

SENATE BILL 44

SECTION 1112

1 expenditures to be received by the county. This level shall equal the amount that the  
2 department determines would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)  
3 because of increased utilization of nursing home services, as estimated by the  
4 department.

\*\*\*\*NOTE: This is reconciled s. 46.27 (10) (a) 1. This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

5 **\*-0194/9.8\* SECTION 1113.** 46.275 (5) (a) of the statutes is amended to read:

6 46.275 (5) (a) ~~Medical assistance~~ Assistance reimbursement for services a  
7 county, or the department under sub. (3r), provides under this program is available  
8 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o),  
9 and (w). If 2 or more counties jointly contract to provide services under this program  
10 and the department approves the contract, ~~medical assistance~~ Medical Assistance  
11 reimbursement is also available for services provided jointly by these counties.

\*\*\*\*NOTE: This is reconciled s. 46.275 (5) (a). This SECTION has been affected by  
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

12 **\*-0194/9.9\* SECTION 1114.** 46.275 (5) (c) of the statutes is amended to read:

13 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (hm), (o), and  
14 (w) to counties and to the department under sub. (3r) for services provided under this  
15 section may not exceed the amount approved by the federal department of health and  
16 human services. A county may use funds received under this section only to provide  
17 services to persons who meet the requirements under sub. (4) and may not use  
18 unexpended funds received under this section to serve other developmentally  
19 disabled persons residing in the county.

\*\*\*\*NOTE: This is reconciled s. 46.275 (5) (c). This SECTION has been affected by  
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

RLR  
CJS

(F)

20 **\*-0211/5.2\* SECTION 1115.** 46.275 (5) (e) of the statutes is created to read:

(G)

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1           46.275 (5) (e) From the appropriation under s. 20.435 (2) (gL), the department  
2 may provide moneys to a county to pay for one-time costs associated with the  
3 relocation under this section of an individual from a state center for the  
4 developmentally disabled.

5

*Delete space*

6           \*~~0090/P1.1~~\* SECTION 1123. 46.277 (5) (g) of the statutes is created to read:

7           46.277 (5) (g) The department may provide enhanced reimbursement for  
8 services provided under this section to an individual who is relocated to the  
9 community from a nursing home by a county department on or after the effective date  
10 of this paragraph .... [revisor inserts date], if the nursing home bed that was used by  
11 the individual is delicensed upon relocation of the individual. The department shall  
12 develop and utilize a formula to determine the enhanced reimbursement rate.

13

*Delete space*

14           \*~~0208/2.15~~\* SECTION 1131. 46.278 (6) (f) of the statutes is repealed.

15           \*~~0209/2.1~~\* SECTION 1132. 46.279 of the statutes is created to read:

16           **46.279 Restrictions on placements and admissions to intermediate**  
17 **and nursing facilities. (1) DEFINITIONS. In this section:**

18           (a) “Developmental disability” has the meaning given in s. 51.01 (5) (a).

19           (b) “Intermediate facility” means an intermediate care facility for the mentally  
20 retarded, as defined in 42 USC 1396d (d), other than a center for the developmentally  
21 disabled, as defined in s. 51.01 (3).

22           (bm) “Most integrated setting” means a setting that enables an individual to  
23 interact with persons without developmental disabilities to the fullest extent  
24 possible.

25           (c) “Nursing facility” has the meaning given under 42 USC 1369r (a).

**SENATE BILL 44****SECTION 1132**

1           **(2) PLACEMENTS AND ADMISSIONS TO INTERMEDIATE FACILITIES.** Except as provided  
2 in sub. (5), no person may place an individual with a developmental disability in an  
3 intermediate facility and no intermediate facility may admit such an individual  
4 unless, before the placement or admission and after having considered a plan  
5 developed under sub. (4), a court under s. 55.06 (9) (a) or (10) (a) 2. finds that  
6 placement in the intermediate facility is the most integrated setting that is  
7 appropriate to the needs of the individual, taking into account information presented  
8 by all affected parties. An intermediate facility to which an individual who has a  
9 developmental disability applies for admission shall, within 5 days after receiving  
10 the application, notify the county department that is participating in the program  
11 under s. 46.278 of the county of residence of the individual who is seeking admission  
12 concerning the application.

13           **(3) PLACEMENTS AND ADMISSIONS TO NURSING FACILITIES.** Except as provided in  
14 sub. (5), if the department or an entity determines from a screening under s. 49.45  
15 (6c) (b) that an individual requires active treatment for developmental disability, no  
16 individual may be placed in a nursing facility, and no nursing facility may admit the  
17 individual, unless it is determined from the screening that the individual's need for  
18 care cannot fully be met in an intermediate facility or under a plan under sub. (4).

19           **(4) PLAN FOR HOME OR COMMUNITY-BASED CARE.** Except as provided in a contract  
20 specified in sub. (4m), a county department that participates in the program under  
21 s. 46.278 shall develop a plan for providing home or community-based care in a  
22 noninstitutional community setting to an individual who is a resident of that county,  
23 under any of the following circumstances:

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1 (a) Within 120 days after any determination made under s. 49.45 (6c) (c) 3. that  
2 the level of care required by a resident that is provided by a facility could be provided  
3 in an intermediate facility or under a plan under this subsection.

4 (b) Within 120 days after receiving written notice under sub. (2) of an  
5 application.

6 (c) Within 120 days after a proposal is made under s. 55.06 (9) (a) to place the  
7 individual in an intermediate facility or a nursing facility.

8 (d) Within 120 days after receiving written notice under s. 55.06 (10) (a) 2. of  
9 the placement of the individual in a nursing facility or an intermediate facility.

10 (e) Within 90 days after extension of a temporary placement order by the court  
11 under s. 55.06 (11) (c).

12 **(4m) CONTRACT FOR PLAN DEVELOPMENT.** The department shall contract with a  
13 public or private agency to develop a plan under sub. (4), and the county department  
14 is not required to develop such a plan, for an individual, as specified in the contract,  
15 to whom all of the following apply:

16 (a) The individual resides in a county with a population of less than 100,000  
17 in which are located at least 2 intermediate facilities that have licenses issued to  
18 private nonprofit organizations that are exempt from federal income tax under  
19 section 501 (a) of the Internal Revenue Code.

20 (b) Placement for the individual is in, or proposed to be in, an intermediate  
21 facility specified under par. (a) that has agreed to reduce its licensed bed capacity to  
22 an extent and according to a schedule acceptable to the facility and the department.

23 **(5) EXCEPTIONS.** Subsections (2) and (3) do not apply to an emergency placement  
24 under s. 55.06 (11) (a) or to a temporary placement under s. 55.06 (11) (c) or (12).

25 **\*-1610/2.1\* SECTION 1133.** 46.2805 (2) of the statutes is amended to read:

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SECTION 1133

1 46.2805 (2) "Eligible person" means a person who meets all eligibility criteria  
2 under s. 46.286 (1) ~~or (1m)~~.

3 *check for this space* \*-1760/2.4\* SECTION 1134. 46.283 (5) of the statutes is amended to read:

4 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
5 (bm), (gp), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with  
6 organizations that meet standards under sub. (3) for performance of the duties under  
7 sub. (4) and shall distribute funds for services provided by resource centers.

\*\*\*\*NOTE: This is reconciled s. 46.283 (5). This SECTION has been affected by drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

8 *Delete this space* \*-1760/2.5\* SECTION 1135. 46.284 (5) (a) of the statutes is amended to read:

9 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),  
10 (im), (o), and (w) and (7) (b) and (bd), the department shall provide funding on a  
11 capitated payment basis for the provision of services under this section.  
12 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
13 under contract with the department may expend the funds, consistent with this  
14 section, including providing payment, on a capitated basis, to providers of services  
15 under the family care benefit.

\*\*\*\*NOTE: This is reconciled s. 46.284 (5) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

16 \*-1610/2.2\* SECTION 1136. 46.286 (1) (intro.) of the statutes is amended to  
17 read:

18 46.286 (1) ELIGIBILITY. (intro.) ~~Except as provided in sub. (1m), a~~ A person is  
19 eligible for, but not necessarily entitled to, the family care benefit if the person is at  
20 least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., a  
21 developmental disability, as defined in s. 51.01 (5) (a), or infirmities of aging, as  
22 defined in s. 55.01 (3); and meets all of the following criteria:

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1           \*-1610/2.3\* SECTION 1137. 46.286 (1m) of the statutes is repealed.

2           \*-1610/2.4\* SECTION 1138. 46.286 (3) (a) (intro.) of the statutes is amended to  
3 read:

4           46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may  
5 receive the family care benefit through enrollment in a care management  
6 organization if, ~~except as provided in subd. 5.,~~ he or she is at least 18 years of age,  
7 has a physical disability, as defined in s. 15.197 (4) (a) 2., a developmental disability,  
8 as defined in s. 51.01 (5) (a), or infirmities of aging, as defined in s. 55.01 (3), is  
9 financially eligible, fulfills any applicable cost-sharing requirements and meets any  
10 of the following criteria:

11           \*-1610/2.5\* SECTION 1139. 46.286 (3) (a) 5. of the statutes is repealed.

