

1 apply to an individual whose family's gross income increased to more than 200% of
2 the poverty line for a family the size of the individual's family.

3 *~~1302/8.11~~* SECTION 1674. 49.155 (3m) (title) of the statutes is amended to
4 read:

5 49.155 (3m) (title) DISTRIBUTION OF CHILD CARE FUNDS TO COUNTIES AND CERTAIN
6 CHILD CARE PROVIDERS.

7 *~~1302/8.12~~* SECTION 1675. 49.155 (3m) (a) of the statutes is amended to read:

8 49.155 (3m) (a) The department shall reimburse child care providers or shall
9 distribute funds to county departments under s. 46.215, 46.22 or 46.23 or tribal
10 governing bodies for child care services provided under this section and to private
11 nonprofit agencies that provide child care for children of migrant workers. The
12 department may reimburse a Wisconsin works agency for child care that the
13 Wisconsin works agency provides to the children of Wisconsin works participants
14 and applicants.

15 *~~1302/8.13~~* SECTION 1676. 49.155 (3m) (d) of the statutes is amended to read:

16 49.155 (3m) (d) No funds distributed under par. (a) may be used ~~to provide for~~
17 child care services that are provided for a child by a person child care provider who
18 is the parent of the child or who resides with the child, unless the county determines
19 that the care is necessary because of a special health condition of the child.

20 *~~1303/5.5~~* SECTION 1678. 49.175 (1) (intro.) of the statutes is amended to
21 read:

22 49.175 (1) ALLOCATION OF FUNDS. (intro.) ~~Within~~ Except as provided in sub. (2),
23 within the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e),
24 (em), (jL), (k), (L), (~~Lm~~), (mc), (md), (nL), (pm), and (ps), the department shall allocate
25 the following amounts for the following purposes:

1 ***b0359/4.8* SECTION 1679b.** 49.175 (1) (a) of the statutes is repealed and
2 recreated to read:

3 49.175 (1) (a) *Wisconsin works benefits.* For Wisconsin works benefits provided
4 under contracts having a term that begins on January 1, 2000, and ends on
5 December 31, 2001, \$24,654,800 in fiscal year 2001–02; and for Wisconsin works
6 benefits provided under contracts having a term that begins on January 1, 2002, and
7 ends on December 31, 2003, \$24,654,800 in fiscal year 2001–02 and \$49,309,600 in
8 fiscal year 2002–03.

9 ***b0359/4.8* SECTION 1680b.** 49.175 (1) (b) of the statutes is repealed and
10 recreated to read:

11 49.175 (1) (b) *Wisconsin works administration and ancillary services.* For
12 administration of Wisconsin works and program services under Wisconsin works
13 performed under contracts under s. 49.143 having a term that begins on
14 January 1, 2000, and ends on December 31, 2001, \$63,269,900 in fiscal year
15 2001–02; and for administration of Wisconsin works and program services under
16 Wisconsin works performed under contracts under s. 49.143 having a term that
17 begins on January 1, 2002, and ends on December 31, 2003, \$49,610,800 in fiscal
18 year 2001–02 and \$99,221,600 in fiscal year 2002–03.

19 ***b0359/4.8* SECTION 1681b.** 49.175 (1) (c) of the statutes is amended to read:

20 49.175 (1) (c) *Performance bonuses.* For the payment of performance bonuses
21 to Wisconsin works agencies that have entered into contracts under s. 49.143 having
22 a term that begins on January 1, 2000, and that ends on December 31, 2001,
23 ~~\$3,706,300 in fiscal year 1999–2000 and \$7,413,100~~ \$12,820,800 in fiscal year
24 ~~2000–01~~ 2001–02.

1 ***b0359/4.8* SECTION 1682b.** 49.175 (1) (d) of the statutes is repealed and
2 recreated to read:

3 49.175 (1) (d) *Community reinvestment.* For the payment of community
4 reinvestment funds that are earned as part of contracts entered into under s. 49.143
5 having a term that begins on September 1, 1997, and ends on December 1, 1999,
6 \$20,849,000 in fiscal year 2001–02; and for the payment of community reinvestment
7 funds that are earned as part of contracts entered into under s. 49.143 having a term
8 that begins on January 1, 2000, and ends on December 1, 2001, \$2,769,900 in fiscal
9 year 2001–02 and \$5,539,700 in fiscal year 2002–03.

10 ***b0359/4.8* SECTION 1682c.** 49.175 (1) (d) of the statutes, as affected by 2001
11 Wisconsin Act (this act), is amended to read:

12 49.175 (1) (d) *Community reinvestment.* For ~~the payment of community~~
13 ~~reinvestment funds that are earned as part of contracts entered into under s. 49.143~~
14 ~~having a term that begins on January 1, 1998, and ends on December 1, 1999,~~
15 ~~\$20,849,000 in fiscal year 2001–02; and for the payment of community reinvestment~~
16 funds that are earned as part of contracts entered into under s. 49.143 having a term
17 that begins on January 1, 2000, and ends on December 1, 2001, \$2,769,900 in fiscal
18 year 2001–02 and \$5,539,700 in fiscal year 2002–03.

19 ***b0359/4.8* SECTION 1683b.** 49.175 (1) (e) of the statutes is amended to read:

20 49.175 (1) (e) ~~Initial contracts~~ Contracts for 2000 and 2001. For contracts
21 under s. 49.143 having a term that begins on January 1, 2000, and ends on
22 December 31, 1999, \$245,171,800 2001, \$20,136,800 in fiscal year ~~1999–2000~~
23 2001–02.

24 ***b0359/4.8* SECTION 1684b.** 49.175 (1) (f) of the statutes is repealed.

25 ***b0359/4.8* SECTION 1685b.** 49.175 (1) (g) of the statutes is amended to read:

1 49.175 (1) (g) *State administration of public assistance programs.* For state
2 administration of public assistance programs, \$31,831,000 ~~\$24,767,500~~ in fiscal year
3 ~~1999–2000~~ 2001–02 and \$31,783,200 ~~\$24,780,000~~ in fiscal year ~~2000–01~~ 2002–03.

4 ***b0359/4.8*** SECTION 1686^a~~b~~. 49.175 (1) (h) of the statutes is amended to read:

5 49.175 (1) (h) *Food stamps for legal immigrants.* For food stamp benefits to
6 qualified aliens under s. 49.124 (8), \$420,000 ~~\$745,000~~ in each fiscal year 2001–02.

7 ***b0625/3.12*** SECTION 1686b. 49.175 (1) (h) of the statutes, as affected by 2001
8 Wisconsin Act (this act), is amended to read:

9 49.175 (1) (h) *Food stamps for legal immigrants.* For food stamp benefits to
10 qualified aliens under s. 49.124 ~~49.79~~ (8), \$745,000 in fiscal year 2001–02.

11 ***b0359/4.8*** SECTION 1687b. 49.175 (1) (j) of the statutes is amended to read:

12 49.175 (1) (j) *Funeral expenses.* For funeral expenses under s. 49.30,
13 \$3,300,000 ~~\$4,550,200~~ in fiscal year ~~1999–2000~~ 2001–02 and \$3,925,100 ~~\$4,550,200~~
14 in fiscal year ~~2000–01~~ 2002–03.

15 ***b0359/4.8*** SECTION 1689b. 49.175 (1) (n) of the statutes is amended to read:

16 49.175 (1) (n) *Job access loans.* For job access loans under s. 49.147 (6),
17 \$600,000 ~~\$1,000,000~~ in each fiscal year.

18 ***b0359/4.8*** SECTION 1689m. 49.175 (1) (o) of the statutes is repealed.

19 ***b0359/4.8*** SECTION 1690b. 49.175 (1) (p) of the statutes is amended to read:

20 49.175 (1) (p) *Direct child care services.* For direct child care services under s.
21 49.155, \$159,560,000 ~~\$274,500,000~~ in fiscal year ~~1999–2000~~ 2001–02 and
22 \$181,050,000 ~~\$305,550,000~~ in fiscal year ~~2000–01~~ 2002–03.

23 ***b0359/4.8*** SECTION 1691b. 49.175 (1) (q) of the statutes is amended to read:

1 49.175 (1) (q) *Indirect child care services*. For indirect child care services under
2 s. 49.155 (1g), ~~\$11,812,300~~ \$24,293,900 in fiscal year ~~1999–2000~~ 2001–02 and
3 ~~\$11,367,600~~ \$15,458,000 in fiscal year ~~2000–01~~ 2002–03.

4 *b0359/4.8* SECTION 1692b. 49.175 (1) (qm) of the statutes is created to read:

5 49.175 (1) (qm) *Local pass-through grant program*. For the local pass-through
6 grant program under s. 49.137 (4m), \$25,210,800 in fiscal year 2001–02 and
7 \$17,253,200 in fiscal year 2002–03.

8 *b0359/4.8* SECTION 1692m. 49.175 (1) (r) of the statutes is amended to read:

9 49.175 (1) (r) *Early childhood excellence initiative*. For grants under s. 49.1375,
10 ~~\$7,500,000 in each~~ \$11,145,900 in fiscal year 2001–02 and \$2,500,000 in fiscal year
11 2002–03.

12 *b0359/4.8* SECTION 1693b. 49.175 (1) (s) of the statutes is repealed.

13 *b0363/1.2* SECTION 1694b. 49.175 (1) (t) of the statutes is repealed.

14 *b0359/4.8* SECTION 1695b. 49.175 (1) (u) of the statutes is amended to read:

15 49.175 (1) (u) *Workforce attachment*. For services specified under s. 49.173,
16 ~~\$9,700,000~~ \$9,641,000 in fiscal year ~~1999–2000~~ 2001–02 and ~~\$10,000,000~~
17 \$5,000,000 in fiscal year ~~2000–01~~. ~~The department may not distribute moneys~~
18 ~~allocated under this paragraph unless the joint committee on finance approves the~~
19 ~~distribution~~ 2002–03.

20 *b0359/4.8* SECTION 1696b. 49.175 (1) (v) of the statutes is amended to read:

21 49.175 (1) (v) *Transportation assistance*. For transportation assistance under
22 s. 49.157, ~~\$200,000 in fiscal year 1999–2000 and \$2,000,000~~ \$1,000,000 in each fiscal
23 year ~~2000–01~~.

24 *b0359/4.8* SECTION 1697b. 49.175 (1) (w) of the statutes is repealed.

25 *b0359/4.8* SECTION 1698b. 49.175 (1) (x) of the statutes is repealed.

1 ***b0359/4.8* SECTION 1699b.** 49.175 (1) (y) of the statutes is amended to read:
2 49.175 (1) (y) *Literacy initiative.* For literacy grants under s. 49.169 and
3 literacy services administered by the governor’s office, ~~\$1,454,100 in each~~ \$1,425,800
4 in fiscal year 2001–02 and \$800,000 in fiscal year 2002–03.

5 ***b0359/4.8* SECTION 1700b.** 49.175 (1) (z) of the statutes is amended to read:
6 49.175 (1) (z) *Community youth grant.* For a competitive grant program
7 administered by the department to fund programs that improve social, academic,
8 and employment skills of youth who are eligible to receive temporary assistance for
9 needy families under 42 USC 601 et seq., ~~\$7,500,000 in each~~ \$7,579,700 in fiscal year
10 2001–02 and \$500,000 fiscal year 2002–03.

11 ***b0359/4.8* SECTION 1701b.** 49.175 (1) (zb) of the statutes is repealed.

12 ***b0359/4.8* SECTION 1702b.** 49.175 (1) (zc) of the statutes is repealed.

13 ***b0359/4.8* SECTION 1703b.** 49.175 (1) (zd) of the statutes is amended to read:
14 49.175 (1) (zd) *Alcohol and other drug abuse.* For grants made under s. 49.167
15 to organizations that provide community–based alcohol and other drug abuse
16 treatment to individuals who are eligible for temporary assistance for needy families
17 under 42 USC 601 et. seq., ~~\$1,000,000 in each~~ \$500,000 in fiscal year 2001–02.

18 ***b0359/4.8* SECTION 1704b.** 49.175 (1) (ze) 1. of the statutes is amended to
19 read:

20 49.175 (1) (ze) 1. ‘Kinship care and long–term kinship care assistance.’ For the
21 kinship care and long–term kinship care programs under s. 48.57 (3m), (3n), and
22 (3p), ~~\$24,530,100 in~~ \$24,852,600 in each fiscal year 1999–2000 and ~~\$26,164,100 in~~
23 fiscal year 2000–01.

