

2005 DRAFTING REQUEST

Bill

Received: 09/27/2004

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Rhodes

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Rhodes, BB0011 -

Topic:

Home visiting services

Instructions:

See Attached--1. Expand home visiting program under s 46.515. 2. Permit DHFS to provide universal home visiting program to all first-time parents in the state.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2	gmalaise 11/16/2004	wjackson 11/16/2004	rschluet 11/16/2004	_____	sbasford 11/16/2004		S&L
/3	gmalaise 11/30/2004	wjackson 12/03/2004	chaugen 12/06/2004	_____	lnorthro 12/06/2004		S&L

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/5	gmalaise 01/20/2005	wjackson 01/20/2005	jfrantze 01/21/2005	_____	mbarman 01/21/2005		S&L
/6	gmalaise 01/31/2005	wjackson 01/31/2005	jfrantze 02/01/2005	_____	sbasford 02/01/2005		

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Page 2

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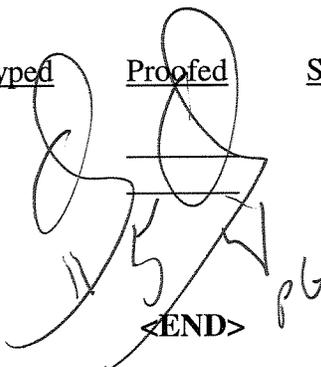
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FE Sent For:

A large, stylized handwritten signature or set of initials is written over the 'Typed' and 'Proofed' columns of the drafting history table. The signature appears to be 'WLJ' with a large loop. Below the signature, the text '<END>' is printed, and the number '11' is written to the left of it. To the right of the signature, the number '16' is written.

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Home Visiting Services
- Tracking Code:
- SBO team: Health & Insurance
- SBO analyst: Rhodes
 - Phone: 6-2288
 - Email: dennis.rhodes@doa.state.wi.us
- Agency acronym: DHFS
- Agency number: 6-8155

DHFS

Department of Health and Family Services
2005-2007 Biennial Budget Statutory Language Request
September 21, 2004

Home Visiting Services

Current Language

s. 20.435 (3)(de)
s. 46.515

Proposed Change

(df)

1. Renumber s.20.435 (3)(de) to s.20.435 (5)(ab) to allow for the transfer of funding in (3) (de) from the Division of Children and Family Services (DCFS) to the Division of Public Health (DPH).
2. Amend s.46.515 to allow expansion of the program authorized under this provision and to add authorization for a universal home visiting program in Wisconsin.

Effect of the Change

The Department will be able both to expand its current targeted home visiting services program and to initiate a new, universal home visiting program.

Rationale for the Change

Currently the Department is authorized to administer a pilot targeted home visiting program to families at risk of child abuse and neglect. Under current statutes, up to nine counties and two Indian tribes are authorized to participate in the program. In the Department's budget request, funds for the program will be transferred from the Division of Children and Families to the Division of Public Health, to reflect the fact that DPH is primarily responsible for administering this program.

The Department is requesting funds to expand the current targeted home visiting program to additional counties and tribes. In addition, the Department is requesting funds to initiate a voluntary universal home visiting program for all first time parents in Wisconsin. This statutory language change will provide the Department with the authority necessary to administer these programs.

Desired Effective Date: Upon passage of Budget Bill
Agency: DHFS
Agency Contact: Ellen Hadidian
Phone: 266-8155

Fiscal Effect Summary

Source of Funds	FY 2006		FY 2007		Biennial Total	
	Dollars	FTE	Dollars	FTE	Dollars	FTE
GPR	\$ -	(5.16)	\$ -	(5.16)	\$ -	(5.16)
FED	\$ (716,500)	(5.44)	\$ (716,500)	(5.44)	\$ (1,433,000)	(5.44)
PR	\$ (154,900)	(1.66)	\$ (154,900)	(1.66)	\$ (309,800)	(1.66)
PRS	\$ 871,400	12.26	\$ 871,400	12.26	\$ 1,742,800	12.26
SEG						
Total	\$ -		\$ -		\$ -	

**Family Foundations
(DIN 5106)**

The Department requests \$531,100 GPR and \$111,300 FED in FY06 and \$2,195,700 GPR and \$443,300 FED in FY07 to initiate the Family Foundations program. Family Foundations is a universal and targeted home visiting program, the goal of which is to offer new families the support they need to become effective, responsible parents. Family Foundations is composed of two primary service components, a one-time home visit to all first-birth families in Wisconsin at a cost of \$122,400 GPR in FY06 and \$367,100 GPR in FY07 and targeted home visiting at a cost of \$408,700 GPR and \$111,300 FED in FY06 and \$1,828,600 GPR and \$443,300 FED in FY07, which will offer ongoing support to first-time families at risk of abuse and/or neglect.