12           \*-0093/P2.1\* SECTION 1140. 46.286 (3) (d) of the statutes is amended to read:

13           46.286 (3) (d) The department shall determine the date, which shall not be later  
14 than January 1, ~~2004~~ 2006, on which par. (a) shall first apply to persons who are not  
15 eligible for medical assistance under ch. 49. Before the date determined by the  
16 department, persons who are not eligible for medical assistance may receive the  
17 family care benefit within the limits of state funds appropriated for this purpose and  
18 available federal funds.

19           \*-1610/2.6\* SECTION 1141. 46.287 (2) (a) 1. a. of the statutes is amended to  
20 read:

21           46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) ~~or (1m)~~.

22           \*-0576/8.62\* SECTION 1142. 46.29 (3) (d) of the statutes is amended to read:

23           46.29 (3) (d) The <sup>plain</sup> ~~secretary of employment relations~~ director of the office of state  
24 human resources management.

25           \*-0202/P1.2\* SECTION 1143. 46.295 (1) of the statutes is amended to read:

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1           46.295 (1) The department may, on the request of any hearing-impaired  
2 person, city, village, town, or county or private agency, provide funds from the  
3 appropriation under s. 20.435 (6) ~~(a) and (hs)~~ and (7) (d) to reimburse interpreters  
4 for hearing-impaired persons for the provision of interpreter services.

5           \*~~0116/2.2~~\* **SECTION 1144.** 46.40 (1) (d) of the statutes is created to read:

6           46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396  
7 to 1396v in reimbursement of the cost of preventing out-of-home placements of  
8 children, the department shall use those moneys as the first source of moneys used  
9 to meet the amount of the allocation under sub. (2) that is budgeted from federal  
10 funds.

11           \*~~0117/2.1~~\* **SECTION 1145.** 46.40 (2) of the statutes is amended to read:

12           46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
13 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
14 more than ~~\$244,745,200 for fiscal year 2001-02 and \$244,703,400 for fiscal year~~  
15 ~~2002-03~~ \$242,078,700 in each fiscal year.

16           \*~~0117/2.2~~\* **SECTION 1146.** 46.40 (7) of the statutes is amended to read:

17           46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the  
18 families of disabled children under s. 46.985, the department shall distribute ~~not~~  
19 ~~more than \$4,589,800 in fiscal year 2001-02 and not more than \$5,089,800 in fiscal~~  
20 ~~year 2002-03 and in each fiscal year thereafter.~~

21           \*~~0115/1.2~~\* **SECTION 1147.** 46.45 (2) (a) of the statutes is amended to read:

22           46.45 (2) (a) If Subject to par. (am), if on December 31 of any year there remains  
23 unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds  
24 the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in  
25 that year, the department shall carry forward the excess moneys and distribute not

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1 less than 50% of the excess moneys to counties having a population of less than  
2 500,000 that are making a good faith effort, as determined by the department, to  
3 comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and  
4 families, notwithstanding the percentage limit specified in sub. (3) (a). A county  
5 shall use not less than 50% of the moneys distributed to the county under this  
6 subsection for services for children who are at risk of abuse or neglect to prevent the  
7 need for child abuse and neglect intervention services, except that in the calendar  
8 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2  
9 calendar years after that calendar year the county may use 100% of the moneys  
10 distributed under this paragraph to reimburse the department for the costs of  
11 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before  
12 July 1, 2005, the department may recover any amounts distributed to that county  
13 under this paragraph after June 30, 2001, by billing the county or deducting from  
14 that county's allocation under s. 46.40 (2). All moneys received by the department  
15 under this paragraph shall be credited to the appropriation account under s. 20.435  
16 (3) (j).

17 **\*-0115/1.3\* SECTION 1148.** 46.45 (2) (am) of the statutes is created to read:

18 46.45 (2) (am) If on December 31 of any year a county is not using the  
19 centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost  
20 of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a,  
21 the department shall reduce that county's distribution under par. (a) by 50%.

22 **\*-0205/1.1\* SECTION 1149.** 46.45 (3) (a) of the statutes is amended to read:

23 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal  
24 governing body, or private nonprofit organization, the department shall carry  
25 forward up to 3% of the total amount allocated to the county, tribal governing body,

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1 or nonprofit organization for a calendar year, not including the amount allocated to  
2 the county under s. 46.40 (7), which amount may be carried forward as provided in  
3 par. (c). All funds carried forward for a tribal governing body or nonprofit  
4 organization, all federal child welfare funds under 42 USC 620 to 626, and all funds  
5 allocated under s. 46.40 (2m) carried forward for a county shall be used for the  
6 purpose for which the funds were originally allocated. ~~Except as provided under par.~~  
7 ~~(am), other~~ Other funds carried forward under this paragraph may be used for any  
8 purpose under s. 20.435 (7) (b), except that a county may not use any funds carried  
9 forward under this paragraph for administrative or staff costs. An allocation of  
10 carried-forward funding under this paragraph does not affect a county's base  
11 allocations under s. 46.40 (2), (2m), (8), and (9).

12 \***-0205/1.2\*** SECTION 1150. 46.45 (3) (am) of the statutes is repealed.

13 \***-0205/1.3\*** SECTION 1151. 46.45 (3) (c) of the statutes is created to read:

14 46.45 (3) (c) At the request of a county, the department shall carry forward up  
15 to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year.  
16 All funds carried forward under this paragraph shall be used for the purpose for  
17 which the funds were originally allocated, except that a county may not use any of  
18 those funds for administrative or staff costs. All funds carried forward under this  
19 paragraph that are not spent or encumbered by a county December 31 of the calendar  
20 year to which those funds were carried forward shall lapse to the general fund on the  
21 succeeding January 1. An allocation of carried-forward funding under this  
22 paragraph does not affect a county's base allocation under s. 46.40 (7).

23 \***-0205/1.4\*** SECTION 1152. 46.45 (6) of the statutes is renumbered 46.45 (6) (a)  
24 and amended to read:

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1           46.45 (6) (a) The department may carry forward 10% of any funds specified in  
2 sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for  
3 justifiable unit services costs above planned levels, and ~~to provide compensation for~~  
4 increased costs due to population shifts. An allocation of carried-forward funding  
5 under this paragraph does not affect a county's base allocations under s. 46.40 (2),  
6 (2m), (8), and (9).

7           \*~~0205/1.5~~\* SECTION 1153. 46.45 (6) (b) of the statutes is created to read:

8           46.45 (6) (b) The department may carry forward any funds specified in sub. (3)  
9 (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit  
10 services costs above planned levels, and for increased costs due to population shifts.  
11 An allocation of carried-forward funding under this paragraph does not affect a  
12 county's base allocation under s. 46.40 (7).

13           \*b0098/4.1\* SECTION 1154d. 46.46 (1) of the statutes is amended to read:

14           46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
15 department shall support costs that are exclusively related to the ongoing and  
16 recurring operational costs of augmenting the amount of moneys received under 42  
17 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, to the  
18 purposes specified in 2003 Wisconsin Act ... (this act), section 9124 (9c), and to any  
19 other purpose provided for by the legislature by law or in budget determinations and  
20 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
21 department may expend moneys from the appropriation account under s. 20.435 (8)  
22 (mb) as provided in ~~sub.~~ subs. (1m) and (2).

23           \*b0098/4.1\* SECTION 1154e. 46.46 (1) of the statutes, as affected by 2003  
24 Wisconsin Act ... (this act), is amended to read:

**SENATE BILL 44****SECTION 1154e**

1           46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
2 department shall support costs that are exclusively related to the ongoing and  
3 recurring operational costs of augmenting the amount of moneys received under 42  
4 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, to the  
5 purposes specified in 2003 Wisconsin Act .... (this act), section 9124 (9c), and to any  
6 other purpose provided for by the legislature by law or in budget determinations and  
7 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
8 department may expend moneys from the appropriation account under s. 20.435 (8)  
9 (mb) as provided in ~~subs.~~ sub. (1m) and ~~(2)~~.

10           \***-0195/2.2\*** SECTION 1155. 46.46 (1g) of the statutes is created to read:

11           46.46 (1g) The department shall distribute not less than 50% of the moneys  
12 received under 42 USC 1396 to 1396v as a result of the augmentation activities  
13 specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb)  
14 to counties that are participating in those activities for community social, mental  
15 health, developmental disabilities, and alcohol and other drug abuse services under  
16 s. 46.40. The department may distribute any moneys received under 42 USC 1396  
17 to 1396v as a result of the augmentation activities specified in sub. (1) and credited  
18 to the appropriation account under s. 20.435 (8) (mb) that are not distributed under  
19 this subsection to counties that are participating in those activities as provided in  
20 sub. (2).