24 ***b0359/4.8* SECTION 1705b.** 49.175 (1) (ze) 2. of the statutes is amended to
25 read:

1 49.175 (1) (ze) 2. 'Children of recipients of supplemental security income.' For
2 payments made under s. 49.775 for the support of the dependent children of
3 recipients of supplemental security income, ~~\$13,745,200~~ \$20,145,000 in fiscal year
4 ~~1999–2000~~ 2001–02 and ~~\$17,930,000~~ \$19,796,000 in fiscal year ~~2000–01~~ 2002–03.

5 ***b0359/4.8* SECTION 1706b.** 49.175 (1) (ze) 3. of the statutes is repealed.

6 ***b0359/4.8* SECTION 1706m.** 49.175 (1) (ze) 5. of the statutes is repealed.

7 ***b0359/4.8* SECTION 1707b.** 49.175 (1) (ze) 7. of the statutes is amended to
8 read:

9 49.175 (1) (ze) 7. 'Adolescent services and pregnancy prevention programs.'
10 For adolescent services and pregnancy prevention programs under ss. 46.93, 46.99,
11 and 46.995, ~~\$1,808,300~~ \$1,816,500 in each fiscal year.

12 ***b0359/4.8* SECTION 1708b.** 49.175 (1) (ze) 8. of the statutes is amended to
13 read:

14 49.175 (1) (ze) 8. 'Domestic abuse services grants.' For the domestic abuse
15 services grants under s. 46.95 (2), ~~\$975,000 in fiscal year 1999–2000~~ and \$1,000,000
16 in each fiscal year thereafter.

17 ***b0359/4.8* SECTION 1709b.** 49.175 (1) (ze) 10. of the statutes is repealed.

18 ***b0359/4.8* SECTION 1709d.** 49.175 (1) (ze) 10m. of the statutes is created to
19 read:

20 49.175 (1) (ze) 10m. 'Safety services.' For services provided in counties having
21 a population of 500,000 or more to ensure the safety of children who the department
22 of health and family services determines may remain at home if appropriate services
23 are provided, \$7,094,100 in each fiscal year.

24 ***b0359/4.8* SECTION 1709f.** 49.175 (1) (ze) 11. of the statutes is created to read:

1 49.175 (1) (ze) 11. 'Prevention services.' For services to prevent child abuse or
2 neglect in counties having a population of 500,000 or more, \$1,489,600 in each fiscal
3 year.

4 ***b0359/4.8* SECTION 1710b.** 49.175 (1) (zf) of the statutes is amended to read:
5 49.175 (1) (zf) *Badger Challenge.* For the Badger Challenge program under s.
6 21.25, ~~\$33,300 in fiscal year 1999–2000 and \$83,200 in~~ \$83,200 in each fiscal year
7 2000–01.

8 ***b0359/4.8* SECTION 1711b.** 49.175 (1) (zh) of the statutes is amended to read:
9 49.175 (1) (zh) EARNED INCOME TAX CREDIT. For the transfer of moneys from the
10 appropriation account under s. 20.445 (3) (md) to the appropriation account under
11 s. 20.835 (2) (kf) for the earned income tax credit, ~~\$51,000,000~~ \$51,244,500 in fiscal
12 year ~~1999–2000~~ 2001–02 and ~~\$54,000,000~~ \$52,200,000 in fiscal year ~~2000–01~~
13 2002–03.

14 ***-1303/5.40* SECTION 1714.** 49.175 (1) (zm) of the statutes is repealed.

15 ***-1303/5.41* SECTION 1715.** 49.175 (2) (title) of the statutes is amended to
16 read:

17 49.175 (2) (title) REDISTRIBUTION REALLOCATION OF FUNDS.

18 ***b0364/2.6* SECTION 1716m.** 49.175 (2) of the statutes is renumbered 49.175
19 (2) (a) (intro.) and amended to read:

20 49.175 (2) (a) (intro.) The department may ~~redistribute~~ reallocate funds that
21 are allocated for a purpose specified under any under a paragraph under sub. (1) to
22 be used for any other purpose specified in any other a paragraph under sub. (1) if the
23 all of the following requirements are met:

1 3. If the department proposes to reallocate not more than 5% of the total
2 amount allocated for a purpose specified under a paragraph under sub. (1), the
3 secretary of administration approves the redistribution reallocation.

4 ***b0364/2.6* SECTION 1716o.** 49.175 (2) (a) 1. of the statutes is created to read:
5 49.175 (2) (a) 1. The purpose for which the funds are reallocated is authorized
6 by the appropriation from which the funds are derived.

7 ***b0364/2.6* SECTION 1716q.** 49.175 (2) (a) 2. of the statutes is created to read:
8 49.175 (2) (a) 2. The funds are reallocated for expenditure in the same fiscal
9 year for which they were allocated under sub. (1).

10 ***b0364/2.6* SECTION 1716s.** 49.175 (2) (a) 4. of the statutes is created to read:
11 49.175 (2) (a) 4. If the department proposes to reallocate more than 5% of the
12 total amount allocated for a purpose specified under a paragraph under sub. (1), the
13 secretary of administration approves the reallocation, and the joint committee on
14 finance approves the reallocation as specified under par. (b).

15 ***b0364/2.6* SECTION 1716v.** 49.175 (2) (b) of the statutes is created to read:
16 49.175 (2) (b) If the department proposes to reallocate more than 5% of the total
17 amount allocated for a purpose specified under a paragraph under sub. (1), and the
18 secretary of administration has approved the reallocation under par. (a) 4., the
19 secretary shall submit the proposal to the joint committee on finance for review. If
20 the cochairpersons of the joint committee on finance do not notify the secretary
21 within 14 working days after the date on which the proposal is submitted that the
22 committee intends to schedule a meeting to review the proposal, the funds may be
23 reallocated as proposed by the department. If, within 14 working days after the date
24 on which the proposal is submitted, the cochairpersons of the committee notify the

1 secretary that the committee intends to schedule a meeting to review the proposal,
2 the funds may be reallocated only upon approval by the committee.

3 ***b0364/2.6* SECTION 1717g.** 49.175 (2) (c) of the statutes is created to read:

4 49.175 (2) (c) If the amounts of federal block grant moneys that are required
5 to be credited to the appropriation accounts under s. 20.445 (3) (mc) and (md) are less
6 than the amounts appropriated under s. 20.445 (3) (mc) and (md), the department
7 shall submit a plan to the secretary of administration for reducing the amounts of
8 moneys allocated under sub. (1). If the secretary of administration approves the
9 plan, the amounts of moneys required to be allocated under sub. (1) may be reduced
10 as proposed by the department and the department shall allocate the moneys as
11 specified in the plan.

12 ***-1303/5.44* SECTION 1718.** 49.175 (3) of the statutes is created to read:

13 49.175 (3) REPORT ON EXPENDITURES. By November 1 of each fiscal year, the
14 department shall submit a report to the secretary of administration and the
15 cochairpersons of the joint committee on finance on the expenditures made from the
16 appropriation accounts under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em), (jL), (k),
17 (L), (mc), (md), (nL), (pm), and (ps) in the previous fiscal year for the purposes
18 specified in sub. (1).

19 ***b0359/4.9* SECTION 1718x.** 49.185 of the statutes is repealed.

20 ***b0625/3.13* SECTION 1723m.** 49.197 (1m) of the statutes is amended to read:

21 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3)
22 (dz), (~~kx~~), (L), (md), (n), and (nL), the department shall establish a program to
23 investigate suspected fraudulent activity on the part of recipients of ~~medical~~
24 ~~assistance under subch. IV~~, aid to families with dependent children under s. 49.19
25 ~~and the food stamp program under 7 USC 2011 to 2036 and~~, on the part of

1 participants in the Wisconsin works program under ss. 49.141 to 49.161, and, if the
2 department of health and family services contracts with the department under sub.
3 (5), on the part of recipients of medical assistance under subch. IV and food stamp
4 benefits under the food stamp program under 7 USC 2011 to 2036. The department's
5 activities under this subsection may include, but are not limited to, comparisons of
6 information provided to the department by an applicant and information provided
7 by the applicant to other federal, state, and local agencies, development of an
8 advisory welfare investigation prosecution standard, and provision of funds to
9 county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin works
10 agencies to encourage activities to detect fraud. The department shall cooperate
11 with district attorneys regarding fraud prosecutions.

12 ***b0365/2.4* SECTION 1724g.** 49.197 (3) of the statutes is amended to read:

13 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct
14 activities to reduce payment errors in medical assistance under subch. IV, Wisconsin
15 works under ss. 49.141 to 49.161, aid to families with dependent children under s.
16 49.19 and the food stamp program under 7 USC 2011 to 2029. ~~The department shall~~
17 ~~fund the activities under this section from the appropriation under s. 20.445 (3) (L).~~

18 ***b0625/3.13* SECTION 1724m.** 49.197 (3) of the statutes, as affected by 2001
19 Wisconsin Act (this act), is amended to read:

20 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct
21 activities to reduce payment errors in ~~medical assistance under subch. IV, Wisconsin~~
22 ~~works under ss. 49.141 to 49.161, aid to families with dependent children under s.~~
23 ~~49.19 and the food stamp program under 7 USC 2011 to 2029~~ and, if the department
24 of health and family services contracts with the department under sub. (5), the

1 medical assistance program under subch. IV and the food stamp program under 7
2 USC 2011 to 2036.

3 ***b0365/2.4* SECTION 1725ag.** 49.197 (4) of the statutes is amended to read:

4 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide
5 funds from the appropriations under s. 20.445 (3) (dz), and (L) ~~and (Lm)~~ and federal
6 matching funds from the appropriations under s. 20.445 (3) (md), (n) and (nL) to
7 counties and governing bodies of federally recognized American Indian tribes
8 administering medical assistance under subch. IV, aid to families with dependent
9 children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 to offset
10 administrative costs of reducing payment errors in those programs.

11 ***b0625/3.13* SECTION 1725am.** 49.197 (4) of the statutes, as affected by 2001
12 Wisconsin Act (this act), is amended to read:

13 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide
14 funds from the appropriations under s. 20.445 (3) (dz), ~~(kx)~~, and (L) and federal
15 matching funds from the appropriations under s. 20.445 (3) ~~(md)~~, (n) and (nL) to
16 counties and governing bodies of federally recognized American Indian tribes
17 administering ~~medical assistance under subch. IV, aid to families with dependent~~
18 ~~children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029~~ or, if
19 the department of health and family services contracts with the department under
20 sub. (5), the medical assistance program under subch. IV and the food stamp
21 program under 7 USC 2011 to 2036 to offset administrative costs of reducing
22 payment errors in those programs.

23 ***b0625/3.13* SECTION 1725b.** 49.197 (5) of the statutes is created to read:

24 49.197 (5) CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS. The
25 department of health and family services may contract with the department to

1 investigate suspected fraudulent activity on the part of recipients of medical
2 assistance under subch. IV or recipients of food stamp benefits under the food stamp
3 program under 7 USC 2011 to 2036 as provided in this section.

4 ***b0625/3.13* SECTION 1725c.** 49.22 (6) of the statutes is amended to read:

5 49.22 (6) The department shall establish, pursuant to federal and state laws,
6 rules and regulations, a uniform system of fees for services provided under this
7 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47; benefits under
8 s. ~~49.124~~, 49.148 ~~or~~, 49.155, or 49.79; foster care maintenance payments under 42
9 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship
10 care payments under s. 48.57 (3n). The system of fees may take into account an
11 individual's ability to pay. Any fee paid and collected under this subsection may be
12 retained by the county providing the service except for the fee specified in 42 USC
13 653 (e) (2) for federal parent locator services.

14 ***-1939/5.15* SECTION 1726.** 49.30 (2) of the statutes is amended to read:

15 49.30 (2) From the ~~appropriation~~ appropriations under s. 20.445 (3) (dz) and
16 (md), the department shall reimburse a county or applicable tribal governing body
17 or organization for any amount that the county or applicable tribal governing body
18 or organization is required to pay under sub. (1). From the ~~appropriation~~
19 appropriations under s. 20.445 (3) (dz) and (md), the department shall reimburse a
20 county or applicable tribal governing body or organization for cemetery expenses or
21 for funeral and burial expenses for persons described under sub. (1) that the county
22 or applicable tribal governing body or organization is not required to pay under subs.
23 (1) and (1m) only if the department approves the reimbursement due to unusual
24 circumstances.