The services of Family Foundations are voluntary. The one-time visit will include basic information about nutrition, infant care, safety and development, identification of needs and connection to resources. A follow-up call will be made to those families who initially refuse the offer, to offer information and resource referrals. Targeted home visiting services are also voluntary and will be offered as needed for up to three years, for those with an identified threshold of risk factors for abuse or neglect. Family Foundations will build on the current efforts of local communities, prohibiting the supplanting of current investments with state funds. Participating communities will be required to provide matching funds for the program. Programs may be administered by county human services agencies, public health departments, community-based organizations or a combination of these groups working in partnership.

Fiscal Effect Summary

Source of Funds	FY 2006		FY 2007		Biennial Total	
	Dollars	FTE	Dollars	FTE	Dollars	FTE
GPR	\$ 531,100		\$ 2,195,700		\$ 2,726,800	
FED	\$ 111,300		\$ 443,300		\$ 554,600	
PR						
PRS						
SEG						
Total	\$ 642,400		\$ 2,639,000		\$ 3,281,400	

Strong Families

One of the most important factors in a child's development and opportunity for future success is whether he or she is supported by a strong family. Strong families are the building blocks of strong communities. Governor Doyle wants every child to live in a safe, nurturing home.

Government can't raise our children -- only parents can do that. But government should do what it can to make the job of a parent a little easier, not harder. The goal is to create opportunities for every parent to become self-sufficient, and to give families the support they need to raise their kids in safe, stable households.

While the initiatives outlined in this chapter are crucial in helping build stronger families, Governor Doyle believes that the best social program is a good paying job. That is why he worked so hard to pass the Grow Wisconsin agenda, and worked to raise the minimum wage, so that Wisconsin families will have sufficient financial resources to raise their children.

Governor Doyle will support families so that they can provide safe, healthy, and nurturing environments for our children through the following initiatives:

- Initiate a Universal Home Visiting Program
- Connect Families with Support Services
- Improve the Child Support System
- Break the Cycle of Incarceration

Initiate a Universal Home Visiting Program

Being a parent is perhaps the most challenging – and rewarding – job there is. For new parents, there is no owner's manual, and no easy step-by-step instructions. Even those parents who try their best to prepare are often confronted with unexpected challenges once they bring their babies home from the hospital for the first time. Parents may not know what services are available to help them, what to expect in terms of their children's development, and what may be a warning sign that there is a problem. Experience in Wisconsin and around the nation has shown that basic parent education efforts are tremendously beneficial for new families.

Governor Doyle is proposing a universal system of home visits available to all new parents in the state. The home visit will provide all first-time parents with basic information about nutrition, care, emergency services, and programs for which they may be eligible.

**Prevention of Child Abuse and Neglect Facts
Results from Wisconsin's Home Visit Pilot Program**

<u>Group</u>	<u>Program Participants</u>	<u>Control</u>
Immunization Rates	87%	54%
ER visits per year	.36	.76
Reports of Abuse/Neglect	4%	16%
Out of home placements	3%	13%

This initial contact with new moms and dads will provide an opportunity to identify families who need additional services and link those parents to the appropriate programs and services. The state will coordinate with existing efforts to implement home visits statewide.

A pilot program operating for parents on Medical Assistance in nine Wisconsin counties clearly demonstrates that early investments in home visits pay large dividends in kids' lives. Children in the program were far more likely to get their medical exams and vaccinations on time compared to other children on Medical Assistance. These families also made fewer trips to the emergency room, were less likely to have reports of abuse and neglect, and had fewer placements in foster care.

Governor Doyle's proposal will not only expand the home visiting concept statewide, but will give all new parents the opportunity to participate. While the focus of the existing pilot program is prevention of child abuse and neglect, Governor Doyle's proposal will provide all willing, first-time parents with basic information on how to raise healthy kids who are ready for school. For new families especially vulnerable to the stresses of parenthood, this initiative will make an intensive effort to provide the services they need to become effective, responsible parents.

Since 1999, Wisconsin's highly successful home visit pilot program has operated in the following counties and one tribe:

- Brown
- Door
- Fond du Lac
- Manitowoc
- Marathon
- Portage
- Vernon
- Waukesha
- Waupaca
- Lac Courte Oreilles tribe

This program builds upon the good work already being done by Wisconsin hospitals, public health departments and health professionals to provide parent education services and appropriate referrals when a child is born. While there is no uniform system of parent education in place and few facilities have the resources to conduct home visits, these partners will continue to play an important role in Wisconsin's network of parent education.

Home Visiting Initiatives:

- Create a universal system of voluntary home visits to offer parent education to every new parent in Wisconsin, with appropriate follow up and referrals to available services. The state will coordinate efforts with counties and other community providers to expand this service statewide.

