose of

15 46.40 (9) TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a)
16 Transfer to adult protective services allocation. If a care management organization
17 under s. 46.285 is available in a county, the department may ~~allocate~~ the amount
18 allocated under sub. (8) to ~~the agency designated under s. 46.87 (3) (c) of that county,~~
19 and not more than 21.3% of the amount allocated under sub. (2) to ~~the county~~
20 ~~departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 of that county to that~~
21 ~~county's adult protective services allocation under par. (b) and shall distribute the~~
22 ~~amount transferred as provided in par. (b).~~ For adult protective services, the

23 (b) Adult protective services allocation. The department shall distribute the
24 amounts transferred under par. (a) for adult protective services, services provided by
25 ~~resource centers under s. 46.285 and services provided by care management~~

✓
Insert
3-22

\$2. in each fiscal year.

1 ~~organizations under s. 46.284. If the department transfers under par. (a) an amount~~
2 ~~allocated under sub. (2) to the county departments under ss. 46.215, 46.22, 46.23,~~
3 ~~51.42 and 51.437 of a county, from the amount transferred the department shall~~
4 ~~distribute to that county in each fiscal year for adult protective services an amount~~
5 ~~that the department estimates will meet 87% of the total adult protective services~~
6 ~~costs to the county for the fiscal year projected by the department. The county shall~~
7 ~~meet the remaining 63% of those projected total costs as provided in ss. 46.495 (1)~~
8 ~~(d) and 51.423 (2).~~

9 (c) *Adjustment for medical assistance buy-in program.* If a former recipient of
10 services funded under the allocation under sub. (2) is a participant in the medical
11 assistance buy-in program under s. 49.472, the department may decrease that
12 allocation by the amount that the department estimates it will incur in providing
13 services to that participant under s. 49.472.

****NOTE: Section 46.40 (9) (a) and (b) as created by this SECTION, cross-reference the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, s. 46.40 (9) (a) and (b) must be deleted from this draft. Similarly, s. 46.40 (9) (c), as created by this SECTION, cross-references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, s. 46.40 (9) (c) must be deleted from this draft.

14 SECTION 6. 46.47 of the statutes is amended to read:

15 **46.47 Community aids performance standards.** The department, after
16 consultation with the department of administration and with county departments
17 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
18 standards for services funded by community aids funds allocated under s. 46.40. The
19 department shall ~~implement~~ incorporate the performance standards ~~no later than~~
20 July 1, 1996 into all contracts under s. 46.031 (2g) that cover contract periods
21 beginning on or after January 1, 2000.

22 SECTION 7. 46.495 (1) (d) of the statutes is amended to read:

9.89 ⁷⁰/₁₀₀ of that county's amounts described in

1 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw)
 2 and (o), the department shall distribute the funding for social services, including
 3 funding for foster care or treatment foster care of a child on whose behalf aid is
 4 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
 5 as provided under s. 46.40. County matching funds are required for the distributions
 6 under s. 46.40 (2) and (8) and (9) (b). Each county's required match for the
 7 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
 8 county's distributions under s. 46.40 (2) and (8) for that year for which matching
 9 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
 10 stats., to spend for juvenile delinquency-related services from its distribution for
 11 1987. ~~Each county's required match, which may be in the form of expenditures for~~
 12 ~~adult protective services or resource center services under s. 46.283, or both, for the~~
 13 ~~distribution under s. 46.40 (9) (b) for a year equals 200% of the total of the county's~~
 14 ~~distribution under s. 46.40 (9) (b) for that year.~~ ^{(a) (intro.) ✓} Matching funds may be from county
 15 tax levies, federal and state revenue sharing funds or private donations to the county
 16 that meet the requirements specified in s. 51.423 (5). Private donations may not
 17 exceed 25% of the total county match. If the county match is less than the amount
 18 required to generate the full amount of state and federal funds distributed for this
 19 period, the decrease in the amount of state and federal funds equals the difference
 20 between the required and the actual amount of county matching funds.

