

1 ***-1352/4.21* SECTION 761.** 40.05 (4) (ag) (intro.) of the statutes is amended to
2 read:

3 40.05 (4) (ag) (intro.) Beginning on January 1, 2004, except as otherwise
4 provided in accordance with a collective bargaining agreement under subch. I or, V,
5 or VI of ch. 111 or s. 230.12 or 233.10, the employer shall pay for its currently
6 employed insured employees:

7 ***-1352/4.22* SECTION 762.** 40.05 (4) (ar) of the statutes is amended to read:

8 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
9 covered by a collective bargaining agreement under subch. I or, V, or VI of ch. 111 and
10 for employees whose health insurance premium contribution rates are not
11 determined under s. 230.12 or 233.10 an amount equal to the amount specified in par.
12 (ag) unless a different amount is recommended by the director of the office of state
13 employment relations and approved by the joint committee on employment relations
14 in the manner provided for approval of changes in the compensation plan under s.
15 230.12 (3).

16 ***-1352/4.23* SECTION 763.** 40.05 (4) (b) of the statutes is amended to read:

17 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
18 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
19 I or, V, or VI of ch. 111 of any eligible employee shall, at the time of death, upon
20 qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1)
21 or upon termination of creditable service and qualifying as an eligible employee
22 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate
23 he or she received while employed by the state, to credits for payment of health
24 insurance premiums on behalf of the employee or the employee's surviving insured
25 dependents. Any supplemental compensation that is paid to a state employee who

1 is classified under the state classified civil service as a teacher, teacher supervisor,
2 or education director for the employee's completion of educational courses that have
3 been approved by the employee's employer is considered as part of the employee's
4 basic pay for purposes of this paragraph. The full premium for any eligible employee
5 who is insured at the time of retirement, or for the surviving insured dependents of
6 an eligible employee who is deceased, shall be deducted from the credits until the
7 credits are exhausted and paid from the account under s. 40.04 (10), and then
8 deducted from annuity payments, if the annuity is sufficient. The department shall
9 provide for the direct payment of premiums by the insured to the insurer if the
10 premium to be withheld exceeds the annuity payment. Upon conversion of an
11 employee's unused sick leave to credits under this paragraph or par. (bf), the
12 employee or, if the employee is deceased, the employee's surviving insured
13 dependents may initiate deductions from those credits or may elect to delay
14 initiation of deductions from those credits, but only if the employee or surviving
15 insured dependents are covered by a comparable health insurance plan or policy
16 during the period beginning on the date of the conversion and ending on the date on
17 which the employee or surviving insured dependents later elect to initiate
18 deductions from those credits. If an employee or an employee's surviving insured
19 dependents elect to delay initiation of deductions from those credits, an employee or
20 the employee's surviving insured dependents may only later elect to initiate
21 deductions from those credits during the annual enrollment period under par. (be).
22 A health insurance plan or policy is considered comparable if it provides hospital and
23 medical benefits that are substantially equivalent to the standard health insurance
24 plan established under s. 40.52 (1).

25 *-1352/4.24* SECTION 764. 40.05 (4) (bw) of the statutes is amended to read:

1 40.05 (4) (bw) On converting accumulated unused sick leave to credits for the
2 payment of health insurance premiums under par. (b), the department shall add
3 additional credits, calculated in the same manner as are credits under par. (b), that
4 are based on a state employee's accumulated sabbatical leave or earned vacation
5 leave from the state employee's last year of service prior to retirement, or both. The
6 department shall apply the credits awarded under this paragraph for the payment
7 of health insurance premiums only after the credits awarded under par. (b) are
8 exhausted. This paragraph applies only to state employees who are eligible for
9 accumulated unused sick leave conversion under par. (b) and who are entitled to the
10 benefits under this paragraph pursuant to a collective bargaining agreement under
11 subch. V or VI of ch. 111.

12 ***-1352/4.25* SECTION 765.** 40.05 (4g) (a) 4. of the statutes is amended to read:

13 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
14 or 230.35 (3), under a collective bargaining agreement under subch. V or VI of ch. 111
15 or under rules promulgated by the director of the office of state employment relations
16 or is eligible for reemployment with the state under s. 21.79 after completion of his
17 or her service in the U.S. armed forces.

18 ***-1352/4.26* SECTION 766.** 40.05 (5) (intro.) of the statutes is amended to read:

19 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income
20 continuation insurance provided under subch. V the employee shall pay the amount
21 remaining after the employer has contributed the following or, if different, the
22 amount determined under a collective bargaining agreement under subch. I or, V, or
23 VI of ch. 111 or s. 230.12 or 233.10:

24 ***-1352/4.27* SECTION 767.** 40.05 (5) (b) 4. of the statutes is amended to read:

1 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in
2 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch. I
3 of, V, or VI of ch. 111.

4 ***-1352/4.28* SECTION 768.** 40.05 (6) (a) of the statutes is amended to read:

5 40.05 (6) (a) Except as otherwise provided in accordance with a collective
6 bargaining agreement under subch. I of, V, or VI of ch. 111 or s. 230.12 or 233.10, each
7 insured employee under the age of 70 and annuitant under the age of 65 shall pay
8 for group life insurance coverage a sum, approved by the group insurance board,
9 which shall not exceed 60 cents monthly for each \$1,000 of group life insurance,
10 based upon the last amount of insurance in force during the month for which
11 earnings are paid. The equivalent premium may be fixed by the group insurance
12 board if the annual compensation is paid in other than 12 monthly installments.

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13 ***-1553/P2.1* SECTION 769.** 40.51 (8) of the statutes is amended to read:

14 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
15 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
16 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
17 (6), 632.895 (5m) and (8) to ~~(14)~~ (15), and 632.896.

18 ***-1553/P2.2* SECTION 770.** 40.51 (8m) of the statutes is amended to read:

19 40.51 (8m) Every health care coverage plan offered by the group insurance
20 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
21 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to ~~(14)~~ (15).

22 ***-1352/4.29* SECTION 771.** 40.62 (2) of the statutes is amended to read:

23 40.62 (2) Sick leave accumulation shall be determined in accordance with rules
24 of the department, any collective bargaining agreement under subch. I of, V, or VI
25 of ch. 111, and ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 757.02 (5) and 978.12 (3).

1 ***-1352/4.30* SECTION 772.** 40.80 (3) of the statutes is amended to read:

2 40.80 (3) Any action taken under this section shall apply to employees covered
3 by a collective bargaining agreement under subch. V or VI of ch. 111.

4 ***-1352/4.31* SECTION 773.** 40.81 (3) of the statutes is amended to read:

5 40.81 (3) Any action taken under this section shall apply to employees covered
6 by a collective bargaining agreement under subch. IV or V or VI of ch. 111.

7 ***-1352/4.32* SECTION 774.** 40.95 (1) (a) 2. of the statutes is amended to read:

8 40.95 (1) (a) 2. The employee has his or her compensation established in a
9 collective bargaining agreement under subch. V or VI of ch. 111.

10 ***-0170/1.2* SECTION 775.** 44.02 (28) of the statutes is created to read:

11 44.02 (28) Annually distribute the amount appropriated under s. 20.245 (1) (b)
12 as a grant to the Wisconsin Black Historical Society and Museum to fund the
13 operations of that society and museum.

14 ***-1534/1.1*SECTION 776.** 45.03 (20) of the statutes is amended to read:

15 45.03 (20) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. If the balance in
16 the appropriation account under s. 20.485 (1) (gk) is in excess of the amount needed
17 for the care of the members of the Wisconsin veterans homes under s. 45.50 and the
18 payment of stipends under s. 45.50 (9) during fiscal year 2006-07 2007-08 or
19 2008-09, the department may transfer the excess moneys to the veterans trust fund.
20 The total amount transferred under this subsection may not exceed \$16,000,000
21 \$7,000,000.

22 ***-1261/5.163* *-1267/P1.55* SECTION 777.** 45.20 (2) (d) 2. b. of the statutes
23 is amended to read:

24 45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child
25 support or maintenance payments and does not owe past support, medical expenses

1 or birth expenses, signed by the department of ~~workforce development~~ children and
2 families or its designee within 7 working days before the date of the application.