Connect Families with Support Services

Children growing up in poverty face many barriers to success and are more likely than their peers to lack the basic skills they need to succeed in school, more likely to have poorer health, and more likely to be victims of child abuse or neglect. Helping families escape poverty is essential to children's well-being. This entails addressing barriers to parents' employment such as lack of basic education or job skills, and untreated mental health, substance abuse or domestic violence issues. It also means ensuring families get benefits to which they are entitled, benefits that often determine whether a family has food on the table, and whether they are able to see the doctor.

Currently, low-income families are eligible for a variety of assistance programs, from W-2 job supports and child care benefits to Medical Assistance and Food Stamps, but they may encounter a number of barriers when applying for assistance. These programs are often operated by different agencies at the local level and, in many cases, families must travel to different locations to apply for all the benefits for which they are entitled. Various agencies and caseworkers may be helping the same family, unaware of the others' efforts. An integrated and coordinated approach would serve families better.



The Departments of Public Instruction, Workforce Development and Health and Family Services are already working on this issue. Wisconsin was selected by the National Governors Association to be one of six states involved in a project focused on innovative changes to streamline operations across multiple programs affecting the same families. A more integrated and responsive approach to service delivery will increase families' economic security, improve child safety and well-being, and ensure that families have the basics needed to be successful and self-sufficient.

Strong Families

Malaise, Gordon

From: Malaise, Gordon
Sent: Thursday, October 07, 2004 9:45 AM
To: Hadidian, Ellen
Subject: RE: Home Visiting Services

Ellen:

thank you for your detailed response to me questions. With this additional information I think I have enough to go on to create a draft.

In response to your follow-up questions:

1. We can remove the limitations on the number of counties and tribes that may provide targeted home visitation programs by simply repealing s. 46.515 (3) (a).
2. If counties are authorized under the current MA law to claim reimbursement for their costs, then no further authorization is required in this draft.
3. For the universal home visitation program, the drafting approach that I will take will be to create a new section, s. 46.516 Universal home visitation program, and replicate therein the pertinent provisions of s. 46.515, but tweaked to apply to the universal program.
4. Finally, you do not need to specify the selection criteria in statute if you do not want to. Those criteria will be specified in the RFP.

Gordon

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

From: Hadidian, Ellen
Sent: Wednesday, October 06, 2004 9:06 AM
To: Rhodes, Dennis; Malaise, Gordon
Cc: Bove, Fredi-Ellen; Daggett, Cynthia; Jenkins, Dianne
Subject: Re: Home Visiting Services

1. Yes, please renumber (3) (df) as (5) (ac).
2. As you point out, the current language specifies the number of counties and tribes to be included in the original pilot program. We are now proposing to expand the program to the entire state, phasing it in over a period of five years. Can language be drafted without specifying the # of tribes and counties each year, as the program expands, as we move towards statewide implementation?
3. The federal money referenced in DIN 5106 is Medicaid case management funding. We expect local agencies to claim a certain percentage of their costs as eligible for case management reimbursement. Current pilot counties do that now. Do we need to get additional authorization for this?
4. For the new universal home visiting program:
 - a. yes, all money in the same appropriation.
 - b. We want counties to apply for funds through an RFP process.
 - c. We will determine allocations based on the number of first-time births in the counties.
 - d. In relation to how much of the language for current program should apply to universal home visiting:

s.46.515 (4) (am) relating to start-up costs - should be same for new program

s.46.515 (4)(b), etc. - all confidentiality and reporting requirements should apply
s. 46.515 (5) relating to competitive app. procedures - just the first 2 sentences of that paragraph will apply. The Dept. will determine the competitive process.
s.46.515 (6)(a) relating to selection criteria - do we need to put the selection criteria in statute? We would prefer not to.
s.46.515 (6r) on informational materials - yes
s.46.515 (7) on evaluation - no evaluation
s.46.515 (8) on training - no

Please let me know if you have further questions. thanks

>>> "Malaise, Gordon" <Gordon.Malaise@legis.state.wi.us> 09/30/04 01:51PM >>>

Dennis and Ellen:

I have a few questions about the above-captioned drafting request that I need answered before I can begin drafting. Specifically:

1. The DHFS instructions request that s. 20.435 (3) (de) be renumbered to s. 20.435 (5) (ab) in order to place the program under the administration of the Division of Public Health.

There is, however, another appropriation relating to the targeted home visiting program, that is, s. 20.435 (3) (df), which appropriates moneys for training and technical assistance. What does DHFS want done with that appropriation? Alternatives include renumbering it to s. 20.435 (5) (ac) or simply repealing it inasmuch as no moneys were actually appropriated to that appropriation for the 2003-05 biennium.

2. The drafting instructions request that the targeted program under s. 46.515 be expanded to additional counties and tribes, but does not indicate how many additional counties and tribes the department wants included.

