

1       \*-1352/4.32\* SECTION 780. 40.95 (1) (a) 2. of the statutes is amended to read:  
2       40.95 (1) (a) 2. The employee has his or her compensation established in a  
3       collective bargaining agreement under subch. V or VI of ch. 111.

4       \*-0170/1.2\* SECTION 781. 44.02 (28) of the statutes is created to read:  
5       44.02 (28) Annually distribute the amount appropriated under s. 20.245 (1) (b)  
6       as a grant to the Wisconsin Black Historical Society and Museum to fund the  
7       operations of that society and museum.

8       \*-1534/1.1\*SECTION 782. 45.03 (20) of the statutes is amended to read:  
9       45.03 (20) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. If the balance in  
10       the appropriation account under s. 20.485 (1) (gk) is in excess of the amount needed  
11       for the care of the members of the Wisconsin veterans homes under s. 45.50 and the  
12       payment of stipends under s. 45.50 (9) during fiscal year 2006-07 2007-08 or  
13       2008-09, the department may transfer the excess moneys to the veterans trust fund.  
14       The total amount transferred under this subsection may not exceed \$16,000,000  
15       \$7,000,000.

16       \*-1261/5.163\* \*-1267/P1.55\* SECTION 783. 45.20 (2) (d) 2. b. of the statutes  
17       is amended to read:

18       45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child  
19       support or maintenance payments and does not owe past support, medical expenses  
20       or birth expenses, signed by the department of ~~workforce development~~ children and  
21       families or its designee within 7 working days before the date of the application.

22       \*-1261/5.164\* \*-1267/P1.56\* SECTION 784. 45.33 (2) (b) 1. b. of the statutes  
23       is amended to read:

24       45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support  
25       or maintenance payments and does not owe past support, medical expenses, or birth

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

3 **\*-1261/5.165\* \*-1267/P1.57\* SECTION 785.** 45.42 (6) (b) of the statutes is  
4 amended to read:

5 45.42 (6) (b) Provides to the department a statement that the applicant is not  
6 delinquent in child support or maintenance payments and does not owe past support,  
7 medical expenses, or birth expenses, signed by the department of workforce  
8 development children and families or its designee within 7 working days before the  
9 date of the application.

10 **\*-1278/3.10\* SECTION 786.** 45.51 (10) (b) of the statutes is amended to read:

11 45.51 (10) (b) ~~Except where a sale occurs under s. 16.848, the~~ The department  
12 may manage, sell, lease, or transfer property passing to the state pursuant to this  
13 section or conveyed to it by members, defend and prosecute all actions concerning it,  
14 pay all just claims against it, and do all other things necessary for the protection,  
15 preservation, and management of the property. All expenditures necessary for the  
16 execution of functions under this paragraph or sub. (14) shall be made from the  
17 appropriation in s. 20.485 (1) (h).

18 **\*-0905/3.7\* SECTION 787.** 45.51 (13) (intro.) of the statutes is amended to read:

19 45.51 (13) **ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES.**  
20 (intro.) Any person admitted to a skilled nursing facility at a veterans home shall  
21 meet the eligibility requirements under ss. 49.45 and 49.46, and, if applicable, s.  
22 49.471 and rules promulgated under those sections during residence at the skilled  
23 nursing facility except if any of the following apply:

24 **\*-0905/3.8\* SECTION 788.** 45.51 (13) (a) of the statutes is amended to read:

1           45.51 (13) (a) Persons with sufficient income and resources to meet the  
2           expenses of care for one or more months may be admitted to the skilled nursing  
3           facility but shall apply income and resources to costs to the extent required under ss.  
4           49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those  
5           sections.

6           \***-0905/3.9\*** SECTION 789. 45.51 (13) (b) of the statutes is amended to read:

7           45.51 (13) (b) Persons who meet all the requirements of this section but whose  
8           degree of physical disability does not meet the minimum requirements under ss.  
9           49.45 and 49.46 and rules promulgated under those sections may be admitted to the  
10          skilled nursing facility but shall apply income and resources to costs to the extent  
11          required by ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated  
12          under those sections.

13          \***-0366/1.1\*** SECTION 790. 45.61 (2) (a) of the statutes is amended to read:

14          45.61 (2) (a) A person who died while on active duty or who was discharged or  
15          released from active duty in the U.S. armed forces under honorable conditions other  
16          than dishonorable and who was a resident of this state at the time of his or her entry  
17          or reentry into active service and his or her dependent child and surviving spouse.

18          \***-0366/1.2\*** SECTION 791. 45.61 (2) (b) of the statutes is amended to read:

19          45.61 (2) (b) A person who was discharged or released from active duty in the  
20          U.S. armed forces under honorable conditions other than dishonorable and who was  
21          a resident of this state at the time of his or her death and his or her dependent child  
22          and surviving spouse.

23          \***-1261/5.166\*** \***-1261/P3.113\*** SECTION 792. 46.001 of the statutes is  
24          amended to read:

1           **46.001 Purposes of chapter.** The purposes of this chapter are to conserve  
2 human resources in Wisconsin; to provide a just and humane program of services to  
3 children and unborn children in need of protection or services, nonmarital children  
4 and the expectant mothers of those unborn children; to prevent dependency, mental  
5 illness, developmental disability, mental infirmity, and other forms of social  
6 maladjustment by a continuous attack on causes; to provide effective aid and services  
7 to all persons in need thereof of that aid and those services and to assist those persons  
8 to achieve or regain self-dependence at the earliest possible date; to avoid  
9 duplication and waste of effort and money on the part of public and private agencies;  
10 and to coordinate and integrate a social welfare program.

11           \*-1261/5.167\* \*-1261/P3.114\* **SECTION 793.** 46.011 (intro.) of the statutes is  
12 amended to read:

13           **46.011 Definitions.** (intro.) In chs. 46, 48, 50, 51, 54, 55, and 58:

14           \*-0336/3.3\* **SECTION 794.** 46.011 (1g) of the statutes is created to read:

15           46.011 (1g) "Disabled children's long-term support program" means the  
16 programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003  
17 Wisconsin Act 33, section 9124 (8c).

18           \*-1261/5.168\* \*-1261/P3.115\* **SECTION 795.** 46.014 (4) of the statutes is  
19 renumbered 49.265 (6) and amended to read:

20           49.265 (6) **REPORTS.** At least annually, the secretary shall submit a report to  
21 the chief clerk of each house of the legislature, for distribution to the appropriate  
22 standing committees under s. 13.172 (3), concerning activities of community action  
23 agencies under s. 46.30 this section and their effectiveness in promoting social and  
24 economic opportunities for poor persons.

