

1 *-1352/4.20* SECTION 758. 40.05 (1) (b) of the statutes is amended to read:

2 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
3 the contributions required by par. (a), but all the payments shall be available for
4 benefit purposes to the same extent as required contributions deducted from
5 earnings of the participating employees. Action to assume employee contributions
6 as provided under this paragraph shall be taken at the time and in the form
7 determined by the governing body of the participating employer. The state shall pay
8 under this paragraph for employees who are covered by a collective bargaining
9 agreement under subch. V or VI of ch. 111 and for employees whose fringe benefits
10 are determined under s. 230.12 an amount equal to 4% of the earnings paid by the
11 state unless otherwise provided in a collective bargaining agreement under subch.
12 V or VI of ch. 111 or unless otherwise determined under s. 230.12. The University
13 of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for
14 employees who are covered by a collective bargaining agreement under subch. I of
15 ch. 111 and for employees whose fringe benefits are determined under s. 233.10 an
16 amount equal to 4% of the earnings paid by the authority unless otherwise provided
17 in a collective bargaining agreement under subch. I of ch. 111 or unless otherwise
18 determined under s. 233.10. The state shall pay under this paragraph for employees
19 who are not covered by a collective bargaining agreement under subch. V or VI of ch.
20 111 and for employees whose fringe benefits are not determined under s. 230.12 an
21 amount equal to 4% of the earnings paid by the state unless a different amount is
22 recommended by the director of the office of state employment relations and
23 approved by the joint committee on employment relations in the manner provided
24 for approval of changes in the compensation plan under s. 230.12 (3). The University
25 of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for its

SECTION 758

1 employees who are not covered by a collective bargaining agreement under subch.
 2 I of ch. 111 an amount equal to 4% of the earnings paid by the authority unless a
 3 different amount is established by the board of directors of the authority under s.
 4 233.10.

5 ***-1477/5.1* SECTION 759.** 40.05 (4) (a) 2. of the statutes is amended to read:

6 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
 7 40.02 (25) (a) 2. or (b) 1m., the employer shall pay required employer contributions
 8 toward the health insurance premium of the insured employee beginning on the date
 9 on which the employee becomes insured. For an insured state employee who is
 10 currently employed, but who is not a limited term appointment under s. 230.26 or
 11 an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m., the employer shall pay
 12 required employer contributions toward the health insurance premium of the
 13 insured employee beginning on the first day of the 7th 3rd month beginning after the
 14 date on which the employee begins employment with the state, not including any
 15 leave of absence. For an insured employee who has a limited term appointment
 16 under s. 230.26, the employer shall pay required employer contributions toward the
 17 health insurance premium of the insured employee beginning on the first day of the
 18 7th month beginning after the date on which the employee first becomes a
 19 participating employee.

20 ***-1352/4.21* SECTION 760.** 40.05 (4) (ag) (intro.) of the statutes is amended to
 21 read:

22 40.05 (4) (ag) (intro.) Beginning on January 1, 2004, except as otherwise
 23 provided in accordance with a collective bargaining agreement under subch. I or, V,
 24 or VI of ch. 111 or s. 230.12 or 233.10, the employer shall pay for its currently
 25 employed insured employees:

1 *-1352/4.22* SECTION 761. 40.05 (4) (ar) of the statutes is amended to read:
2 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
3 covered by a collective bargaining agreement under subch. I or, V, or VI of ch. 111 and
4 for employees whose health insurance premium contribution rates are not
5 determined under s. 230.12 or 233.10 an amount equal to the amount specified in par.
6 (ag) unless a different amount is recommended by the director of the office of state
7 employment relations and approved by the joint committee on employment relations
8 in the manner provided for approval of changes in the compensation plan under s.
9 230.12 (3).

10 *-1352/4.23* SECTION 762. 40.05 (4) (b) of the statutes is amended to read:
11 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
12 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
13 I or, V, or VI of ch. 111 of any eligible employee shall, at the time of death, upon
14 qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1)
15 or upon termination of creditable service and qualifying as an eligible employee
16 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate
17 he or she received while employed by the state, to credits for payment of health
18 insurance premiums on behalf of the employee or the employee's surviving insured
19 dependents. Any supplemental compensation that is paid to a state employee who
20 is classified under the state classified civil service as a teacher, teacher supervisor,
21 or education director for the employee's completion of educational courses that have
22 been approved by the employee's employer is considered as part of the employee's
23 basic pay for purposes of this paragraph. The full premium for any eligible employee
24 who is insured at the time of retirement, or for the surviving insured dependents of
25 an eligible employee who is deceased, shall be deducted from the credits until the

1 credits are exhausted and paid from the account under s. 40.04 (10), and then
2 deducted from annuity payments, if the annuity is sufficient. The department shall
3 provide for the direct payment of premiums by the insured to the insurer if the
4 premium to be withheld exceeds the annuity payment. Upon conversion of an
5 employee's unused sick leave to credits under this paragraph or par. (bf), the
6 employee or, if the employee is deceased, the employee's surviving insured
7 dependents may initiate deductions from those credits or may elect to delay
8 initiation of deductions from those credits, but only if the employee or surviving
9 insured dependents are covered by a comparable health insurance plan or policy
10 during the period beginning on the date of the conversion and ending on the date on
11 which the employee or surviving insured dependents later elect to initiate
12 deductions from those credits. If an employee or an employee's surviving insured
13 dependents elect to delay initiation of deductions from those credits, an employee or
14 the employee's surviving insured dependents may only later elect to initiate
15 deductions from those credits during the annual enrollment period under par. (be).
16 A health insurance plan or policy is considered comparable if it provides hospital and
17 medical benefits that are substantially equivalent to the standard health insurance
18 plan established under s. 40.52 (1).

19 ***-1352/4.24* SECTION 763.** 40.05 (4) (bw) of the statutes is amended to read:
20 40.05 (4) (bw) On converting accumulated unused sick leave to credits for the
21 payment of health insurance premiums under par. (b), the department shall add
22 additional credits, calculated in the same manner as are credits under par. (b), that
23 are based on a state employee's accumulated sabbatical leave or earned vacation
24 leave from the state employee's last year of service prior to retirement, or both. The
25 department shall apply the credits awarded under this paragraph for the payment

1 of health insurance premiums only after the credits awarded under par. (b) are
2 exhausted. This paragraph applies only to state employees who are eligible for
3 accumulated unused sick leave conversion under par. (b) and who are entitled to the
4 benefits under this paragraph pursuant to a collective bargaining agreement under
5 subch. V or VI of ch. 111.

6 ***-1352/4.25* SECTION 764.** 40.05 (4g) (a) 4. of the statutes is amended to read:

7 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
8 or 230.35 (3), under a collective bargaining agreement under subch. V or VI of ch. 111
9 or under rules promulgated by the director of the office of state employment relations
10 or is eligible for reemployment with the state under s. 21.79 after completion of his
11 or her service in the U.S. armed forces.

12 ***-1352/4.26* SECTION 765.** 40.05 (5) (intro.) of the statutes is amended to read:

13 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income
14 continuation insurance provided under subch. V the employee shall pay the amount
15 remaining after the employer has contributed the following or, if different, the
16 amount determined under a collective bargaining agreement under subch. I or, V, or
17 VI of ch. 111 or s. 230.12 or 233.10:

18 ***-1352/4.27* SECTION 766.** 40.05 (5) (b) 4. of the statutes is amended to read:

19 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in
20 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch. I
21 or, V, or VI of ch. 111.