21           \***b0098/4.3\*** SECTION 1156d. 46.46 (1m) of the statutes is amended to read:

22           46.46 (1m) In addition to expending moneys from the appropriation account  
23 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the  
24 department may expend moneys received under 42 USC 1396 to 1396v in  
25 reimbursement of the cost of providing targeted case management services to

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## SECTION 1156d

1 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
2 credited to the appropriation account under s. 20.435 (8) (mb) to support the counties'  
3 share of implementing the statewide automated child welfare information system  
4 under s. 46.22 (1) (c) 8. f. and to provide services to children and families under s.  
5 48.48 (17).

6 **\*-0195/2.4\* SECTION 1157.** 46.46 (2) of the statutes is amended to read:

7 46.46 (2) If the department proposes to use any moneys from the appropriation  
8 account under s. 20.435 (8) (mb) for any purpose other than the ~~purpose~~ purposes  
9 specified in ~~sub.~~ subs. (1), (1g), and (1m), the department shall submit a plan for the  
10 proposed use of those moneys to the secretary of administration by September 1 of  
11 the fiscal year after the fiscal year in which those moneys were received. If the  
12 secretary of administration approves the plan, he or she shall submit the plan to the  
13 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
14 those moneys were received. If the cochairpersons of the committee do not notify the  
15 secretary of administration within 14 working days after the date of submittal of the  
16 plan that the committee has scheduled a meeting for the purpose of reviewing the  
17 plan, the department may implement the plan. If within 14 working days after the  
18 date of the submittal by the secretary of administration the cochairpersons of the  
19 committee notify him or her that the committee has scheduled a meeting for the  
20 purpose of reviewing the plan, the department may implement the plan only with the  
21 approval of the committee.

22 **\*b0098/4.4\* SECTION 1157b.** 46.46 (2) of the statutes, as affected by 2003  
23 Wisconsin Act .... (this act), is repealed.

24 **\*-1559/2.2\* SECTION 1158.** 46.48 (6) (title) of the statutes is repealed.

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## SECTION 1159

1           \*~~1559/2.3~~\* SECTION 1159. 46.48 (6) of the statutes is renumbered 16.964 (9)

2           (a) and amended to read:

3           16.964 (9) (a) ~~The department shall distribute A grant in the amount of \$80,000~~  
4           in each fiscal year to the ~~career youth development center~~ Career Youth  
5           Development Center in the city of Milwaukee for the operation of a minority youth  
6           substance abuse treatment program.

7           \*~~b0284/2.8~~\* SECTION 1159c. 46.48 (7) of the statutes is repealed.

8           \*~~1560/3.1~~\* SECTION 1160. 46.481 (2) (title) of the statutes is repealed.

9           \*~~1560/3.2~~\* SECTION 1161. 46.481 (2) of the statutes is renumbered 16.964 (9)  
10          (b) and amended to read:

11          16.964 (9) (b) ~~The department shall award A grant in the amount of \$5,000 in~~  
12          each fiscal year as ~~a grant~~ to the Milwaukee ~~police athletic league~~ Police Athletic  
13          League to purchase sports and recreational equipment for a gymnasium facility  
14          located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility  
15          located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the  
16          operating expenses of those gymnasium facilities.

17          \*~~1561/3.1~~\* SECTION 1162. 46.481 (4) (title) of the statutes is repealed.

18          \*~~1561/3.2~~\* SECTION 1163. 46.481 (4) of the statutes is renumbered 16.964 (9)  
19          (c) and amended to read:

20          16.964 (9) (c) ~~The department shall distribute A grant in the amount of \$50,000~~  
21          in each fiscal year as ~~grants~~ to court-appointed special advocate programs that are  
22          recognized by a chief judge of a judicial administrative district under s. 48.07 (5) to  
23          perform advocacy services in proceedings under s. 48.13.

24          \*~~1562/3.1~~\* SECTION 1164. 46.481 (6) (title) of the statutes is repealed.

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1           \***-1562/3.2**\* SECTION 1165. 46.481 (6) of the statutes is renumbered 16.964 (9)  
2 (d) and amended to read:

3           16.964 (9) (d) ~~The department shall distribute~~ A grant in the amount of \$50,000  
4 in each fiscal year to the ~~children's safe house child care program~~ Children's Safe  
5 House Child Care Program in Kenosha County for the operation of that program.

6           \***-1760/2.6**\* SECTION 1166. 46.485 (2g) (intro.) of the statutes is amended to  
7 read:

8           46.485 (2g) (intro.) From the appropriation accounts under s. 20.435 (4) (b) and  
9 (gp), the department may in each fiscal year transfer funds to the appropriation  
10 under s. 20.435 (7) (kb) for distribution under this section and from the appropriation  
11 under s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in  
12 each fiscal year to applying counties in this state that meet all of the following  
13 requirements, as determined by the department:

14           \***-0200/1.2**\* SECTION 1167. 46.485 (2g) (b) of the statutes is renumbered 46.485  
15 (2g) (b) 1.

16           \***-0200/1.1**\* SECTION 1168. 46.485 (2g) (b) (intro.) of the statutes is created to  
17 read:

18           46.485 (2g) (b) (intro.) Any of the following applies to the county:

19           \***-0200/1.3**\* SECTION 1169. 46.485 (2g) (b) 2. of the statutes is created to read:

20           46.485 (2g) (b) 2. The county provides service coordination, as defined in s.  
21 46.56 (1) (L), on behalf of a child with a serious emotional disturbance and the child's  
22 family in the county.

23           \***-0200/1.4**\* SECTION 1170. 46.485 (3g) of the statutes is amended to read:

24           46.485 (3g) The amount that the department may transfer under sub. (2g) for  
25 ~~a county~~ counties may not exceed the estimated state share of payments under s.

**SENATE BILL 44****SECTION 1170**

1 49.45, 49.46 or 49.47 for mental health care and treatment that is provided in  
2 inpatient facilities for children with a severe emotional disturbance who reside in the  
3 county severe emotional disturbances.

4 \*–0200/1.5\* SECTION 1171. 46.485 (3r) of the statutes is amended to read:

5 46.485 (3r) Funds that a county does not encumber from the appropriation  
6 under s. 20.435 (7) (kb) that the department does not distribute to a county before  
7 24 months after June 30 of the fiscal year in which the department allocated the  
8 funds were distributed to the county under sub. (2g) lapse to the appropriation under  
9 s. 20.435 (4) (b). A county may at any time expend funds that the department  
10 distributes to the county, consistent with the requirements under sub. (3m).

11 \*–1507/1.1\* SECTION 1172. 46.85 (1) of the statutes is amended to read:

12 46.85 (1) The department may establish and operate a ~~senior companion~~  
13 ~~program~~ Senior Companion Program modeled after the federal ~~senior companion~~  
14 ~~program~~ Senior Companion Program under 42 USC 5011 (b), in effect on April 30,  
15 1980. If operated, the program shall engage the services of low-income persons aged  
16 60 or over to provide supportive person-to-person assistance in health, education,  
17 recreation, welfare and related fields to persons aged 60 or over with special needs  
18 who reside in their own homes, and it may engage other persons aged 60 or older,  
19 regardless of income, as volunteers in similar activities. The department may also  
20 establish and operate a ~~retired senior volunteers program~~ Retired Senior Volunteer  
21 Program modeled after the federal ~~retired senior volunteers program~~ Retired Senior  
22 Volunteer Program under 42 USC 5001, in effect on April 30, 1980, to provide  
23 voluntary services in a community. If operated, the program shall engage persons  
24 aged ~~60~~ 55 or ~~over~~ older as volunteers. ✓

25 \*–1507/1.2\* SECTION 1173. 46.85 (3) of the statutes is repealed.

## SENATE BILL 44

1           \*~~1507/1.3~~\* SECTION 1174. 46.85 (3m) (a) of the statutes is amended to read:  
2           46.85 (3m) (a) From the appropriation under s. 20.435 (7) (dh), the department  
3 shall provide a state supplement to federally funded ~~senior companion and retired~~  
4 ~~senior volunteer program~~ Senior Companion Program and Retired Senior Volunteer  
5 Program units that were in operation on December 1, 1988, and administered by  
6 qualified public and non-profit private agencies.

7  
8           \*~~1295/2.15~~\* SECTION 1176. 46.90 (4) (b) 2. a. of the statutes is repealed.

9           \*~~1295/2.16~~\* SECTION 1177. 46.90 (4) (b) 2. b. of the statutes is amended to  
10 read:

11           46.90 (4) (b) 2. b. Any employee ~~of an employer not described in subd. 2. a.~~ who  
12 is discharged or otherwise discriminated against may file a complaint with the  
13 department of workforce development under s. 106.54 (5).