1           \*-1261/5.169\* \*-1261/P3.116\* SECTION 796. 46.016 of the statutes is  
2 amended to read:

3           **46.016 Cooperation with federal government.** The department may  
4 cooperate with the federal government in carrying out federal acts concerning public  
5 assistance, social security, child welfare and youth services, mental hygiene, services  
6 for the blind, and in other matters of mutual concern pertaining to public welfare.

7           \*-1261/5.170\* \*-1261/P3.117\* SECTION 797. 46.02 of the statutes is amended  
8 to read:

9           **46.02 Agency powers and duties.** Any institution which that is subject to  
10 chs. 46, 48 49 to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of  
11 conflict between chs. 46, 48 49 to 51, 55, and 58 and ch. 150, be governed by ch. 150.  
12 The department shall promulgate rules and establish procedures for resolving any  
13 such controversy a conflict.

14           \*-1261/5.171\* \*-1261/P3.118\* SECTION 798. 46.023 of the statutes is  
15 renumbered 48.562.

16           \*-1261/5.172\* \*-1261/P3.119\* SECTION 799. 46.03 (4) (b) of the statutes is  
17 amended to read:

18           **46.03 (4) (b)** In order to discharge more effectively its responsibilities under  
19 this chapter and ch. 48 and other relevant provisions of the statutes, be authorized  
20 to study causes and methods of prevention and treatment of mental illness, mental  
21 deficiency, mental infirmity, and related social problems, including establishment of  
22 demonstration projects to apply and evaluate such methods in actual cases. The  
23 department is directed and authorized to utilize all powers provided by the statutes,  
24 including the authority under sub. (2a), to accept grants of money or property from  
25 federal, state, or private sources, and to enlist the cooperation of other appropriate

1 agencies and state departments. The department may enter into agreements with  
2 local government subdivisions, departments, and agencies for the joint conduct of  
3 these projects, and it may purchase services when deemed considered appropriate.

4 **\*-1261/5.173\* \*-1261/P3.120\* SECTION 800.** 46.03 (7) (a) of the statutes is  
5 amended to read:

6 46.03 (7) (a) Promote the enforcement of laws for the protection of  
7 developmentally disabled children, ~~children and unborn children in need of~~  
8 ~~protection or services and nonmarital children~~; and to this end cooperate with courts  
9 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare  
10 agencies, and public and private institutions and take the initiative in all matters  
11 involving the interests of those children ~~and unborn children~~ when adequate  
12 provision for those interests has not already been made, including the establishment  
13 and enforcement of standards for services provided under ss. 48.345 and 48.347.

14 **\*-1261/5.174\* \*-1261/P3.121\* SECTION 801.** 46.03 (7) (bm) of the statutes is  
15 amended to read:

16 46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
17 under s. 891.40, ~~declarations of paternal interest under s. 48.025~~, and statements  
18 acknowledging paternity under s. 69.15 (3) (b). The department may release those  
19 records, ~~declarations~~, and statements only upon an order of the court except that the  
20 department may use nonidentifying information concerning artificial inseminations  
21 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~  
22 ~~released as provided in s. 48.025 (3) (b) and (e)~~, and statements acknowledging  
23 paternity shall be released without a court order to the department of ~~workforce~~  
24 development children and families or a county child support agency under s. 59.53  
25 (5) upon the request of that department or county child support agency pursuant to

1 the program responsibilities under s. 49.22 or to any other person with a direct and  
2 tangible interest in the statement.

3 **\*-1261/5.175\* \*-1261/P3.122\* SECTION 802.** 46.03 (7) (c) of the statutes is  
4 repealed.

5 **\*-1261/5.176\* \*-1261/P3.123\* SECTION 803.** 46.03 (7) (cm) of the statutes is  
6 renumbered 48.47 (7) (cm).

7 **\*-1261/5.177\* \*-1261/P3.124\* SECTION 804.** 46.03 (7) (d) of the statutes is  
8 renumbered 48.47 (7) (d).

9 **\*-1261/5.178\* \*-1261/P3.125\* SECTION 805.** 46.03 (7) (e) of the statutes is  
10 repealed.

11 **\*-1261/5.179\* \*-1261/P3.126\* SECTION 806.** 46.03 (7) (f) of the statutes is  
12 renumbered 48.47 (7) (f).

13 **\*-1261/5.180\* \*-1261/P3.127\* SECTION 807.** 46.03 (7) (h) of the statutes is  
14 renumbered 48.47 (7) (h).

15 **\*-1261/5.181\* \*-1261/P3.128\* SECTION 808.** 46.03 (7g) of the statutes is  
16 renumbered 48.47 (7g) and amended to read:

17 **48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM.** Establish  
18 a statewide automated child welfare information system. Notwithstanding ss.  
19 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,  
20 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~  
21 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the  
22 content of any record kept or information received by the department into the  
23 statewide automated child welfare information system, and a county department  
24 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has  
25 entered into an information sharing and access agreement with the department or

1 any of those county departments and that has been approved for access to the  
2 statewide automated child welfare information system by the department may have  
3 access to information that is maintained in that system, if necessary to enable the  
4 county department, department, or organization to perform its duties under this  
5 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the  
6 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to  
7 679b.

8 **\*-1261/5.182\* \*-1261/P3.129\* SECTION 809.** 46.03 (7m) of the statutes is  
9 renumbered 48.62 (7) and amended to read:

10 **48.62 (7) FOSTER CARE.** In each federal fiscal year, the department shall ensure  
11 that there are no more than 2,200 children in foster care and treatment foster care  
12 placements for more than 24 months, consistent with the best interests of each child.  
13 Services provided in connection with this requirement shall comply with the  
14 requirements under P.L. 96-272.

15 **\*-0242/1.1\* SECTION 810.** 46.03 (18) (a) of the statutes is amended to read:

16 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of  
17 health and family services shall establish a uniform system of fees for services  
18 provided or purchased by the department of health and family services, or a county  
19 department under s. 46.215, 46.22, 51.42 or 51.437, except for services provided  
20 under subch. III of ch. 49; services relating to adoption; services provided to courts;  
21 outreach, information and referral services; or where, as determined by the  
22 department of health and family services, a fee is administratively unfeasible or  
23 would significantly prevent accomplishing the purpose of the service. A county  
24 department under s. 46.215, 46.22, 51.42 or 51.437 shall apply the fees which it  
25 collects under this program to cover the cost of such services. ~~The department of~~



1 health and family services shall report to the joint committee on finance no later than  
2 March 1 of each year on the number of children placed for adoption by the  
3 department of health and family services during the previous year and the costs to  
4 the state for services relating to such adoptions.

5 ~~\*-1261/5.183\*~~ ~~\*-1261/P3.130\*~~ SECTION 811. 46.03 (18) (a) of the statutes, as  
6 affected by 2007 Wisconsin Act .... (this act), 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 ch. 48 and subch. III of ch. 49; services relating to adoption; services provided  
12 to courts; outreach, information and referral services; or where when, as determined  
13 by the department of health and family services, a fee is administratively unfeasible  
14 or 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 that  
16 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.