22 ***-1352/4.28* SECTION 767.** 40.05 (6) (a) of the statutes is amended to read:

23 40.05 (6) (a) Except as otherwise provided in accordance with a collective
24 bargaining agreement under subch. I or, V, or VI of ch. 111 or s. 230.12 or 233.10, each
25 insured employee under the age of 70 and annuitant under the age of 65 shall pay

1 for group life insurance coverage a sum, approved by the group insurance board,
2 which shall not exceed 60 cents monthly for each \$1,000 of group life insurance,
3 based upon the last amount of insurance in force during the month for which
4 earnings are paid. The equivalent premium may be fixed by the group insurance
5 board if the annual compensation is paid in other than 12 monthly installments.

6 ***-1553/P2.1* SECTION 768.** 40.51 (8) of the statutes is amended to read:

7 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
8 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
9 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
10 (6), 632.895 (5m) and (8) to (14) (15), and 632.896.

11 ***-1553/P2.2* SECTION 769.** 40.51 (8m) of the statutes is amended to read:

12 40.51 (8m) Every health care coverage plan offered by the group insurance
13 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
14 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to (14) (15).

15 ***-1352/4.29* SECTION 770.** 40.62 (2) of the statutes is amended to read:

16 40.62 (2) Sick leave accumulation shall be determined in accordance with rules
17 of the department, any collective bargaining agreement under subch. I ~~or~~ V, or VI
18 of ch. 111, and ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 757.02 (5) and 978.12 (3).

19 ***-1352/4.30* SECTION 771.** 40.80 (3) of the statutes is amended to read:

20 40.80 (3) Any action taken under this section shall apply to employees covered
21 by a collective bargaining agreement under subch. V or VI of ch. 111.

22 ***-1352/4.31* SECTION 772.** 40.81 (3) of the statutes is amended to read:

23 40.81 (3) Any action taken under this section shall apply to employees covered
24 by a collective bargaining agreement under subch. IV ~~or~~ V, or VI of ch. 111.

25 ***-1352/4.32* SECTION 773.** 40.95 (1) (a) 2. of the statutes is amended to read:

1 40.95 (1) (a) 2. The employee has his or her compensation established in a
2 collective bargaining agreement under subch. V or VI of ch. 111.

3 ***-0170/1.2*** SECTION 774. 44.02 (28) of the statutes is created to read:

4 44.02 (28) Annually distribute the amount appropriated under s. 20.245 (1) (b)
5 as a grant to the Wisconsin Black Historical Society and Museum to fund the
6 operations of that society and museum.

7 ***-1261/5.163*** ***-1267/P1.55*** SECTION 775. 45.20 (2) (d) 2. b. of the statutes
8 is amended to read:

9 45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child
10 support or maintenance payments and does not owe past support, medical expenses
11 or birth expenses, signed by the department of workforce-development children and
12 families or its designee within 7 working days before the date of the application.

13 ***-1261/5.164*** ***-1267/P1.56*** SECTION 776. 45.33 (2) (b) 1. b. of the statutes
14 is amended to read:

15 45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support
16 or maintenance payments and does not owe past support, medical expenses, or birth
17 expenses, signed by the department of workforce-development children and families
18 or its designee within 7 working days before the date of the application.

19 ***-1261/5.165*** ***-1267/P1.57*** SECTION 777. 45.42 (6) (b) of the statutes is
20 amended to read:

21 45.42 (6) (b) Provides to the department a statement that the applicant is not
22 delinquent in child support or maintenance payments and does not owe past support,
23 medical expenses, or birth expenses, signed by the department of workforce
24 development children and families or its designee within 7 working days before the
25 date of the application.

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1 *-1278/3.10* SECTION 778. 45.51 (10) (b) of the statutes is amended to read:

2 45.51 (10) (b) ~~Except where a sale occurs under s. 16.848, the~~ The department
3 may manage, sell, lease, or transfer property passing to the state pursuant to this
4 section or conveyed to it by members, defend and prosecute all actions concerning it,
5 pay all just claims against it, and do all other things necessary for the protection,
6 preservation, and management of the property. All expenditures necessary for the
7 execution of functions under this paragraph or sub. (14) shall be made from the
8 appropriation in s. 20.485 (1) (h).

9 *-0905/3.7* SECTION 779. 45.51 (13) (intro.) of the statutes is amended to read:

10 45.51 (13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES.
11 (intro.) Any person admitted to a skilled nursing facility at a veterans home shall
12 meet the eligibility requirements under ss. 49.45 and 49.46, and, if applicable, s.
13 49.471 and rules promulgated under those sections during residence at the skilled
14 nursing facility except if any of the following apply:

15 *-0905/3.8* SECTION 780. 45.51 (13) (a) of the statutes is amended to read:

16 45.51 (13) (a) Persons with sufficient income and resources to meet the
17 expenses of care for one or more months may be admitted to the skilled nursing
18 facility but shall apply income and resources to costs to the extent required under ss.
19 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those
20 sections.

21 *-0905/3.9* SECTION 781. 45.51 (13) (b) of the statutes is amended to read:

22 45.51 (13) (b) Persons who meet all the requirements of this section but whose
23 degree of physical disability does not meet the minimum requirements under ss.
24 49.45 and 49.46 and rules promulgated under those sections may be admitted to the
25 skilled nursing facility but shall apply income and resources to costs to the extent

DOA:.....Palchik, BB0381 - Transfer of money to the vets trust fund
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS

This bill allows DOA to transfer up to \$7,000,000 during the 2007-09 biennium from the DVA appropriation for institutional operations to the veterans trust fund if there is money in that appropriation in excess of that needed to care for members of the veterans homes.

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:

2 1099 SECTION ~~II~~ 45.03 (20) of the statutes is amended to read:

3 45.03 (20) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. If the balance in
4 the appropriation account under s. 20.485 (1) (gk) is in excess of the amount needed
5 for the care of the members of the Wisconsin veterans homes under s. 45.50 and the
6 payment of stipends under s. 45.50 (9) during fiscal year 2006-07 2007-08 or

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1 2008-09, the department may transfer the excess moneys to the veterans trust fund.

2 The total amount transferred under this subsection may not exceed \$16,000,000

3 \$7,000,000.

4 (END)

1 required by ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated
2 under those sections.

3 ***-0366/1.1* SECTION 782.** 45.61 (2) (a) of the statutes is amended to read:

4 45.61 (2) (a) A person who died while on active duty or who was discharged or
5 released from active duty in the U.S. armed forces under honorable conditions other
6 than dishonorable and who was a resident of this state at the time of his or her entry
7 or reentry into active service and his or her dependent child and surviving spouse.

8 ***-0366/1.2* SECTION 783.** 45.61 (2) (b) of the statutes is amended to read:

9 45.61 (2) (b) A person who was discharged or released from active duty in the
10 U.S. armed forces under honorable conditions other than dishonorable and who was
11 a resident of this state at the time of his or her death and his or her dependent child
12 and surviving spouse.