25 ***-1939/5.16* SECTION 1727.** 49.32 (2) (d) of the statutes is amended to read:

1 49.32 (2) (d) The department shall disburse from state or federal funds or both
2 the entire amount and charge the county for its share under s. 49.33 (8) and (9).

3 *b0625/3.14* SECTION 1728m. 49.32 (7) (b) of the statutes is amended to read:

4 49.32 (7) (b) The department shall conduct a program to periodically match the
5 records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47~~, aid to
6 families with dependent children under s. 49.19 and ~~the food stamp program under~~
7 7 USC 2011 to 2029 and, if the department of health and family services contracts
8 with the department under s. 49.197 (5), recipients of medical assistance under
9 subch. IV and food stamp benefits under the food stamp program under 7 USC 2011
10 to 2036 with the records of recipients under those programs in other states. If an
11 agreement with the other states can be obtained, matches with records of states
12 contiguous to this state shall be conducted at least annually.

13 *b0625/3.14* SECTION 1729m. 49.32 (7) (c) of the statutes is amended to read:

14 49.32 (7) (c) The department shall conduct a program to periodically match the
15 address records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47~~,
16 aid to families with dependent children under s. 49.19 and ~~the food stamp program~~
17 under 7 USC 2011 to 2029 and, if the department of health and family services
18 contracts with the department under s. 49.197 (5), recipients of medical assistance
19 under subch. IV and food stamp benefits under the food stamp program under 7 USC
20 2011 to 2036 to verify residency and to identify recipients receiving duplicate or
21 fraudulent payments.

22 *b0625/3.14* SECTION 1730^b~~m~~. 49.32 (7) (d) of the statutes is amended to read:

23 49.32 (7) (d) The department, with assistance from the department of
24 corrections, shall conduct a program to periodically match the records of persons
25 confined in state correctional facilities with the records of recipients of ~~medical~~

1 assistance under ~~s. 49.46, 49.468 or 49.47~~, aid to families with dependent children
2 under s. 49.19 and ~~the food stamp program under 7 USC 2011 to 2029~~ and, if the
3 department of health and family services contracts with the department under s.
4 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits
5 under the food stamp program under 7 USC 2011 to 2036 to identify recipients who
6 may be ineligible for benefits.

7 *b0429/2.5* SECTION 1730f. 49.32 (10) (a) (intro.) of the statutes is amended
8 to read:

9 49.32 (10) (a) (intro.) Each county department under s. 46.215, 46.22, or 46.23
10 may release the current address of a recipient of food stamps or of aid under s. 49.19,
11 and each Wisconsin works agency may release the current address of a participant
12 in Wisconsin works under ss. 49.141 to 49.161 ~~or, if administering the food stamp~~
13 ~~program, of a food stamp recipient~~, to a law enforcement officer if the officer meets
14 all of the following conditions:

15 *b0360/2.10* SECTION 1731g. 49.33 (1) (b) of the statutes is amended to read:

16 49.33 (1) (b) “Income maintenance program” means ~~aid to families with~~
17 ~~dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161, the~~
18 medical assistance program under subch. IV of ch. 49, the badger care health care
19 program under s. 49.665, the child care program under s. 49.155, or the food stamp
20 program under 7 USC 2011 to ~~2029~~ 2036.

21 SECTION 1731gc. 49.33 (1) (b) of the statutes, as affected by 2001 Wisconsin Act
22 (this act), is amended to read:

23 49.33 (1) (b) “Income maintenance program” means the medical assistance
24 program under subch. IV of ch. 49, the badger care health care program under s.

1 49.665, ~~the child care program under s. 49.155,~~ or the food stamp program under 7
2 USC 2011 to 2036.

3 ***b0360/2.10* SECTION 1731m.** 49.33 (1) (c) of the statutes is repealed.

4 ***b0360/2.10* SECTION 1731t.** 49.33 (1) (cr) of the statutes is created to read:
5 49.33 (1) (cr) "Tribal governing body" means an elected governing body of a
6 federally recognized American Indian tribe.

7 ***b0360/2.10* SECTION 1732^a~~g~~^b.** 49.33 (2) of the statutes is repealed and
8 recreated to read:

9 49.33 (2) CONTRACTS. (a) Annually, the department and the department of
10 health and family services shall, jointly, contract with county departments under ss.
11 46.215, 46.22, and 46.23, and may, jointly, contract with tribal governing bodies, to
12 reimburse the county departments and tribal governing bodies for the reasonable
13 cost of administering the medical assistance program under subch. IV and the
14 badger care health care program under s. 49.665.

15 (b) Annually, the department shall contract with county departments under ss.
16 46.215, 46.22, and 46.23, and may, jointly, contract with tribal governing bodies, to
17 reimburse the county departments and tribal governing bodies for the reasonable
18 cost of administering income maintenance programs, other than the medical
19 assistance program under subch. IV and the badger care health care program under
20 s. 49.665.

21 ***b0625/3.16* SECTION 1732c.** 49.33 (2) of the statutes, as affected by 2001
22 Wisconsin Act (this act), is repealed and recreated to read:

23 49.33 (2) CONTRACTS. Annually, the department of health and family services
24 shall contract with county departments under ss. 46.215, 46.22, and 46.23 to

1 reimburse the county departments for the reasonable cost of administering income
2 maintenance programs.

3 *~~1939/5.26~~* SECTION 1737. 49.33 (8) (a) of the statutes is amended to read:

4 49.33 (8) (a) The From the appropriation accounts under ss. 20.445 (3) (dz),
5 (kx), (md), and (nL) and subject to par. (b), the department shall reimburse each
6 county and tribal governing body that contracts with the department and the
7 department of health and family services under sub. (2) (a) for reasonable costs of
8 income maintenance relating to the administration of the programs under this
9 subchapter and subch. IV according to administering the medical assistance
10 program under subch. IV and the badger care health care program under s. 49.665
11 and that contracts with the department under sub. (2) (b) for the reasonable costs of
12 administering income maintenance programs other than the medical assistance
13 program under subch. IV and the badger care health care program under s. 49.665.
14 The amount of each reimbursement paid under this paragraph shall be calculated
15 using a formula based on workload within the limits of available state and federal
16 funds under s. 20.445 (3) (dz), (kx), (md), and (nL) by contract under s. 49.33 (2). The
17 amount of reimbursement calculated under this paragraph and par. (b) is in addition
18 to any reimbursement provided to a county or tribal governing body for fraud and
19 error reduction under s. 49.197 (1m) and (4).

20 *b0625/3.17* SECTION 1737c. 49.33 (8) (a) of the statutes, as affected by 2001
21 Wisconsin Act (this act), is amended to read:

22 49.33 (8) (a) From the appropriation accounts under ss. 20.445 (3) (dz), (kx),
23 (md), and (nL) s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of
24 health and family services shall reimburse each county and tribal governing body
25 that contracts with the department and the department of health and family services

1 under sub. (2) (a) for reasonable costs of administering the ~~medical assistance~~
2 ~~program under subch. IV and the badger care health care program under s. 49.665~~
3 ~~and that contracts with the department under sub. (2) (b) for the reasonable costs of~~
4 ~~administering income maintenance programs other than the medical assistance~~
5 ~~program under subch. IV and the badger care health care program under s. 49.665.~~

6 The amount of each reimbursement paid under this paragraph shall be calculated
7 using a formula based on workload within the limits of available state and federal
8 funds under s. ~~20.445 (3) (dz), (kx), (md), and (nL)~~ 20.435 (4) (bn) and (nn) by contract
9 under s. 49.33 (2). The amount of reimbursement calculated under this paragraph
10 and par. (b) is in addition to any reimbursement provided to a county or tribal
11 governing body for fraud and error reduction under s. 49.197 (1m) and (4).

12 ***-1939/5.27* SECTION 1738.** 49.33 (8) (b) of the statutes is amended to read:

13 49.33 (8) (b) The department may adjust the amounts determined under par.
14 (a) for workload changes and computer network activities performed by counties a
15 county or tribal governing body and may reduce the amount of any reimbursement
16 if federal reimbursement is withheld due to audits, quality control samples, or
17 program reviews.

18 ***-1939/5.28* SECTION 1739.** 49.33 (9) of the statutes is repealed.

19 ***-1939/5.29* SECTION 1740.** 49.33 (10) (a) of the statutes is amended to read:

20 49.33 (10) (a) The Each county treasurer and ~~each~~ director of a county
21 department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall
22 certify monthly under oath to the department in such manner as the department
23 prescribes the claim of the county for state reimbursement under ~~subs. sub. (8) and~~
24 ~~(9) and (a).~~ The department shall review each claim of reimbursement and, if the
25 department approves such the claim it, the department shall certify to the

1 department of administration for reimbursement to the county for amounts due
2 under ~~these subsections~~ sub. (8) (a) and payment claimed to be made to the counties
3 monthly. The department may make advance payments prior to the beginning of
4 each month equal to one-twelfth of the contracted amount.

5 ***b0360/2.19* SECTION 1740bg.** 49.33 (10) (b) of the statutes is amended to
6 read:

7 49.33 (10) (b) To facilitate prompt reimbursement the certificate of the
8 department may be based on the certified statements of the county officers or tribal
9 governing body executives filed under par. (a). Funds recovered from audit
10 adjustments from a prior fiscal year may be included in subsequent certifications
11 only to pay counties owed funds as a result of any audit adjustment. By September
12 30 annually, the department shall submit a report to the appropriate standing
13 committees under s. 13.172 (3) on funds recovered and paid out during the previous
14 calendar year as a result of audit adjustments.

15 ***-1300/1.1* SECTION 1741.** 49.36 (1) of the statutes is renumbered 49.36 (1)
16 (intro.) and amended to read:

17 49.36 (1) (intro.) In this section, ~~“custodial:~~

18 (a) “Custodial parent” means a parent who lives with his or her child for
19 substantial periods of time.

20 ***-1300/1.2* SECTION 1742.** 49.36 (1) (b) of the statutes is created to read:

21 49.36 (1) (b) “Tribal governing body” means an elected tribal governing body
22 of a federally recognized American Indian tribe or band.

23 ***-1300/1.3* SECTION 1743.** 49.36 (2) of the statutes is amended to read:

24 49.36 (2) The department may contract with any county, tribal governing body,
25 or Wisconsin works agency to administer a work experience and job training program

1 for parents who are not custodial parents and who fail to pay child support or to meet
2 their children's needs for support as a result of unemployment or underemployment.
3 The program may provide the kinds of work experience and job training services
4 available from the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The
5 program may also include job search and job orientation activities. The department
6 shall fund the program from the appropriation under s. 20.445 (3) (dz).

7 ***-1300/1.4* SECTION 1744.** 49.36 (4) of the statutes is amended to read:

8 49.36 (4) When a person completes 16 weeks of participation in a program
9 under this section, the county, tribal governing body, or Wisconsin works agency
10 operating the program shall inform the clerk of courts, by affidavit, of that
11 completion.

12 ***-1300/1.5* SECTION 1745.** 49.36 (5) of the statutes is amended to read:

13 49.36 (5) A person participating in work experience as part of the program
14 under this section is considered an employee of the county, tribal governing body, or
15 Wisconsin works agency administering the program under this section for purposes
16 of worker's compensation benefits only.

17 ***-1300/1.6* SECTION 1746.** 49.36 (6) of the statutes is amended to read:

18 49.36 (6) A county, tribal governing body, or Wisconsin works agency
19 administering the program under this section shall reimburse a person for
20 reasonable transportation costs incurred because of participation in a program
21 under this section up to a maximum of \$25 per month.

22 ***-1300/1.7* SECTION 1747.** 49.36 (7) of the statutes is amended to read:

23 49.36 (7) The department shall pay a county, tribal governing body, or
24 Wisconsin works agency not more than \$400 for each person who participates in the
25 program under this section in the region in which the county, tribal governing body,

1 or Wisconsin works agency administers the program under this section. The county,
2 tribal governing body, or Wisconsin works agency shall pay any additional costs of
3 the program.

4 ***-1926/3.1* SECTION 1748.** 49.43 (8) of the statutes is amended to read:

5 49.43 (8) “Medical assistance” means any services or items under ss. 49.45 to
6 49.472 49.473, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or
7 reimbursement made for such services or items.

8 ***-1939/5.30* SECTION 1749.** 49.45 (2) (a) 3. of the statutes is amended to read:

9 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
10 rehabilitative, and social services under ss. 49.46, 49.468, and 49.47 and rules and
11 policies adopted by the department and ~~may shall, under a contract under s. 49.33~~
12 (2) (a), designate this function to the county department under s. 46.215, 46.22, or
13 46.23 or, ~~to the extent permitted by federal law or a waiver from federal secretary of~~
14 ~~health and human services to a Wisconsin works agency~~ a tribal governing body.