17 ~~\*-1261/5.184\*~~ ~~\*-1261/P3.131\*~~ SECTION 812. 46.03 (18) (am) of the statutes is  
18 amended to read:

19 46.03 (18) (am) Paragraph (a) does not prevent the department from charging  
20 and collecting the cost of adoptive placement investigations and child care as  
21 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county  
22 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
23 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

1           \***-0336/3.4\*** SECTION 813. 46.03 (18) (ar) of the statutes is created to read:

2           46.03 (18) (ar) A county may retain fees that it collects under this subsection  
3           for services the county provides without state funding under the disabled children's  
4           long-term support program.

5           \***-1261/5.185\*** \***-1261/P3.132\*** SECTION 814. 46.03 (20) (a) of the statutes is  
6           amended to read:

7           46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,  
8           the department may make payments directly to recipients of public assistance or to  
9           such persons authorized to receive such payments in accordance with law and rules  
10          of the department on behalf of the counties. Except for payments provided under ch.  
11          48 or subch. III of ch. 49, the department may charge the counties for the cost of  
12          operating public assistance systems which make such payments.

13          \***-1261/5.186\*** \***-1261/P3.133\*** SECTION 815. 46.03 (22) (title) of the statutes  
14          is amended to read:

15          46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

16          \***-1261/5.187\*** \***-1261/P3.134\*** SECTION 816. 46.03 (22) (a) of the statutes is  
17          amended to read:

18          46.03 (22) (a) "Community In this subsection, "community living arrangement  
19          for adults" means any of the following facilities licensed or operated, or permitted  
20          under the authority of the department: residential care centers for children and  
21          youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under  
22          s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based  
23          residential facilities a community-based residential facility, as defined in s. 50.01  
24          (1g); but does not include adult family homes, as defined in s. 50.01 (1), day care  
25          centers, nursing homes, general hospitals, special hospitals, prisons, and jails.

1       \*-1261/5.188\* \*-1261/P3.135\* SECTION 817. 46.03 (22) (b) of the statutes is  
2 amended to read:

3       46.03 (22) (b) Community living arrangements for adults shall be subject to the  
4 same building and housing ordinances, codes, and regulations of the municipality or  
5 county as similar residences located in the area in which the facility is located.

6       \*-1261/5.189\* \*-1261/P3.136\* SECTION 818. 46.03 (22) (c) of the statutes is  
7 amended to read:

8       46.03 (22) (c) The department shall designate a subunit to keep records and  
9 supply information on community living arrangements for adults under ss. 59.69  
10 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving  
11 all complaints regarding community living arrangements for adults and for  
12 coordinating all necessary investigatory and disciplinary actions under the laws of  
13 this state and under the rules of the department relating to the licensing of  
14 community living arrangements for adults.

15       \*-1261/5.190\* \*-1261/P3.137\* SECTION 819. 46.03 (22) (d) of the statutes is  
16 amended to read:

17       46.03 (22) (d) A community living arrangement for adults with a capacity for  
18 8 or fewer persons shall be a permissible use for purposes of any deed covenant which  
19 limits use of property to single-family or 2-family residences. A community living  
20 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible  
21 use for purposes of any deed covenant which limits use of property to more than  
22 2-family residences. Covenants in deeds which expressly prohibit use of property  
23 for community living arrangements for adults are void as against public policy.

24       \*-1261/5.191\* \*-1261/P3.138\* SECTION 820. 46.03 (22) (e) of the statutes is  
25 amended to read:

1           46.03 (22) (e) If a community living arrangement for adults is required to  
2 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,  
3 at the request of the unit of government responsible for granting the special zoning  
4 permission, inspect the proposed facility and review the program proposed for the  
5 facility. After such inspection and review, the department shall transmit to the unit  
6 of government responsible for granting the special zoning permission a statement  
7 that the proposed facility and its proposed program have been examined and are  
8 either approved or disapproved by the department.

9           \*~~1261/5.192~~\* \*~~1261/P3.139~~\* SECTION 821. 46.03 (29) of the statutes is  
10 repealed.

11           \*~~1261/5.193~~\* \*~~1261/P3.140~~\* SECTION 822. 46.03 (39) of the statutes is  
12 renumbered 48.47 (39).

13           \*~~1261/5.194~~\* \*~~1261/P3.141~~\* SECTION 823. 46.031 (3) (a) of the statutes is  
14 amended to read:

15           46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the  
16 county board of supervisors of each county or the county boards of supervisors of 2  
17 or more counties jointly shall establish a citizen advisory committee to the county  
18 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory  
19 committee shall advise in the formulation of the budget under sub. (1). Membership  
20 on the committee shall be determined by the county board of supervisors in a county  
21 with a single-county committee or by the county boards of supervisors in counties  
22 with a multicounty committee and shall include representatives of those persons  
23 receiving services, providers of service and citizens. A majority of the members of the  
24 committee shall be citizen and service consumers. ~~At least one member of the~~  
25 ~~committee shall be chosen from the governing or administrative board of the~~

1 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The  
2 committee's membership may not consist of more than 25% county supervisors, nor  
3 of more than 20% service providers. The chairperson of the committee shall be  
4 appointed by the county board of supervisors establishing it. In the case of a  
5 multicounty committee, the chairperson shall be nominated by the committee and  
6 approved by the county boards of supervisors establishing it. The county board of  
7 supervisors in a county with a single-county committee or the county boards of  
8 supervisors in counties with a multicounty committee may designate an agent to  
9 determine the membership of the committee and to appoint the committee  
10 chairperson or approve the nominee.

11 **\*-1261/5.195\* \*-1261/P3.142\* SECTION 824.** 46.034 (1) of the statutes is  
12 amended to read:

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

1           \*~~-1261/5.196\*~~ \*~~-1261/P3.143\*~~ SECTION 825. 46.036 (1) of the statutes is  
2 amended to read:

3           46.036 (1) All care and services purchased by the department or by a county  
4 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under  
5 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the  
6 standards established under this section. The department may require the county  
7 departments to submit the contracts to the department for review and approval. For  
8 purchases of \$10,000 or less the requirement for a written contract may be waived  
9 by the department. ~~No contract is required for care provided by foster homes or~~  
10 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the  
11 department directly contracts for services, it shall follow the procedures in this  
12 section in addition to meeting purchasing requirements established in s. 16.75.

13           \*~~-1261/5.197\*~~ \*~~-1261/P3.144\*~~ SECTION 826. 46.036 (4) (a) of the statutes is  
14 amended to read:

15           46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double  
16 entry accounting system and a management information system which are  
17 compatible with cost accounting and control systems prescribed by the department.  
18 ~~The department shall establish a simplified double entry bookkeeping system for use~~  
19 ~~by family-operated group homes. Each purchaser shall determine whether a~~  
20 ~~family-operated group home from which it purchases services shall use the double~~  
21 ~~entry accounting system or the simplified system and shall include this~~  
22 ~~determination in the purchase of service contract. In this paragraph,~~  
23 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~  
24 ~~which the licensee is one or more individuals who operate not more than one group~~  
25 ~~home.~~

1       \*-0243/2.1\* SECTION 827. 46.036 (4) (c) of the statutes is amended to read:

2       46.036 (4) (c) Unless waived by the department, biennially, or annually if  
3       required under federal law, provide the purchaser with a certified financial and  
4       compliance audit report if the care and services purchased exceed \$25,000 \$100,000  
5       or any higher threshold amount determined by the department. The audit shall  
6       follow standards that the department prescribes. A purchaser may waive the  
7       requirements of this paragraph for any family-operated group home, as defined  
8       under par. (a), from which it purchases services.

9       \*-1261/5.198\* \*-1261/P3.145\* SECTION 828. 46.036 (4) (c) of the statutes, as  
10       affected by 2007 Wisconsin Act .... (this act), is amended to read:

11       46.036 (4) (c) Unless waived by the department, biennially, or annually if  
12       required under federal law, provide the purchaser with a certified financial and  
13       compliance audit report if the care and services purchased exceed \$100,000 or any  
14       higher threshold amount determined by the department. The audit shall follow  
15       standards that the department prescribes. ~~A purchaser may waive the requirements~~  
16       ~~of this paragraph for any family-operated group home, as defined under par. (a),~~  
17       ~~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.

18       \*-1261/5.199\* \*-1261/P3.146\* SECTION 829. 46.037 of the statutes is  
19       renumbered 49.343 and amended to read:

20       **49.343 Rates for residential child care centers and group homes. (1)**  
21       Subject to sub. (1m), each residential child care center for children and youth, as  
22       defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is  
23       ~~licensed under s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall

1 establish a per client rate for its services and shall charge all purchasers the same  
2 rate.

3 (1m) Notwithstanding sub. (1), the department, a county department under  
4 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the  
5 department and one or more of those county departments, and a residential child  
6 care center for children and youth or group home, as described in sub. (1), may  
7 negotiate a per client rate for the services of that residential child care center for  
8 children and youth or group home, if the department, that county department, the  
9 county departments in that group of county departments, or the department and one  
10 or more of those county departments, agree to place 75% or more of the residents of  
11 that residential child care center for children and youth or group home during the  
12 period for which that rate is effective. A residential child care center for children and  
13 youth or group home that negotiates a per client rate under this subsection shall  
14 charge that rate to all purchasers of its services.

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

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



1       \***-1261/5.200\*** \***-1261/P3.147\*** SECTION 830. 46.043 (1) of the statutes is  
2       amended to read:

3       46.043 (1) In addition to inpatient and outpatient services provided at mental  
4       health institutes under ss. 51.05 and 51.07, the department may authorize mental  
5       health institutes to offer services other than inpatient mental health services when  
6       the department determines that community services need to be supplemented.  
7       Services that may be offered under this section include mental health outpatient  
8       treatment and services, day programming, consultation and services in residential  
9       facilities, including group homes, ~~child-caring institutions~~ residential care centers  
10      for children and youth and community-based residential facilities.

11      \***-0364/1.1\*** SECTION 831. 46.057 (2) of the statutes is amended to read:

12      46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
13      department of corrections shall transfer to the appropriation account under s. 20.435  
14      (2) (kx) \$1,379,300 in each fiscal year 2005-06 and \$1,379,300 in fiscal year 2006-07  
15      and, from the appropriation account under s. 20.410 (3) (hm), the department of  
16      corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)  
17      ~~\$2,271,200~~ \$2,639,800 in fiscal year 2005-06 and ~~\$2,390,600~~ 2007-08 and  
18      \$2,707,300 in fiscal year 2006-07 2008-09 for services for juveniles placed at the  
19      Mendota juvenile treatment center. The department of health and family services  
20      may charge the department of corrections not more than the actual cost of providing  
21      those services.

22      \***-1261/5.201\*** \***-1261/P3.148\*** SECTION 832. 46.10 (14) (b) of the statutes is  
23      amended to read:

24      46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
25      of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the

1 parent's minor child who has been placed by a court order under s. 48.355 or 48.357  
2 in a residential, nonmedical facility such as a group home, foster home, treatment  
3 foster home, subsidized guardianship home, or residential care center for children  
4 and youth shall be determined by the court by using the percentage standard  
5 established by the department of ~~workforce development~~ children and families  
6 under s. 49.22 (9) and by applying the percentage standard in the manner  
7 established by the department under ~~s. 46.247~~ par. (g).

8 **\*-1261/5.202\* \*-1261/P3.149\* SECTION 833.** 46.10 (14) (g) of the statutes is  
9 created to read:

10 46.10 (14) (g) For purposes of determining child support under par. (b), the  
11 department shall promulgate rules related to the application of the standard  
12 established by the department of children and families under s. 49.22 (9) to a child  
13 support obligation for the care and maintenance of a child who is placed by a court  
14 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall  
15 take into account the needs of any person, including dependent children other than  
16 the child, whom either parent is legally obligated to support.

17 **\*-0336/3.5\* SECTION 834.** 46.10 (16) of the statutes is amended to read:

18 46.10 (16) The department shall delegate to county departments under ss.  
19 51.42 and 51.437 or the local providers of care and services meeting the standards  
20 established by the department under s. 46.036, the responsibilities vested in the  
21 department under this section for collection of patient fees for services other than  
22 those provided at state facilities ~~or~~, those provided to children that are reimbursed  
23 under a waiver under s. 46.27 (11), 46.275,, 46.278, or 46.2785, ~~or a waiver requested~~  
24 ~~under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section~~  
25 9124 (8e), those provided under the disabled children's long-term support program

1 if the county departments or providers meet the conditions that the department  
2 determines are appropriate. The department may delegate to county departments  
3 under ss. 51.42 and 51.437 the responsibilities vested in the department under this  
4 section for collection of patient fees for services provided at the state facilities if the  
5 necessary conditions are met.

6 **\*-1261/5.203\* \*-1261/P3.150\* SECTION 835.** 46.16 (1) of the statutes is  
7 amended to read:

8 46.16 (1) **GENERALLY.** The department shall investigate and supervise all the  
9 charitable and curative institutions, including county infirmaries, of every county  
10 and municipality, except tuberculosis sanatoriums, ~~all shelter care facilities for~~  
11 ~~children and, and~~ all hospitals, asylums, and institutions, organized for the purpose  
12 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their  
13 management and usefulness.

14 **\*-1261/5.204\* \*-1261/P3.151\* SECTION 836.** 46.16 (2) of the statutes is  
15 repealed.