13 ***-1261/5.166* *-1261/P3.113* SECTION 784.** 46.001 of the statutes is
14 amended to read:

15 **46.001 Purposes of chapter.** The purposes of this chapter are to conserve
16 human resources in Wisconsin; ~~to provide a just and humane program of services to~~
17 ~~children and unborn children in need of protection or services, nonmarital children~~
18 ~~and the expectant mothers of those unborn children;~~ to prevent dependency, mental
19 illness, developmental disability, mental infirmity, and other forms of social
20 maladjustment by a continuous attack on causes; to provide effective aid and services
21 to all persons in need ~~thereof of that aid and those services~~ and to assist those persons
22 to achieve or regain self-dependence at the earliest possible date; to avoid
23 duplication and waste of effort and money on the part of public and private agencies;
24 and to coordinate and integrate a social welfare program.

1 *-1261/5.167* *-1261/P3.114* SECTION 785. 46.011 (intro.) of the statutes is
2 amended to read:

3 **46.011 Definitions.** (intro.) In chs. 46, 48, 50, 51, 54, 55, and 58:

4 *-0336/3.3* SECTION 786. 46.011 (1g) of the statutes is created to read:

5 46.011 (1g) "Disabled children's long-term support program" means the
6 programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003
7 Wisconsin Act 33, section 9124 (8c).

8 *-1261/5.168* *-1261/P3.115* SECTION 787. 46.014 (4) of the statutes is
9 renumbered 49.265 (6) and amended to read:

10 49.265 (6) REPORTS. At least annually, the secretary shall submit a report to
11 the chief clerk of each house of the legislature, for distribution to the appropriate
12 standing committees under s. 13.172 (3), concerning activities of community action
13 agencies under s. 46.30 this section and their effectiveness in promoting social and
14 economic opportunities for poor persons.

15 *-1261/5.169* *-1261/P3.116* SECTION 788. 46.016 of the statutes is
16 amended to read:

17 **46.016 Cooperation with federal government.** The department may
18 cooperate with the federal government in carrying out federal acts concerning public
19 assistance, social security, ~~child welfare and youth services~~, mental hygiene, services
20 for the blind, and in other matters of mutual concern pertaining to public welfare.

21 *-1261/5.170* *-1261/P3.117* SECTION 789. 46.02 of the statutes is amended
22 to read:

23 **46.02 Agency powers and duties.** Any institution ~~which~~ that is subject to
24 chs. 46, 48 ~~49~~ to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of
25 conflict between chs. 46, 48 ~~49~~ to 51, 55, and 58 and ch. 150, be governed by ch. 150.

1 The department shall promulgate rules and establish procedures for resolving any
2 such ~~controversy~~ a conflict.

3 ~~*-1261/5.171* *-1261/P3.118* SECTION 790.~~ 46.023 of the statutes is
4 renumbered 48.562.

5 ~~*-1261/5.172* *-1261/P3.119* SECTION 791.~~ 46.03 (4) (b) of the statutes is
6 amended to read:

7 46.03 (4) (b) In order to discharge more effectively its responsibilities under
8 this chapter and ~~ch. 48~~ and other relevant provisions of the statutes, be authorized
9 to study causes and methods of prevention and treatment of mental illness, mental
10 deficiency, mental infirmity, and related social problems, including establishment of
11 demonstration projects to apply and evaluate such methods in actual cases. The
12 department is directed and authorized to utilize all powers provided by the statutes,
13 including the authority under sub. (2a), to accept grants of money or property from
14 federal, state, or private sources, and to enlist the cooperation of other appropriate
15 agencies and state departments. The department may enter into agreements with
16 local government subdivisions, departments, and agencies for the joint conduct of
17 these projects, and it may purchase services when deemed considered appropriate.

18 ~~*-1261/5.173* *-1261/P3.120* SECTION 792.~~ 46.03 (7) (a) of the statutes is
19 amended to read:

20 46.03 (7) (a) Promote the enforcement of laws for the protection of
21 developmentally disabled children, ~~children and unborn children in need of~~
22 ~~protection or services and nonmarital children;~~ and to this end cooperate with courts
23 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare
24 agencies, and public and private institutions and take the initiative in all matters
25 involving the interests of those children ~~and unborn children~~ when adequate

1 provision for those interests has not already been made, including the establishment
2 and enforcement of standards for services provided under ss. 48.345 and 48.347.

3 ~~*-1261/5.174* *-1261/P3.121*~~ SECTION 793. 46.03 (7) (bm) of the statutes is
4 amended to read:

5 46.03 (7) (bm) Maintain a file containing records of artificial inseminations
6 under s. 891.40, ~~declarations of paternal interest under s. 48.025,~~ and statements
7 acknowledging paternity under s. 69.15 (3) (b). The department may release those
8 records, ~~declarations,~~ and statements only upon an order of the court except that the
9 department may use nonidentifying information concerning artificial inseminations
10 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~
11 ~~released as provided in s. 48.025 (3) (b) and (e),~~ and statements acknowledging
12 paternity shall be released without a court order to the department of workforce
13 development children and families or a county child support agency under s. 59.53
14 (5) upon the request of that department or county child support agency pursuant to
15 the program responsibilities under s. 49.22 or to any other person with a direct and
16 tangible interest in the statement.

17 ~~*-1261/5.175* *-1261/P3.122*~~ SECTION 794. 46.03 (7) (c) of the statutes is
18 repealed.

19 ~~*-1261/5.176* *-1261/P3.123*~~ SECTION 795. 46.03 (7) (cm) of the statutes is
20 renumbered 48.47 (7) (cm).

21 ~~*-1261/5.177* *-1261/P3.124*~~ SECTION 796. 46.03 (7) (d) of the statutes is
22 renumbered 48.47 (7) (d).

23 ~~*-1261/5.178* *-1261/P3.125*~~ SECTION 797. 46.03 (7) (e) of the statutes is
24 repealed.

1 *~~-1261/5.179~~* *~~-1261/P3.126~~* SECTION 798. 46.03 (7) (f) of the statutes is
2 renumbered 48.47 (7) (f).

3 *~~-1261/5.180~~* *~~-1261/P3.127~~* SECTION 799. 46.03 (7) (h) of the statutes is
4 renumbered 48.47 (7) (h).

5 *~~-1261/5.181~~* *~~-1261/P3.128~~* SECTION 800. 46.03 (7g) of the statutes is
6 renumbered 48.47 (7g) and amended to read:

7 48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
8 a statewide automated child welfare information system. Notwithstanding ss.
9 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
10 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~
11 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the
12 content of any record kept or information received by the department into the
13 statewide automated child welfare information system, and a county department
14 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has
15 entered into an information sharing and access agreement with the department or
16 any of those county departments and that has been approved for access to the
17 statewide automated child welfare information system by the department may have
18 access to information that is maintained in that system, if necessary to enable the
19 county department, department, or organization to perform its duties under this
20 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the
21 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to
22 679b.

23 *~~-1261/5.182~~* *~~-1261/P3.129~~* SECTION 801. 46.03 (7m) of the statutes is
24 renumbered 48.62 (7) and amended to read:

1 48.62 (7) ~~FOSTER CARE~~. In each federal fiscal year, the department shall ensure
2 that there are no more than 2,200 children in foster care and treatment foster care
3 placements for more than 24 months, consistent with the best interests of each child.
4 Services provided in connection with this requirement shall comply with the
5 requirements under P.L. 96-272.

6 *~~0242/1.1~~* SECTION 802. 46.03 (18) (a) of the statutes is amended to read:

7 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
8 health and family services shall establish a uniform system of fees for services
9 provided or purchased by the department of health and family services, or a county
10 department under s. 46.215, 46.22, 51.42 or 51.437, except for services provided
11 under subch. III of ch. 49; services relating to adoption; services provided to courts;
12 outreach, information and referral services; or where, as determined by the
13 department of health and family services, a fee is administratively unfeasible or
14 would significantly prevent accomplishing the purpose of the service. A county
15 department under s. 46.215, 46.22, 51.42 or 51.437 shall apply the fees which it
16 collects under this program to cover the cost of such services. ~~The department of~~
17 ~~health and family services shall report to the joint committee on finance no later than~~
18 ~~March 1 of each year on the number of children placed for adoption by the~~
19 ~~department of health and family services during the previous year and the costs to~~
20 ~~the state for services relating to such adoptions.~~

21 *~~1261/5.183~~* *~~1261/P3.130~~* SECTION 803. 46.03 (18) (a) of the statutes, as
22 affected by 2007 Wisconsin Act (this act), is amended to read:

23 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
24 ~~health and family services~~ shall establish a uniform system of fees for services
25 provided or purchased by the department of ~~health and family services~~, or a county

1 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided
2 under ch. 48 and subch. III of ch. 49; services relating to adoption; services provided
3 to courts; outreach, information and referral services; or where when, as determined
4 by the department of health and family services, a fee is administratively unfeasible
5 or would significantly prevent accomplishing the purpose of the service. A county
6 department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees which that
7 it collects under this program to cover the cost of such those services.

****NOTE: This is reconciled s. 46.03 (18) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0242 and -1261.

8 ***-1261/5.184* *-1261/P3.131* SECTION 804.** 46.03 (18) (am) of the statutes is
9 amended to read:

10 46.03 (18) (am) Paragraph (a) does not prevent the department from charging
11 and collecting the cost of adoptive placement investigations and child care as
12 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county
13 department under s. 51.42 or 51.437 from charging and collecting the cost of an
14 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

15 ***-0336/3.4* SECTION 805.** 46.03 (18) (ar) of the statutes is created to read:

16 46.03 (18) (ar) A county may retain fees that it collects under this subsection
17 for services the county provides without state funding under the disabled children's
18 long-term support program.

19 ***-1261/5.185* *-1261/P3.132* SECTION 806.** 46.03 (20) (a) of the statutes is
20 amended to read:

21 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,
22 the department may make payments directly to recipients of public assistance or to
23 such persons authorized to receive such payments in accordance with law and rules

1 of the department on behalf of the counties. Except for payments provided under ch.
2 48 or subch. III of ch. 49, the department may charge the counties for the cost of
3 operating public assistance systems which make such payments.

4 ***-1261/5.186* *-1261/P3.133* SECTION 807.** 46.03 (22) (title) of the statutes
5 is amended to read:

6 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

7 ***-1261/5.187* *-1261/P3.134* SECTION 808.** 46.03 (22) (a) of the statutes is
8 amended to read:

9 46.03 (22) (a) Community ~~In this subsection, "community living arrangement~~
10 ~~for adults" means any of the following facilities licensed or operated, or permitted~~
11 ~~under the authority of the department: residential care centers for children and~~
12 ~~youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under~~
13 ~~s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based~~
14 ~~residential facilities~~ a community-based residential facility, as defined in s. 50.01
15 (1g); but does not include adult family homes, as defined in s. 50.01 (1), day care
16 centers, nursing homes, general hospitals, special hospitals, prisons, and jails.

17 ***-1261/5.188* *-1261/P3.135* SECTION 809.** 46.03 (22) (b) of the statutes is
18 amended to read:

19 46.03 (22) (b) Community living arrangements for adults shall be subject to the
20 same building and housing ordinances, codes, and regulations of the municipality or
21 county as similar residences located in the area in which the facility is located.

22 ***-1261/5.189* *-1261/P3.136* SECTION 810.** 46.03 (22) (c) of the statutes is
23 amended to read:

24 46.03 (22) (c) The department shall designate a subunit to keep records and
25 supply information on community living arrangements for adults under ss. 59.69

1 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving
2 all complaints regarding community living arrangements for adults and for
3 coordinating all necessary investigatory and disciplinary actions under the laws of
4 this state and under the rules of the department relating to the licensing of
5 community living arrangements for adults.

6 ***-1261/5.190*** ***-1261/P3.137*** **SECTION 811.** 46.03 (22) (d) of the statutes is
7 amended to read:

8 46.03 (22) (d) A community living arrangement for adults with a capacity for
9 8 or fewer persons shall be a permissible use for purposes of any deed covenant which
10 limits use of property to single-family or 2-family residences. A community living
11 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible
12 use for purposes of any deed covenant which limits use of property to more than
13 2-family residences. Covenants in deeds which expressly prohibit use of property
14 for community living arrangements for adults are void as against public policy.

15 ***-1261/5.191*** ***-1261/P3.138*** **SECTION 812.** 46.03 (22) (e) of the statutes is
16 amended to read:

17 46.03 (22) (e) If a community living arrangement for adults is required to
18 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,
19 at the request of the unit of government responsible for granting the special zoning
20 permission, inspect the proposed facility and review the program proposed for the
21 facility. After such inspection and review, the department shall transmit to the unit
22 of government responsible for granting the special zoning permission a statement
23 that the proposed facility and its proposed program have been examined and are
24 either approved or disapproved by the department.

1 *-1261/5.192* *-1261/P3.139* SECTION 813. 46.03 (29) of the statutes is
2 repealed.

3 *-1261/5.193* *-1261/P3.140* SECTION 814. 46.03 (39) of the statutes is
4 renumbered 48.47 (39).

5 *-1261/5.194* *-1261/P3.141* SECTION 815. 46.031 (3) (a) of the statutes is
6 amended to read:

7 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
8 county board of supervisors of each county or the county boards of supervisors of 2
9 or more counties jointly shall establish a citizen advisory committee to the county
10 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
11 committee shall advise in the formulation of the budget under sub. (1). Membership
12 on the committee shall be determined by the county board of supervisors in a county
13 with a single-county committee or by the county boards of supervisors in counties
14 with a multicounty committee and shall include representatives of those persons
15 receiving services, providers of service and citizens. A majority of the members of the
16 committee shall be citizen and service consumers. ~~At least one member of the~~
17 ~~committee shall be chosen from the governing or administrative board of the~~
18 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The
19 committee's membership may not consist of more than 25% county supervisors, nor
20 of more than 20% service providers. The chairperson of the committee shall be
21 appointed by the county board of supervisors establishing it. In the case of a
22 multicounty committee, the chairperson shall be nominated by the committee and
23 approved by the county boards of supervisors establishing it. The county board of
24 supervisors in a county with a single-county committee or the county boards of
25 supervisors in counties with a multicounty committee may designate an agent to

1 determine the membership of the committee and to appoint the committee
2 chairperson or approve the nominee.

3 ***-1261/5.195* *-1261/P3.142* SECTION 816.** 46.034 (1) of the statutes is
4 amended to read:

5 46.034 (1) The department, in order to discharge more effectively its
6 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant
7 provisions of the statutes, may establish community human services pilot programs
8 for the study, implementation, and evaluation of improved human services delivery
9 systems. In the implementation of such those pilot programs, the requirement of
10 statewide uniformity with respect to the organization and governance of human
11 services shall not apply. The department and local governmental bodies may
12 establish such departments, boards, committees, organizational structures, and
13 procedures as may be needed to implement the pilot programs. The departments,
14 boards, committees, and organizational structures may assume responsibilities
15 currently assigned by statute to the departments, boards, committees, or
16 organizational structures that are replaced.

17 ***-1261/5.196* *-1261/P3.143* SECTION 817.** 46.036 (1) of the statutes is
18 amended to read:

19 46.036 (1) All care and services purchased by the department or by a county
20 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under
21 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the
22 standards established under this section. The department may require the county
23 departments to submit the contracts to the department for review and approval. For
24 purchases of \$10,000 or less the requirement for a written contract may be waived
25 by the department. ~~No contract is required for care provided by foster homes or~~

1 treatment foster homes that are required to be licensed under s. 48.62. When the
2 department directly contracts for services, it shall follow the procedures in this
3 section in addition to meeting purchasing requirements established in s. 16.75.

4 *~~1261/5.197~~* *~~1261/P3.144~~* SECTION 818. 46.036 (4) (a) of the statutes is
5 amended to read:

6 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
7 entry accounting system and a management information system which are
8 compatible with cost accounting and control systems prescribed by the department.
9 ~~The department shall establish a simplified double entry bookkeeping system for use~~
10 ~~by family-operated group homes. Each purchaser shall determine whether a~~
11 ~~family-operated group home from which it purchases services shall use the double~~
12 ~~entry accounting system or the simplified system and shall include this~~
13 ~~determination in the purchase of service contract. In this paragraph,~~
14 ~~"family-operated group home" means a group home licensed under s. 48.66 (1) (a) for~~
15 ~~which the licensee is one or more individuals who operate not more than one group~~
16 ~~home.~~

17 *~~0243/2.1~~* SECTION 819. 46.036 (4) (c) of the statutes is amended to read:

18 46.036 (4) (c) Unless waived by the department, biennially, or annually if
19 required under federal law, provide the purchaser with a certified financial and
20 compliance audit report if the care and services purchased exceed \$25,000 \$100,000
21 or any higher threshold amount determined by the department. The audit shall
22 follow standards that the department prescribes. A purchaser may waive the
23 requirements of this paragraph for any family-operated group home, as defined
24 under par. (a), from which it purchases services.

1 ***-1261/5.198*** ***-1261/P3.145*** **SECTION 820.** 46.036 (4) (c) of the statutes, as
2 affected by 2007 Wisconsin Act ... (this act), is amended to read:

3 46.036 (4) (c) Unless waived by the department, biennially, or annually if
4 required under federal law, provide the purchaser with a certified financial and
5 compliance audit report if the care and services purchased exceed \$100,000 or any
6 higher threshold amount determined by the department. The audit shall follow
7 standards that the department prescribes. ~~A purchaser may waive the requirements~~
8 ~~of this paragraph for any family-operated group home, as defined under par. (a),~~
9 ~~from which it purchases services.~~

 ****NOTE: This is reconciled s. 41.036 (4) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0243 and -1261.

10 ***-1261/5.199*** ***-1261/P3.146*** **SECTION 821.** 46.037 of the statutes is
11 renumbered 49.343 and amended to read:

12 **49.343 Rates for residential child care centers and group homes. (1)**
13 Subject to sub. (1m), each residential child care center for children and youth, as
14 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is
15 ~~licensed under s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall
16 establish a per client rate for its services and shall charge all purchasers the same
17 rate.

18 **(1m)** Notwithstanding sub. (1), the department, a county department under
19 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the
20 department and one or more of those county departments, and a residential child
21 care center for children and youth or group home, as described in sub. (1), may
22 negotiate a per client rate for the services of that residential child care center for
23 children and youth or group home, if the department, that county department, the

1 county departments in that group of county departments, or the department and one
2 or more of those county departments, agree to place 75% or more of the residents of
3 that residential child care center for children and youth or group home during the
4 period for which that rate is effective. A residential child care center for children and
5 youth or group home that negotiates a per client rate under this subsection shall
6 charge that rate to all purchasers of its services.

7 (2) A residential child care center for children and youth or a group home, as
8 described in sub. (1) or (1m), shall submit to the department the rate it charges and
9 any change in that rate before a charge is made to any purchaser. The department
10 shall provide forms and instructions for the submission of rates and changes in rates
11 under this subsection and a residential child care center for children and youth or
12 a group home that is required to submit a rate or a change in a rate under this
13 subsection shall submit that rate or change in a rate using those forms and
14 instructions.

15 (3) The department may require an audit of any residential child care center
16 for children and youth or group home, as described in sub. (1) or (1m), for the purpose
17 of collecting federal funds.

18 *-1261/5.200* *-1261/P3.147* SECTION 822. 46.043 (1) of the statutes is
19 amended to read:

20 46.043 (1) In addition to inpatient and outpatient services provided at mental
21 health institutes under ss. 51.05 and 51.07, the department may authorize mental
22 health institutes to offer services other than inpatient mental health services when
23 the department determines that community services need to be supplemented.
24 Services that may be offered under this section include mental health outpatient
25 treatment and services, day programming, consultation and services in residential

1 facilities, including group homes, ~~child-caring institutions~~ residential care centers
2 for children and youth and community-based residential facilities.

3 ***-0364/1.1* SECTION 823.** 46.057 (2) of the statutes is amended to read:

4 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
5 department of corrections shall transfer to the appropriation account under s. 20.435
6 (2) (kx) \$1,379,300 in each fiscal year ~~2005-06~~ and \$1,379,300 in fiscal year ~~2006-07~~
7 and, from the appropriation account under s. 20.410 (3) (hm), the department of
8 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
9 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and
10 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the
11 Mendota juvenile treatment center. The department of health and family services
12 may charge the department of corrections not more than the actual cost of providing
13 those services.

14 ***-1261/5.201* *-1261/P3.148* SECTION 824.** 46.10 (14) (b) of the statutes is
15 amended to read:

16 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
17 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
18 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
19 in a residential, nonmedical facility such as a group home, foster home, treatment
20 foster home, subsidized guardianship home, or residential care center for children
21 and youth shall be determined by the court by using the percentage standard
22 established by the department of ~~workforce development~~ children and families
23 under s. 49.22 (9) and by applying the percentage standard in the manner
24 established by the department under s. ~~46.247~~ par. (g).

1 *~~-1261/5.202~~* *~~-1261/P3.149~~* SECTION 825. 46.10 (14) (g) of the statutes is
2 created to read:

3 46.10 (14) (g) For purposes of determining child support under par. (b), the
4 department shall promulgate rules related to the application of the standard
5 established by the department of children and families under s. 49.22 (9) to a child
6 support obligation for the care and maintenance of a child who is placed by a court
7 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall
8 take into account the needs of any person, including dependent children other than
9 the child, whom either parent is legally obligated to support.

10 *~~-0336/3.5~~* SECTION 826. 46.10 (16) of the statutes is amended to read:

11 46.10 (16) The department shall delegate to county departments under ss.
12 51.42 and 51.437 or the local providers of care and services meeting the standards
13 established by the department under s. 46.036, the responsibilities vested in the
14 department under this section for collection of patient fees for services other than
15 those provided at state facilities or, those provided to children that are reimbursed
16 under a waiver under s. 46.27 (11), 46.275, 46.278, or 46.2785, or a waiver requested
17 under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section
18 9124 (8e), those provided under the disabled children's long-term support program
19 if the county departments or providers meet the conditions that the department
20 determines are appropriate. The department may delegate to county departments
21 under ss. 51.42 and 51.437 the responsibilities vested in the department under this
22 section for collection of patient fees for services provided at the state facilities if the
23 necessary conditions are met.

24 *~~-1261/5.203~~* *~~-1261/P3.150~~* SECTION 827. 46.16 (1) of the statutes is
25 amended to read:

1 46.16 (1) **GENERALLY.** The department shall investigate and supervise all the
2 charitable and curative institutions, including county infirmaries, of every county
3 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~
4 ~~children and, and~~ all hospitals, asylums, and institutions, organized for the purpose
5 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their
6 management and usefulness.

7 ***-1261/5.204*** ***-1261/P3.151*** **SECTION 828.** 46.16 (2) of the statutes is
8 repealed.

9 ***-1261/5.205*** ***-1261/P3.152*** **SECTION 829.** 46.16 (2m) of the statutes is
10 repealed.

11 ***-1261/5.206*** ***-1261/P3.153*** **SECTION 830.** 46.16 (2s) of the statutes is
12 repealed.

13 ***-1261/5.207*** ***-1261/P3.154*** **SECTION 831.** 46.16 (3) of the statutes is
14 amended to read:

15 46.16 (3) **COUNTY HOMES, POOR RELIEF.** ~~It~~ The department shall visit the county
16 homes and ascertain the number of each sex and the number of mentally ill, mentally
17 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and
18 under what circumstances affecting their health, comfort, morals, and education;
19 collect statistics of the cost of support, and other important facts, of the poor relieved
20 at public expense outside of county homes; and collect information as to the adequacy
21 and efficiency of existing laws for the support and relief of the poor, and the causes
22 of pauperism in the state.

23 ***-1261/5.208*** ***-1261/P3.155*** **SECTION 832.** 46.16 (7) of the statutes is
24 amended to read:

1 46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon
2 request of the department, the attorney general or the district attorney of the proper
3 county shall aid in any investigation, inspection, hearing, or trial had under the
4 provisions of this chapter, ~~or those sections of ch. 48 relating to powers of the~~
5 department, and shall institute and prosecute all necessary actions or proceedings
6 for the enforcement of such those provisions and for the punishment of violations of
7 the same those provisions. The attorney general or district attorney so requested
8 shall report or confer with the department regarding the request, within 30 days
9 after the receipt of such the request.

10 *-1261/5.209* *-1261/P3.156* SECTION 833. 46.17 (1) of the statutes is
11 amended to read:

12 46.17 (1) The department shall fix reasonable standards and regulations for
13 the design, construction, repair, and maintenance of county homes, county
14 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,
15 with respect to their adequacy and fitness for the needs which they are to serve.

16 *-1261/5.210* *-1261/P3.157* SECTION 834. 46.206 (1) (a) of the statutes is
17 amended to read:

18 46.206 (1) (a) The department shall supervise the administration of social
19 services, except as provided under ch. 48 and subch. III of ch. 49 and except for
20 juvenile delinquency-related services. The department shall submit to the federal
21 authorities state plans for the administration of social services, except as provided
22 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related
23 services, in such form and containing such information as the federal authorities
24 require, and shall comply with all requirements prescribed to ensure their
25 correctness.

1 ***-0905/3.10* SECTION 835.** 46.206 (1) (bm) of the statutes is amended to read:

2 46.206 (1) (bm) All records of the department relating to aid provided under
3 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable
4 hours by members of the legislature who require the information contained in the
5 records in pursuit of a specific state legislative purpose. All records of any county
6 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are
7 open to inspection at reasonable hours by members of the board of supervisors of the
8 county or the governing body of a city, village or town located in the county who
9 require the information contained in the records in pursuit of a specific county or
10 municipal legislative purpose. The right to records access provided by this
11 paragraph does not apply if access is prohibited by federal law or regulation or if this
12 state is required to prohibit such access as a condition precedent to participation in
13 a federal program in which this state participates.

14 ***-1261/5.211* *-1261/P3.158* SECTION 836.** 46.206 (2) of the statutes is
15 amended to read:

16 46.206 (2) The county administration of all laws relating to social services,
17 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to
18 juvenile delinquency-related programs, shall be vested in the officers and agencies
19 designated in the statutes.

20 ***-1524/P3.15* SECTION 837.** 46.21 (2m) (c) of the statutes is amended to read:

21 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
22 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07
23 (3) (c), a subunit of a county department of human services or tribal agency acting
24 under this subsection may exchange confidential information about a client, without
25 the informed consent of the client, with any other subunit of the same county

1 department of human services or tribal agency, with a resource center, a care
2 management organization, or a family long-term care district, with an
3 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
4 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
5 providing services to the client under a purchase of services contract with the county
6 department of human services or tribal agency or with a resource center, a care
7 management organization, or a family long-term care district, if necessary to enable
8 an employee or service provider to perform his or her duties, or to enable the county
9 department of human services or tribal agency to coordinate the delivery of services
10 to the client. An agency that releases information under this paragraph shall
11 document that a request for information was received and what information was
12 provided.

13 ***-1261/5.212* *-1261/P3.159* SECTION 838.** 46.21 (5) (b) of the statutes is
14 amended to read:

15 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the
16 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

17 ***-1261/5.213* *-1261/P3.160* SECTION 839.** 46.215 (1) (d) of the statutes is
18 amended to read:

19 46.215 (1) (d) To make investigations that relate to services under subchs. II,
20 IV, and V of ch. 49 upon request by the department of health and family services, to
21 make investigations that relate to juvenile delinquency-related services at the
22 request of the department of corrections, and to make investigations that relate to
23 programs under ch. 48 and subch. III of ch. 49 upon request by the department of
24 workforce development children and families.

1 *~~1261/5.214~~* *~~1261/P3.161~~* SECTION 840. 46.215 (1) (j) of the statutes is
2 amended to read:

3 46.215 (1) (j) To make payments in such manner as the department of
4 ~~workforce development~~ children and families may determine for training of
5 recipients, former recipients, and potential recipients of aid in programs established
6 under s. 49.193, 1997 stats., and s. 49.26 (1).

7 *~~1524/P3.16~~* SECTION 841. 46.215 (1m) of the statutes is amended to read:

8 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
9 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
10 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
11 services or tribal agency acting under this section may exchange confidential
12 information about a client, without the informed consent of the client, with any other
13 subunit of the same county department of social services or tribal agency, with a
14 resource center, a care management organization, or a family long-term care
15 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
16 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
17 lg., or with a person providing services to the client under a purchase of services
18 contract with the county department of social services or tribal agency or with a
19 resource center, a care management organization, or a family long-term care
20 district, if necessary to enable an employee or service provider to perform his or her
21 duties, or to enable the county department of social services or tribal agency to
22 coordinate the delivery of services to the client. An agency that releases information
23 under this subsection shall document that a request for information was received
24 and what information was provided.

1 *~~-1261/5.215~~* *~~-1261/P3.162~~* SECTION 842. 46.215 (1p) of the statutes is
2 amended to read:

3 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE
4 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
5 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
6 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
7 (2) (a), a county department under this section may enter the content of any record
8 kept or information received by that county department into the statewide
9 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

10 *~~-1261/5.216~~* *~~-1261/P3.163~~* SECTION 843. 46.215 (2) (a) 2. of the statutes
11 is amended to read:

12 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and
13 services, the county department of social services may contract, either directly or
14 through the department of ~~workforce development~~ children and families, with public
15 or voluntary agencies or others to purchase, in full or in part, care and services under
16 ch. 48 and subch. III of ch. 49 which the county department of social services is
17 authorized to furnish. This care and these services may be purchased from the
18 department of ~~workforce development~~ children and families if the department of
19 ~~workforce development~~ children and families has staff to furnish the services. If the
20 county department of social services has adequate staff, it may sell the care and
21 services directly to another county or state agency.

22 *~~-1261/5.217~~* *~~-1261/P3.164~~* SECTION 844. 46.215 (2) (b) of the statutes is
23 amended to read:

24 46.215 (2) (b) A county department of social services may purchase
25 development and training services from the department of health and family

1 services, from the department of ~~workforce development~~ children and families, from
2 the department of corrections or from other county agencies when the services are
3 available. A county department of social services may sell the development and staff
4 training services to another county or state agency if the county department has
5 adequate staff to provide the services.

6 ***-1261/5.218* *-1261/P3.165* SECTION 845.** 46.215 (2) (c) 2. of the statutes
7 is amended to read:

8 46.215 (2) (c) 2. A county department of social services shall develop, under the
9 requirements of s. 49.34, plans and contracts for care and services to be purchased
10 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~
11 children and families may review the contracts and approve them if they are
12 consistent with s. 49.34 and if state or federal funds are available for such purposes.

13 The joint committee on finance may require the department of ~~workforce~~
14 development children and families to submit the contracts to the committee for
15 review and approval. The department of ~~workforce development~~ children and
16 families may not make any payments to a county for programs included in a contract
17 under review by the committee.

18 ***-1181/9.17* SECTION 846.** 46.215 (2) (c) 3. of the statutes is amended to read:

19 46.215 (2) (c) 3. A county department of social services shall develop, under the
20 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
21 care and services to be purchased. The department of corrections may review the
22 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
23 federal funds are available for such purposes. The joint committee on finance may
24 require the department of corrections to submit the contracts to the committee for
25 review and approval. The department of corrections may not make any payments

1 to a county for programs included in a contract under review by the committee. The
2 department of corrections shall reimburse each county for the contracts from the
3 appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

4 ***-1261/5.219* *-1267/P1.65* SECTION 847.** 46.215 (3) of the statutes is
5 amended to read:

6 46.215 (3) PROGRAM BUDGETS. The county department of social services shall
7 submit a final budget to the department of health and family services under s. 46.031
8 (1), to the department of corrections under s. 301.031 (1), and to the department of
9 workforce development children and families under s. 49.325 (1), for authorized
10 services.

11 ***-1261/5.220* *-1261/P3.167* SECTION 848.** 46.22 (1) (b) 1. b. of the statutes
12 is amended to read:

13 46.22 (1) (b) 1. b. To make investigations which relate to welfare services,
14 except as provided under ch. 48 and subch. III of ch. 49, upon request by the
15 department of health and family services.

16 ***-0905/3.11* SECTION 849.** 46.22 (1) (b) 1. d. of the statutes is amended to read:

17 46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for
18 services authorized in this section, except for the administration of and cost of aid
19 granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

20 ***-1261/5.221* *-1261/P3.168* SECTION 850.** 46.22 (1) (b) 1. f. of the statutes
21 is renumbered 46.22 (1) (b) 2. fm.

22 ***-1261/5.222* *-1261/P3.169* SECTION 851.** 46.22 (1) (b) 2. (intro.) of the
23 statutes is amended to read:

24 46.22 (1) (b) 2. (intro.) A county department of social services shall have the
25 following functions, duties, and powers in accordance with the rules promulgated by

1 the department of ~~workforce development~~ children and families and subject to the
2 supervision of the department of ~~workforce development~~ children and families:

3 *~~1261/5.223~~* *~~1261/P3.170~~* SECTION 852. 46.22 (1) (b) 2. c. of the statutes
4 is amended to read:

5 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.
6 III of ch. 49 upon request by the department of ~~workforce development~~ children and
7 families.

8 *~~1261/5.224~~* *~~1267/P1.68~~* SECTION 853. 46.22 (1) (b) 2. e. of the statutes
9 is amended to read:

10 46.22 (1) (b) 2. e. To make payments in such manner as the department of
11 ~~workforce development~~ children and families may determine for training of
12 recipients, former recipients and potential recipients of aid in programs established
13 under ss. 49.193, 1997 stats., and s. 49.26 (1).

14 *~~1261/5.225~~* *~~1261/P3.171~~* SECTION 854. 46.22 (1) (b) 2. g. of the statutes
15 is amended to read:

16 46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal
17 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility
18 for which is based on need.

19 *~~1261/5.226~~* *~~1261/P3.172~~* SECTION 855. 46.22 (1) (b) 3. (intro.) of the
20 statutes is amended to read:

21 46.22 (1) (b) 3. (intro.) A county department of social services shall have the
22 following functions, duties, and powers in accordance with the rules promulgated
23 and standards established by the department of health and family services and
24 subject to the supervision of the department of ~~workforce development~~ children and
25 families:

1 *-1261/5.227* *-1267/P1.70* SECTION 856. 46.22 (1) (b) 3. d. of the statutes
2 is amended to read:

3 46.22 (1) (b) 3. d. To submit a final budget to the department of workforce
4 development children and families in accordance with s. 49.325 for services
5 authorized in this subdivision.

6 *-1261/5.228* *-1261/P3.174* SECTION 857. 46.22 (1) (c) 8. f. of the statutes
7 is amended to read:

8 46.22 (1) (c) 8. f. The county department of social services shall implement the
9 statewide automated child welfare information system established by the
10 department under s. 46.03 48.47 (7g).

11 *-1261/5.229* *-1261/P3.175* SECTION 858. 46.22 (1) (d) of the statutes is
12 amended to read:

13 46.22 (1) (d) *Merit system; records.* The county department of social services
14 is subject to s. 49.78 (4) to (7). The county department of social services and all county
15 officers and employees performing any duties in connection with the administration
16 of aid to families with dependent children shall observe all rules promulgated by the
17 department of workforce development children and families under s. 49.78 (4) and
18 shall keep records and furnish reports as the department of workforce development
19 children and families requires in relation to their performance of such duties.

20 *-1524/P3.17* SECTION 859. 46.22 (1) (dm) of the statutes is amended to read:

21 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
22 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
23 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
24 services or tribal agency acting under this subsection may exchange confidential
25 information about a client, without the informed consent of the client, with any other

1 subunit of the same county department of social services or tribal agency, with a
2 resource center, a care management organization, or a family long-term care
3 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
4 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
5 lg., or with a person providing services to the client under a purchase of services
6 contract with the county department of social services or tribal agency or with a
7 resource center, a care management organization, or a family long-term care
8 district, if necessary to enable an employee or service provider to perform his or her
9 duties, or to enable the county department of social services or tribal agency to
10 coordinate the delivery of services to the client. An agency that releases information
11 under this paragraph shall document that a request for information was received
12 and what information was provided.

13 *~~1261/5.230~~* *~~1261/P3.176~~* SECTION 860. 46.22 (1) (dp) of the statutes is
14 amended to read:

15 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*
16 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
17 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
18 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
19 (2) (a), a county department under this section may enter the content of any record
20 kept or information received by that county department into the statewide
21 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

22 *~~1261/5.231~~* *~~1261/P3.177~~* SECTION 861. 46.22 (1) (e) 1. of the statutes is
23 amended to read:

24 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
25 services, a county department of social services may contract, either directly or

1 through the department of health and family services, the department of workforce
2 ~~development~~ children and families, or the department of corrections, with public or
3 voluntary agencies or others to purchase, in full or in part, care and services which
4 the county department of social services is authorized by any statute to furnish in
5 any manner. The services may be purchased from the department of health and
6 family services, the department of ~~workforce-development~~ children and families, or
7 the department of corrections if the department of health and family services, the
8 department of ~~workforce-development~~ children and families, or the department of
9 corrections has staff to furnish the services. The county department of social
10 services, if it has adequate staff, may sell the care and services directly to another
11 county or state agency.

12 *~~-1261/5.232~~* *~~-1267/P1.73~~* SECTION 862. 46.22 (1) (e) 2. of the statutes is
13 amended to read:

14 46.22 (1) (e) 2. A county department of social services may purchase
15 development and training services from the department of health and family
16 services, the department of ~~workforce-development~~ children and families, or the
17 department of corrections or from other county agencies if the services are available
18 or sell the development and staff training services to another county or state agency
19 if the county department of social services has adequate staff to provide the services.

20 *~~-1261/5.233~~* *~~-1261/P3.179~~* SECTION 863. 46.22 (1) (e) 3. a. of the statutes
21 is amended to read:

22 46.22 (1) (e) 3. a. A county department of social services shall develop, under
23 the requirements of s. 46.036, plans and contracts for care and services, except under
24 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
25 health and family services may review the contracts and approve them if they are

1 consistent with s. 46.036 and to the extent that state or federal funds are available
2 for such purposes. The joint committee on finance may require the department of
3 health and family services to submit the contracts to the committee for review and
4 approval. The department of health and family services may not make any payments
5 to a county for programs included in the contract that is under review by the
6 committee. The department of health and family services shall reimburse each
7 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)
8 according to s. 46.495.

9 ***-1261/5.234* *-1261/P3.180* SECTION 864.** 46.22 (1) (e) 3. b. of the statutes
10 is amended to read:

11 46.22 (1) (e) 3. b. A county department of social services shall develop, under
12 the requirements of s. 49.34, plans and contracts for care and services under ch. 48
13 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~
14 children and families may review the contracts and approve them if they are
15 consistent with s. 49.34 and to the extent that state or federal funds are available for
16 such purposes. The joint committee on finance may require the department of
17 ~~workforce development~~ children and families to submit the contracts to the
18 committee for review and approval. The department of ~~workforce development~~
19 children and families may not make any payments to a county for programs included
20 in the contract that is under review by the committee.

21 ***-1181/9.18* SECTION 865.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

22 46.22 (1) (e) 3. c. A county department of social services shall develop, under
23 the requirements of s. 301.08 (2), plans and contracts for juvenile
24 delinquency-related care and services to be purchased. The department of
25 corrections may review the contracts and approve them if they are consistent with

1 s. 301.08 (2) and to the extent that state or federal funds are available for such
2 purposes. The joint committee on finance may require the department of corrections
3 to submit the contracts to the committee for review and approval. The department
4 of corrections may not make any payments to a county for programs included in the
5 contract that is under review by the committee. The department of corrections shall
6 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
7 (cd) and, (ko), and (r) as appropriate.

8 *-1261/5.235* *-1261/P3.181* SECTION 866. 46.22 (2g) (d) of the statutes is
9 amended to read:

10 46.22 (2g) (d) Prepare, with the assistance of the county social services director
11 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
12 county administrator, a final budget for submission to the department of health and
13 family services in accordance with s. 46.031 (1) for authorized services, except
14 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for
15 submission to the department of ~~workforce development~~ children and families in
16 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.
17 49, and a final budget for submission to the department of corrections in accordance
18 with s. 301.031 (1) for authorized juvenile delinquency-related services.

19 *-1261/5.236* *-1267/P1.76* SECTION 867. 46.22 (3m) (b) 12. of the statutes
20 is amended to read:

21 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
22 department of health and family services, by the department of ~~workforce~~
23 development children and families, or by the department of corrections.

24 *-1261/5.237* *-1261/P3.183* SECTION 868. 46.22 (3m) (b) 17. b. of the
25 statutes is amended to read:

1 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
2 health and family services, the secretary of ~~workforce development~~ children and
3 families, the secretary of corrections, and the county board of supervisors.

4 *~~-1261/5.238~~* *~~-1261/P3.184~~* SECTION 869. 46.23 (3) (a) of the statutes is
5 amended to read:

6 46.23 (3) (a) *Creation*. Upon approval by the secretary of health and family
7 services, by the secretary of corrections, and by the secretary of ~~workforce~~
8 ~~development~~ children and families of a feasibility study and a program
9 implementation plan, the county board of supervisors of any county with a
10 population of less than 500,000, or the county boards of supervisors of 2 or more
11 contiguous counties, each of which has a population of less than 500,000, may
12 establish by resolution a county department of human services on a single-county
13 or multicounty basis to provide the services required under this section. The county
14 department of human services shall consist of the county human services board, the
15 county human services director and necessary personnel.

16 *~~-1261/5.239~~* *~~-1267/P1.79~~* SECTION 870. 46.23 (3) (am) 4. of the statutes is
17 amended to read:

18 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
19 human services until the counties have drawn up a detailed contractual agreement,
20 approved by the secretary of health and family services, by the secretary of
21 corrections, and by the secretary of ~~workforce development~~ children and families,
22 setting forth the plan for joint sponsorship.

23 *~~-1524/P3.18~~* SECTION 871. 46.23 (3) (e) of the statutes is amended to read:

24 46.23 (3) (e) *Exchange of information; long-term care*. Notwithstanding ss.
25 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,

1 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of
2 human services or tribal agency acting under this section may exchange confidential
3 information about a client, without the informed consent of the client, with any other
4 subunit of the same county department of human services or tribal agency, with a
5 resource center, a care management organization, or a family long-term care
6 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
7 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
8 lg., or with a person providing services to the client under a purchase of services
9 contract with the county department of human services or tribal agency or with a
10 resource center, a care management organization, or a family long-term care
11 district, if necessary to enable an employee or service provider to perform his or her
12 duties, or to enable the county department of human services or tribal agency to
13 coordinate the delivery of services to the client. An agency that releases information
14 under this paragraph shall document that a request for information was received
15 and what information was provided.

16 ***-1261/5.240* *-1261/P3.186* SECTION 872.** 46.23 (3) (ed) of the statutes is
17 amended to read:

18 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*
19 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
20 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (e) 55.22 (3), 146.82,
21 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) and (2) (a) 938.396 (1) and (2), and 938.78
22 (2) (a), a county department under this section may enter the content of any record
23 kept or information received by that county department into the statewide
24 automated child welfare information system established under s. 46.03 48.47 (7g).