15 ***-1939/5.31* SECTION 1750.** 49.45 (2) (a) 3m. of the statutes is created to read:

16 49.45 (2) (a) 3m. If the department does not contract with the department of
17 workforce development under s. 49.197 (5), establish a program to investigate
18 suspected fraudulent activity on the part of recipients of medical assistance and
19 establish a program to reduce errors in the payments of medical assistance.

20 ***-1627/4.11* SECTION 1765.** 49.45 (5m) (am) of the statutes is amended to read:

21 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriations under
22 s. 20.435 (4) (b) and, (o), and (w), the department shall distribute not more than
23 \$2,256,000 in each fiscal year, to provide supplemental funds to rural hospitals that,
24 as determined by the department, have high utilization of inpatient services by
25 patients whose care is provided from governmental sources, and to provide

1 supplemental funds to critical access hospitals, except that the department may not
2 distribute funds to a rural hospital or to a critical access hospital to the extent that
3 the distribution would exceed any limitation under 42 USC 1396b (i) (3).

4 ***-1897/1.1* SECTION 1766.** 49.45 (5r) of the statutes is repealed.

5 ***-0425/2.1* SECTION 1767.** 49.45 (6b) of the statutes is amended to read:

6 49.45 (6b) CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the
7 appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of
8 services provided by the centers for the developmentally disabled. Reimbursement
9 to the centers for the developmentally disabled shall be reduced following each
10 placement made under s. 46.275 that involves a relocation from a center for the
11 developmentally disabled, by ~~\$184~~ \$200 per day, beginning in fiscal year ~~1999–2000~~
12 2001–02, and by ~~\$190~~ \$225 per day, beginning in fiscal year ~~2000–01~~ 2002–03.

13 ***-1627/4.12* SECTION 1768.** 49.45 (6m) (ag) (intro.) of the statutes is amended
14 to read:

15 49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this
16 subsection made under s. 20.435 (4) (b), (pa) ~~or~~, (o), or (w) shall, except as provided
17 in pars. (bg), (bm), and (br), be determined according to a prospective payment
18 system updated annually by the department. The payment system shall implement
19 standards that are necessary and proper for providing patient care and that meet
20 quality and safety standards established under subch. II of ch. 50 and ch. 150. The
21 payment system shall reflect all of the following:

22 ***-0436/1.1* SECTION 1769.** 49.45 (6m) (ar) 1. a. of the statutes is amended to
23 read:

24 49.45 (6m) (ar) 1. a. The department shall establish standards for payment of
25 allowable direct care costs, for facilities that do not primarily serve the

1 developmentally disabled, that take into account direct care costs for a sample of all
2 of those facilities in this state and separate standards for payment of allowable direct
3 care costs, for facilities that primarily serve the developmentally disabled, that take
4 into account direct care costs for a sample of all of those facilities in this state. The
5 standards shall be adjusted by the department for regional labor cost variations.

6 ***-0194/2.1* SECTION 1771.** 49.45 (6t) (intro.) of the statutes is amended to
7 read:

8 49.45 (6t) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING
9 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (4) (o), for
10 reduction of operating deficits, as defined under criteria developed by the
11 department, incurred by a county department under s. 46.215, 46.22, 46.23, or 51.42
12 or by a local health department, as defined in s. 250.01 (4), for services provided
13 under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k. and L., and Lm., 9. and, 15., and 18.,
14 for case management services under s. 49.46 (2) (b) 12. and for mental health day
15 treatment services for minors provided under the authorization under 42 USC 1396d
16 (r) (5), the department shall allocate up to ~~\$4,500,000~~ moneys in each fiscal year to
17 these county departments, or local health departments as determined by the
18 department, and shall perform all of the following:

19 ***-0194/2.2* SECTION 1772.** 49.45 (6t) (intro.) of the statutes, as affected by
20 2001 Wisconsin Act (this act), is repealed and recreated to read:

21 49.45 (6t) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING
22 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (4) (o), for
23 reduction of operating deficits, as defined under criteria developed by the
24 department, incurred by a county department under s. 46.215, 46.22, 46.23, or 51.42
25 or by a local health department, as defined in s. 250.01 (4), for services provided

1 under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k., L., and Lm., 9., and 15., for case
2 management services under s. 49.46 (2) (b) 12. and for mental health day treatment
3 services for minors provided under the authorization under 42 USC 1396d (r) (5), the
4 department shall allocate moneys in each fiscal year to these county departments,
5 or local health departments as determined by the department, and shall perform all
6 of the following:

7 ***-0194/2.3* SECTION 1773.** 49.45 (6t) (a) of the statutes is amended to read:

8 49.45 (6t) (a) For the reduction of operating deficits incurred by the county
9 departments or local health departments, estimate the availability of federal
10 medicaid funds that may be matched to county, city, town, or village funds that are
11 expended for costs in excess of reimbursement for services provided under s. 49.46
12 (2) (a) 4. d. and (b) 6. f., fm., j., k. and, L., and Lm., 9. and, 15., and 18., for case
13 management services under s. 49.46 (2) (b) 12. and for mental health day treatment
14 services for ~~minor~~ minors provided under the authorization under 42 USC 1396d (r)
15 (5).

16 ***-0194/2.4* SECTION 1774.** 49.45 (6t) (a) of the statutes, as affected by 2001
17 Wisconsin Act (this act), is repealed and recreated to read:

18 49.45 (6t) (a) For the reduction of operating deficits incurred by the county
19 departments or local health departments, estimate the availability of federal
20 medicaid funds that may be matched to county, city, town, or village funds that are
21 expended for costs in excess of reimbursement for services provided under s. 49.46
22 (2) (a) 4. d. and (b) 6. f., fm., j., k., L., and Lm., 9., and 15., for case management
23 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for
24 minors provided under the authorization under 42 USC 1396d (r) (5).

1 *~~1627/4.14~~* SECTION 1776. 49.45 (6u) (intro.) of the statutes is amended to
2 read:

3 49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)
4 Notwithstanding sub. (6m), from the appropriation under s. 20.435 (4) (o), for
5 reduction of operating deficits, as defined under criteria developed by the
6 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is
7 established under s. 49.70 (1) or that is owned and operated by a city, village or town,
8 the department may not distribute to these facilities more than \$38,600,000
9 \$40,100,000 in each fiscal year, as determined by the department, ~~except that the~~
10 ~~department shall also distribute for this same purpose from the appropriation under~~
11 ~~s. 20.435 (4) (o) any additional federal medical assistance moneys that were not~~
12 ~~anticipated before enactment of the biennial budget act or other legislation affecting~~
13 ~~s. 20.435 (4) (o).~~ The total amount that a county certifies under this subsection may
14 not exceed 100% of otherwise-unreimbursed care. In distributing funds under this
15 subsection, the department shall perform all of the following:

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16 *~~1627/4.13~~* SECTION 1776. ^{Stet} 49.45 (6u) of the statutes, as affected by 2001
17 Wisconsin Act (this act), is renumbered 49.45 (6u) (am), and 49.45 (6u) (am)
18 (intro.) and 2. (intro.) and b., 3., 4., 5. and 6., as renumbered, are amended to read:

19 49.45 (6u) (am) (intro.) Notwithstanding sub. (6m), in state fiscal years in
20 which less than \$115,200,000 in federal financial participation relating to facilities
21 is received under 42 CFR 433.51, from the appropriation appropriations under s.
22 20.435 (4) (o) and (w), for reduction of operating deficits, as defined under criteria
23 developed the methodology used by the department in December, 2000, incurred by
24 a facility, ~~as defined under sub. (6m) (a) 3.~~, that is established under s. 49.70 (1) or
25 that is owned and operated by a city, village, or town, the department may not

1 distribute to these facilities more than ~~\$40,100,000~~ \$37,100,000 in each fiscal year,
2 as determined by the department. The total amount that a county certifies under
3 this subsection may not exceed 100% of otherwise-unreimbursed care. In
4 distributing funds under this subsection, the department shall perform all of the
5 following:

6 2. (intro.) Based on the amount estimated available under ~~par. (a)~~ subd. 1.,
7 develop a method to distribute this allocation to the individual facilities that have
8 incurred operating deficits that shall include:

9 b. Agreement by the county in which is located the facility established under
10 s. 49.70 (1) and agreement by the city, village, or town that owns and operates the
11 facility that the applicable county, city, village, or town shall provide funds to match
12 federal medical assistance matching funds under this ~~subsection~~ paragraph.

13 3. Distribute the allocation under the distribution method that is developed,
14 unless a county has failed to comply with ~~par. (b) 2m~~ subd. 2. bm.

15 4. If the federal department of health and human services approves for state
16 expenditure in a fiscal year amounts under s. 20.435 (4) (o) and (w) that result in a
17 lesser allocation amount than that allocated under this ~~subsection~~ paragraph,
18 allocate not more than the lesser amount so approved by the federal department of
19 health and human services.

20 5. If the federal department of health and human services approves for state
21 expenditure in a fiscal year amounts under s. 20.435 (4) (o) and (w) that result in a
22 lesser allocation amount than that allocated under this ~~subsection~~ paragraph,
23 submit a revision of the method developed under ~~par. (b)~~ subd. 2. for approval by the
24 joint committee on finance in that state fiscal year.

1 6. If the federal department of health and human services disallows use of the
2 allocation of matching federal medical assistance funds distributed under ~~par. (e)~~
3 subd. 3., apply the requirements under sub. (6m) (br).

4 ***-1627/4.15* SECTION 1777.** 49.45 (6u) (ag) of the statutes is created to read:
5 49.45 (6u) (ag) In this subsection, “facility” has the meaning given in sub. (6m)
6 (a) 3.

7 ***-1627/4.16* SECTION 1778.** 49.45 (6u) (bm) of the statutes is created to read:
8 49.45 (6u) (bm) In state fiscal years in which \$115,200,000 or more in federal
9 financial participation relating to facilities is received under 42 CFR 433.51, from the
10 appropriations under s. 20.435 (4) (o) and (w), for reduction of operating deficits, as
11 defined under criteria developed by the department, incurred by a facility that is
12 established under s. 49.70 (1) or that is owned and operated by a city, village, or town,
13 the department may not distribute to these facilities more than \$77,100,000 in each
14 fiscal year, as determined by the department under a methodology as specified in the
15 state plan for services under 42 USC 1396.

16 ***-1627/4.17* SECTION 1779.** 49.45 (6x) (a) of the statutes is amended to read:
17 49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriations under s.
18 20.435 (4) (b) and, (o), and (w), the department shall distribute not more than
19 \$4,748,000 in each fiscal year, to provide funds to an essential access city hospital,
20 except that the department may not allocate funds to an essential access city hospital
21 to the extent that the allocation would exceed any limitation under 42 USC 1396b
22 (i) (3).

23 ***-1627/4.18* SECTION 1780.** 49.45 (6y) (a) of the statutes is amended to read:
24 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.
25 20.435 (4) (b) and, (o), and (w), the department shall distribute funding in each fiscal

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1 year to provide supplemental payment to hospitals that enter into a contract under
2 s. 49.02 (2) to provide health care services funded by a relief block grant, as
3 determined by the department, for hospital services that are not in excess of the
4 hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3).
5 If no relief block grant is awarded under this chapter or if the allocation of funds to
6 such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the
7 department may distribute funds to hospitals that have not entered into a contract
8 under s. 49.02 (2).

9 ***-1627/4.19* SECTION 1781.** 49.45 (6y) (am) of the statutes is amended to read:
10 49.45 (6y) (am) Notwithstanding sub. (3) (e), from the appropriations under s.
11 20.435 (4) (b), (h) ~~and~~, (o), and (w), the department shall distribute funding in each
12 fiscal year to provide supplemental payments to hospitals that enter into contracts
13 under s. 49.02 (2) with a county having a population of 500,000 or more to provide
14 health care services funded by a relief block grant, as determined by the department,
15 for hospital services that are not in excess of the hospitals' customary charges for the
16 services, as limited under 42 USC 1396b (i) (3).