14           \*~~1295/2.17~~\* SECTION 1178. 46.90 (4) (b) 2. c. of the statutes is amended to  
15 read:

16           46.90 (4) (b) 2. c. Any person not described in ~~this~~ subd. 2. a. ~~or~~ b. who is  
17 retaliated or discriminated against in violation of subd. 1. may commence an action  
18 in circuit court for damages incurred as a result of the violation.

19           \*~~1607/P3.6~~\* SECTION 1179. 46.93 of the statutes is repealed.

20           \*~~0529/4.96~~\* SECTION 1180. 46.973 (3) of the statutes is amended to read:

21           46.973 (3) The department may accept, receive, administer, and expend any  
22 money, material, or other gifts or grants of any description for purposes related to  
23 those set forth in this section. Moneys and grants received under this section shall  
24 be deposited with the ~~state treasurer~~ secretary of administration and shall be

## SENATE BILL 44

## SECTION 1180

1 credited to the department under s. 20.435 (2) (i) and expended by the department  
2 or the state council on alcohol and other drug abuse for the purposes specified.

3 *Delete space*

4 **\*-1607/P3.7\* SECTION 1183.** 46.997 (2) (b) of the statutes is amended to read:

5 46.997 (2) (b) The department of health and family services shall award the  
6 grants under par. (a) on a competitive basis and according to request-for-proposal  
7 procedures that the department of health and family services shall prescribe in  
8 consultation with the department of workforce development, ~~the adolescent~~  
9 ~~pregnancy prevention and pregnancy services board~~, local health departments, as  
10 defined in s. 250.01 (4), and other providers of services to eligible persons. Those  
11 request-for-proposal procedures shall include a requirement that a private agency  
12 that applies for a grant under par. (a) include in its grant application proof that the  
13 private agency has the cultural competency to provide services under the grant to  
14 persons and families in the various cultures in the private agency's target population  
15 and that cultural competency is incorporated in the private agency's policies,  
16 administration, and practices. In awarding the grants under par. (a), the  
17 department of health and family services shall consider the need for those grants to  
18 be distributed both on a statewide basis and in the areas of the state with the greatest  
19 need for 2nd-chance homes and the need to provide placements for children who are  
20 voluntarily placed in a 2nd-chance home as well as for children who are placed in  
21 a 2nd-chance home by court order.

22 **\*-1759/2.9\* SECTION 1184.** 47.02 (6) (a) of the statutes is amended to read:

23 47.02 (6) (a) From the appropriation under s. 20.445 (5) ~~(b)~~ (a), provide  
24 financial aid to any person with a disability who is receiving vocational  
25 rehabilitation training and who has no other source of aid.

## SENATE BILL 44

1           \*~~1759/2.10~~\* SECTION 1185. 47.03 (4) (b) of the statutes is amended to read:

2           47.03 (4) (b) The department may charge a portion of the expenses of its  
3 supervised business enterprise program to the net proceeds of each business  
4 operating under the program. The department shall establish the procedure for  
5 setting these charges by rule, with the participation of a committee of blind vendors  
6 established under 20 USC 107b-1. The department shall deposit the moneys from  
7 the charges made under this paragraph in the ~~appropriations~~ appropriation  
8 accounts under ~~ss. 20.435 (7) (kd) and s. 20.445 (5) (h) and (he).~~

9           \*~~1759/2.11~~\* SECTION 1186. 47.03 (7) of the statutes is amended to read:

10          47.03 (7) If the department decides that a business under sub. (4) would not  
11 be feasible and profitable in any state building, the department may contract with  
12 vending machine operators to install vending machines in the building, giving  
13 preference to blind operators of vending machines. The department may, under the  
14 procedures established as required under sub. (4) (b), charge the net proceeds of each  
15 business operating under this subsection. The department shall deposit the moneys  
16 from the charges made under this subsection in the ~~appropriations~~ appropriation  
17 account under s. 20.445 (5) (h) ~~and (hd)~~ and shall disburse the proceeds to provide  
18 services to blind persons under sub. (4) in accordance with 20 USC 107 to 107f.

19          \*~~1759/2.12~~\* SECTION 1187. 47.03 (11) (e) of the statutes is amended to read:

20          47.03 (11) (e) The department shall distribute at least \$218,600 from the  
21 appropriations in s. 20.445 (5) ~~(bm)~~ (a) and ~~(na)~~ (n) in each fiscal year for homecraft  
22 services relating to the marketing and distribution of homecraft products for each  
23 client who participates in the homecraft program.

24          \*~~0529/4.97~~\* SECTION 1188. 48.275 (2) (d) of the statutes is amended to read:

## SENATE BILL 44

## SECTION 1188

1           48.275 (2) (d) 1. In a county having a population of less than 500,000,  
2 reimbursement payments shall be made to the clerk of courts of the county where the  
3 proceedings took place. Each payment shall be transmitted to the county treasurer,  
4 who shall deposit 25% of the amount paid for state-provided counsel in the county  
5 treasury and transmit the remainder to the ~~state-treasurer~~ secretary of  
6 administration. Payments transmitted to the ~~state-treasurer~~ secretary of  
7 administration shall be deposited in the general fund and credited to the  
8 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit  
9 100% of the amount paid for county-provided counsel in the county treasury.

10           2. In a county having a population of 500,000 or more, reimbursement  
11 payments shall be made to the clerk of courts of the county where the proceedings  
12 took place. Each payment shall be transmitted to the ~~state-treasurer~~ secretary of  
13 administration, who shall deposit the amount paid in the general fund and credit  
14 25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the  
15 remainder to the appropriation account under s. 20.550 (1) (L).

16           \*~~0529/4.98~~\* SECTION 1189. 48.715 (3) (a) 3. of the statutes is amended to read:

17           48.715 (3) (a) 3. A person against whom the department has assessed a  
18 forfeiture shall pay that forfeiture to the department within 10 days after receipt of  
19 notice of the assessment or, if that person contests that assessment under s. 48.72,  
20 within 10 days after receipt of the final decision after exhaustion of administrative  
21 review or, if that person petitions for judicial review under ch. 227, within 10 days  
22 after receipt of the final decision after exhaustion of judicial review. The department  
23 shall remit all forfeitures paid under this subdivision to the ~~state-treasurer~~ secretary  
24 of administration for deposit in the school fund.

25           \*b0244/1.2\* SECTION 1189g. 48.981 (1) (b) of the statutes is amended to read:

## SENATE BILL 44

1           48.981 (1) (b) “Community placement” means probation; extended supervision;  
2 parole; aftercare; conditional transfer into the community under s. 51.35 (1);  
3 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 child  
4 caring institution or a Type 2 secured correctional facility authorized under s.  
5 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06  
6 or 980.08; participation in the community residential confinement program under  
7 s. 301.046, the halfway house program under s. 301.0465, the intensive sanctions  
8 program under s. 301.048, the corrective sanctions program under s. 938.533, the  
9 intensive supervision program under s. 938.534 or the serious juvenile offender  
10 program under s. 938.538; or any other placement of an adult or juvenile offender in  
11 the community under the custody or supervision of the department of corrections, the  
12 department of health and family services, a county department under s. 46.215,  
13 46.22, 46.23, 51.42 or 51.437 or any other person under contract with the department  
14 of corrections, the department of health and family services or a county department  
15 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over  
16 the offender.

17           **\*b0244/1.2\* SECTION 1189r.** 48.981 (1) (b) of the statutes, as affected by 2003  
18 Wisconsin Act .... (this act), is amended to read:

19           48.981 (1) (b) “Community placement” means probation; extended supervision;  
20 parole; aftercare; conditional transfer into the community under s. 51.35 (1);  
21 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 child  
22 caring institution or a Type 2 secured correctional facility authorized under s.  
23 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06  
24 or 980.08; participation in the community residential confinement program under  
25 s. 301.046, ~~the halfway house program under s. 301.0465~~, the intensive sanctions

**SENATE BILL 44****SECTION 1189r**

1 program under s. 301.048, the corrective sanctions program under s. 938.533, the  
2 intensive supervision program under s. 938.534 or the serious juvenile offender  
3 program under s. 938.538; or any other placement of an adult or juvenile offender in  
4 the community under the custody or supervision of the department of corrections, the  
5 department of health and family services, a county department under s. 46.215,  
6 46.22, 46.23, 51.42 or 51.437 or any other person under contract with the department  
7 of corrections, the department of health and family services or a county department  
8 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over  
9 the offender.

10 \*~~0117/2.3~~\* **SECTION 1190.** 48.985 (2) of the statutes is amended to read:

11 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the  
12 appropriation under s. 20.435 (7) (o), the department shall distribute not more than  
13 ~~\$3,964,400~~ \$3,809,600 in each fiscal year of the moneys received under 42 USC 620  
14 to 626 to county departments under ss. 46.215, 46.22, and 46.23 for the provision or  
15 purchase of child welfare projects and services, for services to children and families,  
16 for services to the expectant mothers of unborn children, and for family-based child  
17 welfare services.

