Received By: gmalaise

2007 DRAFTING REQUEST

Bill

Received: 12/21/2006

Wanted: As time permits					Identical to LRB:				
For: A	dministration-	Budget 6-8219	By/Representing: Harshner						
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LRB-1220

02/06/2007 01:14:53 PM

Page 2

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2007 DRAFTING REQUEST

Bill

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LRB-1220 01/31/2007 01:33:49 PM Page 2

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2007 DRAFTING REQUEST

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LRB-1220 01/24/2007 04:09:00 PM Page 2

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2007 DRAFTING REQUEST

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LRB-1220 01/24/2007 10:03:36 AM Page 2

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2007 DRAFTING REQUEST

Bill

Received: 12/21/2006

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LRB-1220 01/23/2007 07:08:25 PM Page 2

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Wanted: As time permits

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For: Administration-Budget 6-8219

By/Representing: Harshner

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pkahler

Subject:

Children - day care

Public Assistance - Wis works

Extra Copies:

Submit via email: YES

Requester's email:

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DOA:.....Harshner, BB0253 -

Topic:

Quality rating and tiered reimbursement systems for child care providers

Instructions:

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2007 DRAFTING REQUEST

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Topic:

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2007-09 Budget Bill Statutory Language Drafting Request

• Topic: Quality rating and tiered reimbursement system for child care providers

Tracking Code: 600253

SBO team: Education

SBO analyst: Sam Harshner

• Phone: 266-8219

• Email: Samuel.Harshner@wisconsin.gov

Agency acronym: DWD

Agency number: 445

• Priority (Low, Medium, High): Medium

NOTES:

Included is a draft of the legislation from last biennium. The provision would establish a ratings system and a tiered reimbursement system for the Wisconsin Shares child care program. Please let me know if any further details are necessary.

2005 – 2006 LEGISLATURE

BB0253

DOA:.....Fath, BB0369 - Quality rating and tiered reimbursement systems for child care providers

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau √ HEALTH AND HUMAN SERVICES

V CHILDREN (requires)

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider that is licensed by DHFS, certified by a county department, or established or contracted for by a school board and to make the rating information provided under that system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider, including making that information available on DWD's Internet site.

WISCONSIN WORKS

Under current law, a child care subsidy is available under the W-2 program, which is administered by DWD, to an individual who needs child care to maintain employment or pursue basic or technical college education. Under this child care subsidy program, DWD reimburses child care providers directly and distributes

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funds to county departments and American Indian tribal governing bodies for child care services provided to children of migrant workers and to children of W-2 participants. Under the statutes county departments are required to set maximum reimbursement rates for child care providers that provide child care services under the child care subsidy program. This bill provides that DWD may establish a tiered reimbursement system for the child care subsidy program. Under such a system, a child care provider would be reimbursed at a rate that is based on the child care quality rating system established by DWD under the bill that rates the quality of the child care provided by a child care provider. The amount paid to a child care provider under the tiered reimbursement system may exceed the maximum reimbursement rate set by the county department.

For further information see the state 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. 49.155 (6) (e) of the statutes is created to read:

49.155 (6) (e) The department may establish a tiered reimbursement system under which the department reimburses a child care provider for child care services provided under this section at a rate that is based on the child care provider's quality rating under the rating system established under s. 48.982 (5) Notwithstanding pars. (a), (b), and (c), the rate at which a child care provider is reimbursed under a system established under this paragraph may exceed the maximum reimbursement (1480658)

SECTION 2. 49.982 (5) of the statutes is created to read:

rate established under par. (a), (b), or (c).

49.982 (5) The department shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider that is licensed under s. 49.98, certified under s. 49.156, or established or contracted for under s. 120.13 (14). The department shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care

B) 48065 8 Child care quality rating systemo

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Malaise, Gordon

From: Kahler, Pam

Sent: Friday, January 12, 2007 11:46 AM

To: Malaise, Gordon

Subject: FW: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Gordon, see Sam's comments. I don't know what he's talking about.

From: Harshner, Samuel - DOA

Sent: Friday, January 12, 2007 11:44 AM

To: Kahler, Pam

Subject: RE: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Pam.

We've recently limited the scope of the child care quality ratings system. Instead of all licensed, certified and contracted providers, the Department of Health and Family services day care licensing staff will rate licensed centers on a voluntary basis. All centers receiving subsidies from the state under 49.175(1)(p) will be required to participate, however.