17 ***-1627/4.20* SECTION 1782.** 49.45 (6z) (a) (intro.) of the statutes is amended
18 to read:

19 49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations
20 under s. 20.435 (4) (b) ~~and~~, (o), and (w), the department shall distribute funding in
21 each fiscal year to supplement payment for services to hospitals that enter into a
22 contract under s. 49.02 (2) to provide health care services funded by a relief block
23 grant under this chapter, if the department determines that the hospitals serve a
24 disproportionate number of low-income patients with special needs. If no medical
25 relief block grant under this chapter is awarded or if the allocation of funds to such

1 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
2 may distribute funds to hospitals that have not entered into a contract under s. 49.02
3 (2). The department may not distribute funds under this subsection to the extent
4 that the distribution would do any of the following:

5 ***-1627/4.21* SECTION 1783.** 49.45 (8) (b) of the statutes is amended to read:

6 49.45 (8) (b) Reimbursement under s. 20.435 (4) (b) ~~and, (o), and (w)~~ for home
7 health services provided by a certified home health agency or independent nurse
8 shall be made at the home health agency's or nurse's usual and customary fee per
9 patient care visit, subject to a maximum allowable fee per patient care visit that is
10 established under par. (c).

11 ***b0621/3.1* SECTION 1787m.** 49.45 (22) of the statutes is renumbered 49.45
12 (22) (a) and amended to read:

13 49.45 (22) (a) If the department contracts with health maintenance
14 organizations for the provision of medical assistance it shall give special
15 consideration to health maintenance organizations that provide or that contract to
16 provide comprehensive, specialized health care services to pregnant teenagers.

17 (b) If the department contracts with health maintenance organizations for the
18 provision of medical assistance, the department shall determine which medical
19 assistance recipients who have attained the age of 2 but have not attained the age
20 of 6 and who are at risk for lead poisoning have not received lead screening from those
21 health maintenance organizations. The department shall report annually to the
22 appropriate standing committees of the legislature under s. 13.172 (3) on the
23 percentage of medical assistance recipients under the age of 2 who received a lead
24 screening test in that year provided by a health maintenance organization compared
25 with the percentage that the department set as a goal for that year.

1 ***b0621/3.1* SECTION 1787mg.** 49.45 (22) (c) of the statutes is created to read:
2 49.45 (22) (c) If the department contracts with health maintenance
3 organizations for the provision of medical assistance, each contract shall require a
4 health maintenance organization to contract with at least the number of primary
5 care providers, within a radius of 30 miles from the boundary of the area the health
6 maintenance organization serves, that is sufficient to ensure that each medical
7 assistance recipient who is eligible for medical assistance under s. 49.46 (1) (a) 1., 1g.,
8 1m., 6., 9., 10., 11., 12., or 13. or 49.47 (4) (ag) 1. or 2. will be able to adequately access
9 the health care services offered by the health maintenance organization. The
10 department shall determine the number of primary care providers with whom each
11 health maintenance organization is required to contract.

12 ***-1627/4.22* SECTION 1788.** 49.45 (24m) (intro.) of the statutes is amended to
13 read:

14 49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.)
15 From the appropriations under s. 20.435 (4) (b) ~~and~~, (o), and (w), in order to test the
16 feasibility of instituting a system of reimbursement for providers of home health care
17 and personal care services for medical assistance recipients that is based on
18 competitive bidding, the department shall:

19 ***-0424/5.5* SECTION 1789.** 49.45 (30m) of the statutes is amended to read:

20 49.45 (30m) CERTAIN SERVICES FOR DEVELOPMENTALLY DISABLED. A county shall
21 provide the portion of the services under s. 51.06 (1) (1m) (d) to individuals who are
22 eligible for medical assistance that is not provided by the federal government.

23 ***-1939/5.33* SECTION 1790.** 49.45 (40) of the statutes is amended to read:

24 49.45 (40) PERIODIC RECORD MATCHES. ~~The~~ If the department contracts with the
25 department of workforce development under s. 49.197 (5), the department shall

1 cooperate with the department of workforce development in matching records of
2 medical assistance recipients under s. 49.32 (7).

3 ***-0194/2.5* SECTION 1791.** 49.45 (46) (b) of the statutes is amended to read:

4 49.45 (46) (b) This subsection does not apply after ~~July 1~~ June 30, 2003.

5 ***-2016/1.1* SECTION 1792.** 49.45 (48) of the statutes is created to read:

6 49.45 (48) PAYMENT OF MEDICARE PART B OUTPATIENT HOSPITAL SERVICES
7 COINSURANCES. The department shall include in the state plan for medical assistance
8 a methodology for payment of the medicare part B outpatient hospital services
9 coinsurance amounts that are authorized under ss. 49.46 (2) (c) 2., 4., and 5m., 49.468
10 (1) (b), and 49.47 (6) (a) 6. b., d., and f.

11 ***-0460/5.1* SECTION 1797.** 49.46 (1) (a) 1. of the statutes is amended to read:

12 49.46 (1) (a) 1. ~~Any person included in the Notwithstanding s. 49.19 (20), any~~
13 individual who, without regard to the individual's resources, would qualify for a
14 grant of aid to families with dependent children and any person who does under s.
15 49.19.

16 1g. Notwithstanding s. 49.19 (20), any individual who, without regard to the
17 individual's resources, would qualify for a grant of aid to families with dependent
18 children but who would not receive such the aid solely because of the application of
19 s. 49.19 (11) (a) 7.

20 ***b0616/1.1* SECTION 1797g.** 49.46 (1) (a) 1. of the statutes, as affected by 2001
21 Wisconsin Act (this act), is amended to read:

22 49.46 (1) (a) 1. Notwithstanding s. 49.19 (20), any individual who, without
23 regard to the individual's resources or income, would qualify for a grant of aid to
24 families with dependent children under s. 49.19 and whose income does not exceed
25 the income limit under par. (ar).

1 ***b0616/1.1* SECTION 1797j.** 49.46 (1) (a) 1g. of the statutes, as created by 2001
2 Wisconsin Act (this act), is amended to read:

3 49.46 (1) (a) 1g. Notwithstanding s. 49.19 (20), any individual who, without
4 regard to the individual's resources or income, would qualify for a grant of aid to
5 families with dependent children but ~~who~~ would not receive the aid solely because
6 of the application of s. 49.19 (11) (a) 7. and whose income does not exceed the income
7 limit under par. (ar).

8 ***-0460/5.2* SECTION 1798.** 49.46 (1) (a) 1m. of the statutes is amended to read:
9 49.46 (1) (a) 1m. Any pregnant woman ~~who meets the resource and whose~~
10 ~~income limits~~ does not exceed the standard of need under s. 49.19 (4) ~~(bm) and (es)~~
11 ~~(11)~~ and whose pregnancy is medically verified. Eligibility continues to the last day
12 of the month in which the 60th day after the last day of the pregnancy falls.

13 ***b0616/1.2* SECTION 1798g.** 49.46 (1) (a) 1m. of the statutes, as affected by
14 2001 Wisconsin Act (this act), is amended to read:

15 49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the
16 ~~standard of need under s. 49.19 (11)~~ income limit under par. (ar) and whose
17 pregnancy is medically verified. Eligibility continues to the last day of the month in
18 which the 60th day after the last day of the pregnancy falls.

19 ***-0460/5.3* SECTION 1800.** 49.46 (1) (a) 6. of the statutes is amended to read:

20 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who ~~is,~~ without regard
21 to the individual's resources, would be considered, under federal law, to be receiving
22 aid to families with dependent children for the purpose of determining eligibility for
23 medical assistance.

24 ***b0616/1.3* SECTION 1800m.** 49.46 (1) (a) 6. of the statutes, as affected by 2001
25 Wisconsin Act (this act), is amended to read:

1 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who, without regard
2 to the individual's resources or income, would be considered, under federal law, to be
3 receiving aid to families with dependent children for the purpose of determining
4 eligibility for medical assistance and whose income does not exceed the income limit
5 under par. (ar).

6 ***-0460/5.4*** SECTION 1801. 49.46 (1) (a) 9. of the statutes is amended to read:

7 49.46 (1) (a) 9. Any pregnant woman not described under subd. 1., 1g., or 1m.
8 whose family income does not exceed 133% of the poverty line for a family the size
9 of the woman's family.

10 ***-0460/5.5*** SECTION 1802. 49.46 (1) (a) 10. of the statutes is amended to read:

11 49.46 (1) (a) 10. Any child not described under subd. 1. or 1g. who is under 6
12 years of age and whose family income does not exceed 133% of the poverty line for
13 a family the size of the child's family.

14 ***-0460/5.6*** SECTION 1803. 49.46 (1) (a) 11. of the statutes is amended to read:

15 49.46 (1) (a) 11. If a waiver under s. 49.665 is granted and in effect, any child
16 not described under subd. 1. or 1g. who has attained the age of 6 but has not attained
17 the age of 19 and whose family income does not exceed 100% of the poverty line for
18 a family the size of the child's family. If a waiver under s. 49.665 is not granted or
19 in effect, any child not described in subd. 1. or 1g. who was born after September
20 30,1983, who has attained the age of 6 but has not attained the age of 19 and whose
21 family income does not exceed 100% of the poverty line for a family the size of the
22 child's family.

23 ***-0460/5.7*** SECTION 1804. 49.46 (1) (a) 12. of the statutes is amended to read:

1 49.46 (1) (a) 12. Any child not described under subd. 1. or lg. who is under 19
2 years of age and ~~who meets the resource and whose income limits does not exceed the~~
3 standard of need under s. 49.19 (4) (11).

4 ***b0616/1.4* SECTION 1804g.** 49.46 (1) (a) 12. of the statutes, as affected by
5 2001 Wisconsin Act (this act), is amended to read:

6 49.46 (1) (a) 12. Any child not described under subd. 1. or lg. who is under 19
7 years of age and whose income does not exceed the ~~standard of need under s. 49.19~~
8 ~~(11) income limit under par. (ar).~~

9 ***b0616/1.4* SECTION 1804m.** 49.46 (1) (ar) of the statutes is created to read:
10 49.46 (1) (ar) An individual is eligible to receive medical assistance under par.
11 (a) 1., lg., 1m., 6., and 12. if the individual's total income does not exceed the standard
12 of need under s. 49.19 (11) (a) 1. a. increased by the same percentage as the
13 percentage increase in the consumer price index, as defined in s. 49.455 (1) (b),
14 between September 2001 and September of the year immediately before the year in
15 which the individual's income is being determined.

16 ***-0460/5.8* SECTION 1805.** 49.46 (1) (e) of the statutes is amended to read:
17 49.46 (1) (e) If an application under s. 49.47 (3) shows that the ~~person has~~
18 individual meets the income and resources within the limitations of limits under s.
19 49.19, or meets the income and resource requirements under federal Title XVI or s.
20 49.77, or that the person individual is an essential person, an accommodated person,
21 or a patient in a public medical institution, the ~~person individual~~ shall be granted
22 the benefits enumerated under sub. (2) whether or not the ~~person individual~~ requests
23 or receives a grant of any of such aids.

24 ***b0616/1.5* SECTION 1805d.** 49.46 (1) (e) of the statutes, as affected by 2001
25 Wisconsin Act (this act), is amended to read:

1 49.46 (1) (e) If an application under s. 49.47 (3) shows that the individual meets
2 the income limits under ~~s. 49.19~~ par. (ar) or meets the income and resource
3 requirements under federal Title XVI or s. 49.77, or that the individual is an essential
4 person, an accommodated person, or a patient in a public medical institution, the
5 individual shall be granted the benefits enumerated under sub. (2) whether or not
6 the individual requests or receives a grant of any of such aids.

7 *~~0194/2.6~~* SECTION 1806. 49.46 (2) (b) 18. of the statutes is amended to read:

8 49.46 (2) (b) 18. Alcohol or other drug abuse residential treatment services of
9 no more than 45 days per treatment episode, under s. 49.45 (46). This subdivision
10 does not apply after ~~July 1~~ June 30, 2003.

11 *~~2016/1.2~~* SECTION 1807. 49.46 (2) (c) 2. of the statutes is amended to read:

12 49.46 (2) (c) 2. For an individual who is entitled to coverage under part A of
13 medicare, entitled to coverage under part B of medicare, meets the eligibility criteria
14 under sub. (1) and meets the limitation on income under subd. 6., medical assistance
15 shall include payment of the deductible and coinsurance portions of medicare
16 services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to
17 1395zz, including those medicare services that are not included in the approved state
18 plan for services under 42 USC 1396; the monthly premiums payable under 42 USC
19 1395v; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late
20 enrollment penalty, if applicable, for premiums under part A of medicare. Payment
21 of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w,
22 other than payment of coinsurance for outpatient hospital services, may not exceed
23 the allowable charge for the service under medical assistance minus the medicare
24 payment.