18 \*~~1243/1.28~~\* **SECTION 1194.** 49.138 (1m) (intro.) of the statutes is amended to  
19 read:

20 49.138 (1m) (intro.) The department shall implement a program of emergency  
21 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or  
22 impending homelessness, or energy crisis. The department shall establish the  
23 maximum amount of aid to be granted, except for cases of energy crisis, per family  
24 member based on the funding available under s. 20.445 (3) ~~(de)~~ (dz) and (md). The  
25 department need not establish the maximum amount by rule under ch. 227. The

SENATE BILL 44

1 department shall publish the maximum amount and annual changes to it in the  
 2 Wisconsin administrative register. Emergency assistance provided to needy persons  
 3 under this section in cases of fire, flood, natural disaster, or energy crisis may only  
 4 be provided to a needy person once in a 12-month period. Emergency assistance  
 5 provided to needy persons under this section in cases of homelessness or impending  
 6 homelessness may be used only to obtain or retain a permanent living  
 7 accommodation and, except as provided in sub. (2), may only be provided to a needy  
 8 person once in a 36-month period. For the purposes of this section, a family is  
 9 considered to be homeless, or to be facing impending homelessness, if any of the  
 10 following applies:

11  
 12  
 13  
 14

*Delete extra spaces*

15 \*b0258/1.4\* SECTION 1223m. 49.147 (1m) of the statutes is renumbered 49.147  
 16 (1m) (b) and amended to read:

17 49.147 (1m) (b) ~~Upon determining~~ If the Wisconsin Works agency determines  
 18 that the appropriate placement for an individual is in unsubsidized employment or  
 19 a trial job, ~~the Wisconsin works agency shall conduct an educational needs~~  
 20 ~~assessment of the individual. If the Wisconsin works agency determines~~ and that the  
 21 individual needs and wishes to pursue basic education, including a course of study  
 22 meeting the standards established under s. 115.29 (4) for the granting of a  
 23 declaration of equivalency of high school graduation, ~~and if the individual wishes to~~  
 24 ~~pursue basic education, the Wisconsin works agency shall include basic education in~~  
 25 ~~an employability plan developed for the individual. The Wisconsin works~~ Works

## SENATE BILL 44

## SECTION 1223m

1 agency shall pay for the basic education services identified in the employability plan  
2 developed for the individual.

3 \*b0258/1.4\* SECTION 1223p. 49.147 (1m) (a) of the statutes is created to read:

4 49.147 (1m) (a) A Wisconsin Works agency shall conduct an educational needs  
5 assessment of each individual who applies for a Wisconsin Works employment  
6 position. If the individual and the Wisconsin Works agency determine that the  
7 individual needs, or would benefit from, education or training activities, including  
8 a course of study meeting the standards established under s. 115.29 (4) for the  
9 granting of a declaration of equivalency of high school graduation, and if the  
10 Wisconsin Works agency determines that the individual is eligible for a Wisconsin  
11 Works employment position, the Wisconsin Works agency shall include education or  
12 training activities in any employability plan developed for the individual.

13 \*-1243/1.29\* SECTION 1224. 49.147 (6) (c) of the statutes is amended to read:

14 49.147 (6) (c) *Distribution and administration.* From the appropriations under  
15 s. 20.445 (3) (e) (dz), (jL), and (md), the department shall distribute funds for job  
16 access loans to a Wisconsin ~~works~~ Works agency, which shall administer the loans  
17 in accordance with rules promulgated by the department.

18 \*-0229/2.2\* SECTION 1225. 49.147 (6) (cm) of the statutes is created to read:

19 49.147 (6) (cm) *Collection of delinquent repayments.* 1. The department of  
20 workforce development may, in the manner provided in s. 49.85, collect job access  
21 loan repayments that are delinquent under the terms of a repayment agreement.  
22 The department of workforce development shall credit all delinquent repayments  
23 collected by the department of revenue as a setoff under s. 71.93 to the appropriation  
24 account under s. 20.445 (3) (jL). Use of the process under s. 49.85 does not preclude

## SENATE BILL 44

1 the department of workforce development from collecting delinquent repayments  
2 through other legal means.

3 2. Subdivision 1. applies to delinquent repayments existing on or after the  
4 effective date of this subdivision .... [revisor inserts date], regardless of when the loan  
5 was made or when the delinquency accrued.

6

*delete extra space*

7 \*-1751/P2.1\* SECTION 1242. 49.155 (1g) (b) of the statutes is amended to read:

8 49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute  
9 \$44,955,200 \$7,593,500 in fiscal year 2001-02 2003-04 and \$27,977,500 \$7,597,300  
10 in fiscal year ~~2002-03~~ for the purposes of providing technical assistance for child care  
11 providers, 2004-05 for administering the child care program under this section and  
12 for grants under s. 49.136 (2) for the start-up and expansion of child day care  
13 services, for child day care start-up and expansion planning, for grants under s.  
14 49.134 (2) for child day care resource and referral services, for grants under s. 49.137  
15 (3) to assist child care providers in meeting the quality of care standards established  
16 under sub. (1d), for a system of rates or a program of grants, as provided under sub.  
17 (1d), for reimbursement of child care providers that meet those quality of care  
18 standards, for grants under s. 49.137 (2) and (4m), for a child care scholarship and  
19 bonus program, for safe child care activities, and for administration of the  
20 department's office of child care, and for contracts under s. 49.137 (4) to improve the  
21 quality of child day care services in this state.

22 \*-1751/P2.2\* SECTION 1243. 49.155 (1g) (c) of the statutes is amended to read:

23 49.155 (1g) (c) From the appropriation account under s. 20.445 (3) (mc),  
24 transfer \$4,549,500 \$4,440,600 in fiscal year 2001-02 2003-04 and \$4,733,700

## SENATE BILL 44

## SECTION 1243

1 ~~\$4,507,900~~ in fiscal year ~~2002–03~~ 2004–05 to the appropriation account under s.  
2 20.435 (3) (kx).

3 **\*-1751/P2.3\* SECTION 1244.** 49.155 (1g) (d) of the statutes is repealed.

4 **\*-1256/5.53\* SECTION 1247.** 49.1635 (1) of the statutes is amended to read:

5 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),  
6 from the appropriation under s. 20.445 (3) (md) the department ~~shall~~ may distribute  
7 funds to the Wisconsin Trust Account Foundation in an amount equal up to the  
8 amount received by the foundation from private donations, but not to exceed  
9 \$100,000 in ~~each~~ a fiscal year. Except as provided in sub. (4), funds distributed under  
10 this subsection may be used only for the provision of legal services to individuals who  
11 are eligible for temporary assistance for needy families under 42 USC 601 et seq. and  
12 whose incomes are at or below 200% of the poverty line.

13 **\*-1752/3.9\* SECTION 1248.** 49.167 (1) (intro.) of the statutes is amended to  
14 read:

15 49.167 (1) (intro.) The department ~~shall~~ may award grants to counties, tribal  
16 governing bodies, and private entities to provide community-based alcohol and  
17 other drug abuse treatment programs that are targeted at individuals who have a  
18 family income of not more than 200% of the poverty line and who are eligible for  
19 temporary assistance for needy families under 42 USC 601 et seq. and that do all of  
20 the following:

21 **\*-1752/3.10\* SECTION 1249.** 49.167 (2) (intro.) of the statutes is amended to  
22 read:

23 49.167 (2) (intro.) The department shall do all of the following with respect to  
24 the any grants awarded under par. (a):

25 **\*-1752/3.11\* SECTION 1250.** 49.169 (2) of the statutes is amended to read:

SENATE BILL 44

1 49.169 (2) The department shall may award ~~not more than \$1,404,100 in~~  
2 grants to qualified applicants for the provision of literacy training to individuals who  
3 are eligible for temporary assistance for needy families under 42 USC 601 et. et seq.

4 **\*-1752/3.12\* SECTION 1251.** 49.169 (4) of the statutes is amended to read:

5 49.169 (4) The department, in consultation with the technical college system  
6 board, the department of public instruction, and the governor's office, shall develop  
7 written criteria to be used to evaluate the any grant proposals and to allocate the any  
8 grants under this section among the successful grant applicants.

9 **\*b0249/3.12\* SECTION 1251m.** 49.173 of the statutes is repealed.