I don't believe that we intend on implementing the tiered reimbursement system in the current biennium, but I would leave the language authorizing DWD to do so in nonetheless.

Drop me a line if you have any questions.

Sam

From: Natzke, Noah [mailto:Noah.Natzke@legis.wisconsin.gov]

Sent: Thursday, December 21, 2006 4:16 PM

To: Harshner, Samuel - DOA

Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA

Subject: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Following is the PDF version of draft 07-1220/1.



State of Misconsin 2007 - 2008 LEGISLATURE

LRB-1220/Y GMM&PJK:wlj:nwn

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DOA:.....Harshner, BB0253 - Quality rating and tiered reimbursement systems for child care providers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

and that receives reimbursement under the W-2 Program for the child care provided or that volunteers that for the rating under but systems DND must

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Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

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CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider that including by DHFS, certified by a county department, or established or contracted for by a school board and to make the rating information provided under that system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider, including making that information available on DWD's Internet site.

WISCONSIN WORKS

Under current law, a child care subsidy is available under the W-2 program, which is administered by DWD, to an individual who needs child care to maintain employment or pursue basic or technical college education. Under this child care subsidy program, DWD reimburses child care providers directly and distributes

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LRB-1220/1 GMM&PJK:wlj:nwn

funds to county departments and American Indian tribal governing bodies for child care services provided to children of migrant workers and to children of W–2 participants. Under the statutes county departments are required to set maximum reimbursement rates for child care providers that provide child care services under the child care subsidy program. This bill provides that DWD may establish a tiered reimbursement system for the child care subsidy program. Under such a system, a child care provider would be reimbursed at a rate that is based on the child care quality rating system established by DWD under the bill that rates the quality of the child care provided by a child care provider. The amount paid to a child care provider under the tiered reimbursement system may exceed the maximum reimbursement rate set by the county department.

For further information see the *state* 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. 48.658 of the statutes is created to read:

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development shall provide a child care quality rating system. The department of workforce development shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider that is licensed under s. 48.65, certified under s. 48.651, or established or contracted for under s. 120.13 (14). The department of workforce development shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is licensed under s. 48.65, certified under s. 48.651, or established or contracted for under s. 120.13 (14), including making that information available on the department of workforce development's Internet site.

Section 2. 49.155 (6) (e) of the statutes is created to read:

49.155 (6) (e) The department may establish a tiered reimbursement system under which the department reimburses a child care provider for child care services provided under this section at a rate that is based on the child care provider's quality

rating under the rating system established under s. 48.658. Notwithstanding pars.

(a), (b), and (c), the rate at which a child care provider is reimbursed under a system established under this paragraph may exceed the maximum reimbursement rate established under par. (a), (b), or (c).

5 (END)

Malaise, Gordon

From: Kahler, Pam

Sent: Tuesday, January 23, 2007 5:33 PM

To: Harshner, Samuel - DOA

Cc: Malaise, Gordon

Subject: RE: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Sam, I'm sending this to Gordon by cc. He has been working on this draft.

From: Harshner, Samuel - DOA

Sent: Tuesday, January 23, 2007 5:30 PM

To: Kahler, Pam

Subject: RE: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Last one Pam.

Recent discussions have led us to be decide that the only <u>licensed</u> providers who receive subsidies from the state under s. 49.155(3m) would be rated. Other providers licensed under s. 48.65 but who do not receive state subsidies under s. 49.155(3m) could be rated upon request. Certified providers would not be included in the ratings system.

We've decided not to do a tiered reimbursement system this time around, so 49.155(6)(e) can be stricken from the draft.

The ratings will be done by licensing staff working on day care licensing under s. 48.65. Does this need to be mentioned in statute?

4. The idea was to have initial ratings of all licensed providers receiving state subsidies by the end of the biennium. Is this something we need to spell out in statute or can this be done by administrative rule?

Thanks again Pam.

From: Natzke, Noah [mailto:Noah.Natzke@legis.wisconsin.gov]

Sent: Thursday, December 21, 2006 4:16 PM

To: Harshner, Samuel - DOA

Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA

Subject: LRB Draft: 07-1220/1 Quality rating and tiered reimbursement systems for child care providers

Following is the PDF version of draft 07-1220/1.