For example, 1999 SB 315 would have amended s. 46.515 (3) (a) to expand the program from six to 20 rural counties, from three to nine urban counties, and from two to five tribes. Similarly, I need to know how many counties and tribes are to be included so that I can amend s. 46.515 (3) (a) accordingly.

3. DIN 5106 indicates that GPR and FED moneys are requested for the targeted program. Current law, however, only authorizes the expenditure of GPR moneys. See s. 46.515 (2), which only cross references GPR moneys under s. 20.435 (3) (de).

Accordingly, to authorize the expenditure of FED moneys, s. 46.515 (2) needs to be amended to cross reference the appropriate appropriation of FED moneys.

4. Finally, the drafting request seeks statutory authority to provide a universal home visiting program for all first-time parents. This proposal raises a series of questions:

a. Do you want the moneys to be lumped together with the targeted home visiting appropriation or do you want a separate appropriation?

b. What kind of process do you want for distributing the moneys? Because the program is intended to be universal, do you want DHFS to simply distribute moneys to all counties or do you want counties to apply and, if their proposal is up to snuff, be awarded a grant?

c. How is the department going to determine the amount of a grant or distribution? By population? By number of births?

d. How much of the targeted home visiting program does the department want applied to the universal home visiting program? Some of the provisions of s. 46.515 that might also be applicable to a universal home visiting program include all of the following:

- * Section 46.515 (4) (am) relating to start-up costs and capacity building.
- * Section 46.515 (4) (b) 1m., (6), and (6g) relating to confidentiality and child abuse and neglect reporting.
- * Section 46.515 (5) insofar as it relates to competitive application procedures.
- * Section 46.515 (6) (a) relating to selection criteria.
- * Section 46.515 (6) relating to informational materials.
- * Section 46.515 (7) relating to an evaluation component.
- * Section 46.515 (8) relating to training and technical assistance.

So, these are my questions. If these questions raise any further questions, please do not hesitate to contact me directly. Thank you for looking into this further.

Gordon M. Malaises
Senior Legislative Attorney
Legislative Reference Bureau
6-9738



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-029277

GMM.../.....

WLJ

DNOTE

DOA:.....Rhodes, BB0011 - Home visiting services ✓

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION ✓

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

CHILDREN ✓

Under current law, DHFS administers a child abuse and neglect prevention program under which DHFS awards grants to counties and Indian tribes that offer voluntary home visitation services to first-time parents who are eligible for Medical Assistance. Currently, no more than six rural counties, three urban counties, and two Indian tribes may be selected to participate in the program. This bill eliminates those caps on the number of counties and Indian tribes that may be selected to participate in the program.

The bill also directs DHFS to award grants to applying county departments of human services or social services (county departments), local health departments, Indian tribes, private nonprofit agencies, and local partnerships consisting of two or more county departments, local health departments, Indian tribes, and private nonprofit agencies (organizations) for the provision to all first-time parents in the community served by the organization of one-time, voluntary visits for the purpose of providing those parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; identifying the needs of those parents; and providing those parents with referrals to programs, services, and other resources that may meet those needs. If a parent does not consent to an initial visit, the organization may make no more than

to identify

home

The 5

of the home visits are to provide

to provide

one follow-up visit to provide that information, identify those needs, and provide those referrals. Any information concerning an individual who is offered a home visit or provided with a referral under this bill is confidential, unless disclosure of the information is required or permitted under the child abuse and neglect reporting law, the use or disclosure of the information is connected to the administration of the program, or the individual consents to the use or disclosure of the information.

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

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

SECTION 1. 20.435 (3) (de) of the statutes is renumbered 20.435 (5) (ab) and amended to read:

20.435 (5) (ab) *Child abuse and neglect prevention and universal home visitation grants*. The amounts in the schedule for child abuse and neglect prevention grants under s. 46.515 and for universal home visitation grants under s. 46.516.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 313, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327.

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

SECTION 2. 20.435 (3) (df) of the statutes is renumbered 20.435 (5) (ac). ✓

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

SECTION 3. 46.515 (2) of the statutes is amended to read:

46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected by the department under sub. (5) to participate in the program under this section, the department shall award, from the appropriation under s. 20.435 (3) (de) (5) (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is \$10,000. The department shall determine the

amount of a grant awarded to a county, other than a county with a population of 500,000 or more, or Indian tribe in excess of the minimum amount based on the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county or the reservation of that Indian tribe in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section in the year in which the county or Indian tribe is first selected to participate in the program. The department shall determine the amount of a grant awarded to a county with a population of 500,000 or more in excess of the minimum amount based on 60% of the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section in the year in which the county is first selected to participate in the program.

History: 1997 a. 293.