10 **\*-1243/1.30\* SECTION 1252.** 49.175 (1) (intro.) of the statutes is amended to  
11 read:

12 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within  
13 the limits of the appropriations under s. 20.445 (3) (a), (cm), (~~de~~), (dz), (~~e~~), (jL), (k),  
14 (~~kx~~), (L), (mc), (md), <sup>ne</sup>(nL), (~~pm~~), and (~~ps~~) (s), the department shall allocate the  
15 following amounts for the following purposes:

16 **\*-1752/3.13\* SECTION 1253.** 49.175 (1) (a) of the statutes is amended to read:

17 49.175 (1) (a) *Wisconsin works* Works benefits. For Wisconsin works Works  
18 benefits provided under contracts having a term that begins on January 1, 2000  
19 2002, and ends on December 31, 2001 2003, \$24,654,800 \$33,219,700 in fiscal year  
20 2001-02 2003-04; and for Wisconsin works Works benefits provided under contracts  
21 having a term that begins on January 1, 2002 2004, and ends on December 31, 2003  
22 2005, \$24,654,800 <sup>spaces</sup> \$33,219,700 in fiscal year 2001-02 2003-04 and \$49,309,600  
23 \$66,439,400 in fiscal year <sup>plan</sup> 2002-03 2004-05.

24 **\*-1752/3.14\* SECTION 1254.** 49.175 (1) (b) of the statutes is amended to read:

delete  
fund  
14

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## SENATE BILL 44

## SECTION 1254

1           49.175 (1) (b) ~~Wisconsin works~~ Works administration and ancillary services.  
2           For administration of ~~Wisconsin works and program services under Wisconsin works~~  
3           Works performed under contracts under s. 49.143 having a term that begins on  
4           January 1, 2000 2002, and ends on December 31, ~~2001, \$63,269,900~~ 2003,  
5           \$10,582,800 <sup>plain</sup> in fiscal year 2001-02 2003-04; and for administration of ~~Wisconsin~~  
6           ~~works and program services under Wisconsin works~~ Works performed under  
7           contracts under s. 49.143 having a term that begins on January 1, 2002 2004, and  
8           ends on December 31, 2003, ~~\$49,610,800~~ 2005, \$10,582,900 in fiscal year ~~2001-02~~  
9           2003-04 and ~~\$99,221,600~~ \$21,165,700 in fiscal year ~~2002-03~~ 2004-05.

10           \*-1752/3.15\* SECTION 1255. 49.175 (1) (c) of the statutes is amended to read:

11           49.175 (1) (c) *Performance bonuses.* For the payment of performance bonuses  
12           to ~~Wisconsin works~~ Works agencies that have entered into contracts under s. 49.143  
13           having a term that begins on January 1, 2000 2002, and that ends on  
14           December 31, 2001, ~~\$12,820,800~~ 2003, \$0 in fiscal year ~~2001-02~~ 2003-04.

15           \*-1752/3.16\* SECTION 1256. 49.175 (1) (d) of the statutes is repealed.

16           \*-1752/3.17\* SECTION 1257. 49.175 (1) (e) of the statutes is repealed.

17           \*-1752/3.18\* SECTION 1258. 49.175 (1) (f) of the statutes is created to read:

18           49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under  
19           Wisconsin Works, including transportation assistance for individuals who are  
20           eligible to receive temporary assistance for needy families under 42 USC 601 et seq.,  
21           provided under contracts under s. 49.143 having a term that begins on January 1,  
22           2002, and ends on December 31, 2003, \$27,803,300 in fiscal year 2003-04; and for  
23           program services under Wisconsin Works, including transportation assistance for  
24           individuals who are eligible to receive temporary assistance for needy families under  
25           42 USC 601 et seq., education and training, mentoring, and other services provided

## SENATE BILL 44

1 under contracts under s. 49.143 having a term that begins on January 1, 2004, and  
2 ends on December 31, 2005, \$27,803,300 in fiscal year 2003–04 and \$55,606,600 in  
3 fiscal year 2004–05.

4 **\*-1752/3.19\* SECTION 1259.** 49.175 (1) (g) of the statutes is amended to read:

5 49.175 (1) (g) *State administration of public assistance programs.* For state  
6 administration of public assistance programs, ~~\$24,680,700 in fiscal year 2001–02~~  
7 ~~and \$24,693,200~~ \$18,484,600 in each fiscal year 2002–03.

8 **\*-1752/3.20\* SECTION 1260.** 49.175 (1) (h) of the statutes is repealed.

9 **\*-1752/3.21\* SECTION 1261.** 49.175 (1) (i) of the statutes is amended to read:

10 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,  
11 ~~\$3,300,000~~ \$4,500,000 in each fiscal year.

12 **\*-1752/3.22\* SECTION 1262.** 49.175 (1) (j) of the statutes is repealed.

13 **\*-1752/3.23\* SECTION 1263.** 49.175 (1) (n) of the statutes is amended to read:

14 49.175 (1) (n) *Job access loans.* For job access loans under s. 49.147 (6),  
15 ~~\$600,000~~ \$200,000 in each fiscal year.

\*\*\*\*NOTE: This is reconciled s. 49.175 (1) (n). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1256 and LRB-1752.

16 **\*-1752/3.24\* SECTION 1265.** 49.175 (1) (p) of the statutes is amended to read:

17 49.175 (1) (p) *Direct child care services.* For direct child care services under s.  
18 49.155, ~~\$274,500,000~~ <sup>delete extra space</sup> \$298,640,600 in fiscal year ~~2001–02~~ 2003–04 and  
19 ~~\$305,550,000~~ \$308,040,600 in fiscal year ~~2002–03~~ 2004–05.

20 **\*-1752/3.26\* SECTION 1266.** 49.175 (1) (q) of the statutes is amended to read:

21 49.175 (1) (q) *Indirect child care services.* For indirect child care services under  
22 s. 49.155 (1g), ~~\$24,293,900~~ <sup>delete extra space</sup> \$9,559,400 in fiscal year ~~2001–02~~ 2003–04 and  
23 ~~\$15,458,000~~ \$9,626,700 in fiscal year ~~2002–03~~ 2004–05.

## SENATE BILL 44

## SECTION 1267

1           \*~~1752/3.27~~\* SECTION 1267. 49.175 (1) (qm) of the statutes is amended to read:

2           49.175 (1) (qm) *Local pass-through grant program*. For the local pass-through  
3 grant program under s. 49.137 (4m), ~~\$25,210,800~~ \$2,475,100 in fiscal year 2001–02  
4 ~~2003–04~~ and ~~\$17,253,200~~ \$2,478,500 in fiscal year ~~2002–03~~ 2004–05.

5           \*~~1752/3.28~~\* SECTION 1268. 49.175 (1) (r) of the statutes is amended to read:

6           49.175 (1) (r) *Early childhood excellence initiative*. For grants under s. 49.1375,  
7 ~~\$11,395,900 in fiscal year 2001–02 and \$2,750,000~~ \$2,500,000 in each fiscal year  
8 ~~2002–03~~.

9           \*~~b0249/3.28~~\* SECTION 1269c. 49.175 (1) (u) of the statutes is repealed.

10          \*~~1752/3.30~~\* SECTION 1270. 49.175 (1) (v) of the statutes is repealed.

11          \*~~1752/3.31~~\* SECTION 1271. 49.175 (1) (y) of the statutes is repealed.

12          \*~~1752/3.32~~\* SECTION 1272. 49.175 (1) (z) of the statutes is amended to read:

13          49.175 (1) (z) *Community youth grant Grants to the Boys and Girls Clubs of*  
14 *America*. For a ~~competitive grant program administered by the department grants~~  
15 ~~to the Wisconsin Chapter of the Boys and Girls Clubs of America~~ to fund programs  
16 that improve social, academic, and employment skills of youth who are eligible to  
17 receive temporary assistance for needy families under 42 USC 601 et seq.,  
18 ~~\$7,829,700 in fiscal year 2001–02 and \$300,000 in each~~ in each fiscal year ~~2002–03~~.

19          \*~~1752/3.33~~\* SECTION 1273. 49.175 (1) (zd) of the statutes is repealed.

20          \*~~1752/3.34~~\* SECTION 1274. 49.175 (1) (ze) 1. of the statutes is amended to  
21 read:

22          49.175 (1) (ze) 1. ‘Kinship care and long-term kinship care assistance.’ For the  
23 kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and  
24 (3p), ~~\$24,852,600~~ \$24,122,200 in each fiscal year.

## SENATE BILL 44

1           \*~~1752/3.35~~\* SECTION 1275. 49.175 (1) (ze) 2. of the statutes is amended to  
2 read:

3           49.175 (1) (ze) 2. ‘Children of recipients of supplemental security income.’ For  
4 payments made under s. 49.775 for the support of the dependent children of  
5 recipients of supplemental security income, ~~\$20,145,000~~ \$26,397,200 in fiscal year  
6 ~~2001–02 2003–04~~ and ~~\$19,796,000~~ \$29,175,100 in fiscal year ~~2002–03 2004–05~~.

7           \*~~1752/3.36~~\* SECTION 1276. 49.175 (1) (ze) 6. of the statutes is repealed.