State of Misconsin 2007 - 2008 LEGISLATURE

LRB-1220/2

LPS-request sheet fixed

GMM& Whipp W

DOA:.....Harshner, BB0253 - Quality rating and tiered reimbursement systems for child care providers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

In Cooperation with DHES,

under which DHES

Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider that is licensed by DHFS certified by a county department, or established or contracted for by a school board, and that receives reimbursement under the W-2 program for the child care provided or that volunteers for rating under the system. DWD must make the rating information provided under the system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under the system, including making that information available on DWD's Internet site.

Knd DWD

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WISCONSIN WORKS

Under current law, a child care subsidy is available under the W-2 program, which is administered by DWD, to an individual who needs child care to maintain

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employment or pursue basic or technical college education. Under this child care subsidy program, DWD reimburses child care providers directly and distributes funds to county departments and American Indian tribal governing bodies for child care services provided to children of migrant workers and to children of W-2 participants. Under the statutes county departments are required to set maximum reimbursement rates for child care providers that provide child care services under the child care subsidy program. This bill provides that DWD may establish a tiered reimbursement system for the child care subsidy program. Under such a system, a child care provider would be reimbursed at a rate that is based on the child care quality rating system established by DWD under the bill that rates the quality of the child care provided by a child care provider. The amount paid to a child care provider under the tiered reimbursement system may exceed the maximum reimbursement rate set by the county department.

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

(in cooperation with the department of health and family services,)

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

SECTION 1. 48.658 of the statutes is created to read:

development shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed under s. 48.65 certified under s. 48.651, or established or contracted for under s. 120.13 (14) that receives reimbursement under s. 49.155 for the child care provided or that volunteers for rating under this section. The department of workforce development shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under this section, including making that information available on the department of workforce development's Internet site.

SECTION 2. 49.155 (6) (e) of the statutes is created to read:

49.155 (6) (e) The department may establish a tiered reimbursement system under which the department reimburses a child care provider for child care services provided under this section at a rate that is based on the child care provider's quality rating under the rating system established under s. 48.658. Notwithstanding pars. (a), (b), and (c), the rate at which a child care provider is reimbursed under a system established under this paragraph may exceed the maximum reimbursement rate established under par. (a), (b), or (e).

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2007-2008 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

(INSERT 3-7)

SECTION 9121. Nonstatutory provisions; Health and Family Services.

(1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of health and family services shall rate the quality of the child care provided by all child care providers that, on that date, hold a license under section 48.65 of the statutes and are providing child care that is reimbursed under section 49.155 of the statutes as required under section 48.658 of the statutes, as created by this act.

(END OF INSERT)



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State of Misconsin 2007 - 2008 LEGISLATURE

LRB-1220/3 GMM:wlj&jld:jf

DOA:.....Harshner, BB0253 - Quality rating system for child care providers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

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Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD processeration with DHFS to provide a child care quality rating system under which DHFS rates the quality of the child care provided by a child care provider licensed by DHFS that receives reimbursement under the W-2 program for the child care provided or that volunteers for rating under the system under DWD makes the rating information available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under the system, including making that information available on DWD's Internet site.

For further information see the *state* 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. 48.658 of the statutes is created to read:

development in cooperation with the department of health and family services shall provide a child care quality rating system under which the department of health and care provided a child care quality rating system under which the department of health and care provided by a child care provider licensed under s. 48.65 that receives reimbursement under s. 49.155 for the child care provided or that volunteers for rating under this section and provides that rating information to department of workforce development, which shall shall make the rating information available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under this section, including making that information available on the department of workforce development's Internet site.

SECTION 9191. Nonstatutory provisions; Health and Family Services

(1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of health and family services shall rate the quality of the child care provided by all child care providers that, on that date, hold a license under section 48.65 of the statutes and are providing child care that is reimbursed under section 49.155 of the statutes as required under section 48.658 of the statutes, as created by this act.

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State of Misconsin 2007-2008 LEGISLATURE

LRB-1220/4 GMM:wlj&jld:nwn S

DOA:.....Harshner, BB0253 - Quality rating system for child care providers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed by DHFS that receives reimbursement under the W-2 program for the child care provided or that volunteers for rating under the system. DWD must make the rating information provided under the system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under the system, including making that information available on DWD's Internet site.

For further information see the *state* 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:

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Section 1. 48.658 of the statutes is created to read:

development shall provide a child care quality rating system. The department of workforce development shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed under s. 48.65 that receives reimbursement under s. 49.155 for the child care provided or that volunteers for rating under this section. The department of workforce development shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under this section, including making that information available on the department of workforce development's Internet site.