25 *~~2016/1.3~~* SECTION 1808. 49.46 (2) (c) 4. of the statutes is amended to read:

1 49.46 (2) (c) 4. For an individual who is entitled to coverage under part A of
2 medicare, entitled to coverage under part B of medicare and meets the eligibility
3 criteria for medical assistance under sub. (1), but does not meet the limitation on
4 income under subd. 6., medical assistance shall include payment of the deductible
5 and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which
6 are not paid under 42 USC 1395 to 1395zz, including those medicare services that
7 are not included in the approved state plan for services under 42 USC 1396. Payment
8 of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w,
9 other than payment of coinsurance for outpatient hospital services, may not exceed
10 the allowable charge for the service under medical assistance minus the medicare
11 payment.

12 ***-2016/1.4*** SECTION 1809. 49.46 (2) (c) 5m. of the statutes is amended to read:

13 49.46 (2) (c) 5m. For an individual who is only entitled to coverage under part
14 B of medicare and meets the eligibility criteria under sub. (1), but does not meet the
15 limitation on income under subd. 6., medical assistance shall include payment of the
16 deductible and coinsurance portions of medicare services under 42 USC 1395j to
17 1395w, including those medicare services that are not included in the approved state
18 plan for services under 42 USC 1396. Payment of coinsurance for a service under
19 part B of medicare, other than payment of coinsurance for outpatient hospital
20 services, may not exceed the allowable charge for the service under medical
21 assistance minus the medicare payment.

22 ***-2016/1.5*** SECTION 1810. 49.468 (1) (b) of the statutes is amended to read:

23 49.468 (1) (b) For an elderly or disabled individual who is entitled to coverage
24 under part A of medicare, entitled to coverage under part B of medicare and who does
25 not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or

1 49.47 (4) but meets the limitations on income and resources under par. (d), medical
2 assistance shall pay the deductible and coinsurance portions of medicare services
3 under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz,
4 including those medicare services that are not included in the approved state plan
5 for services under 42 USC 1396; the monthly premiums payable under 42 USC
6 1395v; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late
7 enrollment penalty, if applicable, for premiums under part A of medicare. Payment
8 of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w,
9 other than payment of coinsurance for outpatient hospital services, may not exceed
10 the allowable charge for the service under medical assistance minus the medicare
11 payment.

12 *~~0460/5.9~~* SECTION 1811. 49.47 (4) (a) 1. of the statutes is amended to read:
13 49.47 (4) (a) 1. Under ~~18~~ 21 years of age ~~or, if the person~~ and resides in an
14 intermediate care facility, skilled nursing facility, or inpatient psychiatric hospital,
15 ~~under 21 years of age.~~

16 *~~0460/5.10~~* SECTION 1812. 49.47 (4) (a) 2. of the statutes is renumbered 49.47
17 (4) (ag) 2.

18 *~~0460/5.11~~* SECTION 1813. 49.47 (4) (ag) (intro.) of the statutes is created to
19 read:

20 49.47 (4) (ag) (intro.) Any individual whose income does not exceed the limits
21 under par. (c) and who complies with par. (cm) is eligible for medical assistance under
22 this section if the individual is one of the following:

23 *~~0460/5.12~~* SECTION 1814. 49.47 (4) (ag) 1. of the statutes is created to read:
24 49.47 (4) (ag) 1. Under the age of 18.

1 ***-0460/5.13*** SECTION 1815. 49.47 (4) (b) 2m. a. of the statutes is amended to
2 read:

3 49.47 (4) (b) 2m. a. For persons who are eligible under par. (a) 1. ~~or 2.~~, one
4 vehicle is exempt from consideration as an asset. A 2nd vehicle is exempt from
5 consideration as an asset only if the department determines that it is necessary for
6 the purpose of employment or to obtain medical care. The equity value of any
7 nonexempt vehicles owned by the applicant is an asset for the purposes of
8 determining eligibility for medical assistance under this section.

9 ***b0616/1.6*** SECTION 1815g. 49.47 (4) (c) 1. of the statutes is renumbered 49.47
10 (4) 1. (intro.) and amended to read:

11 49.47 (4) (c) 1. (intro.) Except as provided in par. (am) and as limited by subd.
12 3., eligibility exists if income does not exceed ~~133 1/3%~~ of the greater of the following:

13 a. An amount equal to the maximum aid to families with dependent children
14 payment under s. 49.19 (11) (a) 1. a. for the applicant's family size or increased by the
15 same percentage as the percentage increase in the consumer price index, as defined
16 in s. 49.455 (1) (b), between September 2001 and September of the year immediately
17 before the year in which the individual's income is being determined and multiplied
18 by 133 1/3%.

19 b. An amount equal to the combined benefit amount available under
20 supplemental security income under 42 USC 1381 to 1383c and state supplemental
21 aid under s. 49.77 ~~whichever is higher. In this subdivision "income" includes earned~~
22 ~~or unearned income that would be included in determining eligibility for the~~
23 ~~individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled under~~
24 ~~42 USC 1381 to 1385. "Income" does not include earned or unearned income which~~
25 ~~would be excluded in determining eligibility for the individual or family under s.~~

1 ~~49.19 or 49.77, or for the aged, blind or disabled individual under 42 USC 1381 to~~
2 ~~1385.~~

3 ***b0616/1.6* SECTION 1815j.** 49.47 (4) (c) 1m. of the statutes is created to read:

4 49.47 (4) (c) 1m. For purposes of determining whether an individual's income
5 meets the income requirements under subd. 1., "income" includes all of the
6 individual's earned or unearned income that would be included in determining
7 eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind,
8 or disabled under 42 USC 1381 to 1385, and "income" does not include earned or
9 unearned income that would be excluded in determining eligibility for the individual
10 or family under s. 49.19 or 49.77, or for the aged, blind, or disabled individual under
11 42 USC 1381 to 1385.

12 ***-2016/1.6* SECTION 1816.** 49.47 (6) (a) 6. b. of the statutes is amended to read:

13 49.47 (6) (a) 6. b. An individual who is entitled to coverage under part A of
14 medicare, entitled to coverage under part B of medicare, meets the eligibility criteria
15 under sub. (4) (a) and meets the income limitation, the deductible and coinsurance
16 portions of medicare services under 42 USC 1395 to 1395zz which are not paid under
17 42 USC 1395 to 1395zz, including those medicare services that are not included in
18 the approved state plan for services under 42 USC 1396; the monthly premiums
19 payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC
20 1395i-2 (d); and the late enrollment penalty, if applicable, for premiums under part
21 A of medicare. Payment of coinsurance for a service under part B of medicare under
22 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital
23 services, may not exceed the allowable charge for the service under medical
24 assistance minus the medicare payment.

25 ***-2016/1.7* SECTION 1817.** 49.47 (6) (a) 6. d. of the statutes is amended to read:

1 49.47 (6) (a) 6. d. An individual who is entitled to coverage under part A of
2 medicare, entitled to coverage under part B of medicare and meets the eligibility
3 criteria for medical assistance under sub. (4) (a) but does not meet the income
4 limitation, the deductible and coinsurance portions of medicare services under 42
5 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those
6 medicare services that are not included in the approved state plan for services under
7 42 USC 1396. Payment of coinsurance for a service under part B of medicare under
8 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital
9 services, may not exceed the allowable charge for the service under medical
10 assistance minus the medicare payment.

11 ***-2016/1.8*** SECTION 1818. 49.47 (6) (a) 6. f. of the statutes is amended to read:

12 49.47 (6) (a) 6. f. For an individual who is only entitled to coverage under part
13 B of medicare and meets the eligibility criteria under sub. (4), but does not meet the
14 income limitation, medical assistance shall include payment of the deductible and
15 coinsurance portions of medicare services under 42 USC 1395j to 1395w, including
16 those medicare services that are not included in the approved state plan for services
17 under 42 USC 1396. Payment of coinsurance for a service under part B of medicare,
18 other than payment of coinsurance for outpatient hospital services, may not exceed
19 the allowable charge for the service under medical assistance minus the medicare
20 payment.

21 ***-0460/5.14*** SECTION 1819. 49.47 (6) (a) 7. of the statutes is amended to read:

22 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) ~~(a) 2.~~ (ag) 2. or (am) 1., for
23 services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including
24 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
25 related to other conditions which may complicate pregnancy.

1 (c) The woman is not eligible for health care coverage that qualifies as
2 creditable coverage in 42 USC 300gg (c).

3 (d) The woman has been screened for breast or cervical cancer under a breast
4 and cervical cancer early detection program that is authorized under a grant
5 received under 42 USC 300k.

6 (e) The woman requires treatment for breast or cervical cancer.

7 (3) Prior to applying to the department or a county department for medical
8 assistance, a woman is eligible for medical assistance as provided under sub. (5)
9 beginning on the date on which a qualified entity determines, on the basis of
10 preliminary information, that the woman meets the requirements specified in sub.
11 (2) and ending on one of the following dates:

12 (a) If the woman applies to the department or a county department for medical
13 assistance within the time limit required under sub. (4), the day on which the
14 department or county department determines whether the woman meets the
15 requirements under sub. (2).

16 (b) If the woman does not apply to the department or county department for
17 medical assistance within the time limit required under sub. (4), the last day of the
18 month following the month in which the qualified entity determines that the woman
19 is eligible for medical assistance.

20 (4) A woman who a qualified entity determines under sub. (3) is eligible for
21 medical assistance shall apply to the department or county department no later than
22 the last day of the month following the month in which the qualified entity
23 determines that the woman is eligible for medical assistance.

24 (5) The department shall audit and pay, from the appropriation accounts under
25 s. 20.435 (4) (b) and (o), allowable charges to a provider who is certified under s. 49.45

1 (2) (a) 11. for medical assistance on behalf of a woman who meets the requirements
2 under sub. (2) for all benefits and services specified under s. 49.46 (2).

3 (6) A qualified entity that determines under sub. (3) that a woman is eligible
4 for medical assistance as provided under sub. (5) shall do all of the following:

5 (a) Notify the department of the determination no later than 5 days after the
6 date on which the determination is made.

7 (b) Inform the woman at the of time the determination that she is required to
8 apply to the department or a county department for medical assistance no later than
9 the last day of the month following the month in which the qualified entity
10 determines that the woman is eligible for medical assistance.

11 (7) The department shall provide qualified entities with application forms for
12 medical assistance and information on how to assist women in completing the form.

13 *b0625/3.21* SECTION 1835k. Subchapter V (title) of chapter 49 [precedes
14 49.66] of the statutes is amended to read:

15 **CHAPTER 49**

16 **SUBCHAPTER V**

17 **OTHER MEDICALLY RELATED SERVICES**

18 **AND SUPPORT AND MEDICAL PROGRAMS**

19 *-1627/4.25* SECTION 1836. 49.665 (4) (at) 1. a. of the statutes is amended to
20 read:

21 49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
22 establish a lower maximum income level for the initial eligibility determination if
23 funding under s. 20.435 (4) (bc), (jz) ~~and~~, (p), ~~and~~ (x) is insufficient to accommodate
24 the projected enrollment levels for the health care program under this section. The
25 adjustment may not be greater than necessary to ensure sufficient funding.

1 ***b0611/1.1* SECTION 1836g.** 49.665 (4) (at) 1. b. of the statutes is amended to
2 read:

3 49.665 (4) (at) 1. b. The department may not lower the maximum income level
4 for initial eligibility unless the department first submits to the joint committee on
5 finance ~~its plans~~ a plan for lowering the maximum income level ~~and the committee~~
6 ~~approves the plan.~~ If, within 14 days after ~~submitting the plan~~ the date on which the
7 plan is submitted to the joint committee on finance, the cochairpersons of the
8 committee do not notify the secretary that the committee has scheduled a meeting
9 for the purpose of reviewing the plan, the department shall implement the plan is
10 considered approved by the committee as proposed. If within 14 days after the date
11 on which the plan is submitted to the committee, the cochairpersons of the committee
12 notify the secretary that the committee has scheduled a meeting to review the plan,
13 the department may implement the plan only as approved by the committee.

14 ***b0611/1.1* SECTION 1836r.** 49.665 (4) (at) 1. c. of the statutes is created to
15 read:

16 49.665 (4) (at) 1. c. Notwithstanding s. 20.001 (3) (b), if, after reviewing the plan
17 submitted under subd. 1. b., the joint committee on finance determines that the
18 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (w) are insufficient to
19 accommodate the projected enrollment levels, the committee may transfer
20 appropriated moneys from the general purpose revenue appropriation account of any
21 state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation
22 account, to the appropriation account under s. 20.435 (4) (bc) to supplement the
23 health care program under this section if the committee finds that the transfer will
24 eliminate unnecessary duplication of functions, result in more efficient and effective

1 methods for performing programs or more effectively carry out legislative intent, and
2 that legislative intent will not be changed by the transfer.