3 ***-1261/5.164* *-1267/P1.56* SECTION 778.** 45.33 (2) (b) 1. b. of the statutes
4 is amended to read:

5 45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support
6 or maintenance payments and does not owe past support, medical expenses, or birth
7 expenses, signed by the department of ~~workforce development~~ children and families
8 or its designee within 7 working days before the date of the application.

9 ***-1261/5.165* *-1267/P1.57* SECTION 779.** 45.42 (6) (b) of the statutes is
10 amended to read:

11 45.42 (6) (b) Provides to the department a statement that the applicant is not
12 delinquent in child support or maintenance payments and does not owe past support,
13 medical expenses, or birth expenses, signed by the department of ~~workforce~~
14 development children and families or its designee within 7 working days before the
15 date of the application.

16 ***-1278/3.10* SECTION 780.** 45.51 (10) (b) of the statutes is amended to read:

17 45.51 (10) (b) ~~Except where a sale occurs under s. 16.848, the~~ The department
18 may manage, sell, lease, or transfer property passing to the state pursuant to this
19 section or conveyed to it by members, defend and prosecute all actions concerning it,
20 pay all just claims against it, and do all other things necessary for the protection,
21 preservation, and management of the property. All expenditures necessary for the
22 execution of functions under this paragraph or sub. (14) shall be made from the
23 appropriation in s. 20.485 (1) (h).

24 ***-0905/3.7* SECTION 781.** 45.51 (13) (intro.) of the statutes is amended to read:

1 45.51 (13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES.
2 (intro.) Any person admitted to a skilled nursing facility at a veterans home shall
3 meet the eligibility requirements under ss. 49.45 and 49.46, and, if applicable, s.
4 49.471 and rules promulgated under those sections during residence at the skilled
5 nursing facility except if any of the following apply:

6 ***-0905/3.8*** SECTION 782. 45.51 (13) (a) of the statutes is amended to read:

7 45.51 (13) (a) Persons with sufficient income and resources to meet the
8 expenses of care for one or more months may be admitted to the skilled nursing
9 facility but shall apply income and resources to costs to the extent required under ss.
10 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those
11 sections.

12 ***-0905/3.9*** SECTION 783. 45.51 (13) (b) of the statutes is amended to read:

13 45.51 (13) (b) Persons who meet all the requirements of this section but whose
14 degree of physical disability does not meet the minimum requirements under ss.
15 49.45 and 49.46 and rules promulgated under those sections may be admitted to the
16 skilled nursing facility but shall apply income and resources to costs to the extent
17 required by ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated
18 under those sections.

19 ***-0366/1.1*** SECTION 784. 45.61 (2) (a) of the statutes is amended to read:

20 45.61 (2) (a) A person who died while on active duty or who was discharged or
21 released from active duty in the U.S. armed forces under honorable conditions other
22 than dishonorable and who was a resident of this state at the time of his or her entry
23 or reentry into active service and his or her dependent child and surviving spouse.

24 ***-0366/1.2*** SECTION 785. 45.61 (2) (b) of the statutes is amended to read:

1 45.61 (2) (b) A person who was discharged or released from active duty in the
2 U.S. armed forces under honorable conditions other than dishonorable and who was
3 a resident of this state at the time of his or her death and his or her dependent child
4 and surviving spouse.

5 *-1261/5.166* *-1261/P3.113* SECTION 786. 46.001 of the statutes is
6 amended to read:

7 **46.001 Purposes of chapter.** The purposes of this chapter are to conserve
8 human resources in Wisconsin; to provide a just and humane program of services to
9 ~~children and unborn children in need of protection or services, nonmarital children~~
10 ~~and the expectant mothers of those unborn children;~~ to prevent dependency, mental
11 illness, developmental disability, mental infirmity, and other forms of social
12 maladjustment by a continuous attack on causes; to provide effective aid and services
13 to all persons in need thereof of that aid and those services and to assist those persons
14 to achieve or regain self-dependence at the earliest possible date; to avoid
15 duplication and waste of effort and money on the part of public and private agencies;
16 and to coordinate and integrate a social welfare program.

17 *-1261/5.167* *-1261/P3.114* SECTION 787. 46.011 (intro.) of the statutes is
18 amended to read:

19 **46.011 Definitions.** (intro.) In chs. 46, 48, 50, 51, 54, 55, and 58:

20 *-0336/3.3* SECTION 788. 46.011 (1g) of the statutes is created to read:

21 46.011 (1g) "Disabled children's long-term support program" means the
22 programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003
23 Wisconsin Act 33, section 9124 (8c).

24 *-1261/5.168* *-1261/P3.115* SECTION 789. 46.014 (4) of the statutes is
25 renumbered 49.265 (6) and amended to read:

1 49.265 (6) REPORTS. At least annually, the secretary shall submit a report to
2 the chief clerk of each house of the legislature, for distribution to the appropriate
3 standing committees under s. 13.172 (3), concerning activities of community action
4 agencies under ~~s. 46.30~~ this section and their effectiveness in promoting social and
5 economic opportunities for poor persons.

6 *-1261/5.169* *-1261/P3.116* SECTION 790. 46.016 of the statutes is
7 amended to read:

8 **46.016 Cooperation with federal government.** The department may
9 cooperate with the federal government in carrying out federal acts concerning public
10 assistance, social security, ~~child welfare and youth services~~, mental hygiene, services
11 for the blind, and in other matters of mutual concern pertaining to public welfare.

12 *-1261/5.170* *-1261/P3.117* SECTION 791. 46.02 of the statutes is amended
13 to read:

14 **46.02 Agency powers and duties.** Any institution which that is subject to
15 chs. 46, 48 ~~49~~ to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of
16 conflict between chs. 46, 48 ~~49~~ to 51, 55, and 58 and ch. 150, be governed by ch. 150.
17 The department shall promulgate rules and establish procedures for resolving any
18 such ~~controversy~~ a conflict.

19 *-1261/5.171* *-1261/P3.118* SECTION 792. 46.023 of the statutes is
20 renumbered 48.562.

21 *-1261/5.172* *-1261/P3.119* SECTION 793. 46.03 (4) (b) of the statutes is
22 amended to read:

23 46.03 (4) (b) In order to discharge more effectively its responsibilities under
24 this chapter and ~~ch. 48~~ and other relevant provisions of the statutes, be authorized
25 to study causes and methods of prevention and treatment of mental illness, mental

1 deficiency, mental infirmity, and related social problems, including establishment of
2 demonstration projects to apply and evaluate such methods in actual cases. The
3 department is directed and authorized to utilize all powers provided by the statutes,
4 including the authority under sub. (2a), to accept grants of money or property from
5 federal, state, or private sources, and to enlist the cooperation of other appropriate
6 agencies and state departments. The department may enter into agreements with
7 local government subdivisions, departments, and agencies for the joint conduct of
8 these projects, and it may purchase services when deemed considered appropriate.

9 ***-1261/5.173* *-1261/P3.120* SECTION 794.** 46.03 (7) (a) of the statutes is
10 amended to read:

11 46.03 (7) (a) Promote the enforcement of laws for the protection of
12 developmentally disabled children, ~~children and unborn children in need of~~
13 ~~protection or services and nonmarital children~~; and to this end cooperate with courts
14 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare
15 agencies, and public and private institutions and take the initiative in all matters
16 involving the interests of those children ~~and unborn children~~ when adequate
17 provision for those interests has not already been made, including the establishment
18 and enforcement of standards for services provided under ss. 48.345 and 48.347.

19 ***-1261/5.174* *-1261/P3.121* SECTION 795.** 46.03 (7) (bm) of the statutes is
20 amended to read:

21 46.03 (7) (bm) Maintain a file containing records of artificial inseminations
22 under s. 891.40, ~~declarations of paternal interest under s. 48.025~~, and statements
23 acknowledging paternity under s. 69.15 (3) (b). The department may release those
24 records, ~~declarations~~, and statements only upon an order of the court except that the
25 department may use nonidentifying information concerning artificial inseminations

1 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~
2 ~~released as provided in s. 48.025 (3) (b) and (c), and statements acknowledging~~
3 ~~paternity shall be released without a court order to the department of workforce~~
4 ~~development children and families or a county child support agency under s. 59.53~~
5 ~~(5) upon the request of that department or county child support agency pursuant to~~
6 ~~the program responsibilities under s. 49.22 or to any other person with a direct and~~
7 ~~tangible interest in the statement.~~

8 *~~1261/5.175~~* *~~1261/P3.122~~* SECTION 796. 46.03 (7) (c) of the statutes is
9 repealed.