SECTION 4. 46.515 (3) (title) of the statutes is repealed. ✓

SECTION 5. 46.515 (3) (a) of the statutes is repealed. ✓

SECTION 6. 46.515 (3) (b) of the statutes is renumbered 46.515 (3) and amended ✓

to read:

46.515 (3) JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes may submit a joint application to the department. ~~Each county or Indian tribe in a joint application shall be counted as a separate county or Indian tribe for the purpose of limiting the number of counties and Indian tribes selected in each state fiscal biennium.~~

History: 1997 a. 293.

SECTION 7. 46.516 of the statutes is created to read: ✓

46.516 Universal home visitation services. (1) DEFINITIONS. In this section:

(a) "County department" means a county department of human services or social services under s. 46.215, 46.22, or 46.23.

(b) "Indian tribe" means a federally recognized American Indian tribe or band in this state.

(c) "Local health department" has the meaning given in s. 250.01 (4).

(d) "Local partnership" means any combination of 2 or more county departments, local health departments, Indian tribes, and private nonprofit agencies that have agreed to jointly implement a program of universal home visitation services under this section.

(e) "Organization" means a county department, local health department, Indian tribe, private nonprofit agency, or local partnership.

(f) "Private nonprofit agency" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

(2) AWARDING OF GRANTS. From the appropriation account under s. 20.435 (5) (ab), the department shall award grants to applying organizations for the provision of the home visitation services specified in sub. (3) (a). The department shall determine the amount of a grant awarded to an organization based on the number of first-time births in the community served by the organization in proportion to the number of first-time births in all of the communities served by organizations to which grants are awarded under this subsection in the year in which the organization is first awarded a grant under this subsection. The department shall provide competitive application procedures for selecting organizations to receive grants under this subsection and shall establish a method for ranking applicants

Supplant

based on the quality of their applications. The department shall require a grant recipient to provide matching funds or in-kind contributions as determined by the department and shall ensure that a grant recipient does not use any grant moneys awarded to supplement any other moneys used by the grant recipient at the time of the awarding of the grant to provide home visitation services.

(3) PURPOSES OF GRANTS. (a) *Universal home visitation services.* An organization that receives a grant under sub. (2) shall use the grant moneys awarded to provide a one-time visit to all first-time parents in the community served by the organization for the purposes of providing those parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; identifying the needs of those parents; and providing those parents with referrals to programs, services, ^{and} other resources that may meet those needs. An organization may visit a first-time parent only if the parent or, if the parent is a child, his or her parent, guardian, or legal custodian consents to the visit. If a parent, guardian, or legal custodian does not consent to an initial visit, an organization may make no more than one follow-up visit to provide that information, identify those needs, and provide those referrals. No person who is required or permitted to report suspected or threatened abuse or neglect under s. 48.981 (2) may make or threaten to make such a report based on a refusal of a person to receive a home visit under this paragraph.

(b) *Start-up costs and capacity building.* In the first year in which a grant under sub. (2) is awarded to an organization, the organization may use a portion of the grant to pay for start-up costs and capacity building related to the provision of home visitation services by the organization. The department shall determine the

maximum amount of a grant that an organization may use to pay for those start-up costs and that capacity building.

(4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person may use or disclose any information concerning an individual who is offered home visitation services under sub. (3) (a),[✓] including an individual who declines to receive those services, or concerning an individual who is provided with a referral under sub. (3) (a),[✓] including an individual who declines the referral, unless disclosure of the information is required or permitted under s. 48.981 (2),[✓] the use or disclosure of the information is connected to the administration of the program under this section,[✓] or the individual has given his or her written informed consent to the use or disclosure of the information.

(b) *Explanation of confidentiality requirements.* An organization that receives a grant under sub. (2)[✓] shall provide or shall designate an individual or entity to provide an explanation of the confidentiality requirements under par. (a)[✓] to each individual who is offered home visitation services under sub. (3) (a)[✓] by the organization.

(5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a person who is providing home visitation services under sub. (3) (a)[✓] determines that he or she is required or permitted to make a report under s. 48.981 (2)[✓] about a child in a family to which the person is providing those services, the person shall, prior to making the report under s. 48.981 (2),[✓] make a reasonable effort to notify the child's parent that a report under s. 48.981 (2)[✓] will be made and to encourage the parent to contact a county department under s. 46.22 or 46.23^{STET WIN} or, in a county having a population of 500,000 or more, the department to request assistance. The

notification requirements under this subsection do not affect the reporting requirements under s. 48.981 (2).

(6) INFORMATIONAL MATERIALS. Any informational materials about the home visitation services provided under sub. (3) (a) that are distributed to a person who is offered or who is receiving those services shall state the sources of funding for the services.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0292/1dn

GMM...../.....

Wlj

Dennis:

In addition to the changes requested by DHFS, this draft adds language to s. 46.515 (2), stats., to specify that the amount of a child abuse and neglect prevention grant is determined based on the number of births funded by Medical Assistance in a county *in the year in which the county is first selected to participate in the program*. That language was included in SSA 1 to 1999 SB-315 on motion of the Joint Committee on Finance to ensure that the amount awarded to a current grant recipient will not be affected by the addition of more counties participating in the program.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0292/1dn
GMM:wlj:rs

November 5, 2004

Dennis:

In addition to the changes requested by DHFS, this draft adds language to s. 46.515 (2), stats., to specify that the amount of a child abuse and neglect prevention grant is determined based on the number of births funded by Medical Assistance in a county *in the year in which the county is first selected to participate in the program*. That language was included in SSA 1 to 1999 SB-315 on motion of the Joint Committee on Finance to ensure that the amount awarded to a current grant recipient will not be affected by the addition of more counties participating in the program.

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

Malaise, Gordon

From: Rhodes, Dennis
Sent: Monday, November 15, 2004 4:28 PM
To: Malaise, Gordon
Subject: FW: LRB 0292/1

Gordon,

Do Ellen's suggested changes raise any red flags in your mind?

Thanks,

Dennis

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

From: Hadidian, Ellen
Sent: Monday, November 15, 2004 9:41 AM
To: Rhodes, Dennis
Cc: Daggett, Cynthia; Jenkins, Dianne
Subject: LRB 0292/1

Dennis,

Thanks for this draft, which is very good. We have some further changes to request, in keeping with how the program is being structured. If you agree with these comments, would you forward them to Gordon Malaise? thanks

1. Rather than one appropriation for both universal home visiting and child abuse and neglect prevention grants, please create a separate appropriation for the universal home visiting program. We believe it will be helpful to both programs if funding is kept distinct.

2. Section 2 of the draft renumbers s.20.435(3)(df) as (5)(ac). For Public Health, Aids and Local Assistance appropriations are in program 5 and state operations are in program 1. Administrative funding will be a state operations appropriation, so (3)(df) should be renumbered in program 1 (eg., (1)(ac)).

3. Rather than dividing a fixed amount of grant funds among programs, the Department's proposal is to cost out the targeted home visiting program based on caseload; ie., to fully fund the program in each county and tribe. As a result, the language specifying how grant funds are to be allocated (each program in proportion to other programs) is no longer needed. Also, it is the Department's intent to treat Milwaukee in the same way that all other counties are treated, so the "60%" language in s.46.515(2) is no longer needed.

a. Please repeal all language referring to this grant process. In the draft, it would be p. 3, line 2 after "indian tribe" to line 12. This would also eliminate the "60%" language for Milwaukee.

b. The same thing applies to the new language for universal home visiting, s.46.516 (2). Grants will be awarded based on first-time births, but they will not be awarded in proportion to first time births in other communities, so on p. 4, the sentence on line 18 can end with "organization," and the remainder of that sentence can be eliminated. We want to keep the remaining language in that section regarding a competitive application process and matching funds requirement.

3. In s.45.516 (3), could the last two sentences be removed? (p. 5, lines 13-18). The program is meant to provide only one visit and it is not necessary to specify in statute that no further visit will be made or that

Just that sentence out
keep last sentence

threats cannot be made based on reports of child abuse.

>>> Rhodes, Dennis 11/08/04 12:43PM >>>
Ellen,

Does this look OK to you?

Thanks,

Dennis

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

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]

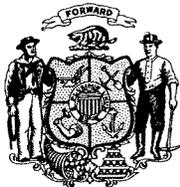
Sent: Friday, November 05, 2004 1:05 PM

To: Rhodes, Dennis

Cc: Johnston, James; Hanaman, Cathlene; Haugen, Caroline; Schaeffer,
Carole

Subject: LRB Draft: 05-0292/1 Home visiting services

Following is the PDF version of draft 05-0292/1.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0292/1 (2)

GMM:wlj:rs

(MR)

DOA:.....Rhodes, BB0011 - Home visiting services

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1

DO NOT GEN
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DHFS administers a child abuse and neglect prevention program under which DHFS awards grants to counties and Indian tribes that offer voluntary home visitation services to first-time parents who are eligible for Medical Assistance. Currently, no more than six rural counties, three urban counties, and two Indian tribes may be selected to participate in the program. This bill eliminates those caps on the number of counties and Indian tribes that may be selected to participate in the program.

The bill also directs DHFS to award grants to applying county departments of human services or social services (county departments), local health departments, Indian tribes, private nonprofit agencies, and local partnerships consisting of two or more county departments, local health departments, Indian tribes, and private nonprofit agencies (organizations) for the provision to all first-time parents in the community served by the organization of one-time, voluntary home visits. The purposes of the home visits are to provide those parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; to identify the needs of those parents; and to provide those parents with referrals to programs, services, and other resources that may meet those needs. ~~If a parent does not consent to an initial visit, the~~

~~organization may make no more than one follow-up visit to provide that information, identify those needs, and provide those referrals.~~ Any information concerning an individual who is offered a home visit or provided with a referral under this bill is confidential, unless disclosure of the information is required or permitted under the child abuse and neglect reporting law, the use or disclosure of the information is connected to the administration of the program, or the individual consents to the use or disclosure of the information.