8           \*~~b0249/3.33~~\* SECTION 1277c. 49.175 (1) (ze) 7. of the statutes is amended to  
9 read:

10           49.175 (1) (ze) 7. ‘Adolescent Brighter Futures and tribal adolescent services  
11 ~~and pregnancy prevention programs.~~’ For adolescent services substance abuse and  
12 pregnancy prevention programs under ss. ~~46.93, 46.99, and 46.995,~~ \$1,816,500  
13 \$1,367,100 in each fiscal year.

14           \*~~1752/3.38~~\* SECTION 1278. 49.175 (1) (ze) 8. of the statutes is amended to  
15 read:

16           49.175 (1) (ze) 8. ‘Domestic abuse services grants.’ For the domestic abuse  
17 services grants under s. 46.95 (2), ~~\$1,000,000~~ \$750,000 in each fiscal year.

18           \*~~1752/3.39~~\* SECTION 1279. 49.175 (1) (ze) 9. of the statutes is repealed.

19           \*~~b0249/3.34~~\* SECTION 1279f. 49.175 (1) (ze) 10m. of the statutes is amended  
20 to read:

21           49.175 (1) (ze) 10m. ‘Safety services.’ For services provided in counties having  
22 a population of 500,000 or more to ensure the safety of children who the department  
23 of health and family services determines may remain at home if appropriate services  
24 are provided, ~~\$7,094,100~~ \$7,045,500 in each fiscal year.

25           \*~~1752/3.40~~\* SECTION 1280. 49.175 (1) (ze) 12. of the statutes is created to read:

**SENATE BILL 44****SECTION 1280**

1           49.175 (1) (ze) 12. 'Milwaukee and statewide child welfare administration.' For  
2 the costs associated with the Milwaukee child welfare information system and the  
3 Wisconsin statewide automated child welfare information system, \$1,695,700 in  
4 fiscal year 2003–04 and \$1,741,300 in fiscal year 2004–05.

5           \*–1752/3.41\* **SECTION 1281.** 49.175 (1) (zf) of the statutes is repealed.

6           \*–1752/3.42\* **SECTION 1282.** 49.175 (1) (zg) of the statutes is repealed.

7           \*–1752/3.43\* **SECTION 1283.** 49.175 (1) (zh) of the statutes is amended to read:

8           49.175 (1) (zh) *Taxable years 1999 and thereafter.* For the transfer of moneys  
9 from the appropriation account under s. 20.445 (3) (md) to the appropriation account  
10 under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$51,244,500~~ \$57,892,000 in  
11 fiscal year ~~2001–02~~ 2003–04 and ~~\$55,160,000~~ \$59,532,000 in fiscal year ~~2002–03~~  
12 2004–05.

13           \*–1752/3.44\* **SECTION 1284.** 49.175 (1) (zj) of the statutes is amended to read:

14           49.175 (1) (zj) *Head start* Start. For the transfer of moneys to the department  
15 of public instruction for ~~head start~~ Head Start agencies, ~~\$3,712,500~~ \$3,500,000 in  
16 each fiscal year.

17           \*–1752/3.45\* **SECTION 1285.** 49.175 (1) (zk) of the statutes is repealed.

18           \*–1752/3.46\* **SECTION 1286.** 49.179 of the statutes is repealed.

19           \*–0529/4.99\* **SECTION 1287.** 49.19 (3) (b) of the statutes is amended to read:

20           49.19 (3) (b) If the county department under s. 46.215 or 46.22 finds a person  
21 eligible for aid under this section, that county department shall, on a form to be  
22 prescribed by the department, direct the payment of such aid by order upon the ~~state~~  
23 ~~treasurer~~ secretary of administration. Payment of aid shall be made monthly, based  
24 on a calendar month or fiscal month as defined by the department; except that the  
25 director of the county department may, in his or her discretion for the purpose of

## SENATE BILL 44

## SECTION 1287

1 protecting the public, direct that the monthly allowance be paid in accordance with  
2 sub. (5) (c).

3 **\*-0190/7.9\* SECTION 1288.** 49.19 (5) (d) of the statutes is amended to read:

4 49.19 (5) (d) The department shall reimburse the county for the funeral, burial,  
5 and cemetery expenses of a dependent child or the child's parents as provided in s.  
6 ~~49.30~~ 49.785.

7 **\*-0529/4.100\* SECTION 1289.** 49.19 (14) (b) of the statutes is amended to read:

8 49.19 (14) (b) If the ~~state treasurer~~ secretary of administration is unable to  
9 issue a replacement check or draft requested under par. (a) because the original has  
10 been paid, the department shall promptly authorize the issuance of a replacement  
11 check or draft. If the ~~state treasurer~~ secretary of administration recovers the amount  
12 of the original check or draft that amount shall be returned to the department. If the  
13 ~~state treasurer~~ secretary of administration is unable to obtain recovery, the  
14 department may pursue recovery.

15

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16 **\*-0279/1.2\* SECTION 1294.** 49.22 (7m) of the statutes is amended to read:

17 49.22 (7m) The department may contract with or employ a collection agency  
18 or other person to enforce a support obligation of a parent who is delinquent in  
19 making support payments and may contract with or employ an attorney to appear  
20 in an action in state or federal court to enforce such an obligation. To pay for the  
21 department's administrative costs of implementing this subsection, the department  
22 may charge a fee to counties, ~~retain up to 50% of any incentive payment made to this~~  
23 ~~state under 42 USC 658 for a collection under this subsection, and retain use federal~~  
24 matching funds or funds retained by the department under s. 49.24 (2) (c), or use up  
25 to 30% of this state's share of a collection made under this subsection on behalf of a

**SENATE BILL 44****SECTION 1294**

1 recipient of aid to families with dependent children or a recipient of kinship care  
2 payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57  
3 (3n).

\*\*\*\*NOTE: This is reconciled s. 49.22 (7m), affected by LRB-1824 and LRB-0279.  
It incorporates the changes made by LRB-0279.

4

5 **\*b0178/3.4\* SECTION 1296c.** 49.24 (2) (b) of the statutes is repealed and  
6 recreated to read:

7 49.24 (2) (b) Subject to the incentive payments limit specified in par. (a), the  
8 department shall distribute to counties, in accordance with the formula established  
9 under par. (a), all of the following:

10 1. Of the amount of federal child support incentive payments awarded to the  
11 state for federal fiscal year 2002, the amount awarded if that amount is less than  
12 \$12,340,000, or \$12,340,000 plus 50% of the amount awarded that exceeds  
13 \$12,340,000.

14 2. Of the amount of federal child support incentive payments awarded to the  
15 state for each federal fiscal year after federal fiscal year 2002, the amount awarded  
16 if that amount is less than \$12,340,000, or \$12,340,000 plus 30% of the amount  
17 awarded that exceeds \$12,340,000.

18 3. All federal matching funds associated with the amounts distributed under  
19 subds. 1. and 2.

20 **\*b0178/3.4\* SECTION 1296e.** 49.24 (2) (c) of the statutes is created to read:

21 49.24 (2) (c) The department may retain 50% of the amount of federal child  
22 support incentive payments awarded to the state for federal fiscal year 2002 that  
23 exceeds \$12,340,000, and may retain 70% of the amount of federal child support

## SENATE BILL 44

## SECTION 1296e

1 incentive payments awarded to the state for each federal fiscal year after federal  
2 fiscal year 2002 that exceeds \$12,340,000, to be used to pay the costs of the  
3 department's activities under ss. 49.22 and 49.227 and costs related to receiving and  
4 disbursing support and support-related payments.

5 **\*b0178/3.4\* SECTION 1296g.** 49.24 (2) (d) of the statutes is created to read:

6 49.24 (2) (d) If the amount of federal child support incentive payments awarded  
7 to the state for a federal fiscal year is less than \$12,340,000, the total of payments  
8 distributed to counties under par. (b) and sub. (1) for that federal fiscal year may not  
9 exceed \$12,340,000.

10 **\*-0279/1.5\* SECTION 1298.** 49.24 (3) of the statutes is amended to read:

11 49.24 (3) A county that receives any state child support incentive payment  
12 under sub. (1) or any federal child support incentive payment under sub. (2) <sup>delete underlined space</sup> may use  
13 the funds only to pay costs under its child support program under s. 49.22.

14 **\*-0190/7.10\* SECTION 1302.** 49.30 of the statutes is renumbered 49.785, and  
15 49.785 (2), as renumbered, is amended to read:

16 49.785 (2) From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~  
17 appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or  
18 applicable tribal governing body or organization for any amount that the county or  
19 applicable tribal governing body or organization is required to pay under sub. (1).  
20 From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~ appropriation under s.  
21 20.435 (4) (bn), the department shall reimburse a county or applicable tribal  
22 governing body or organization for cemetery expenses or for funeral and burial  
23 expenses for persons described under sub. (1) that the county or applicable tribal  
24 governing body or organization is not required to pay under subs. (1) and (1m) only  
25 if the department approves the reimbursement due to unusual circumstances.