SECTION 9154. Nonstatutory provisions; Workforce Development.

(1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of workforce development shall rate the quality of the child care provided by all child care providers that, on that date, hold a license under section 48.65 of the statutes and are providing child care that is reimbursed under section 49.155 of the statutes as required under section 48.658 of the statutes, as created by this act.

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Sam and Donniso

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1220/5dn GMM:wlj&jld:jf

January 31, 2007

Sam and Dennis:

This draft reconciles LRB-1220/4 and LRB-1261/2. Both LRB-1220 and LRB 1261 should continue to appear in the compiled bill.

Gordon M. Malaise Senior Legislative Attorney Phone: (608) 266-9738

E-mail: gordon.malaise@legis.wisconsin.gov



State of Wisconsin 2007 - 2008 LEGISLATURE

GMM:wlj&jld:jt

DOA:.....Harshner, BB0253 - Quality rating system for child care providers

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FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau **HEALTH AND HUMAN SERVICES**

CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed by DHFS that receives reimbursement under the W-2 program for the child care provided or that volunteers for rating under the system. DWD must make the rating information provided under the system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under the system, including making that information available on DWD's Internet site.

For further information see the **state** 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:

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Section 1. 48.658 of the statutes is created to read:

development shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed under s. 48.65 that receives reimbursement under s. 49.155 for the child care provided or that volunteers for rating under this section. The department of workforce development shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under this section, including making that information available on the department of workforce development's Internet site.

SECTION 9155. Nonstatutory provisions; Other.

(1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of children and families shall rate the quality of the child care provided by all child care providers that, on that date, hold a license under section 48.65 of the statutes and are providing child care that is reimbursed under section 49.155 of the statutes as required under section 48.658 of the statutes, as created by this act.

****Note: This is reconciled Section 9155 (1). This Section has been affected by drafts with the following LRB numbers: LRB-1220 and LRB-1261.

(END)

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Sam and Donnis:

This reduct simply inserts "as affected by this net" following.

The seference to \$\frac{49.155}{49.155} in \frac{5ectrow}{5ectrow} 9155 (1) to reflect that

\$\frac{5}{49.155} = \frac{100}{100} = \frac{155}{100} = \frac{155}{100}

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1220/6dn GMM:wlj&jld:rs

February 6, 2007

Sam and Dennis:

This redraft simply inserts "as affected by this act" following the reference to s. 49.155 in Section 9155 (1) to reflect that s. 49.155 was affected elsewhere in the budget bill.

This draft reconciles LRB-1220/4 and LRB-1261/2. Both LRB-1220 and LRB-1261 should continue to appear in the compiled bill.

Gordon M. Malaise Senior Legislative Attorney Phone: (608) 266–9738

 $E-mail: \ gordon.malaise@legis.wisconsin.gov$



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State of Misconsin 2007 - 2008 LEGISLATURE

LRB-1220/6 GMM:wlj&jld:rs

DOA:.....Harshner, BB0253 - Quality rating system for child care providers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DHFS may license a person to operate a day care center, a county department of human services or social services (county department) may certify a day care provider for reimbursement under the Wisconsin Works (W-2) program, and a school board may establish or contract for the provision of day care programs for children. This bill requires DWD to provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed by DHFS that receives reimbursement under the W-2 program for the child care provided or that volunteers for rating under the system. DWD must make the rating information provided under the system available to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under the system, including making that information available on DWD's Internet site.

For further information see the *state* 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. 48.658 of the statutes is created to read:

48.658 Child care quality rating system. The department of workforce development shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider licensed under s. 48.65 that receives reimbursement under s. 49.155 for the child care provided or that volunteers for rating under this section. The department of workforce development shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is rated under this section, including making that information available on the department of workforce development's Internet site.

SECTION 9155. Nonstatutory provisions; Other.

(1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of children and families shall rate the quality of the child care provided by all child care providers that, on that date, hold a license under section 48.65 of the statutes and are providing child care that is reimbursed under section 49.155 of the statutes, as affected by this act, as required under section 48.658 of the statutes, as created by this act.

****NOTE: This is reconciled Section 9155 (1). This Section has been affected by drafts with the following LRB numbers: LRB-1220 and LRB-1261.