16 **\*-1261/5.205\* \*-1261/P3.152\* SECTION 837.** 46.16 (2m) of the statutes is  
17 repealed.

18 **\*-1261/5.206\* \*-1261/P3.153\* SECTION 838.** 46.16 (2s) of the statutes is  
19 repealed.

20 **\*-1261/5.207\* \*-1261/P3.154\* SECTION 839.** 46.16 (3) of the statutes is  
21 amended to read:

22 46.16 (3) **COUNTY HOMES, POOR RELIEF.** ~~It~~ The department shall visit the county  
23 homes and ascertain the number of each sex and the number of mentally ill, mentally  
24 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and  
25 under what circumstances affecting their health, comfort, morals, and education;

1 collect statistics of the cost of support, and other important facts, of the poor relieved  
2 at public expense outside of county homes; and collect information as to the adequacy  
3 and efficiency of existing laws for the support and relief of the poor, and the causes  
4 of pauperism in the state.

5 **\*-1261/5.208\* \*-1261/P3.155\* SECTION 840.** 46.16 (7) of the statutes is  
6 amended to read:

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

16 **\*-1261/5.209\* \*-1261/P3.156\* SECTION 841.** 46.17 (1) of the statutes is  
17 amended to read:

18 **46.17 (1)** The department shall fix reasonable standards and regulations for  
19 the design, construction, repair, and maintenance of county homes, county  
20 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,  
21 with respect to their adequacy and fitness for the needs which they are to serve.

22 **\*-1261/5.210\* \*-1261/P3.157\* SECTION 842.** 46.206 (1) (a) of the statutes is  
23 amended to read:

24 **46.206 (1) (a)** The department shall supervise the administration of social  
25 services, except as provided under ch. 48 and subch. III of ch. 49 and except for

1 juvenile delinquency-related services. The department shall submit to the federal  
2 authorities state plans for the administration of social services, except as provided  
3 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related  
4 services, in such form and containing such information as the federal authorities  
5 require, and shall comply with all requirements prescribed to ensure their  
6 correctness.

7 **\*-0905/3.10\* SECTION 843.** 46.206 (1) (bm) of the statutes is amended to read:  
8 46.206 (1) (bm) All records of the department relating to aid provided under  
9 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable  
10 hours by members of the legislature who require the information contained in the  
11 records in pursuit of a specific state legislative purpose. All records of any county  
12 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are  
13 open to inspection at reasonable hours by members of the board of supervisors of the  
14 county or the governing body of a city, village or town located in the county who  
15 require the information contained in the records in pursuit of a specific county or  
16 municipal legislative purpose. The right to records access provided by this  
17 paragraph does not apply if access is prohibited by federal law or regulation or if this  
18 state is required to prohibit such access as a condition precedent to participation in  
19 a federal program in which this state participates.

20 **\*-1261/5.211\* \*-1261/P3.158\* SECTION 844.** 46.206 (2) of the statutes is  
21 amended to read:

22 46.206 (2) The county administration of all laws relating to social services,  
23 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to  
24 juvenile delinquency-related programs, shall be vested in the officers and agencies  
25 designated in the statutes.

1           \*-1524/P3.15\* SECTION 845. 46.21 (2m) (c) of the statutes is amended to read:

2           46.21 (2m) (c) *Exchange of information*. Notwithstanding ss. 46.2895 (9), 48.78

3           (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07

4           (3) (c), a subunit of a county department of human services or tribal agency acting

5           under this subsection may exchange confidential information about a client, without

6           the informed consent of the client, with any other subunit of the same county

7           department of human services or tribal agency, with a resource center, a care

8           management organization, or a family long-term care district, with an

9           elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral

10          for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person

11          providing services to the client under a purchase of services contract with the county

12          department of human services or tribal agency or with a resource center, a care

13          management organization, or a family long-term care district, if necessary to enable

14          an employee or service provider to perform his or her duties, or to enable the county

15          department of human services or tribal agency to coordinate the delivery of services

16          to the client. An agency that releases information under this paragraph shall

17          document that a request for information was received and what information was

18          provided.

19          \*-1261/5.212\* \*-1261/P3.159\* SECTION 846. 46.21 (5) (b) of the statutes is  
20          amended to read:

21          46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the  
22          support and maintenance of persons in any of the institutions specified in sub. (2) (a).

23          \*-1261/5.213\* \*-1261/P3.160\* SECTION 847. 46.215 (1) (d) of the statutes is  
24          amended to read:

1           46.215 (1) (d) To make investigations that relate to services under subchs. II,  
2           IV, and V of ch. 49 upon request by the department of health and family services, to  
3           make investigations that relate to juvenile delinquency-related services at the  
4           request of the department of corrections, and to make investigations that relate to  
5           programs under ch. 48 and subch. III of ch. 49 upon request by the department of  
6           ~~workforce development~~ children and families.

7           \***-1261/5.214\*** \***-1261/P3.161\*** **SECTION 848.** 46.215 (1) (j) of the statutes is  
8           amended to read:

9           46.215 (1) (j) To make payments in such manner as the department of  
10          ~~workforce development~~ children and families may determine for training of  
11          recipients, former recipients, and potential recipients of aid in programs established  
12          under s. 49.193, 1997 stats., and s. 49.26 (1).

13          \***-1524/P3.16\*** **SECTION 849.** 46.215 (1m) of the statutes is amended to read:

14          46.215 (1m) **EXCHANGE OF INFORMATION; LONG-TERM CARE.** Notwithstanding ss.  
15          46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
16          252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social  
17          services or tribal agency acting under this section may exchange confidential  
18          information about a client, without the informed consent of the client, with any other  
19          subunit of the same county department of social services or tribal agency, with a  
20          resource center, a care management organization, or a family long-term care  
21          district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
22          to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
23          lg., or with a person providing services to the client under a purchase of services  
24          contract with the county department of social services or tribal agency or with a  
25          resource center, a care management organization, or a family long-term care

1 district, if necessary to enable an employee or service provider to perform his or her  
2 duties, or to enable the county department of social services or tribal agency to  
3 coordinate the delivery of services to the client. An agency that releases information  
4 under this subsection shall document that a request for information was received  
5 and what information was provided.

6 **\*-1261/5.215\* \*-1261/P3.162\* SECTION 850.** 46.215 (1p) of the statutes is  
7 amended to read:

8 **46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE**  
9 **INFORMATION SYSTEM.** Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78  
10 (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,  
11 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
12 (2) (a), a county department under this section may enter the content of any record  
13 kept or information received by that county department into the statewide  
14 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

15 **\*-1261/5.216\* \*-1261/P3.163\* SECTION 851.** 46.215 (2) (a) 2. of the statutes  
16 is amended to read:

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



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

3 **\*-1261/5.217\* \*-1261/P3.164\* SECTION 852.** 46.215 (2) (b) of the statutes is  
4 amended to read:

5 46.215 (2) (b) A county department of social services may purchase  
6 development and training services from the department of health and family  
7 services, from the department of ~~workforce development~~ children and families, from  
8 the department of corrections or from other county agencies when the services are  
9 available. A county department of social services may sell the development and staff  
10 training services to another county or state agency if the county department has  
11 adequate staff to provide the services.

12 **\*-1261/5.218\* \*-1261/P3.165\* SECTION 853.** 46.215 (2) (c) 2. of the statutes  
13 is amended to read:

14 46.215 (2) (c) 2. A county department of social services shall develop, under the  
15 requirements of s. 49.34, plans and contracts for care and services to be purchased  
16 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~  
17 children and families may review the contracts and approve them if they are  
18 consistent with s. 49.34 and if state or federal funds are available for such purposes.  
19 The joint committee on finance may require the department of ~~workforce~~  
20 ~~development~~ children and families to submit the contracts to the committee for  
21 review and approval. The department of ~~workforce development~~ children and  
22 families may not make any payments to a county for programs included in a contract  
23 under review by the committee.

24 **\*-1181/9.17\* SECTION 854.** 46.215 (2) (c) 3. of the statutes is amended to read:

1           46.215 (2) (c) 3. A county department of social services shall develop, under the  
2 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related  
3 care and services to be purchased. The department of corrections may review the  
4 contracts and approve them if they are consistent with s. 301.08 (2) and if state or  
5 federal funds are available for such purposes. The joint committee on finance may  
6 require the department of corrections to submit the contracts to the committee for  
7 review and approval. The department of corrections may not make any payments  
8 to a county for programs included in a contract under review by the committee. The  
9 department of corrections shall reimburse each county for the contracts from the  
10 appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

11           \*-1261/5.219\* \*-1267/P1.65\* SECTION 855. 46.215 (3) of the statutes is  
12 amended to read:

13           46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
14 submit a final budget to the department of health and family services under s. 46.031  
15 (1), to the department of corrections under s. 301.031 (1), and to the department of  
16 workforce development children and families under s. 49.325 (1), for authorized  
17 services.

18           \*-1261/5.220\* \*-1261/P3.167\* SECTION 856. 46.22 (1) (b) 1. b. of the statutes  
19 is amended to read:

20           46.22 (1) (b) 1. b. To make investigations which relate to welfare services,  
21 except as provided under ch. 48 and subch. III of ch. 49, upon request by the  
22 department of health and family services.

23           \*-0905/3.11\* SECTION 857. 46.22 (1) (b) 1. d. of the statutes is amended to read:

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

4           \*~~-1261/5.221~~\* \*~~-1261/P3.168~~\* SECTION 858. 46.22 (1) (b) 1. f. of the statutes  
5           is renumbered 46.22 (1) (b) 2. fm.

6           \*~~-1261/5.222~~\* \*~~-1261/P3.169~~\* SECTION 859. 46.22 (1) (b) 2. (intro.) of the  
7           statutes is amended to read:

8           46.22 (1) (b) 2. (intro.) A county department of social services shall have the  
9           following functions, duties, and powers in accordance with the rules promulgated by  
10          the department of ~~workforce development~~ children and families and subject to the  
11          supervision of the department of ~~workforce development~~ children and families:

12          \*~~-1261/5.223~~\* \*~~-1261/P3.170~~\* SECTION 860. 46.22 (1) (b) 2. c. of the statutes  
13          is amended to read:

14          46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.  
15          III of ch. 49 upon request by the department of ~~workforce development~~ children and  
16          families.

17          \*~~-1261/5.224~~\* \*~~-1267/P1.68~~\* SECTION 861. 46.22 (1) (b) 2. e. of the statutes  
18          is amended to read:

19          46.22 (1) (b) 2. e. To make payments in such manner as the department of  
20          ~~workforce development~~ children and families may determine for training of  
21          recipients, former recipients and potential recipients of aid in programs established  
22          under ss. 49.193, 1997 stats., and s. 49.26 (1).

23          \*~~-1261/5.225~~\* \*~~-1261/P3.171~~\* SECTION 862. 46.22 (1) (b) 2. g. of the statutes  
24          is amended to read:

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

4 \*-1261/5.226\* \*-1261/P3.172\* SECTION 863. 46.22 (1) (b) 3. (intro.) of the  
5 statutes is amended to read:

6 46.22 (1) (b) 3. (intro.) A county department of social services shall have the  
7 following functions, duties, and powers in accordance with the rules promulgated  
8 and standards established by the department of health and family services and  
9 subject to the supervision of the department of workforce development children and  
10 families:

11 \*-1261/5.227\* \*-1267/P1.70\* SECTION 864. 46.22 (1) (b) 3. d. of the statutes  
12 is amended to read:

13 46.22 (1) (b) 3. d. To submit a final budget to the department of workforce  
14 development children and families in accordance with s. 49.325 for services  
15 authorized in this subdivision.

16 \*-1261/5.228\* \*-1261/P3.174\* SECTION 865. 46.22 (1) (c) 8. f. of the statutes  
17 is amended to read:

18 46.22 (1) (c) 8. f. The county department of social services shall implement the  
19 statewide automated child welfare information system established by the  
20 department under s. 46.03 48.47 (7g).

21 \*-1261/5.229\* \*-1261/P3.175\* SECTION 866. 46.22 (1) (d) of the statutes is  
22 amended to read:

23 46.22 (1) (d) *Merit system; records.* The county department of social services  
24 is subject to s. 49.78 (4) to (7). The county department of social services and all county  
25 officers and employees performing any duties in connection with the administration

1 of aid to families with dependent children shall observe all rules promulgated by the  
2 department of ~~workforce development~~ children and families under s. 49.78 (4) and  
3 shall keep records and furnish reports as the department of ~~workforce development~~  
4 children and families requires in relation to their performance of such duties.

5 **\*-1524/P3.17\* SECTION 867.** 46.22 (1) (dm) of the statutes is amended to read:

6 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.

7 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,

8 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social

9 services or tribal agency acting under this subsection may exchange confidential

10 information about a client, without the informed consent of the client, with any other

11 subunit of the same county department of social services or tribal agency, with a

12 resource center, a care management organization, or a family long-term care

13 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency

14 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)

15 lg., or with a person providing services to the client under a purchase of services

16 contract with the county department of social services or tribal agency or with a

17 resource center, a care management organization, or a family long-term care

18 district, if necessary to enable an employee or service provider to perform his or her

19 duties, or to enable the county department of social services or tribal agency to

20 coordinate the delivery of services to the client. An agency that releases information

21 under this paragraph shall document that a request for information was received

22 and what information was provided.

23 **\*-1261/5.230\* \*-1261/P3.176\* SECTION 868.** 46.22 (1) (dp) of the statutes is

24 amended to read:

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

8           \*~~1261/5.231~~\* \*~~1261/P3.177~~\* SECTION 869. 46.22 (1) (e) 1. of the statutes is  
9 amended to read:

10           46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
11 services, a county department of social services may contract, either directly or  
12 through the department of health and family services, the department of ~~workforce~~  
13 ~~development~~ children and families, or the department of corrections, with public or  
14 voluntary agencies or others to purchase, in full or in part, care and services which  
15 the county department of social services is authorized by any statute to furnish in  
16 any manner. The services may be purchased from the department of health and  
17 family services, the department of ~~workforce development~~ children and families, or  
18 the department of corrections if the department of health and family services, the  
19 department of ~~workforce development~~ children and families, or the department of  
20 corrections has staff to furnish the services. The county department of social  
21 services, if it has adequate staff, may sell the care and services directly to another  
22 county or state agency.

23           \*~~1261/5.232~~\* \*~~1267/P1.73~~\* SECTION 870. 46.22 (1) (e) 2. of the statutes is  
24 amended to read:

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

7           \***-1261/5.233\*** \***-1261/P3.179\*** **SECTION 871.** 46.22 (1) (e) 3. a. of the statutes  
8           is amended to read:

9           46.22 (1) (e) 3. a. A county department of social services shall develop, under  
10          the requirements of s. 46.036, plans and contracts for care and services, except under  
11          ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of  
12          health and family services may review the contracts and approve them if they are  
13          consistent with s. 46.036 and to the extent that state or federal funds are available  
14          for such purposes. The joint committee on finance may require the department of  
15          health and family services to submit the contracts to the committee for review and  
16          approval. The department of health and family services may not make any payments  
17          to a county for programs included in the contract that is under review by the  
18          committee. The department of health and family services shall reimburse each  
19          county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)  
20          according to s. 46.495.

21          \***-1261/5.234\*** \***-1261/P3.180\*** **SECTION 872.** 46.22 (1) (e) 3. b. of the statutes  
22          is amended to read:

23          46.22 (1) (e) 3. b. A county department of social services shall develop, under  
24          the requirements of s. 49.34, plans and contracts for care and services under ch. 48  
25          and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~

1 children and families may review the contracts and approve them if they are  
2 consistent with s. 49.34 and to the extent that state or federal funds are available for  
3 such purposes. The joint committee on finance may require the department of  
4 ~~workforce development~~ children and families to submit the contracts to the  
5 committee for review and approval. The department of ~~workforce development~~  
6 children and families may not make any payments to a county for programs included  
7 in the contract that is under review by the committee.

8 \***-1181/9.18\*** SECTION 873. 46.22 (1) (e) 3. c. of the statutes is amended to read:

9 46.22 (1) (e) 3. c. A county department of social services shall develop, under  
10 the requirements of s. 301.08 (2), plans and contracts for juvenile  
11 delinquency-related care and services to be purchased. The department of  
12 corrections may review the contracts and approve them if they are consistent with  
13 s. 301.08 (2) and to the extent that state or federal funds are available for such  
14 purposes. The joint committee on finance may require the department of corrections  
15 to submit the contracts to the committee for review and approval. The department  
16 of corrections may not make any payments to a county for programs included in the  
17 contract that is under review by the committee. The department of corrections shall  
18 reimburse each county for the contracts from the appropriations under s. 20.410 (3)  
19 (cd) and, (ko), and (r) as appropriate.

20 \***-1261/5.235\*** \***-1261/P3.181\*** SECTION 874. 46.22 (2g) (d) of the statutes is  
21 amended to read:

22 46.22 (2g) (d) Prepare, with the assistance of the county social services director  
23 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or  
24 county administrator, a final budget for submission to the department of health and  
25 family services in accordance with s. 46.031 (1) for authorized services, except



1 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for  
2 submission to the department of ~~workforce development~~ children and families in  
3 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.  
4 49, and a final budget for submission to the department of corrections in accordance  
5 with s. 301.031 (1) for authorized juvenile delinquency-related services.

6 \***-1261/5.236\*** \***-1267/P1.76\*** SECTION 875. 46.22 (3m) (b) 12. of the statutes  
7 is amended to read:

8 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the  
9 department of health and family services, by the department of ~~workforce~~  
10 ~~development~~ children and families, or by the department of corrections.

11 \***-1261/5.237\*** \***-1261/P3.183\*** SECTION 876. 46.22 (3m) (b) 17. b. of the  
12 statutes is amended to read:

13 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of  
14 health and family services, the secretary of ~~workforce development~~ children and  
15 families, the secretary of corrections, and the county board of supervisors.

16 \***-1261/5.238\*** \***-1261/P3.184\*** SECTION 877. 46.23 (3) (a) of the statutes is  
17 amended to read:

18 46.23 (3) (a) *Creation*. Upon approval by the secretary of health and family  
19 services, by the secretary of corrections, and by the secretary of ~~workforce~~  
20 ~~development~~ children and families of a feasibility study and a program  
21 implementation plan, the county board of supervisors of any county with a  
22 population of less than 500,000, or the county boards of supervisors of 2 or more  
23 contiguous counties, each of which has a population of less than 500,000, may  
24 establish by resolution a county department of human services on a single-county  
25 or multicounty basis to provide the services required under this section. The county

1 department of human services shall consist of the county human services board, the  
2 county human services director and necessary personnel.

3 \***-1261/5.239\*** \***-1267/P1.79\*** **SECTION 878.** 46.23 (3) (am) 4. of the statutes is  
4 amended to read:

5 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of  
6 human services until the counties have drawn up a detailed contractual agreement,  
7 approved by the secretary of health and family services, by the secretary of  
8 corrections, and by the secretary of workforce development children and families,  
9 setting forth the plan for joint sponsorship.

10 \***-1524/P3.18\*** **SECTION 879.** 46.23 (3) (e) of the statutes is amended to read:

11 46.23 (3) (e) *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  
14 human services or tribal agency acting under this section 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 human 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 human 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 human 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 **\*-1261/5.240\* \*-1261/P3.186\* SECTION 880.** 46.23 (3) (ed) of the statutes is  
4 amended to read:

5 46.23 (3) (ed) *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 **\*-1261/5.241\* \*-1261/P3.187\* SECTION 881.** 46.23 (5) (a) 1. of the statutes is  
13 amended to read:

14 46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
15 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
16 delinquency-related policies, within limits established by the department of health  
17 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
18 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
19 for the department of health and family services may be delegated by the secretary  
20 to the county human services board.