3 ***-1627/4.26* SECTION 1837.** 49.665 (4) (at) 2. of the statutes is amended to
4 read:

5 49.665 (4) (at) 2. If, after the department has established a lower maximum
6 income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc),
7 (jz) and, (p), and (x) is sufficient to raise the level, the department shall, by state plan
8 amendment, raise the maximum income level for initial eligibility, but not to exceed
9 185% of the poverty line.

10 ***b0385/3.2* SECTION 1837p.** 49.68 (3) (b) of the statutes is amended to read:

11 49.68 (3) (b) The From the appropriation accounts under ss. 20.435 (4) (e) and
12 (je), the state shall pay the cost of medical treatment required as a direct result of
13 chronic renal disease of certified patients from the date of certification, including the
14 cost of administering recombinant human erythropoietin to appropriate patients,
15 whether the treatment is rendered in an approved facility in the state or in a dialysis
16 or transplantation center which is approved as such by a contiguous state, subject
17 to the conditions specified under par. (d). Approved facilities may include a hospital
18 in-center dialysis unit or a nonhospital dialysis center which is closely affiliated with
19 a home dialysis program supervised by an approved facility. Aid shall also be
20 provided for all reasonable expenses incurred by a potential living-related donor,
21 including evaluation, hospitalization, surgical costs and postoperative follow-up to
22 the extent that these costs are not reimbursable under the federal medicare program
23 or other insurance. In addition, all expenses incurred in the procurement,
24 transportation and preservation of cadaveric donor kidneys shall be covered to the

1 extent that these costs are not otherwise reimbursable. All donor-related costs are
2 chargeable to the recipient and reimbursable under this subsection.

3 *b0385/3.2* SECTION 1837q. 49.683 (2) of the statutes is amended to read:

4 49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the
5 appropriation accounts under s. 20.435 (4) (e) and (je).

6 *b0385/3.2* SECTION 1837r. 49.685 (2) of the statutes is amended to read:

7 49.685 (2) ASSISTANCE PROGRAM. ~~The~~ From the appropriation accounts under
8 s. 20.435 (4) (e) and (je), the department shall establish a program of financial
9 assistance to persons suffering from hemophilia and other related congenital
10 bleeding disorders. The program shall assist such persons to purchase the blood
11 derivatives and supplies necessary for home care. The program shall be
12 administered through the comprehensive hemophilia treatment centers.

13 *b0385/3.2* SECTION 1837s. 49.687 (title) of the statutes is amended to read:

14 **49.687 (title) Disease aids; patient financial and liability requirements;**
15 **rebate agreements.**

16 *-1707/1.1* SECTION 1838. 49.687 (2) of the statutes is amended to read:

17 49.687 (2) The department shall develop and implement a sliding scale of
18 patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.
19 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to
20 pay for treatment. To ensure that the needs for treatment of patients with lower
21 incomes receive priority within the availability of funds under s. 20.435 (4) (e) and
22 (je), the department shall revise the sliding scale for patient liability by January 1,
23 1994, and shall, every 3 years thereafter by January 1, review and, if necessary,
24 revise the sliding scale.

25 *b0385/3.5* SECTION 1838c. 49.687 (3) of the statutes is created to read:

1 49.687 (3) The department or an entity with which the department contracts
2 shall provide to a drug manufacturer that sells drugs for prescribed use in this state
3 documents designed for use by the manufacturer in entering into a rebate agreement
4 with the department or entity that is modeled on the rebate agreement specified
5 under 42 USC 1396r–8. The department or entity may enter into a rebate agreement
6 under this subsection that shall include all of the following as requirements:

7 (a) That, as a condition of coverage for prescription drugs of a manufacturer
8 under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate payments for
9 each prescription drug of the manufacturer that is prescribed for and purchased by
10 persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685, to the state
11 treasurer to be credited to the appropriation under s. 20.435 (4) (je), each calendar
12 quarter or according to a schedule established by the department.

13 (b) That the amount of the rebate payment shall be determined by a method
14 specified in 42 USC 1396r–8 (c), except that, if the average manufacturer price for
15 a prescription drug exceeds the average manufacturer price of the drug as of
16 December 31, 2000, or the first calendar quarter after the day on which the drug was
17 first available, as adjusted for inflation, the rebate amount shall increase by the
18 amount of the difference.

19 ***b0625/3.22* SECTION 1838sb.** 49.79 (2) (b) of the statutes is created to read:

20 49.79 (2) (b) An individual who fails to comply with the work requirements of
21 the employment and training program under s. 49.13 (2) (a) is ineligible to
22 participate in the food stamp program as specified under s. 49.13 (3).

23 ***b0625/3.22* SECTION 1838t.** 49.79 (9) of the statutes is created to read:

24 49.79 (9) FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES. If the
25 department does not contract with the department of workforce development under

1 s. 49.197 (5), the department shall establish and administer a program to investigate
2 fraudulent activity on the part of recipients of food stamps and to reduce errors in
3 the payments of benefits under the food stamp program.

4 ***b0625/3.22* SECTION 1838td.** 49.79 (10) of the statutes is created to read:

5 49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department
6 shall contract with the department of workforce development to administer the
7 employment and training program under s. 49.13.

8 ***b0429/2.7* SECTION 1838d.** 49.85 (1) of the statutes is amended to read:

9 49.85 (1) ~~COUNTY DEPARTMENT~~ DEPARTMENT NOTIFICATION REQUIREMENT. If a
10 county department under s. 46.215, 46.22, or 46.23, or a governing body of a federally
11 recognized American Indian tribe or band ~~or a Wisconsin works agency~~ determines
12 that the department of health and family services may recover an amount under s.
13 49.497 or that the department of workforce development may recover an amount
14 under s. 49.125, 49.161, or 49.195 (3), the county department or governing body shall
15 notify the affected department of the determination. If a Wisconsin works agency
16 determines that the department of workforce development may recover an amount
17 under s. 49.161 or 49.195 (3), the Wisconsin works agency shall notify the
18 department of workforce development of the determination.

19 ***b0625/3.22* SECTION 1838v.** 49.85 (1) of the statutes is amended to read:

20 49.85 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county
21 department under s. 46.215, 46.22 or 46.23, a governing body of a federally
22 recognized American Indian tribe or band or a Wisconsin works agency determines
23 that the department of health and family services may recover an amount under s.
24 49.497 or that the department of workforce development may recover an amount

1 under s. ~~49.125~~, 49.161 ~~or~~, 49.195 (3), or 49.793, the county department or governing
2 body shall notify the affected department of the determination.

3 ***b0625/3.23* SECTION 1839m.** 49.85 (2) (b) of the statutes is amended to read:

4 49.85 (2) (b) At least annually, the department of workforce development shall
5 certify to the department of revenue the amounts that, based on the notifications
6 received under sub. (1) and on other information received by the department of
7 workforce development, the department of workforce development has determined
8 that it may recover under ss. ~~49.125~~, 49.161 ~~and~~, 49.195 (3), and 49.793, except that
9 the department of workforce development may not certify an amount under this
10 subsection unless it has met the notice requirements under sub. (3) and unless its
11 determination has either not been appealed or is no longer under appeal.

12 ***b0625/3.24* SECTION 1840g.** 49.85 (3) (b) 1. of the statutes is amended to
13 read:

14 49.85 (3) (b) 1. Inform the person that the department of workforce
15 development intends to certify to the department of revenue an amount that the
16 department of workforce development has determined to be due under s. ~~49.125~~,
17 49.161 ~~or~~, 49.195 (3), or 49.793, for setoff from any state tax refund that may be due
18 the person.

19 ***-1908/1.1* SECTION 1841.** 49.853 (2) of the statutes is amended to read:

20 49.853 (2) FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS. The
21 department shall operate a financial record matching program under this section.
22 The department shall promulgate rules specifying procedures under which the
23 department shall enter into agreements with financial institutions doing business
24 in this state to operate the financial record matching program under this section.
25 The agreement shall require the financial institution to participate in the financial

1 record matching program under this section by electing either the financial
2 institution matching option under sub. (3) or the state matching option under sub.
3 (4). ~~The rules promulgated under this section shall provide for reimbursement of~~
4 ~~financial institutions in an amount not to exceed their actual costs of participation~~
5 department shall reimburse a financial institution up to \$125 per quarter for
6 participating in the financial record matching program under this section.

7 *~~0529/6.4~~* SECTION 1842. 49.855 (1) of the statutes is amended to read:

8 49.855 (1) If a person obligated to provide pay child support, family support or,
9 maintenance, or the receiving and disbursing fee under s. 767.29 (1) (d) is delinquent
10 in making ~~court-ordered~~ any of those payments, or owes an outstanding amount that
11 has been ordered by the court for past support, medical expenses, or birth expenses,
12 upon application under s. 59.53 (5) the department of workforce development shall
13 certify the delinquent payment or outstanding amount to the department of revenue
14 and, at least annually, shall provide to the department of revenue any certifications
15 of delinquencies or outstanding amounts that it receives from another state because
16 the obligor resides in this state.

17 *~~0529/6.5~~* SECTION 1843. 49.855 (3) of the statutes is amended to read:

18 49.855 (3) Receipt of a certification by the department of revenue shall
19 constitute a lien, equal to the amount certified, on any state tax refunds or credits
20 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
21 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines
22 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
23 obligor that the state intends to reduce any state tax refund or credit due the obligor
24 by the amount the obligor is delinquent under the support ~~or, maintenance, or~~
25 receiving and disbursing fee order or obligation, by the outstanding amount for past

1 support, medical expenses, or birth expenses under the court order, or by the amount
2 due under s. 46.10 (4) or 301.12 (4). The notice shall provide that within 20 days the
3 obligor may request a hearing before the circuit court rendering the order under
4 which the obligation arose. Within 10 days after receiving a request for hearing
5 under this subsection, the court shall set the matter for hearing. Pending further
6 order by the court or family court commissioner, the department of workforce
7 development or its designee, whichever is appropriate, is prohibited from disbursing
8 the obligor's state tax refund or credit. The family court commissioner may conduct
9 the hearing. The sole issues at that hearing shall be whether the obligor owes the
10 amount certified and, if not and it is a support or maintenance order, whether the
11 money withheld from a tax refund or credit shall be paid to the obligor or held for
12 future support or maintenance. ~~An obligor may, within 20 days of receiving notice~~
13 ~~that the amount certified shall be withheld from his or her federal tax refund or~~
14 ~~credit, request a hearing under this subsection.~~

15 *b0550/1.6* SECTION 1844b. 49.855 (4) of the statutes is renumbered 49.855
16 (4) (a) and amended to read:

17 49.855 (4) (a) The department of revenue shall send that the portion of any
18 ~~state or federal tax refunds or credits withheld for delinquent child or family~~ support
19 or maintenance or past support, medical expenses, or birth expenses to the
20 department of workforce development or its designee for ~~distribution to the obligee~~
21 deposit in the support collections trust fund under s. 25.68 and shall send the portion
22 of any state tax refunds or credits withheld for delinquent receiving and disbursing
23 fees to the department of workforce development or its designee for deposit in the
24 appropriation account under s. 20.445 (3) (ja). The department of workforce
25 development shall make a settlement at least annually with the department of

1 revenue. The settlement shall state the amounts certified, the amounts deducted
2 from tax refunds and credits, and the administrative costs incurred by the
3 department of revenue.

4 ***b0550/1.10* SECTION 1844c.** 49.855 (4) (b) of the statutes is created to read:
5 49.855 (4) (b) The department of administration shall send the portion of any
6 federal tax refunds or credits received from the internal revenue service that was
7 withheld for delinquent child or family support or maintenance or past support,
8 medical expenses, or birth expenses to the department of workforce development or
9 its designee for deposit in the support collections trust fund under s. 25.68 and shall
10 send the portion of any federal tax refunds or credits received from the internal
11 revenue service that was withheld for delinquent receiving and disbursing fees to the
12 department of workforce development or its designee for deposit in the appropriation
13 account under s. 20.445 (3) (ja).