## SENATE BILL 44

## SECTION 1303

1           \*~~0190/7.11~~\* SECTION 1303. 49.32 (2) (d) of the statutes is repealed.

2           \*~~0190/7.12~~\* SECTION 1308. 49.33 of the statutes is renumbered 49.78, and  
3 49.78 (1) (b), (2), (4), (7), (8) (a) and (10), as renumbered, are amended to read:

4           49.78 (1) (b) “Income maintenance program” means the ~~medical assistance~~  
5 Medical Assistance program under subch. IV of ch. 49, the ~~badger care~~ Badger Care  
6 health care program under s. 49.665, ~~or~~ the food stamp program under 7 USC 2011.  
7 to 2036, ~~or the cemetery, funeral, and burial expenses program under s. 49.785.~~

8           (2) ~~CONTRACTS.~~ Annually, the department ~~of health and family services~~ shall  
9 contract with county departments under ss. 46.215, 46.22, and 46.23, and may  
10 contract with tribal governing bodies, to reimburse the county departments and  
11 tribal governing bodies for the reasonable cost of administering income maintenance  
12 programs.

13           (4) ~~RULES; MERIT SYSTEM.~~ The department of workforce development shall  
14 promulgate rules for the efficient administration of aid to families with dependent  
15 children in agreement with the requirement for federal aid, including the  
16 establishment and maintenance of personnel standards on a merit basis. The  
17 provisions of this section relating to personnel standards on a merit basis supersede  
18 any inconsistent provisions of any law relating to county personnel. This subsection  
19 shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

20           (7) ~~COUNTY PERSONNEL SYSTEMS.~~ Pursuant to rules promulgated under sub. (4),  
21 the department of workforce development where requested by the county shall  
22 delegate to that county, without restriction because of enumeration, any or all of the  
23 department’s department of workforce development’s authority under sub. (4) to  
24 establish and maintain personnel standards including salary levels.

**SENATE BILL 44**

1           (8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn) and  
2 subject to par. (b), the department of ~~health and family services~~ shall reimburse each  
3 county and tribal governing body that contracts with the department under sub. (2)  
4 for reasonable costs of administering the income maintenance programs. The  
5 amount of each reimbursement paid under this paragraph shall be calculated using  
6 a formula based on workload within the limits of available state and federal funds  
7 under s. 20.435 (4) (bn) and (nn) by contract under ~~s. 49.33~~ sub. (2). The amount of  
8 reimbursement calculated under this paragraph and par. (b) is in addition to any  
9 reimbursement provided to a county or tribal governing body for fraud and error  
10 reduction under s. 49.197 (1m) and (4).

11           (10) COUNTY CERTIFICATION. (a) Each county treasurer and director of a county  
12 department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall  
13 certify monthly under oath to the department of ~~health and family services~~ in such  
14 manner as the department of ~~health and family services~~ prescribes the claim of the  
15 county for state reimbursement under sub. (8) (a). The department of ~~health and~~  
16 ~~family services~~ shall review each claim of reimbursement and, if the department of  
17 ~~health and family services~~ approves the claim, the department of ~~health and family~~  
18 ~~services~~ shall certify to the department of administration for reimbursement to the  
19 county for amounts due under sub. (8) (a) and payment claimed to be made to the  
20 counties monthly. The department of ~~health and family services~~ may make advance  
21 payments prior to the beginning of each month equal to one-twelfth of the contracted  
22 amount.

23           (b) To facilitate prompt reimbursement the certificate of the department of  
24 ~~health and family services~~ may be based on the certified statements of the county  
25 officers or tribal governing body executives filed under par. (a). Funds recovered

## SENATE BILL 44

## SECTION 1308

1 from audit adjustments from a prior fiscal year may be included in subsequent  
2 certifications only to pay counties owed funds as a result of any audit adjustment.  
3 By September 30 annually, the department of ~~health and family services~~ shall  
4 submit a report to the appropriate standing committees under s. 13.172 (3) on funds  
5 recovered and paid out during the previous calendar year as a result of audit  
6 adjustments.

*delete xtra space*

7  
8 \***-0190/7.13\*** SECTION 1310. 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 ~~shall~~ may, under a contract under s. ~~49.33~~  
12 49.78 (2), designate delegate all, or any portion, of this function to the county  
13 department under s. 46.215, 46.22, or 46.23 or a tribal governing body.

14 \*-**1760/2.7\*** SECTION 1311. 49.45 (2) (a) 17. of the statutes is amended to read:

15 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative  
16 organization, the joint committee on finance and appropriate standing committees,  
17 as determined by the presiding officer of each house, if the appropriation accounts  
18 under s. 20.435 (4) (b) is ~~and (gp)~~ <sup>*delete and space*</sup> insufficient to provide the state share of medical  
19 assistance.

20  
\*\*\*NOTE: This is reconciled s. 49.45 (2) (a) 17. This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

*delete xtra space*

21 \***b0286/2.1\*** SECTION 1312n. 49.45 (2) (a) 26. of the statutes is created to read:

22 49.45 (2) (a) 26. For recipients of Medical Assistance who are eligible for the  
23 Supplemental Security Income Program under 42 USC 1382 to 1383f, who are not

**SENATE BILL 44****SECTION 1312n**

1 eligible under s. 49.468, who are not minors, and who are required to be enrolled in  
2 managed care plans, annually do all of the following:

3 a. Consult with advocacy groups and managed care organizations in  
4 determining the types of services required by the recipients, particularly those with  
5 problems related to mental illness or alcohol or other drug abuse; and in determining  
6 the capitation rates for managed care plan contracts, so as to ensure that the services  
7 required are available to the recipients.

8 b. Submit the proposed contracts for managed care plans for the recipients to  
9 the appropriate standing committees of the legislature for review before offering the  
10 contracts to managed care organizations for bidding.

11 **\*-0190/7.14\* SECTION 1313.** 49.45 (3) (a) of the statutes is amended to read:

12 49.45 (3) (a) Reimbursement shall be made to each county department under  
13 ss. 46.215, 46.22, and 46.23 for the any administrative services performed in the  
14 ~~medical assistance~~ Medical Assistance program on the basis of s. ~~49.33~~ 49.78 (8). For  
15 purposes of reimbursement under this paragraph, assessments completed under s.  
16 46.27 (6) (a) are administrative services performed in the ~~medical assistance~~ Medical  
17 Assistance program.

18 **\*-0094/P1.1\* SECTION 1314.** 49.45 (3) (am) of the statutes is repealed.

19 **\*-0190/7.15\* SECTION 1315.** 49.45 (5) (b) 1. (intro.) of the statutes is amended  
20 to read:

21 49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the  
22 department shall give the applicant or recipient reasonable notice and opportunity  
23 for a fair hearing. The department may make such additional investigation as it  
24 considers necessary. Notice of the hearing shall be given to the applicant or recipient  
25 and to the county clerk or, if a Wisconsin works agency, if a county department under

## SENATE BILL 44

## SECTION 1315

1 s. 46.215, 46.22, or 46.23 is responsible for making the medical assistance  
2 determination, ~~the Wisconsin works agency to the county clerk of the county.~~ The  
3 county ~~or the Wisconsin works agency~~ may be represented at such hearing. The  
4 department shall render its decision as soon as possible after the hearing and shall  
5 send a certified copy of its decision to the applicant or recipient, to the county clerk,  
6 and to ~~the~~ any county officer ~~or the Wisconsin works agency~~ charged with  
7 administration of the ~~medical assistance~~ Medical Assistance program. The decision  
8 of the department shall have the same effect as an order of ~~the a~~ a county officer ~~or the~~  
9 ~~Wisconsin works agency~~ charged with the administration of the ~~medical assistance~~  
10 Medical Assistance program. The decision shall be final, but may be revoked or  
11 modified as altered conditions may require. The department shall deny a petition  
12 for a hearing or shall refuse to grant relief if:

13 **\*-0190/7.16\* SECTION 1316.** 49.45 (5) (b) 2. (intro.) of the statutes is amended  
14 to read:

15 49.45 (5) (b) 2. (intro.) If a recipient requests a hearing within the timely notice  
16 period specified in 42 CFR 431.231 (c), medical assistance coverage shall not be  
17 suspended, reduced, or discontinued until a decision is rendered after the hearing  
18 but medical assistance payments made pending the hearing decision may be  
19 recovered by the department if the contested decision or failure to act is upheld. ~~The~~  
20 ~~department shall promptly notify the county department or, if a Wisconsin works~~  
21 ~~agency~~ If a county department is responsible for making the medical assistance  
22 determination, ~~the Wisconsin works agency~~ department shall notify the county  
23 department of the county in which the recipient resides that the recipient has  
24 requested a hearing. Medical assistance coverage shall be suspended, reduced, or  
25 discontinued if: