

☞ **05hr\_AC-CF\_sb0651\_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2005-06**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Children and Families (AC-CF)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (May 2012)



- None.

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David Matzen  
Committee Clerk

## Vote Record Committee on Children and Families

Date: 4-27-06

Moved by: Vos      Seconded by: Albers

AB \_\_\_\_\_ SB 651      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:  
 Passage       Adoption       Confirmation       Concurrence       Indefinite Postponement  
 Introduction       Rejection       Tabling       Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Steve Kestell, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Robin Vos</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Sheryl Albers</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Suzanne Jeskewitz</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Leah Vukmir</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Tamara Grigsby</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Christine Sinicki</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Donna Seidel</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>8</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried       Motion Failed

Testimony on **SB 651**  
Before the Assembly Committee on Children and Families  
April 26, 2006

Good morning, Chairman Kestell and Committee members. My name is Ron Hermes and I'm the Legislative Liaison for the Wisconsin Department of Health and Family Services. Thank you for the opportunity to testify in support of Senate Bill 651.

E-WiSACWIS, the Wisconsin Statewide Automated Child Welfare Information System, is a secured database that is accessible to the Department, county human and social services agencies, and certain other agencies that have entered into an information sharing and access agreement with the Department or county agency that has been approved by the Department. E-WiSACWIS provides child welfare workers with a case management tool that assists them in managing their caseloads, allows monitoring of services provided to children and families, and allows the sharing of current and consistent data between workers and agencies. Agencies use e-WiSACWIS as the vehicle to take reports of suspected child maltreatment and to transfer those reports from the intake staff to the person who will conduct the investigation.

The confidentiality of information entered into eWiSACWIS is strictly protected under both state and federal law and the Department has stringent requirements for determining who may have access to the system. User access is structured to limit what information persons can view based on their job function. All users must sign agreements requiring compliance with client confidentiality requirements and user access lists are reviewed on a quarterly basis.

In an attempt to clarify that information could, and must, be entered into e-WiSACWIS and shared between agencies in the same manner as was done in the past with information on paper, the Department requested statutory changes which were made in Act 25 ('05-'07 budget). When reviewing the proposed statutory language for Act 25, the Department did not thoroughly analyze the actual language and thus inaccurately addressed the entry and confidentiality of information in eWiSACWIS. The change was intended to clarify information entry but instead, has been interpreted as creating new notification requirements that has caused greater confusion among agencies about what can be entered or shared. According to our analysis, we believe Act 25 now creates a bar to entry of Chapter 51 (mental health) information, and may delay when information, often critical information, can be entered into e-WiSACWIS.

Senate Bill 651 removes the unintended new requirement that an individual be notified before information about the individual is entered into e-WiSACWIS. While it is the practice of child welfare agencies to inform people that information will be entered into a statewide database, that notification is not always done before information is entered into eWiSACWIS. Alerting an alleged maltreater before the information is entered into eWiSACWIS can potentially put the child at risk for more harm.

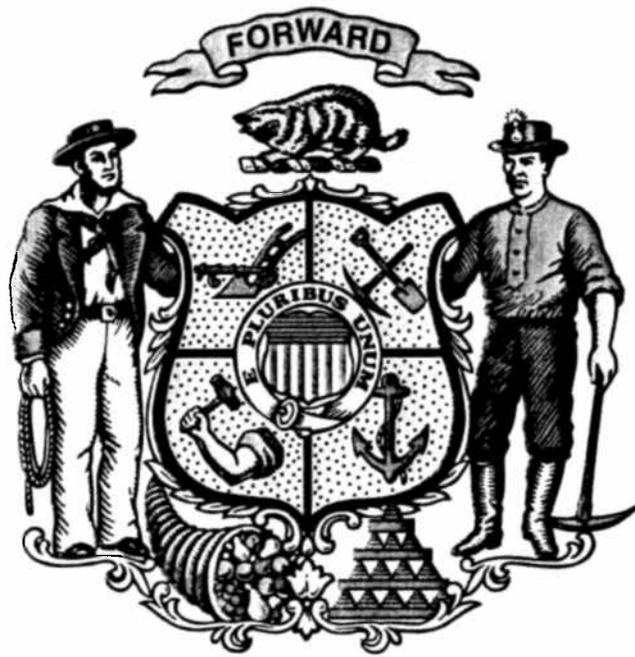
Senate Bill 651 will also allow the Department and child welfare agencies with authorized access to enter information into e-WiSACWIS case records and to access those records when it is appropriate to carry out their duties. The type of information covered by this bill has routinely been gathered and entered in a family case record in child welfare cases. The information has also been shared between child welfare caseworkers and agencies when necessary to accomplish their statutorily mandated responsibilities. In the past, this was done on paper and by mail or fax. E-WiSACWIS is simply an electronic version of the case record.

Allowing agencies to use their existing processes for client notification that information will be shared via entry into eWiSACWIS will eliminate an unintended workload burden on agencies and protect children more effectively.

The changes made by Senate Bill 651 does ensure that entry of information and access to information in e-WiSACWIS will meet federal and state confidentiality requirements.

Again, thank you for the opportunity to provide testimony in support of Senate Bill 651. We would be happy to answer any questions.

For further information please contact:  
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## MEMORANDUM

TO: Honorable Members of the Assembly Committee on Children and Families

FROM: Sarah Diedrick-Kasdorf, Senior Legislative Associate 

DATE: April 27, 2006

SUBJECT: Support for Senate Bill 651

The Wisconsin Counties Association (WCA) supports Senate Bill 651, relating to the confidentiality of information entered into the statewide automated child welfare information system.

Senate Bill 651 makes the following changes to state statutes regarding the statewide automated child welfare information system:

- Permits an agency to enter the content of any record kept or information received by the agency into WISACWIS regardless of whether the record or information is about an individual in the care or legal custody of the agency.
- Eliminates access to information that is maintained in WISACWIS by DOC or by a county department of community programs or developmental disabilities services, unless DOC or such a county department has entered into an information sharing and access agreement with DHFS or a county department of human services or social services has been approved by DHFS for access to WISACWIS.
- Permits access by a county department of human services or social services, DHFS, or an organization to information maintained in WISACWIS regardless of whether that information concerns a client.
- Eliminates the requirement that an individual be notified before information about the individual is entered into WISACWIS.

WCA supports these changes for the following reasons:

- A county agency needs the ability to enter its case notes on an investigation into the

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WCA Memorandum  
April 27, 2006

SACWIS system. At the time the investigation is conducted, an individual may not have yet been taken into custody or an individual may never be taken into custody. Regardless of the outcome of the investigation, the information obtained by the county agency during an investigation should be entered into SACWIS. In addition, it is necessary for child welfare agencies to have clear authority to enter information regarding a family it investigates, including mental health, AODA, health and other social services information.

- The changes ensure confidentiality of information under the SACWIS system. However, access can be obtained as needed through information sharing agreements. In addition, information may need to be accessed from SACWIS although a particular individual has not yet become a client.
- Clarifies DFHS' intention that an individual be informed about the entry of their information into SACWIS; however, it was not the intent that agencies be required to inform the individual before any information could be entered.

In short, the intent of this bill is to eliminate the confusion felt by county child welfare workers regarding what information they may enter into WISACWIS and when they may enter it. In addition, the bill will allow child welfare workers to enter all information regarding their investigations. The new language will also ensure that agency practice regarding the entry and access of information about individuals involved in or receiving child welfare services is correct under state and federal law.

WCA respectfully asks that you support Senate Bill 651.

Thank you for considering our comments.