14 ***-0529/6.7* SECTION 1845.** 49.855 (4m) (b) of the statutes is amended to read:
15 49.855 (4m) (b) The department of revenue may provide a certification that it
16 receives under sub. (1), (2m), or (2p) to the department of administration. Upon
17 receipt of the certification, the department of administration shall determine
18 whether the obligor is a vendor or is receiving any other payments from this state,
19 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
20 45.351 (1), this chapter, or ch. 46, 108, or 301. If the department of administration
21 determines that the obligor is a vendor or is receiving payments from this state,
22 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
23 45.351 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount
24 certified from those payments and shall notify the obligor that the state intends to
25 reduce any payments due the obligor by the amount the obligor is delinquent under

1 the support ~~or~~, maintenance, or receiving and disbursing fee order or obligation, by
2 the outstanding amount for past support, medical expenses, or birth expenses under
3 the court order, or by the amount due under s. 46.10 (4) or 301.12 (4). The notice shall
4 provide that within 20 days after receipt of the notice the obligor may request a
5 hearing before the circuit court rendering the order under which the obligation arose.
6 An obligor may, within 20 days after receiving notice, request a hearing under this
7 paragraph. Within 10 days after receiving a request for hearing under this
8 paragraph, the court shall set the matter for hearing. The family court commissioner
9 may conduct the hearing. Pending further order by the court or family court
10 commissioner, the department of workforce development or its designee, whichever
11 is appropriate, may not disburse the payments withheld from the obligor. The sole
12 issues at the hearing are whether the obligor owes the amount certified and, if not
13 and it is a support or maintenance order, whether the money withheld shall be paid
14 to the obligor or held for future support or maintenance.

15 *~~0529/6.8~~* SECTION 1846. 49.855 (4m) (c) of the statutes is amended to read:
16 49.855 (4m) (c) Except as provided by order of the court after hearing under
17 par. (b), the department of administration shall continue withholding until the
18 amount certified is recovered in full. The department of administration shall
19 transfer the amounts withheld under this paragraph to the department of workforce
20 development or its designee, the department of health and family services, or the
21 department of corrections, whichever is appropriate. The department of workforce
22 development or its designee shall ~~distribute~~ deposit amounts withheld for
23 delinquent child or family support ~~or~~, maintenance, or receiving and disbursing fees
24 or past support, medical expenses, or birth expenses ~~to the obligee in the~~
25 appropriation account under s. 20.445 (3) (kp).

1 ***-0197/1.1* SECTION 1878.** 50.033 (2s) (intro.) of the statutes is amended to
2 read:

3 **50.033 (2s) REQUIRED REFERRAL.** (intro.) Subject to sub. (2t), an adult family
4 home shall, within the time period prescribed by the department by rule, refer to a
5 resource center under s. 46.283 a person who is seeking admission, who is at least
6 65 years of age or has developmental disability or a physical disability and whose
7 disability or condition is expected to last at least 90 days, unless any of the following
8 applies:

9 ***-0197/1.2* SECTION 1886.** 50.034 (5n) (intro.) of the statutes is amended to
10 read:

11 **50.034 (5n) REQUIRED REFERRAL.** (intro.) Subject to sub. (5p), a residential care
12 apartment complex shall, within the time period prescribed by the department by
13 rule, refer to a resource center under s. 46.283 a person who is seeking admission,
14 who is at least 65 years of age or has developmental disability or a physical disability
15 and whose disability or condition is expected to last at least 90 days, unless any of
16 the following applies:

17 ***-0197/1.3* SECTION 1894.** 50.035 (4n) (intro.) of the statutes is amended to
18 read:

19 **50.035 (4n) REQUIRED REFERRAL.** (intro.) Subject to sub. (4p), a
20 community-based residential facility shall, within the time period prescribed by the
21 department by rule, refer to a resource center under s. 46.283 a person who is seeking
22 admission, who is at least 65 years of age or has developmental disability or a
23 physical disability and whose disability or condition is expected to last at least 90
24 days, unless any of the following applies:

25 ***-0205/3.31* SECTION 1923.** 50.06 (7) of the statutes is amended to read:

1 50.06 (7) An individual who consents to an admission under this section may
2 request that an assessment be conducted for the incapacitated individual under the
3 long-term support community options program under s. 46.27 (6) or, if the secretary
4 has certified under s. 46.281 (3) that a resource center is available for the individual,
5 a functional and financial screen to determine eligibility for the family care benefit
6 under s. 46.286 (1). If admission is sought on behalf of the incapacitated individual
7 or if the incapacitated individual is about to be admitted on a private pay basis, the
8 individual who consents to the admission may waive the requirement for a financial
9 screen under s. 46.283 (4) (g), unless the incapacitated individual is expected to
10 become eligible for medical assistance within 6 months.

11 ***-0200/2.3* SECTION 1927.** 50.36 (2) (c) of the statutes is amended to read:

12 50.36 (2) (c) The department shall promulgate rules that require that a
13 hospital, before discharging a patient who is aged 65 or older or who has
14 developmental disability or physical disability and whose disability or condition
15 requires long-term care that is expected to last at least 90 days, refer the patient to
16 the resource center under s. 46.283. The rules shall specify that this requirement
17 applies only if the secretary has certified under s. 46.281 (3) that a resource center
18 is available for the hospital and for specified groups of eligible individuals that
19 include persons seeking admission to or patients of the hospital.

20 ***b0358/1.5* SECTION 1955b.** 51.02 (1) (e) of the statutes is repealed.

21 ***-0424/5.6* SECTION 1961.** 51.06 (1) (intro.) of the statutes is renumbered
22 51.06 (1) and amended to read:

23 51.06 (1) PURPOSE. The purpose of the northern center for developmentally
24 disabled, central center for developmentally disabled and southern center for
25 developmentally disabled is to provide services needed by developmentally disabled

1 citizens of this state ~~which~~ that are otherwise unavailable to them, and to return
2 ~~such~~ those persons to the community when their needs can be met at the local level.

3 ~~Services to be provided by the department at such centers shall include:~~

4 *~~0424/5.7~~* SECTION 1962. 51.06 (1) (a) to (d) of the statutes are renumbered
5 51.06 (1m) (a) to (d), and 51.06 (1m) (d), as renumbered, is amended to read:

6 51.06 (1m) (d) Services for up to ~~36~~ 50 individuals with developmental
7 disability who are also diagnosed as mentally ill or who exhibit extremely aggressive
8 and challenging behaviors.

9 *~~0424/5.8~~* SECTION 1963. 51.06 (1m) (intro.) of the statutes is created to read:
10 51.06 (1m) SERVICES. (intro.) Services to be provided by the department at
11 centers for the developmentally disabled shall include:

12 *~~0424/5.9~~* SECTION 1964. 51.06 (1r) of the statutes is created to read:

13 51.06 (1r) ALTERNATIVE SERVICES. (a) In addition to services provided under
14 sub. (1m), the department may, when the department determines that community
15 services need to be supplemented, authorize a center for the developmentally
16 disabled to offer short-term residential services, dental and mental health services,
17 therapy services, psychiatric and psychological services, general medical services,
18 pharmacy services, and orthotics.

19 (b) Services under this subsection may be provided only under contract
20 between the department and a county department under s. 46.215, 46.22, 46.23,
21 51.42, or 51.437, a school district, or another public or private entity within the state
22 to persons referred from those entities, at the discretion of the department. The
23 department shall charge the referring entity all costs associated with providing the
24 services. Unless a referral is made, the department may not offer services under this
25 subsection to the person who is to receive the services or to his or her family. The

1 department may not impose a charge for services under this subsection upon the
2 person receiving the services or upon his or her family. Any revenues received under
3 this subsection shall be credited to the appropriation account under s. 20.435 (2) (g).

4 (c) 1. Services under this subsection are governed by subchapter XVI of ch. 48
5 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3), 50.035, 50.04, 50.09, 51.04, 51.42 (7)
6 (b), and 51.61, for the application of which the services shall be considered to be
7 provided by a private entity, by rules promulgated under those statutes, and by the
8 terms of the contract between the department, except that, in the event of a conflict
9 between the contractual terms and the statutes or rules, the services shall comply
10 with the contractual, statutory, or rules provision that is most protective of the
11 service recipient's health, safety, welfare, or rights.

12 2. Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1., and 51.42 (3) (as) and
13 zoning or other ordinances or regulations of the county, city, town, or village in which
14 the services are provided or the facility is located do not apply to the services under
15 this subsection.

16 3. The department may not be required, by court order or otherwise, to offer
17 services under this subsection.

18 (d) A residential facility operated by a center for the developmentally disabled
19 that is authorized by the department under this subsection may not be considered
20 to be a hospital, as defined in s. 50.33 (2), an inpatient facility, a state treatment
21 facility, or a treatment facility.

22 *–1884/2.1* SECTION 1968. 51.42 (3) (ar) 4m. of the statutes is amended to read:

23 51.42 (3) (ar) 4m. If state, federal, and county funding for alcohol and other
24 drug abuse treatment services provided under subd. 4. are insufficient to meet the
25 needs of all eligible individuals, ensure that first priority for services is given to

1 pregnant women who suffer from alcoholism or alcohol abuse or are drug dependent
2 and that second priority be given to independent foster care adolescents, as defined
3 in 42 USC 1396d (w) (1).

4 ***-1884/2.2* SECTION 1969.** 51.42 (3) (ar) 4p. of the statutes is created to read:
5 51.42 (3) (ar) 4p. If state, federal, and county funding for mental health services
6 provided under subd. 4. are insufficient to meet the needs of all eligible individuals,
7 ensure that first priority for services is given to independent foster care adolescents,
8 as defined in 42 USC 1396d (w) (1).

9 ***-0423/1.1* SECTION 1970.** 51.42 (3) (as) 1. of the statutes is amended to read:
10 51.42 (3) (as) 1. A county department of community programs shall authorize
11 all care of any patient in a state, local or private facility under a contractual
12 agreement between the county department of community programs and the facility,
13 unless the county department of community programs governs the facility. The need
14 for inpatient care shall be determined by the program director or designee in
15 consultation with and upon the recommendation of a licensed physician trained in
16 psychiatry and employed by the county department of community programs or its
17 contract agency. In cases of emergency, a facility under contract with any county
18 department of community programs shall charge the county department of
19 community programs having jurisdiction in the county where the patient is found.
20 The county department of community programs shall reimburse the facility for the
21 actual cost of all authorized care and services less applicable collections under s.
22 46.036, unless the department of health and family services determines that a
23 charge is administratively infeasible, or unless the department of health and family
24 services, after individual review, determines that the charge is not attributable to the
25 cost of basic care and services. ~~A~~ Except as provided in subd. 1m., a county

1 department of community programs may not reimburse any state institution or
2 receive credit for collections for care received therein by nonresidents of this state,
3 interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin
4 state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977 stats., or s.
5 975.02, 1977 stats., or s. 971.14, 971.17 or 975.06 or admissions under s. 975.17, 1977
6 stats., or children placed in the guardianship of the department of health and family
7 services under s. 48.427 or 48.43 or under the supervision of the department of
8 corrections under s. 938.183 or 938.355. The exclusionary provisions of s. 46.03 (18)
9 do not apply to direct and indirect costs which are attributable to care and treatment
10 of the client.

11 ***-0423/1.2* SECTION 1971.** 51.42 (3) (as) 1m. of the statutes is created to read:

12 51.42 (3) (as) 1m. A county department of community programs shall
13 reimburse a mental health institute at the institute's daily rate for custody of any
14 person who is ordered by a court located in that county to be examined at the mental
15 health institute under s. 971.14 (2) for all days that the person remains in custody
16 at the mental health institute, beginning 48 hours, not including Saturdays,
17 Sundays, and legal holidays, after the sheriff and county department receive notice
18 under s. 971.14 (2) (d) that the examination has been completed.

19 ***b0323/3.13* SECTION 1971p.** 51.423 (1) of the statutes is amended to read:

20 51.423 (1) The department shall fund, within the limits of the department's
21 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~ and (o)
22 and subject to this section, services for mental illness, developmental disability,
23 alcoholism, and drug abuse to meet standards of service quality and accessibility.
24 The department's primary responsibility is to guarantee that county departments
25 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum

1 level of funding and its secondary responsibility is to fund programs which meet
2 exceptional community needs or provide specialized or innovative services. Moneys
3 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental
4 health services under s. 20.435 (7) (o) shall be allocated by the department to county
5 departments under s. 51.42 or 51.437 in the manner set forth in this section.

6 ***b0323/3.13* SECTION 1971r.** 51.423 (2) of the statutes is amended to read:

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