SECTION 8. 46.495 (3) of the statutes is created to read:

22 46.495 (3) The department shall pay any performance-based distribution
 23 under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by
 24 December 31 of the year after the year in which the performance-based distribution

1 was earned. The county department may expend that distribution for any purpose
2 specified in s. 20.435 (7) (b).

3 **SECTION 9.** 48.985 (2) of the statutes is amended to read:

4 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
5 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
6 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
7 ~~1998-99~~ \$3,734,000 in each fiscal year of the moneys received under 42 USC 620 to
8 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
9 purchase of child welfare projects and services, for services to children and families,
10 for services to the expectant mothers of unborn children and for family-based child
11 welfare services.

12 **SECTION 10.** 51.423 (2) of the statutes is amended to read:

13 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
14 (o), the department shall distribute the funding for services provided or purchased
15 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
16 as provided under s. 46.40. County matching funds are required for the distributions
17 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions
18 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions
19 under s. 46.40 (2) for that year for which matching funds are required plus the
20 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
21 delinquency-related services from its distribution for 1987. Each county's required
22 match, which may be in the form of expenditures for adult protective services or
23 resource center services under s. 46.283, or both, for the distribution under s. 46.40
24 (9) (b) for a year equals 200% of the total of the county's distribution under s. 46.40
25 (9) ~~for~~ for that year. Matching funds may be from county tax levies, federal and state

9.89% of that county's amounts described in

1 revenue sharing funds or private donations to the counties that meet the
2 requirements specified in sub. (5). Private donations may not exceed 25% of the total
3 county match. If the county match is less than the amount required to generate the
4 full amount of state and federal funds distributed for this period, the decrease in the
5 amount of state and federal funds equals the difference between the required and the
6 actual amount of county matching funds.

7 **SECTION 11.** 51.423 (2m) of the statutes is created to read:

8 51.423 (2m) The department shall pay any performance-based distribution
9 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
10 December 31 of the year after the year in which the performance-based distribution
11 was earned. The county department may expend that distribution for any purpose
12 specified in s. 20.435 (7) (b).

13

(END)

Insert 3-22

as follows:

¶ 1. By ^{transferring} using a portion of those amounts, as determined by the department, ~~to fund resource centers~~ ^{to the family care program} ~~and the~~ ^{to fund} services of resource centers under s. 46.283 (5) and ~~care~~ ^{to fund} the services of care management organizations under s. 46.284 (4).

¶ 2. By transferring a portion of those amounts, as determined by the department, to the county's adult protective services allocation under ~~of~~ ^{of} par. (b).

(end of insert)

Insert A

§ 50 by ~~using~~ transferring a portion of those allocations, as determined by the family care program to DHS, to fund the services of resource centers and care management organizations under the family care program and by transferring a portion of those allocations, as determined by DHS. ^{NO} ~~§~~



State of Wisconsin
1999 - 2000 LEGISLATURE

D-note

LRB-0275/d
GMM:jlg:km

C
RMR

DOA:.....Fossum – Community aids funding

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. Currently, DHFS is required to distribute community aids in the form of a basic county allocation, together with certain categorical allocations, including an allocation for Alzheimer's family and caregiver support. Currently, a county's annual community aids allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, a county must provide matching funds for a year equal to 9.89% of that county's community aids distribution for the year.

This bill sets the basic county allocations for fiscal years 1999-2000 and 2000-01. The bill also permits DHFS to distribute not more than \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill provides that, if a care management organization under the family care program, created under the bill, is available in a county, DHFS may dispose of the county's Alzheimer's family

and caregiver support allocation and not more than 21.3% of the county's basic county allocation by transferring a portion of those allocations, as determined by DHFS, to the family care program to fund the services of resource centers and care management organizations under the family care program and by transferring a portion of those allocations, as determined by DHFS, to the county's allocation for adult protective services created under the bill. If DHFS transfers a portion of those allocations to a county's adult protective services allocation, the county must provide matching funds for a year equal to 9.89% of the amount transferred to the family care program and to the adult services allocation for the year. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

(kz) ✓

1 SECTION 1. 46.40 (1) (a) of the statutes is amended to read:

2 46.40 (1) (a) Within the limits of available federal funds and of the
3 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall
4 distribute funds for community social, mental health, developmental disabilities and
5 alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985
6 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437
7 and to county aging units, as provided in subs. (2), (2m) and (7) to (8) (9).