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

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

1 Please
Fix
comp. SECTION 1. 20.435 (3) (de) of the statutes is renumbered 20.435 (5) (ab) and
2 amended to read:
3 20.435 (5) (ab) *Child abuse and neglect prevention and universal home*
4 *visitation grants.* The amounts in the schedule for child abuse and neglect
5 prevention grants under s. 46.515 and for universal home visitation grants under s.
6 46.516.

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

7 SECTION 2. 20.435 (3) (df) of the statutes is renumbered 20.435 (5) (ac).

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

8 SECTION 3. 46.515 (2) of the statutes is amended to read:

9 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
10 by the department under sub. (5) to participate in the program under this section,
11 the department shall award, from the appropriation under s. 20.435 (3) ~~(de)~~ (5) (ab),
12 a grant annually to be used only for the purposes specified in sub. (4) (a) and (am).
13 The minimum amount of a grant is \$10,000. The department shall determine the
14 amount of a grant awarded to a county, other than a county with a population of
15 500,000 or more, or Indian tribe in excess of the minimum amount based on the

SEC # CR: 20.435 (5) (ac)
20.435 (5) (ac) Universal home visitation grants The amounts in
the schedule for universal home visitation grants under 46.516
*** NOTE: bud

1 number of births that are funded by medical assistance under subch. IV of ch. 49 in
2 that county or the reservation of that Indian tribe in proportion to the number of
3 births that are funded by medical assistance under subch. IV of ch. 49 in all of the
4 counties and the reservations of all of the Indian tribes to which grants are awarded
5 under this section in the year in which the county or Indian tribe is first selected to
6 participate in the program. The department shall determine the amount of a grant
7 awarded to a county with a population of 500,000 or more in excess of the minimum
8 amount based on 60% of the number of births that are funded by medical assistance
9 under subch. IV of ch. 49 in that county in proportion to the number of births that
10 are funded by medical assistance under subch. IV of ch. 49 in all of the counties and
11 the reservations of all of the Indian tribes to which grants are awarded under this
12 section in the year in which the county is first selected to participate in the program.

13 **SECTION 4.** 46.515 (3) (title) of the statutes is repealed.

14 **SECTION 5.** 46.515 (3) (a) of the statutes is repealed.

15 **SECTION 6.** 46.515 (3) (b) of the statutes is renumbered 46.515 (3) and amended
16 to read:

17 46.515 (3) JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes
18 may submit a joint application to the department. ~~Each county or Indian tribe in a~~
19 ~~joint application shall be counted as a separate county or Indian tribe for the purpose~~
20 ~~of limiting the number of counties and Indian tribes selected in each state fiscal~~
21 ~~biennium.~~

22 **SECTION 7.** 46.516 of the statutes is created to read:

23 **46.516 Universal home visitation services. (1) DEFINITIONS.** In this
24 section:

1 (a) “County department” means a county department of human services or
2 social services under s. 46.215, 46.22, or 46.23.

3 (b) “Indian tribe” means a federally recognized American Indian tribe or band
4 in this state.

5 (c) “Local health department” has the meaning given in s. 250.01 (4).

6 (d) “Local partnership” means any combination of 2 or more county
7 departments, local health departments, Indian tribes, and private nonprofit
8 agencies that have agreed to implement jointly a program of universal home
9 visitation services under this section.

10 (e) “Organization” means a county department, local health department,
11 Indian tribe, private nonprofit agency, or local partnership.

12 (f) “Private nonprofit agency” means a nonstock corporation organized under
13 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

14 (ac) (2) AWARDING OF GRANTS. From the appropriation account under s. 20.435 (5)

15 (ab), the department shall award grants to applying organizations for the provision
16 of the home visitation services specified in sub. (3) (a). The department shall
17 determine the amount of a grant awarded to an organization based on the number
18 of first-time births in the community served by the organization in proportion to the
19 number of first-time births in all of the communities served by organizations to
20 which grants are awarded under this subsection in the year in which the
21 organization is first awarded a grant under this subsection. The department shall
22 provide competitive application procedures for selecting organizations to receive
23 grants under this subsection and shall establish a method for ranking applicants
24 based on the quality of their applications. The department shall require a grant
25 recipient to provide matching funds or in-kind contributions as determined by the

1 department and shall ensure that a grant recipient does not use any grant moneys
2 awarded to supplant any other moneys used by the grant recipient at the time of the
3 awarding of the grant to provide home visitation services.