10 *~~1261/5.176~~* *~~1261/P3.123~~* SECTION 797. 46.03 (7) (cm) of the statutes is
11 renumbered 48.47 (7) (cm).

12 *~~1261/5.177~~* *~~1261/P3.124~~* SECTION 798. 46.03 (7) (d) of the statutes is
13 renumbered 48.47 (7) (d).

14 *~~1261/5.178~~* *~~1261/P3.125~~* SECTION 799. 46.03 (7) (e) of the statutes is
15 repealed.

16 *~~1261/5.179~~* *~~1261/P3.126~~* SECTION 800. 46.03 (7) (f) of the statutes is
17 renumbered 48.47 (7) (f).

18 *~~1261/5.180~~* *~~1261/P3.127~~* SECTION 801. 46.03 (7) (h) of the statutes is
19 renumbered 48.47 (7) (h).

20 *~~1261/5.181~~* *~~1261/P3.128~~* SECTION 802. 46.03 (7g) of the statutes is
21 renumbered 48.47 (7g) and amended to read:

22 48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
23 a statewide automated child welfare information system. Notwithstanding ss.
24 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
25 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~

1 (1) and (2) (a) 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the
2 content of any record kept or information received by the department into the
3 statewide automated child welfare information system, and a county department
4 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has
5 entered into an information sharing and access agreement with the department or
6 any of those county departments and that has been approved for access to the
7 statewide automated child welfare information system by the department may have
8 access to information that is maintained in that system, if necessary to enable the
9 county department, department, or organization to perform its duties under this
10 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the
11 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to
12 679b.

13 ***-1261/5.182*** ***-1261/P3.129*** SECTION 803. 46.03 (7m) of the statutes is
14 renumbered 48.62 (7) and amended to read:

15 48.62 (7) FOSTER CARE. In each federal fiscal year, the department shall ensure
16 that there are no more than 2,200 children in foster care and treatment foster care
17 placements for more than 24 months, consistent with the best interests of each child.
18 Services provided in connection with this requirement shall comply with the
19 requirements under P.L. 96-272.

20 ***-0242/1.1*** SECTION 804. 46.03 (18) (a) of the statutes is amended to read:

21 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
22 health and family services shall establish a uniform system of fees for services
23 provided or purchased by the department of health and family services, or a county
24 department under s. 46.215, 46.22, 51.42 or 51.437, except for services provided
25 under subch. III of ch. 49; services relating to adoption; services provided to courts;

1 outreach, information and referral services; or where, as determined by the
2 department of health and family services, a fee is administratively unfeasible or
3 would significantly prevent accomplishing the purpose of the service. A county
4 department under s. 46.215, 46.22, 51.42 or 51.437 shall apply the fees which it
5 collects under this program to cover the cost of such services. ~~The department of~~
6 ~~health and family services shall report to the joint committee on finance no later than~~
7 ~~March 1 of each year on the number of children placed for adoption by the~~
8 ~~department of health and family services during the previous year and the costs to~~
9 ~~the state for services relating to such adoptions.~~

10 ~~*-1261/5.183* *-1261/P3.130* SECTION 805.~~ 46.03 (18) (a) of the statutes, as
11 affected by 2007 Wisconsin Act ... (this act), is amended to read:
12 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
13 ~~health and family services~~ shall establish a uniform system of fees for services
14 provided or purchased by the department of health and family services, or a county
15 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided
16 under ch. 48 and subch. III of ch. 49; ~~services relating to adoption; services provided~~
17 ~~to courts; outreach, information and referral services; or where when, as determined~~
18 ~~by the department of health and family services, a fee is administratively unfeasible~~
19 ~~or would significantly prevent accomplishing the purpose of the service. A county~~
20 ~~department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees which that~~
21 ~~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.

22 ~~*-1261/5.184* *-1261/P3.131* SECTION 806.~~ 46.03 (18) (am) of the statutes is
23 amended to read:

1 46.03 (18) (am) ~~Paragraph (a) does not prevent the department from charging~~
2 ~~and collecting the cost of adoptive placement investigations and child care as~~
3 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county
4 department under s. 51.42 or 51.437 from charging and collecting the cost of an
5 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

6 ***-0336/3.4*** SECTION 807. 46.03 (18) (ar) of the statutes is created to read:

7 46.03 (18) (ar) A county may retain fees that it collects under this subsection
8 for services the county provides without state funding under the disabled children's
9 long-term support program.

10 ***-1261/5.185*** ***-1261/P3.132*** SECTION 808. 46.03 (20) (a) of the statutes is
11 amended to read:

12 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,
13 the department may make payments directly to recipients of public assistance or to
14 such persons authorized to receive such payments in accordance with law and rules
15 of the department on behalf of the counties. Except for payments provided under ch.
16 48 or subch. III of ch. 49, the department may charge the counties for the cost of
17 operating public assistance systems which make such payments.

18 ***-1261/5.186*** ***-1261/P3.133*** SECTION 809. 46.03 (22) (title) of the statutes
19 is amended to read:

20 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

21 ***-1261/5.187*** ***-1261/P3.134*** SECTION 810. 46.03 (22) (a) of the statutes is
22 amended to read:

23 46.03 (22) (a) “Community ~~In this subsection, “community living arrangement~~
24 for adults” means any of the following facilities licensed or operated, or permitted
25 under the authority of the department: ~~residential care centers for children and~~

1 youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under
2 s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based
3 residential facilities a community-based residential facility, as defined in s. 50.01
4 (1g); but does not include adult family homes, as defined in s. 50.01 (1), day care
5 centers, nursing homes, general hospitals, special hospitals, prisons, and jails.

6 ***-1261/5.188* *-1261/P3.135* SECTION 811.** 46.03 (22) (b) of the statutes is
7 amended to read:

8 46.03 (22) (b) Community living arrangements for adults shall be subject to the
9 same building and housing ordinances, codes, and regulations of the municipality or
10 county as similar residences located in the area in which the facility is located.

11 ***-1261/5.189* *-1261/P3.136* SECTION 812.** 46.03 (22) (c) of the statutes is
12 amended to read:

13 46.03 (22) (c) The department shall designate a subunit to keep records and
14 supply information on community living arrangements for adults under ss. 59.69
15 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving
16 all complaints regarding community living arrangements for adults and for
17 coordinating all necessary investigatory and disciplinary actions under the laws of
18 this state and under the rules of the department relating to the licensing of
19 community living arrangements for adults.

20 ***-1261/5.190* *-1261/P3.137* SECTION 813.** 46.03 (22) (d) of the statutes is
21 amended to read:

22 46.03 (22) (d) A community living arrangement for adults with a capacity for
23 8 or fewer persons shall be a permissible use for purposes of any deed covenant which
24 limits use of property to single-family or 2-family residences. A community living
25 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible

1 use for purposes of any deed covenant which limits use of property to more than
2 2-family residences. Covenants in deeds which expressly prohibit use of property
3 for community living arrangements for adults are void as against public policy.

4 ***-1261/5.191* *-1261/P3.138* SECTION 814.** 46.03 (22) (e) of the statutes is
5 amended to read:

6 46.03 (22) (e) If a community living arrangement for adults is required to
7 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,
8 at the request of the unit of government responsible for granting the special zoning
9 permission, inspect the proposed facility and review the program proposed for the
10 facility. After such inspection and review, the department shall transmit to the unit
11 of government responsible for granting the special zoning permission a statement
12 that the proposed facility and its proposed program have been examined and are
13 either approved or disapproved by the department.

14 ***-1261/5.192* *-1261/P3.139* SECTION 815.** 46.03 (29) of the statutes is
15 repealed.

16 ***-1261/5.193* *-1261/P3.140* SECTION 816.** 46.03 (39) of the statutes is
17 renumbered 48.47 (39).

18 ***-1261/5.194* *-1261/P3.141* SECTION 817.** 46.031 (3) (a) of the statutes is
19 amended to read:

20 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
21 county board of supervisors of each county or the county boards of supervisors of 2
22 or more counties jointly shall establish a citizen advisory committee to the county
23 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
24 committee shall advise in the formulation of the budget under sub. (1). Membership
25 on the committee shall be determined by the county board of supervisors in a county

1 with a single-county committee or by the county boards of supervisors in counties
2 with a multicounty committee and shall include representatives of those persons
3 receiving services, providers of service and citizens. A majority of the members of the
4 committee shall be citizen and service consumers. ~~At least one member of the~~
5 ~~committee shall be chosen from the governing or administrative board of the~~
6 ~~community action agency serving the county or counties under s. 46.30, if any. The~~
7 committee's membership may not consist of more than 25% county supervisors, nor
8 of more than 20% service providers. The chairperson of the committee shall be
9 appointed by the county board of supervisors establishing it. In the case of a
10 multicounty committee, the chairperson shall be nominated by the committee and
11 approved by the county boards of supervisors establishing it. The county board of
12 supervisors in a county with a single-county committee or the county boards of
13 supervisors in counties with a multicounty committee may designate an agent to
14 determine the membership of the committee and to appoint the committee
15 chairperson or approve the nominee.

16 *~~1261/5.195~~* *~~1261/P3.142~~* SECTION 818. 46.034 (1) of the statutes is
17 amended to read:

18 46.034 (1) The department, in order to discharge more effectively its
19 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant
20 provisions of the statutes, may establish community human services pilot programs
21 for the study, implementation, and evaluation of improved human services delivery
22 systems. In the implementation of such those pilot programs, the requirement of
23 statewide uniformity with respect to the organization and governance of human
24 services shall not apply. The department and local governmental bodies may
25 establish such departments, boards, committees, organizational structures, and

1 procedures as may be needed to implement the pilot programs. The departments,
2 boards, committees, and organizational structures may assume responsibilities
3 currently assigned by statute to the departments, boards, committees, or
4 organizational structures that are replaced.

5 ***-1261/5.196* *-1261/P3.143* SECTION 819.** 46.036 (1) of the statutes is
6 amended to read:

7 46.036 (1) All care and services purchased by the department or by a county
8 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under
9 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the
10 standards established under this section. The department may require the county
11 departments to submit the contracts to the department for review and approval. For
12 purchases of \$10,000 or less the requirement for a written contract may be waived
13 by the department. ~~No contract is required for care provided by foster homes or~~
14 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the
15 department directly contracts for services, it shall follow the procedures in this
16 section in addition to meeting purchasing requirements established in s. 16.75.

17 ***-1261/5.197* *-1261/P3.144* SECTION 820.** 46.036 (4) (a) of the statutes is
18 amended to read:

19 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
20 entry accounting system and a management information system which are
21 compatible with cost accounting and control systems prescribed by the department.
22 ~~The department shall establish a simplified double entry bookkeeping system for use~~
23 ~~by family-operated group homes. Each purchaser shall determine whether a~~
24 ~~family-operated group home from which it purchases services shall use the double~~
25 ~~entry accounting system or the simplified system and shall include this~~

1 ~~determination in the purchase of service contract. In this paragraph,~~
2 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~
3 ~~which the licensee is one or more individuals who operate not more than one group~~
4 ~~home.~~

5 ***-0243/2.1* SECTION 821.** 46.036 (4) (c) of the statutes is amended to read:

6 46.036 (4) (c) Unless waived by the department, biennially, or annually if
7 required under federal law, provide the purchaser with a certified financial and
8 compliance audit report if the care and services purchased exceed \$25,000 \$100,000
9 or any higher threshold amount determined by the department. The audit shall
10 follow standards that the department prescribes. A purchaser may waive the
11 requirements of this paragraph for any family-operated group home, as defined
12 under par. (a), from which it purchases services.

13 ***-1261/5.198* *-1261/P3.145* SECTION 822.** 46.036 (4) (c) of the statutes, as
14 affected by 2007 Wisconsin Act (this act), is amended to read:

15 46.036 (4) (c) Unless waived by the department, biennially, or annually if
16 required under federal law, provide the purchaser with a certified financial and
17 compliance audit report if the care and services purchased exceed \$100,000 or any
18 higher threshold amount determined by the department. The audit shall follow
19 standards that the department prescribes. A purchaser may waive the requirements
20 of this paragraph for any family-operated group home, as defined under par. (a),
21 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.

22 ***-1261/5.199* *-1261/P3.146* SECTION 823.** 46.037 of the statutes is
23 renumbered 49.343 and amended to read:

49.343 Rates for residential child care centers and group homes. (1)

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

(1m) Notwithstanding sub. (1), the department, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the department and one or more of those county departments, and a residential child care center for children and youth or group home, as described in sub. (1), may negotiate a per client rate for the services of that residential ~~child~~ care center for children and youth or group home, if the department, that county department, the county departments in that group of county departments, or the department and one or more of those county departments, agree to place 75% or more of the residents of that residential ~~child~~ care center for children and youth or group home during the period for which that rate is effective. A residential ~~child~~ care center for children and youth or group home that negotiates a per client rate under this subsection shall charge that rate to all purchasers of its services.

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

1 subsection shall submit that rate or change in a rate using those forms and
2 instructions.

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

6 *~~1261/5.200~~* *~~1261/P3.147~~* SECTION 824. 46.043 (1) of the statutes is
7 amended to read:

8 46.043 (1) In addition to inpatient and outpatient services provided at mental
9 health institutes under ss. 51.05 and 51.07, the department may authorize mental
10 health institutes to offer services other than inpatient mental health services when
11 the department determines that community services need to be supplemented.
12 Services that may be offered under this section include mental health outpatient
13 treatment and services, day programming, consultation and services in residential
14 facilities, including group homes, ~~child caring institutions~~ residential care centers
15 for children and youth and community-based residential facilities.

16 *~~0364/1.1~~* SECTION 825. 46.057 (2) of the statutes is amended to read:

17 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
18 department of corrections shall transfer to the appropriation account under s. 20.435
19 (2) (kx) ~~\$1,379,300 in each fiscal year 2005-06 and \$1,379,300 in fiscal year 2006-07~~
20 and, from the appropriation account under s. 20.410 (3) (hm), the department of
21 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
22 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and
23 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the
24 Mendota juvenile treatment center. The department of health and family services

1 may charge the department of corrections not more than the actual cost of providing
2 those services.

3 ***-1261/5.201* *-1261/P3.148* SECTION 826.** 46.10 (14) (b) of the statutes is
4 amended to read:

5 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
6 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
7 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
8 in a residential, nonmedical facility such as a group home, foster home, treatment
9 foster home, subsidized guardianship home, or residential care center for children
10 and youth shall be determined by the court by using the percentage standard
11 established by the department of ~~workforce development~~ children and families
12 under s. 49.22 (9) and by applying the percentage standard in the manner
13 established by the department under s. ~~46.247~~ par. (g).

14 ***-1261/5.202* *-1261/P3.149* SECTION 827.** 46.10 (14) (g) of the statutes is
15 created to read:

16 46.10 (14) (g) For purposes of determining child support under par. (b), the
17 department shall promulgate rules related to the application of the standard
18 established by the department of children and families under s. 49.22 (9) to a child
19 support obligation for the care and maintenance of a child who is placed by a court
20 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall
21 take into account the needs of any person, including dependent children other than
22 the child, whom either parent is legally obligated to support.

23 ***-0336/3.5* SECTION 828.** 46.10 (16) of the statutes is amended to read:

24 46.10 (16) The department shall delegate to county departments under ss.
25 51.42 and 51.437 or the local providers of care and services meeting the standards

1 established by the department under s. 46.036, the responsibilities vested in the
2 department under this section for collection of patient fees for services other than
3 those provided at state facilities or, those provided to children that are reimbursed
4 under a waiver under s. 46.27 (11), 46.275, 46.278, or 46.2785, or a waiver requested
5 under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section
6 9124 (8e), those provided under the disabled children's long-term support program
7 if the county departments or providers meet the conditions that the department
8 determines are appropriate. The department may delegate to county departments
9 under ss. 51.42 and 51.437 the responsibilities vested in the department under this
10 section for collection of patient fees for services provided at the state facilities if the
11 necessary conditions are met.

12 ***-1261/5.203* *-1261/P3.150* SECTION 829.** 46.16 (1) of the statutes is
13 amended to read:

14 46.16 (1) GENERALLY. The department shall investigate and supervise all the
15 charitable and curative institutions, including county infirmaries, of every county
16 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~
17 ~~children and, and~~ all hospitals, asylums, and institutions, organized for the purpose
18 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their
19 management and usefulness.

20 ***-1261/5.204* *-1261/P3.151* SECTION 830.** 46.16 (2) of the statutes is
21 repealed.

22 ***-1261/5.205* *-1261/P3.152* SECTION 831.** 46.16 (2m) of the statutes is
23 repealed.

24 ***-1261/5.206* *-1261/P3.153* SECTION 832.** 46.16 (2s) of the statutes is
25 repealed.

1 *-1261/5.207* *-1261/P3.154* SECTION 833. 46.16 (3) of the statutes is
2 amended to read:

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

11 *-1261/5.208* *-1261/P3.155* SECTION 834. 46.16 (7) of the statutes is
12 amended to read:

13 46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon
14 request of the department, the attorney general or the district attorney of the proper
15 county shall aid in any investigation, inspection, hearing, or trial had under the
16 provisions of this chapter, ~~or those sections of ch. 48~~ relating to powers of the
17 department, and shall institute and prosecute all necessary actions or proceedings
18 for the enforcement of ~~sueh~~ those provisions and for the punishment of violations of
19 the same those provisions. The attorney general or district attorney so requested
20 shall report or confer with the department regarding the request, within 30 days
21 after the receipt of ~~sueh~~ the request.

22 *-1261/5.209* *-1261/P3.156* SECTION 835. 46.17 (1) of the statutes is
23 amended to read:

24 46.17 (1) The department shall fix reasonable standards and regulations for
25 the design, construction, repair, and maintenance of county homes, county

1 infirmaries, county hospitals, and mental health facilities and shelter care facilities,
2 with respect to their adequacy and fitness for the needs which they are to serve.

3 ***-1261/5.210* *-1261/P3.157* SECTION 836.** 46.206 (1) (a) of the statutes is
4 amended to read:

5 46.206 (1) (a) The department shall supervise the administration of social
6 services, except as provided under ch. 48 and subch. III of ch. 49 and except for
7 juvenile delinquency-related services. The department shall submit to the federal
8 authorities state plans for the administration of social services, except as provided
9 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related
10 services, in such form and containing such information as the federal authorities
11 require, and shall comply with all requirements prescribed to ensure their
12 correctness.

13 ***-0905/3.10* SECTION 837.** 46.206 (1) (bm) of the statutes is amended to read:

14 46.206 (1) (bm) All records of the department relating to aid provided under
15 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable
16 hours by members of the legislature who require the information contained in the
17 records in pursuit of a specific state legislative purpose. All records of any county
18 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are
19 open to inspection at reasonable hours by members of the board of supervisors of the
20 county or the governing body of a city, village or town located in the county who
21 require the information contained in the records in pursuit of a specific county or
22 municipal legislative purpose. The right to records access provided by this
23 paragraph does not apply if access is prohibited by federal law or regulation or if this
24 state is required to prohibit such access as a condition precedent to participation in
25 a federal program in which this state participates.

1 ***-1261/5.211*** ***-1261/P3.158*** SECTION 838. 46.206 (2) of the statutes is
2 amended to read:

3 46.206 (2) The county administration of all laws relating to social services,
4 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to
5 juvenile delinquency-related programs, shall be vested in the officers and agencies
6 designated in the statutes.

7 ***-1524/P3.15*** SECTION 839. 46.21 (2m) (c) of the statutes is amended to read:

8 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
9 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07
10 (3) (c), a subunit of a county department of human services or tribal agency acting
11 under this subsection may exchange confidential information about a client, without
12 the informed consent of the client, with any other subunit of the same county
13 department of human services or tribal agency, with a resource center, a care
14 management organization, or a family long-term care district, with an
15 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
16 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
17 providing services to the client under a purchase of services contract with the county
18 department of human services or tribal agency or with a resource center, a care
19 management organization, or a family long-term care district, if necessary to enable
20 an employee or service provider to perform his or her duties, or to enable the county
21 department of human services or tribal agency to coordinate the delivery of services
22 to the client. An agency that releases information under this paragraph shall
23 document that a request for information was received and what information was
24 provided.

1 ***-1261/5.212*** ***-1261/P3.159*** SECTION 840. 46.21 (5) (b) of the statutes is
2 amended to read:

3 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the
4 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

5 ***-1261/5.213*** ***-1261/P3.160*** SECTION 841. 46.215 (1) (d) of the statutes is
6 amended to read:

7 46.215 (1) (d) To make investigations that relate to services under subchs. II,
8 IV, and V of ch. 49 upon request by the department of health and family services, to
9 make investigations that relate to juvenile delinquency-related services at the
10 request of the department of corrections, and to make investigations that relate to
11 programs under ch. 48 and subch. III of ch. 49 upon request by the department of
12 workforce development children and families.

13 ***-1261/5.214*** ***-1261/P3.161*** SECTION 842. 46.215 (1) (j) of the statutes is
14 amended to read:

15 46.215 (1) (j) To make payments in such manner as the department of
16 workforce development children and families may determine for training of
17 recipients, former recipients, and potential recipients of aid in programs established
18 under s. 49.193, 1997 stats., and s. 49.26 (1).

19 ***-1524/P3.16*** SECTION 843. 46.215 (1m) of the statutes is amended to read:

20 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
21 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
22 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
23 services or tribal agency acting under this section may exchange confidential
24 information about a client, without the informed consent of the client, with any other
25 subunit of the same county department of social services or tribal agency, with a

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

12 ***-1261/5.215* *-1261/P3.162* SECTION 844.** 46.215 (1p) of the statutes is
13 amended to read:

14 **46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE**
15 **INFORMATION SYSTEM.** Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
16 (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,
17 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
18 (2) (a), a county department under this section may enter the content of any record
19 kept or information received by that county department into the statewide
20 automated child welfare information system established under s. 46.03 48.47 (7g).

21 ***-1261/5.216* *-1261/P3.163* SECTION 845.** 46.215 (2) (a) 2. of the statutes
22 is amended to read:

23 **46.215 (2) (a) 2.** In order to ensure the availability of a full range of care and
24 services, the county department of social services may contract, either directly or
25 through the department of workforce development children and families, with public

1 or voluntary agencies or others to purchase, in full or in part, care and services under
2 ch. 48 and subch. III of ch. 49 which the county department of social services is
3 authorized to furnish. This care and these services may be purchased from the
4 department of ~~workforce development~~ children and families if the department of
5 ~~workforce development~~ children and families has staff to furnish the services. If the
6 county department of social services has adequate staff, it may sell the care and
7 services directly to another county or state agency.

8 *~~-1261/5.217~~* *~~-1261/P3.164~~* SECTION 846. 46.215 (2) (b) of the statutes is
9 amended to read:

10 46.215 (2) (b) A county department of social services may purchase
11 development and training services from the department of health and family
12 services, from the department of ~~workforce development~~ children and families, from
13 the department of corrections or from other county agencies when the services are
14 available. A county department of social services may sell the development and staff
15 training services to another county or state agency if the county department has
16 adequate staff to provide the services.

17 *~~-1261/5.218~~* *~~-1261/P3.165~~* SECTION 847. 46.215 (2) (c) 2. of the statutes
18 is amended to read:

19 46.215 (2) (c) 2. A county department of social services shall develop, under the
20 requirements of s. 49.34, plans and contracts for care and services to be purchased
21 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~
22 children and families may review the contracts and approve them if they are
23 consistent with s. 49.34 and if state or federal funds are available for such purposes.
24 The joint committee on finance may require the department of ~~workforce~~
25 development children and families to submit the contracts to the committee for

1 review and approval. The department of ~~workforce development~~ children and
2 families may not make any payments to a county for programs included in a contract
3 under review by the committee.

4 ***-1181/9.17* SECTION 848.** 46.215 (2) (c) 3. of the statutes is amended to read:

5 46.215 (2) (c) 3. A county department of social services shall develop, under the
6 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
7 care and services to be purchased. The department of corrections may review the
8 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
9 federal funds are available for such purposes. The joint committee on finance may
10 require the department of corrections to submit the contracts to the committee for
11 review and approval. The department of corrections may not make any payments
12 to a county for programs included in a contract under review by the committee. The
13 department of corrections shall reimburse each county for the contracts from the
14 appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

15 ***-1261/5.219* *-1267/P1.65* SECTION 849.** 46.215 (3) of the statutes is
16 amended to read:

17 46.215 (3) PROGRAM BUDGETS. The county department of social services shall
18 submit a final budget to the department of health and family services under s. 46.031
19 (1), to the department of corrections under s. 301.031 (1), and to the department of
20 ~~workforce development~~ children and families under s. 49.325 (1), for authorized
21 services.

22 ***-1261/5.220* *-1261/P3.167* SECTION 850.** 46.22 (1) (b) 1. b. of the statutes
23 is amended to read:

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

4 ***-0905/3.11* SECTION 851.** 46.22 (1) (b) 1. d. of the statutes is amended to read:

5 46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for
6 services authorized in this section, except for the administration of and cost of aid
7 granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

8 ***-1261/5.221* *-1261/P3.168* SECTION 852.** 46.22 (1) (b) 1. f. of the statutes
9 is renumbered 46.22 (1) (b) 2. fm.

10 ***-1261/5.222* *-1261/P3.169* SECTION 853.** 46.22 (1) (b) 2. (intro.) of the
11 statutes is amended to read:

12 46.22 (1) (b) 2. (intro.) A county department of social services shall have the
13 following functions, duties, and powers in accordance with the rules promulgated by
14 the department of ~~workforce development~~ children and families and subject to the
15 supervision of the department of ~~workforce development~~ children and families:

16 ***-1261/5.223* *-1261/P3.170* SECTION 854.** 46.22 (1) (b) 2. c. of the statutes
17 is amended to read:

18 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.
19 III of ch. 49 upon request by the department of ~~workforce development~~ children and
20 families.

21 ***-1261/5.224* *-1267/P1.68* SECTION 855.** 46.22 (1) (b) 2. e. of the statutes
22 is amended to read:

23 46.22 (1) (b) 2. e. To make payments in such manner as the department of
24 ~~workforce development~~ children and families may determine for training of

1 recipients, former recipients and potential recipients of aid in programs established
2 under ss. 49.193, 1997 stats., and s. 49.26 (1).

3 ***-1261/5.225* *-1261/P3.171* SECTION 856.** 46.22 (1) (b) 2. g. of the statutes
4 is amended to read:

5 46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal
6 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility
7 for which is based on need.

8 ***-1261/5.226* *-1261/P3.172* SECTION 857.** 46.22 (1) (b) 3. (intro.) of the
9 statutes is amended to read:

10 46.22 (1) (b) 3. (intro.) A county department of social services shall have the
11 following functions, duties, and powers in accordance with the rules promulgated
12 and standards established by the department of health and family services and
13 subject to the supervision of the department of ~~workforce development~~ children and
14 families:

15 ***-1261/5.227* *-1267/P1.70* SECTION 858.** 46.22 (1) (b) 3. d. of the statutes
16 is amended to read:

17 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~
18 ~~development~~ children and families in accordance with s. 49.325 for services
19 authorized in this subdivision.

20 ***-1261/5.228* *-1261/P3.174* SECTION 859.** 46.22 (1) (c) 8. f. of the statutes
21 is amended to read:

22 46.22 (1) (c) 8. f. The county department of social services shall implement the
23 statewide automated child welfare information system established by the
24 department under s. 46.03 ~~48.47~~ (7g).

1 ***-1261/5.229*** ***-1261/P3.175*** SECTION 860. 46.22 (1) (d) of the statutes is
2 amended to read:

3 46.22 (1) (d) *Merit system; records.* The county department of social services
4 is subject to s. 49.78 (4) to (7). The county department of social services and all county
5 officers and employees performing any duties in connection with the administration
6 of aid to families with dependent children shall observe all rules promulgated by the
7 department of ~~workforce development~~ children and families under s. 49.78 (4) and
8 shall keep records and furnish reports as the department of ~~workforce development~~
9 children and families requires in relation to their performance of such duties.

10 ***-1524/P3.17*** SECTION 861. 46.22 (1) (dm) of the statutes is amended to read:

11 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
12 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
13 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
14 services or tribal agency acting under this subsection may exchange confidential
15 information about a client, without the informed consent of the client, with any other
16 subunit of the same county department of social services or tribal agency, with a
17 resource center, a care management organization, or a family long-term care
18 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
19 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
20 lg., or with a person providing services to the client under a purchase of services
21 contract with the county department of social services or tribal agency or with a
22 resource center, a care management organization, or a family long-term care
23 district, if necessary to enable an employee or service provider to perform his or her
24 duties, or to enable the county department of social services or tribal agency to
25 coordinate the delivery of services to the client. An agency that releases information

1 under this paragraph shall document that a request for information was received
2 and what information was provided.

3 ~~*-1261/5.230*~~ ~~*-1261/P3.176*~~ **SECTION 862.** 46.22 (1) (dp) of the statutes is
4 amended to read:

5 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*
6 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
7 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
8 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
9 (2) (a), a county department under this section may enter the content of any record
10 kept or information received by that county department into the statewide
11 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

12 ~~*-1261/5.231*~~ ~~*-1261/P3.177*~~ **SECTION 863.** 46.22 (1) (e) 1. of the statutes is
13 amended to read:

14 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
15 services, a county department of social services may contract, either directly or
16 through the department of health and family services, the department of ~~workforce~~
17 ~~development~~ children and families, or the department of corrections, with public or
18 voluntary agencies or others to purchase, in full or in part, care and services which
19 the county department of social services is authorized by any statute to furnish in
20 any manner. The services may be purchased from the department of health and
21 family services, the department of ~~workforce development~~ children and families, or
22 the department of corrections if the department of health and family services, the
23 department of ~~workforce development~~ children and families, or the department of
24 corrections has staff to furnish the services. The county department of social

1 services, if it has adequate staff, may sell the care and services directly to another
2 county or state agency.

3 ~~*-1261/5.232* *-1267/P1.73* SECTION 864.~~ 46.22 (1) (e) 2. of the statutes is
4 amended to read:

5 46.22 (1) (e) 2. A county department of social services may purchase
6 development and training services from the department of health and family
7 services, the department of ~~workforce development~~ children and families, or the
8 department of corrections or from other county agencies if the services are available
9 or sell the development and staff training services to another county or state agency
10 if the county department of social services has adequate staff to provide the services.

11 ~~*-1261/5.233* *-1261/P3.179* SECTION 865.~~ 46.22 (1) (e) 3. a. of the statutes
12 is amended to read:

13 46.22 (1) (e) 3. a. A county department of social services shall develop, under
14 the requirements of s. 46.036, plans and contracts for care and services, except under
15 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
16 health and family services may review the contracts and approve them if they are
17 consistent with s. 46.036 and to the extent that state or federal funds are available
18 for such purposes. The joint committee on finance may require the department of
19 health and family services to submit the contracts to the committee for review and
20 approval. The department of health and family services may not make any payments
21 to a county for programs included in the contract that is under review by the
22 committee. The department of health and family services shall reimburse each
23 county for the contracts from the appropriations under s. 20.435 (7) (b) and (c)
24 according to s. 46.495.

1 ***-1261/5.234*** ***-1261/P3.180*** SECTION 866. 46.22 (1) (e) 3. b. of the statutes
2 is amended to read:

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

13 ***-1181/9.18*** SECTION 867. 46.22 (1) (e) 3. c. of the statutes is amended to read:

14 46.22 (1) (e) 3. c. A county department of social services shall develop, under
15 the requirements of s. 301.08 (2), plans and contracts for juvenile
16 delinquency-related care and services to be purchased. The department of
17 corrections may review the contracts and approve them if they are consistent with
18 s. 301.08 (2) and to the extent that state or federal funds are available for such
19 purposes. The joint committee on finance may require the department of corrections
20 to submit the contracts to the committee for review and approval. The department
21 of corrections may not make any payments to a county for programs included in the
22 contract that is under review by the committee. The department of corrections shall
23 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
24 (cd) and, (ko), and (r) as appropriate.

1 ***-1261/5.235* *-1261/P3.181* SECTION 868.** 46.22 (2g) (d) of the statutes is
2 amended to read:

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

12 ***-1261/5.236* *-1267/P1.76* SECTION 869.** 46.22 (3m) (b) 12. of the statutes
13 is amended to read:

14 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
15 department of health and family services, by the department of ~~workforce~~
16 development children and families, or by the department of corrections.

17 ***-1261/5.237* *-1261/P3.183* SECTION 870.** 46.22 (3m) (b) 17. b. of the
18 statutes is amended to read:

19 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
20 health and family services, the secretary of ~~workforce development~~ children and
21 families, the secretary of corrections, and the county board of supervisors.

22 ***-1261/5.238* *-1261/P3.184* SECTION 871.** 46.23 (3) (a) of the statutes is
23 amended to read:

24 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family
25 services, by the secretary of corrections, and by the secretary of ~~workforce~~

1 development children and families of a feasibility study and a program
2 implementation plan, the county board of supervisors of any county with a
3 population of less than 500,000, or the county boards of supervisors of 2 or more
4 contiguous counties, each of which has a population of less than 500,000, may
5 establish by resolution a county department of human services on a single-county
6 or multicounty basis to provide the services required under this section. The county
7 department of human services shall consist of the county human services board, the
8 county human services director and necessary personnel.

9 ***-1261/5.239*** ***-1267/P1.79*** **SECTION 872.** 46.23 (3) (am) 4. of the statutes is
10 amended to read:

11 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
12 human services until the counties have drawn up a detailed contractual agreement,
13 approved by the secretary of health and family services, by the secretary of
14 corrections, and by the secretary of ~~workforce development~~ children and families,
15 setting forth the plan for joint sponsorship.

16 ***-1524/P3.18*** **SECTION 873.** 46.23 (3) (e) of the statutes is amended to read:

17 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
18 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
19 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of
20 human services or tribal agency acting under this section may exchange confidential
21 information about a client, without the informed consent of the client, with any other
22 subunit of the same county department of human services or tribal agency, with a
23 resource center, a care management organization, or a family long-term care
24 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
25 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)

1 lg., or with a person providing services to the client under a purchase of services
2 contract with the county department of human services or tribal agency or with a
3 resource center, a care management organization, or a family long-term care
4 district, if necessary to enable an employee or service provider to perform his or her
5 duties, or to enable the county department of human services or tribal agency to
6 coordinate the delivery of services to the client. An agency that releases information
7 under this paragraph shall document that a request for information was received
8 and what information was provided.

9 *~~1261/5.240~~* *~~1261/P3.186~~* SECTION 874. 46.23 (3) (ed) of the statutes is
10 amended to read:

11 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*
12 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
13 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
14 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
15 (2) (a), a county department under this section may enter the content of any record
16 kept or information received by that county department into the statewide
17 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

18 *~~1261/5.241~~* *~~1261/P3.187~~* SECTION 875. 46.23 (5) (a) 1. of the statutes is
19 amended to read:

20 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
21 provided under ch. 48 and subch. III of ch. 49 and except for juvenile
22 delinquency-related policies, within limits established by the department of health
23 and family services. Policy decisions, except as provided under ch. 48 and subch. III
24 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute

1 for the department of health and family services may be delegated by the secretary
2 to the county human services board.

3 ***-1261/5.242* *-1261/P3.188* SECTION 876.** 46.23 (5) (a) 2. of the statutes is
4 amended to read:

5 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
6 48 and subch. III of ch. 49 within limits established by the department of workforce
7 development children and families. Policy decisions under ch. 48 and subch. III of
8 ch. 49 not reserved by statute for the department of workforce development children
9 and families may be delegated by the secretary of workforce development children
10 and families to the county human services board.

11 ***-1261/5.243* *-1267/P1.81* SECTION 877.** 46.23 (5) (b) of the statutes is
12 amended to read:

13 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
14 department of health and family services, the department of corrections, or the
15 department of workforce development children and families.

16 ***-1261/5.244* *-1261/P3.190* SECTION 878.** 46.23 (5) (c) 1. of the statutes is
17 amended to read:

18 46.23 (5) (c) 1. Shall determine whether state mandated services, except for
19 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
20 services, are provided or purchased or contracted for with local providers, and
21 monitor the performance of such contracts. Purchase of services contracts shall be
22 subject to the conditions specified in s. 46.036.

23 ***-1261/5.245* *-1261/P3.191* SECTION 879.** 46.23 (5) (c) 2. of the statutes is
24 amended to read:

1 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48
2 and subch. III of ch. 49 are provided or purchased or contracted for with local
3 providers, and monitor the performance of such contracts. Purchase of services
4 contracts shall be subject to the conditions specified in s. 49.34.

5 ***-1261/5.246* *-1261/P3.192* SECTION 880.** 46.23 (5) (n) 1. of the statutes is
6 amended to read:

7 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for
8 authorized services, except for services under ch. 48 and subch. III of ch. 49 and
9 juvenile delinquency-related services. Notwithstanding the categorization of or
10 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval
11 of the department of health and family services the county human services board
12 may expend these funds consistent with any service provided under s. 46.495 or
13 51.42.

14 ***-1261/5.247* *-1261/P3.193* SECTION 881.** 46.23 (5) (n) 2. of the statutes is
15 amended to read:

16 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for
17 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the
18 categorization of or limits specified for funds allocated under s. 48.569, with the
19 approval of the department of children and families the county human services board
20 may expend these funds consistent with any service provided under s. 48.569.

21 ***-1261/5.248* *-1261/P3.194* SECTION 882.** 46.23 (5m) (c) of the statutes is
22 amended to read:

23 46.23 (5m) (c) Prepare, with the assistance of the county human services
24 director under sub. (6m) (e), a proposed budget for submission to the county executive
25 or county administrator, a final budget for submission to the department of health

1 and family services in accordance with s. 46.031 (1) for authorized services, except
2 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
3 services, a final budget for submission to the department of ~~workforce development~~
4 children and families in accordance with s. 49.325 for authorized services under ch.
5 48 and subch. III of ch. 49, and a final budget for submission to the department of
6 corrections in accordance with s. 301.031 for authorized juvenile
7 delinquency-related services.

8 ***-1261/5.249*** ***-1261/P3.195*** SECTION 883. 46.23 (6) (a) (intro.) of the
9 statutes is amended to read:

10 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)
11 (f) shall have all of the administrative and executive powers and duties of managing,
12 operating, maintaining, and improving the programs of the county department of
13 human services, subject to the rules promulgated by the department of health and
14 family services for programs, except services or programs under ch. 48 and subch.
15 III of ch. 49 and juvenile delinquency-related services or programs, subject to the
16 rules promulgated by the department of ~~workforce development~~ children and
17 families for services or programs under ch. 48 and subch. III of ch. 49, and subject
18 to the rules promulgated by the department of corrections for juvenile
19 delinquency-related services or programs. In consultation with the county human
20 services board under sub. (5) and subject to its approval, the county human services
21 director shall prepare:

22 ***-1261/5.250*** ***-1267/P1.84*** SECTION 884. 46.23 (6) (a) 3. of the statutes is
23 amended to read:

24 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and
25 family services, by the secretary of corrections, or by the secretary of ~~workforce~~

1 development children and families and the county board of supervisors in a county
2 with a single-county department of human services or the county boards of
3 supervisors in counties with a multicounty department of human services.

4 ***-1261/5.251*** ***-1261/P3.197*** SECTION 885. 46.24 of the statutes is
5 renumbered 48.375 (9) and amended to read:

6 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.

7 If a minor who is contemplating an abortion requests assistance from a county
8 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's
9 parent, guardian, or legal custodian, or in seeking the consent of an adult family
10 member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking
11 a waiver from the circuit court, the county department shall provide assistance,
12 including, if so requested, accompanying the minor as appropriate.

13 ***-1261/5.252*** ***-1261/P3.198*** SECTION 886. 46.247 of the statutes is
14 renumbered 49.345 (14) (g) and amended to read:

15 49.345 (14) (g) ~~Application of child support standard for certain children.~~ For
16 purposes of determining child support under s. 46.10 (14) par. (b), the department
17 shall promulgate rules related to the application of the standard established by the
18 department of workforce development under s. 49.22 (9) to a child support obligation
19 for the care and maintenance of a child who is placed by a court order under s. 48.355
20 or 48.357 in a residential, nonmedical facility. The rules shall take into account the
21 needs of any person, including dependent children other than the child, whom either
22 parent is legally obligated to support.

23 ***-1261/5.253*** ***-1261/P3.199*** SECTION 887. 46.261 (title) of the statutes is
24 renumbered 48.645 (title).

1 ***-1261/5.254*** ***-1261/P3.200*** SECTION 888. 46.261 (1) of the statutes is
2 renumbered 48.645 (1).

3 ***-1261/5.255*** ***-1261/P3.201*** SECTION 889. 46.261 (2) (title) of the statutes
4 is renumbered 48.645 (2) (title).

5 ***-1261/5.256*** ***-1261/P3.202*** SECTION 890. 46.261 (2) (a) (intro.) of the
6 statutes is renumbered 48.645 (2) (a) (intro.).

7 ***-1261/5.257*** ***-1261/P3.203*** SECTION 891. 46.261 (2) (a) 1. of the statutes
8 is renumbered 48.645 (2) (a) 1. and amended to read:

9 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
10 home or treatment foster home having a license under s. 48.62, in a foster home or
11 treatment foster home located within the boundaries of a federally recognized
12 American Indian reservation in this state and licensed by the tribal governing body
13 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
14 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
15 custodial parent who cares for the dependent child, regardless of the cause or
16 prospective period of dependency. The state shall reimburse counties pursuant to the
17 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set
18 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the
19 child does not have legal settlement in the granting county, state reimbursement
20 shall be at 100%. The county department under s. 46.215 or, 46.22, or 46.23 or the
21 department under s. 48.48 (17) shall determine the legal settlement of the child. A
22 child under one year of age shall be eligible for aid under this subsection irrespective
23 of any other residence requirement for eligibility within this section.

24 ***-1261/5.258*** ***-1261/P3.204*** SECTION 892. 46.261 (2) (a) 2. of the statutes
25 is renumbered 48.645 (2) (a) 2. and amended to read:

1 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,
2 the department, on behalf of a child in the legal custody of a county department under
3 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child
4 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a
5 result of a judicial determination that continuance in the home of a relative would
6 be contrary to the child's welfare for any reason when such the child is placed in a
7 licensed ~~child caring institution~~ residential care center for children and youth by the
8 county department or the department. Reimbursement shall be made by the state
9 pursuant to as provided in subd. 1.

10 ***-1261/5.259*** ***-1261/P3.205*** SECTION 893. 46.261 (2) (a) 3. of the statutes
11 is renumbered 48.645 (2) (a) 3. and amended to read:

12 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
13 the department, when the child is placed in a licensed foster home, treatment foster
14 home, group home, or residential care center for children and youth or in a subsidized
15 guardianship home by a licensed child welfare agency or by a federally recognized
16 American Indian tribal governing body in this state or by its designee, if the child is
17 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
18 department under s. 48.48 (17) or if the child was removed from the home of a
19 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
20 continuance in the home of the relative would be contrary to the child's welfare for
21 any reason and the placement is made pursuant to under an agreement with the
22 county department or the department.

23 ***-1261/5.260*** ***-1261/P3.206*** SECTION 894. 46.261 (2) (a) 4. of the statutes
24 is renumbered 48.645 (2) (a) 4. and amended to read:

1 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,
2 or residential care center for children and youth or a subsidized guardianship home
3 when the child is in the custody or guardianship of the state, when the child is a ward
4 of an American Indian tribal court in this state and the placement is made under an
5 agreement between the department and the tribal governing body, or when the child
6 was part of the state's direct service case load and was removed from the home of a
7 relative, as defined under s. 48.02 (15), as a result of a judicial determination that
8 continuance in the home of a relative would be contrary to the child's welfare for any
9 reason and the child is placed by the department.

10 ***-1261/5.261* *-1261/P3.207* SECTION 895.** 46.261 (2) (b) of the statutes is
11 renumbered 48.645 (2) (b).

12 ***-1261/5.262* *-1261/P3.208* SECTION 896.** 46.261 (3) of the statutes is
13 renumbered 48.645 (3).

14 ***-1562/P4.1* SECTION 897.** 46.27 (4) (am) of the statutes is amended to read:
15 46.27 (4) (am) If a local long-term care council in a county the governing board
16 of a resource center assumes under s. 46.282 (3) (b) 46.283 (6) (b) 10. the duties of the
17 county long-term support planning committee under this subsection, the county
18 long-term support planning committee for the county is dissolved.

19 ***-1562/P4.2* SECTION 898.** 46.27 (4) (c) (intro.) of the statutes is amended to
20 read:

21 46.27 (4) (c) (intro.) The planning committee shall develop, or, if a local
22 long-term care council the governing board of a resource center has under s. 46.282
23 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the local
24 long-term care council governing board of the resource center shall recommend a
25 community options plan for participation in the program. The plan shall include:

1 ***-1562/P4.3* SECTION 899.** 46.27 (4) (c) 5. of the statutes is amended to read:
2 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
3 ~~a local long-term care council~~ the governing board of a resource center has under
4 s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10. assumed the duties of the planning committee, the
5 ~~local long-term care council~~ governing board of the resource center to monitor the
6 implementation of the program.

7 ***-0330/P6.3* SECTION 900.** 46.27 (4) (c) 8. of the statutes is amended to read:
8 46.27 (4) (c) 8. If a contract with an entity under s. 46.281 (1) (e) 1, 46.284 (2)
9 is established in the county, a description of how the activities of the entity relate to
10 and are coordinated with the county's proposed program.

11 ***-0330/P6.4* SECTION 901.** 46.27 (5) (am) of the statutes is amended to read:
12 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
13 department or aging unit shall utilize persons for each assessment who can
14 determine the needs of the person being assessed and who know the availability
15 within the county of services alternative to placement in a nursing home. If any
16 hospital patient is referred to a nursing home for admission, these persons shall work
17 with the hospital discharge planner in performing the activities specified in sub. (6).
18 The county department or aging unit shall coordinate the involvement of
19 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
20 51.437, health service providers and the county commission on aging in the
21 assessment activities specified in sub. (6), as well as the person being assessed and
22 members of the person's family or the person's guardian. This paragraph does not
23 apply to a county department or aging unit in a county in which the department has
24 contracted with an entity under s. 46.281 (1) (e) 1 46.284 (2).

25 ***-1198/P4.1* SECTION 902.** 46.27 (5) (j) of the statutes is created to read:

1 46.27 (5) (j) Within the time period specified by the department, offer
2 counseling, that is specified by the department, concerning public and private
3 benefit programs to prospective residents of community-based residential facilities
4 who are referred to the county department or aging unit under s. 50.035 (4n).

5 ***-0330/P6.5* SECTION 903.** 46.27 (6) (a) 3. of the statutes is amended to read:

6 46.27 (6) (a) 3. In each participating county, except in counties in which the
7 department has contracted with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2),
8 assessments shall be conducted for those persons and in accordance with the
9 procedures described in the county's community options plan. The county may elect
10 to establish assessment priorities for persons in target groups identified by the
11 county in its plan regarding gradual implementation. If a person who is already
12 admitted to a nursing home requests an assessment and if funds allocated for
13 assessments under sub. (7) (am) are available, the county shall conduct the
14 assessment.

15 ***-0330/P6.6* SECTION 904.** 46.27 (6g) (intro.) of the statutes is amended to
16 read:

17 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
18 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
19 assessment, unless the assessment is performed by an entity under a contract as
20 specified under s. ~~46.281 (1) (e) 1.~~ 46.284 (2), case plan, or services provided to a
21 person under this section is as follows:

22 ***-0905/3.12* SECTION 905.** 46.27 (6u) (c) 1. a. of the statutes is amended to
23 read:

24 46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 or,
25 49.47, or 49.471 (4) (a).