Insert
2-7 7

8 SECTION 2. 46.40 (2) of the statutes is amended to read:

9 46.40 (2) BASIC COUNTY ALLOCATION. ~~For~~ Subject to sub. (9), for social services
10 under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall
11 distribute not more than ~~\$285,081,000~~ \$277,177,800 for fiscal year ~~1997-98~~
12 1999-2000 and ~~\$284,948,500~~ \$279,462,400 for fiscal year ~~1998-99~~ 2000-01. Of

1 those amounts, the department shall distribute not more than \$4,500,000 in each
2 fiscal year, as provided in s. 46.495 (3), based on performance standards developed
3 under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

4 **SECTION 3.** 46.40 (2m) (a) of the statutes is amended to read:

5 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
6 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
7 department shall distribute not more than ~~\$10,493,900 in fiscal year 1997-98 and~~
8 ~~not more than \$10,224,100 in fiscal year 1998-99~~ \$11,318,600 in each fiscal year.

9 **SECTION 4.** 46.40 (8) of the statutes is amended to read:

10 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. ~~For~~ Subject
11 to sub. (9), for services to persons with Alzheimer's disease and their caregivers
12 under s. 46.87, the department shall distribute not more than \$1,877,000 for each
13 fiscal year.

14 **SECTION 5.** 46.40 (9) of the statutes is created to read:

15 46.40 (9) TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a)
16 *Transfer to family care program and adult protective services allocation.* If a care
17 management organization under s. 46.285 is available in a county, the department
18 may dispose of the amount allocated under sub. (8) to that county and not more than
19 21.3% of the amount allocated under sub. (2) to that county as follows:

20 1. By transferring a portion of those amounts, as determined by the
21 department, to the family care program to fund the services of resource centers under
22 s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

23 2. By transferring a portion of those amounts, as determined by the
24 department, to the county's adult protective services allocation under par. (b).

1 (b) *Adult protective services allocation.* For adult protective services, the
2 department shall distribute the amounts transferred under par. (a) 2. in each fiscal
3 year.

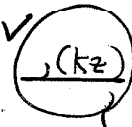
4 (c) *Adjustment for medical assistance buy-in program.* If a former recipient of
5 services funded under the allocation under sub. (2) is a participant in the medical
6 assistance buy-in program under s. 49.472, the department may decrease that
7 allocation by the amount that the department estimates it will incur in providing
8 services to that participant under s. 49.472.

****NOTE: Section 46.40 (9) (a) and (b) as created by this SECTION, cross-reference the family care program that is being created by LRB-0030. If LRB-0030 is not included in the budget, s. 46.40 (9) (a) and (b) must be deleted from this draft. Similarly, s. 46.40 (9) (c), as created by this SECTION, cross-references the medical assistance buy-in program that is being created in LRB-0266. If LRB-0266 is not included in the budget, s. 46.40 (9) (c) must be deleted from this draft.

9 **SECTION 6.** 46.47 of the statutes is amended to read:

10 **46.47 Community aids performance standards.** The department, after
11 consultation with the department of administration and with county departments
12 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
13 standards for services funded by community aids funds allocated under s. 46.40. The
14 department shall ~~implement~~ incorporate the performance standards ~~no later than~~
15 July 1, 1996 into all contracts under s. 46.031 (2g) that cover contract periods
16 beginning on or after January 1, 2000.

17 **SECTION 7.** 46.495 (1) (d) of the statutes is amended to read:

18 (18) 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) 
19 and (o), the department shall distribute the funding for social services, including
20 funding for foster care or treatment foster care of a child on whose behalf aid is
21 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
22 as provided under s. 46.40. County matching funds are required for the distributions

1 under s. 46.40 (2) ~~and~~, (8) and (9) (b). Each county's required match for the
2 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
3 county's distributions under s. 46.40 (2) and (8) for that year for which matching
4 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
5 stats., to spend for juvenile delinquency-related services from its distribution for
6 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
7 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
8 that year. Matching funds may be from county tax levies, federal and state revenue
9 sharing funds or private donations to the county that meet the requirements
10 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
11 match. If the county match is less than the amount required to generate the full
12 amount of state and federal funds distributed for this period, the decrease in the
13 amount of state and federal funds equals the difference between the required and the
14 actual amount of county matching funds.

15 **SECTION 8.** 46.495 (3) of the statutes is created to read:

16 46.495 (3) The department shall pay any performance-based distribution
17 under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by
18 December 31 of the year after the year in which the performance-based distribution
19 was earned. The county department may expend that distribution for any purpose
20 specified in s. 20.435 (7) (b).

21 **SECTION 9.** 48.985 (2) of the statutes is amended to read:

22 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
23 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
24 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
25 ~~1998-99~~ \$3,734,000 in each fiscal year of the moneys received under 42 USC 620 to

✓
Insert
5-14
→

1 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
2 purchase of child welfare projects and services, for services to children and families,
3 for services to the expectant mothers of unborn children and for family-based child
4 welfare services.

✓
(kz)

5 **SECTION 10.** 51.423 (2) of the statutes is amended to read:

6 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
7 (o), the department shall distribute the funding for services provided or purchased
8 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
9 as provided under s. 46.40. County matching funds are required for the distributions
10 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions
11 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions
12 under s. 46.40 (2) for that year for which matching funds are required plus the
13 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
14 delinquency-related services from its distribution for 1987. Each county's required
15 match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that
16 county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds
17 may be from county tax levies, federal and state revenue sharing funds or private
18 donations to the counties that meet the requirements specified in sub. (5). Private
19 donations may not exceed 25% of the total county match. If the county match is less
20 than the amount required to generate the full amount of state and federal funds
21 distributed for this period, the decrease in the amount of state and federal funds
22 equals the difference between the required and the actual amount of county
23 matching funds.

24 **SECTION 11.** 51.423 (2m) of the statutes is created to read:

✓
Insert
6-23
23
24

1 51.423 **(2m)** The department shall pay any performance-based distribution
2 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
3 December 31 of the year after the year in which the performance-based distribution
4 was earned. The county department may expend that distribution for any purpose
5 specified in s. 20.435 (7) (b).

6

(END)

D-Note

Gretchen Fossum:

This draft reconciles LRB-0271/3 and LRB-0275/4.

Both LRB-0271 and LRB-0275 should continue to appear
~~It replaces~~

in the compiled bill.

GMM

Insert 2 - 7

**** NOTE: This is reconciled s. 46.40(1)(a).

This section has been affected by drafts with

the following LRB #'s: LRB-0271/3 and LRB-0275/4.

(end of list)

Insert 5-14

**** NOTE: This is reconciled s. 46.495(1)(d).

This section has been affected by drafts with

the following LRB #'s: LRB-0271/3 and LRB-0275/4.

(end of insert)

Insert 6 - 23

**** NOTE: This is reconciled s. 51.423(2) ✓

This section has been affected by drafts with

the following LRB #'s: LRB-0271/3 and LRB-0275/4.

(end insert)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0275/5dn
GMM:jlglp

February 3, 1999

Gretchen Fossum:

This draft reconciles LRB-0271/3 and LRB-0275/4. Both LRB-0271 and LRB-0275 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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0275/5
GMM:jlg:lp

DOA:.....Fossum - Community aids funding

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

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of health and family services (DHFS) distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. Currently, DHFS is required to distribute community aids in the form of a basic county allocation, together with certain categorical allocations, including an allocation for Alzheimer's family and caregiver support. Currently, a county's annual community aids allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's allocation in reimbursement of claims submitted by the county for moneys expended for those services. Currently, a county must provide matching funds for a year equal to 9.89% of that county's community aids distribution for the year.

This bill sets the basic county allocations for fiscal years 1999-2000 and 2000-01. The bill also permits DHFS to distribute not more than \$4,500,000 of the basic county allocation in each fiscal year based on performance standards for services funded by community aids developed by DHFS and incorporated in the contracts between DHFS and the counties. In addition, the bill provides that, if a care management organization under the family care program, created under the bill, is available in a county, DHFS may dispose of the county's Alzheimer's family

and caregiver support allocation and not more than 21.3% of the county's basic county allocation by transferring a portion of those allocations, as determined by DHFS, to the family care program to fund the services of resource centers and care management organizations under the family care program and by transferring a portion of those allocations, as determined by DHFS, to the county's allocation for adult protective services created under the bill. If DHFS transfers a portion of those allocations to a county's adult protective services allocation, the county must provide matching funds for a year equal to 9.89% of the amount transferred to the family care program and to the adult services allocation for the year. Finally, the bill permits DHFS to decrease a county's basic county allocation by the amount that DHFS estimates it will incur in providing services to a former recipient of services funded under community aids who is a participant in the medical assistance buy-in program created under this bill.

Under current law, DHFS distributes to counties, as community aids, federal substance abuse prevention and treatment funds and federal child welfare funds. This bill sets the amounts of those distributions for each fiscal year.

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

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

1 **SECTION 1.** 46.40 (1) (a) of the statutes is amended to read:

2 46.40 (1) (a) Within the limits of available federal funds and of the
3 appropriations under s. 20.435 (3) (o) and (7) (b), (kw), ~~(kz)~~ and (o), the department
4 shall distribute funds for community social, mental health, developmental
5 disabilities and alcohol and other drug abuse services and for services under ss.
6 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23,
7 51.42 and 51.437 and to county aging units, as provided in subs. (2), (2m) and (7) to
8 ~~(8)~~ (9).

 ****NOTE: This is reconciled s. 46.40 (1) (a). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0271/3 and LRB-0275/4.

9 **SECTION 2.** 46.40 (2) of the statutes is amended to read:

10 46.40 (2) BASIC COUNTY ALLOCATION. ~~For~~ Subject to sub. (9), for social services
11 under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall

1 distribute not more than ~~\$285,081,000~~ \$277,177,800 for fiscal year ~~1997-98~~
2 ~~1999-2000~~ and ~~\$284,948,500~~ \$279,462,400 for fiscal year ~~1998-99~~ 2000-01. Of
3 those amounts, the department shall distribute not more than \$4,500,000 in each
4 fiscal year , as provided in s. 46.495 (3), based on performance standards developed
5 under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

6 **SECTION 3.** 46.40 (2m) (a) of the statutes is amended to read:

7 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
8 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
9 department shall distribute not more than ~~\$10,493,900 in fiscal year 1997-98 and~~
10 ~~not more than \$10,224,100 in fiscal year 1998-99~~ \$11,318,600 in each fiscal year.

11 **SECTION 4.** 46.40 (8) of the statutes is amended to read:

12 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. ~~For Subject~~
13 to sub. (9), for services to persons with Alzheimer's disease and their caregivers
14 under s. 46.87, the department shall distribute not more than \$1,877,000 for each
15 fiscal year.

16 **SECTION 5.** 46.40 (9) of the statutes is created to read:

17 46.40 (9) TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a)
18 *Transfer to family care program and adult protective services allocation.* If a care
19 management organization under s. 46.285 is available in a county, the department
20 may dispose of the amount allocated under sub. (8) to that county and not more than
21 21.3% of the amount allocated under sub. (2) to that county as follows:

22 1. By transferring a portion of those amounts, as determined by the
23 department, to the family care program to fund the services of resource centers under
24 s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

1 2. By transferring a portion of those amounts, as determined by the
2 department, to the county's adult protective services allocation under par. (b).

3 (b) *Adult protective services allocation.* For adult protective services, the
4 department shall distribute the amounts transferred under par. (a) 2. in each fiscal
5 year.

6 (c) *Adjustment for medical assistance buy-in program.* If a former recipient of
7 services funded under the allocation under sub. (2) is a participant in the medical
8 assistance buy-in program under s. 49.472, the department may decrease that
9 allocation by the amount that the department estimates it will incur in providing
10 services to that participant under s. 49.472.

****NOTE: Section 46.40 (9) (a) and (b) as created by this SECTION, cross-reference
the family care program that is being created by LRB-0030. If LRB-0030 is not included
in the budget, s. 46.40 (9) (a) and (b) must be deleted from this draft. Similarly, s. 46.40
(9) (c), as created by this SECTION, cross-references the medical assistance buy-in
program that is being created in LRB-0266. If LRB-0266 is not included in the budget,
s. 46.40 (9) (c) must be deleted from this draft.

11 **SECTION 6.** 46.47 of the statutes is amended to read:

12 **46.47 Community aids performance standards.** The department, after
13 consultation with the department of administration and with county departments
14 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance
15 standards for services funded by community aids funds allocated under s. 46.40. The
16 department shall ~~implement~~ incorporate the performance standards ~~no later than~~
17 July 1, 1996 into all contracts under s. 46.031 (2g) that cover contract periods
18 beginning on or after January 1, 2000.

19 **SECTION 7.** 46.495 (1) (d) of the statutes is amended to read:

20 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw),
21 (kz) and (o), the department shall distribute the funding for social services, including
22 funding for foster care or treatment foster care of a child on whose behalf aid is

1 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
2 as provided under s. 46.40. County matching funds are required for the distributions
3 under s. 46.40 (2) ~~and~~, (8) and (9) (b). Each county's required match for the
4 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
5 county's distributions under s. 46.40 (2) and (8) for that year for which matching
6 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
7 stats., to spend for juvenile delinquency-related services from its distribution for
8 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
9 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
10 that year. Matching funds may be from county tax levies, federal and state revenue
11 sharing funds or private donations to the county that meet the requirements
12 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
13 match. If the county match is less than the amount required to generate the full
14 amount of state and federal funds distributed for this period, the decrease in the
15 amount of state and federal funds equals the difference between the required and the
16 actual amount of county matching funds.

****NOTE: This is reconciled s. 46.495 (1) (d). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0271/3 and LRB-0275/4.

17 **SECTION 8.** 46.495 (3) of the statutes is created to read:

18 46.495 (3) The department shall pay any performance-based distribution
19 under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by
20 December 31 of the year after the year in which the performance-based distribution
21 was earned. The county department may expend that distribution for any purpose
22 specified in s. 20.435 (7) (b).

23 **SECTION 9.** 48.985 (2) of the statutes is amended to read:

1 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
2 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
3 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
4 ~~1998-99 \$3,734,000 in each fiscal year~~ of the moneys received under 42 USC 620 to
5 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
6 purchase of child welfare projects and services, for services to children and families,
7 for services to the expectant mothers of unborn children and for family-based child
8 welfare services.

9 **SECTION 10.** 51.423 (2) of the statutes is amended to read:

10 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw), (kz)
11 and (o), the department shall distribute the funding for services provided or
12 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
13 departments as provided under s. 46.40. County matching funds are required for the
14 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the
15 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's
16 distributions under s. 46.40 (2) for that year for which matching funds are required
17 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
18 juvenile delinquency-related services from its distribution for 1987. Each county's
19 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
20 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
21 funds may be from county tax levies, federal and state revenue sharing funds or
22 private donations to the counties that meet the requirements specified in sub. (5).
23 Private donations may not exceed 25% of the total county match. If the county match
24 is less than the amount required to generate the full amount of state and federal
25 funds distributed for this period, the decrease in the amount of state and federal

1 funds equals the difference between the required and the actual amount of county
2 matching funds.

****NOTE: This is reconciled s. 51.423 (2). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0271/3 and LRB-0275/4.

3 **SECTION 11.** 51.423 (2m) of the statutes is created to read:

4 51.423 (2m) The department shall pay any performance-based distribution
5 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
6 December 31 of the year after the year in which the performance-based distribution
7 was earned. The county department may expend that distribution for any purpose
8 specified in s. 20.435 (7) (b).

9 (END)