4 (3) PURPOSES OF GRANTS. (a) *Universal home visitation services.* An
5 organization that receives a grant under sub. (2) shall use the grant moneys awarded
6 to provide a one-time visit to all first-time parents in the community served by the
7 organization for the purposes of providing those parents with basic information
8 regarding infant health and nutrition, the care, safety, and development of infants,
9 and emergency services for infants; identifying the needs of those parents; and
10 providing those parents with referrals to programs, services, and other resources
11 that may meet those needs. An organization may visit a first-time parent only if the
12 parent or, if the parent is a child, his or her parent, guardian, or legal custodian
13 consents to the visit. ~~If a parent, guardian, or legal custodian does not consent to an~~
14 ~~initial visit, an organization may make no more than one follow-up visit to provide~~
15 ~~that information, identify those needs, and provide those referrals.~~ No person who
16 is required or permitted to report suspected or threatened abuse or neglect under s.
17 48.981 (2) may make or threaten to make such a report based on a refusal of a person
18 to receive a home visit under this paragraph.

19 (b) *Start-up costs and capacity building.* In the first year in which a grant
20 under sub. (2) is awarded to an organization, the organization may use a portion of
21 the grant to pay for start-up costs and capacity building related to the provision of
22 home visitation services by the organization. The department shall determine the
23 maximum amount of a grant that an organization may use to pay for those start-up
24 costs and that capacity building.

1 (4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person
2 may use or disclose any information concerning an individual who is offered home
3 visitation services under sub. (3) (a), including an individual who declines to receive
4 those services, or concerning an individual who is provided with a referral under sub.
5 (3) (a), including an individual who declines the referral, unless disclosure of the
6 information is required or permitted under s. 48.981 (2), the use or disclosure of the
7 information is connected to the administration of the program under this section, or
8 the individual has given his or her written informed consent to the use or disclosure
9 of the information.

10 (b) *Explanation of confidentiality requirements.* An organization that receives
11 a grant under sub. (2) shall provide or shall designate an individual or entity to
12 provide an explanation of the confidentiality requirements under par. (a) to each
13 individual who is offered home visitation services under sub. (3) (a) by the
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15 (5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a
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17 he or she is required or permitted to make a report under s. 48.981 (2) about a child
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19 making the report under s. 48.981 (2), make a reasonable effort to notify the child's
20 parent that a report under s. 48.981 (2) will be made and to encourage the parent to
21 contact a county department under s. 46.22 or 46.23 or, in a county having a
22 population of 500,000 or more, the department to request assistance. The
23 notification requirements under this subsection do not affect the reporting
24 requirements under s. 48.981 (2).

Malaise, Gordon

From: Rhodes, Dennis
Sent: Monday, November 29, 2004 5:07 PM
To: Malaise, Gordon
Cc: Hadidian, Ellen
Subject: RE: LRB 0292/1

Gordon,

Can you please incorporate Ellen's suggestions under her points 3a and 3b? The changes are necessary to conform to the department's proposed funding methodology which now is based on caseload rather than a fixed grant amount.

Thanks,

Dennis

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

From: Hadidian, Ellen
Sent: Monday, November 15, 2004 9:41 AM
To: Rhodes, Dennis
Cc: Daggett, Cynthia; Jenkins, Dianne
Subject: LRB 0292/1

Dennis,

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3. Rather than dividing a fixed amount of grant funds among programs, the Department's proposal is to cost out the targeted home visiting program based on caseload; ie., to fully fund the program in each county and tribe. As a result, the language specifying how grant funds are to be allocated (each program in proportion to other programs) is no longer needed. Also, it is the Department's intent to treat Milwaukee in the same way that all other counties are treated, so the "60%" language in s.46.515(2) is no longer needed.

4. a. Please repeal all language referring to this grant process. In the draft, it would be p. 3, line 2 after "indian tribe" to line 12. This would also eliminate the "60%" language for Milwaukee.

5. b. The same thing applies to the new language for universal home visiting, s.46.516 (2). Grants will be awarded based on first-time births, but they will not be awarded in proportion to first time births in other communities, so on p. 4, the sentence on line 18 can end with "organization," and the remainder of that sentence can be eliminated. We want to keep the remaining language in that section regarding a competitive application process and

matching funds requirement.

3. In s.45.516 (3), could the last two sentences be removed? (p. 5, lines 13-18). The program is meant to provide only one visit and it is not necessary to specify in statute that no further visit will be made or that threats cannot be made based on reports of child abuse.

>>> Rhodes, Dennis 11/08/04 12:43PM >>>
Ellen,

Does this look OK to you?

Thanks,

Dennis

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

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Friday, November 05, 2004 1:05 PM
To: Rhodes, Dennis
Cc: Johnston, James; Hanaman, Cathlene; Haugen, Caroline; Schaeffer, Carole
Subject: LRB Draft: 05-0292/1 Home visiting services

Following is the PDF version of draft 05-0292/1.