21 **\*-1261/5.242\* \*-1261/P3.188\* SECTION 882.** 46.23 (5) (a) 2. of the statutes is  
22 amended to read:

23 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
24 48 and subch. III of ch. 49 within limits established by the department of workforce  
25 development children and families. Policy decisions under ch. 48 and subch. III of

1 ch. 49 not reserved by statute for the department of ~~workforce development~~ children  
2 and families may be delegated by the secretary of ~~workforce development~~ children  
3 and families to the county human services board.

4 **\*-1261/5.243\* \*-1267/P1.81\* SECTION 883.** 46.23 (5) (b) of the statutes is  
5 amended to read:

6 46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
7 department of health and family services, the department of corrections, or the  
8 department of ~~workforce development~~ children and families.

9 **\*-1261/5.244\* \*-1261/P3.190\* SECTION 884.** 46.23 (5) (c) 1. of the statutes is  
10 amended to read:

11 46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
12 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
13 services, are provided or purchased or contracted for with local providers, and  
14 monitor the performance of such contracts. Purchase of services contracts shall be  
15 subject to the conditions specified in s. 46.036.

16 **\*-1261/5.245\* \*-1261/P3.191\* SECTION 885.** 46.23 (5) (c) 2. of the statutes is  
17 amended to read:

18 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
19 and subch. III of ch. 49 are provided or purchased or contracted for with local  
20 providers, and monitor the performance of such contracts. Purchase of services  
21 contracts shall be subject to the conditions specified in s. 49.34.

22 **\*-1261/5.246\* \*-1261/P3.192\* SECTION 886.** 46.23 (5) (n) 1. of the statutes is  
23 amended to read:

24 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
25 authorized services, except for services under ch. 48 and subch. III of ch. 49 and

1 juvenile delinquency-related services. Notwithstanding the categorization of or  
2 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
3 of the department of health and family services the county human services board  
4 may expend these funds consistent with any service provided under s. 46.495 or  
5 51.42.

6 \*-1261/5.247\* \*-1261/P3.193\* SECTION 887. 46.23 (5) (n) 2. of the statutes is  
7 amended to read:

8 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
9 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the  
10 categorization of or limits specified for funds allocated under s. 48.569, with the  
11 approval of the department of children and families the county human services board  
12 may expend these funds consistent with any service provided under s. 48.569.

13 \*-1261/5.248\* \*-1261/P3.194\* SECTION 888. 46.23 (5m) (c) of the statutes is  
14 amended to read:

15 46.23 (5m) (c) Prepare, with the assistance of the county human services  
16 director under sub. (6m) (e), a proposed budget for submission to the county executive  
17 or county administrator, a final budget for submission to the department of health  
18 and family services in accordance with s. 46.031 (1) for authorized services, except  
19 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
20 services, a final budget for submission to the department of workforce development  
21 children and families in accordance with s. 49.325 for authorized services under ch.  
22 48 and subch. III of ch. 49, and a final budget for submission to the department of  
23 corrections in accordance with s. 301.031 for authorized juvenile  
24 delinquency-related services.

1           \*-1261/5.249\* \*-1261/P3.195\* SECTION 889. 46.23 (6) (a) (intro.) of the  
2 statutes is amended to read:

3           46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
4 (f) shall have all of the administrative and executive powers and duties of managing,  
5 operating, maintaining, and improving the programs of the county department of  
6 human services, subject to the rules promulgated by the department of health and  
7 family services for programs, except services or programs under ch. 48 and subch.  
8 III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
9 rules promulgated by the department of workforce development children and  
10 families for services or programs under ch. 48 and subch. III of ch. 49, and subject  
11 to the rules promulgated by the department of corrections for juvenile  
12 delinquency-related services or programs. In consultation with the county human  
13 services board under sub. (5) and subject to its approval, the county human services  
14 director shall prepare:

15           \*-1261/5.250\* \*-1267/P1.84\* SECTION 890. 46.23 (6) (a) 3. of the statutes is  
16 amended to read:

17           46.23 (6) (a) 3. Such other reports as are required by the secretary of health and  
18 family services, by the secretary of corrections, or by the secretary of workforce  
19 development children and families and the county board of supervisors in a county  
20 with a single-county department of human services or the county boards of  
21 supervisors in counties with a multicounty department of human services.

22           \*-1261/5.251\* \*-1261/P3.197\* SECTION 891. 46.24 of the statutes is  
23 renumbered 48.375 (9) and amended to read:

24           48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.  
25 If a minor who is contemplating an abortion requests assistance from a county

1 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
2 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
3 member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking  
4 a waiver from the circuit court, the county department shall provide assistance,  
5 including, if so requested, accompanying the minor as appropriate.

6 \***-1261/5.252\*** \***-1261/P3.198\*** SECTION 892. 46.247 of the statutes is  
7 renumbered 49.345 (14) (g) and amended to read:

8 49.345 (14) (g) *Application of child support standard for certain children.* For  
9 purposes of determining child support under s. 46.10 (14) par. (b), the department  
10 shall promulgate rules related to the application of the standard established by the  
11 department of workforce development under s. 49.22 (9) to a child support obligation  
12 for the care and maintenance of a child who is placed by a court order under s. 48.355  
13 or 48.357 in a residential, nonmedical facility. The rules shall take into account the  
14 needs of any person, including dependent children other than the child, whom either  
15 parent is legally obligated to support.

16 \***-1261/5.253\*** \***-1261/P3.199\*** SECTION 893. 46.261 (title) of the statutes is  
17 renumbered 48.645 (title).

18 \***-1261/5.254\*** \***-1261/P3.200\*** SECTION 894. 46.261 (1) of the statutes is  
19 renumbered 48.645 (1).

20 \***-1261/5.255\*** \***-1261/P3.201\*** SECTION 895. 46.261 (2) (title) of the statutes  
21 is renumbered 48.645 (2) (title).

22 \***-1261/5.256\*** \***-1261/P3.202\*** SECTION 896. 46.261 (2) (a) (intro.) of the  
23 statutes is renumbered 48.645 (2) (a) (intro.).

24 \***-1261/5.257\*** \***-1261/P3.203\*** SECTION 897. 46.261 (2) (a) 1. of the statutes  
25 is renumbered 48.645 (2) (a) 1. and amended to read:

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

16 \*~~1261/5.258~~\* \*~~1261/P3.204~~\* SECTION 898. 46.261 (2) (a) 2. of the statutes  
17 is renumbered 48.645 (2) (a) 2. and amended to read:

18 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
19 the department, on behalf of a child in the legal custody of a county department under  
20 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
21 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a  
22 result of a judicial determination that continuance in the home of a relative would  
23 be contrary to the child's welfare for any reason when such the child is placed in a  
24 licensed child-caring institution residential care center for children and youth by the



1 county department or the department. Reimbursement shall be made by the state  
2 pursuant to as provided in subd. 1.

3 **\*-1261/5.259\* \*-1261/P3.205\* SECTION 899.** 46.261 (2) (a) 3. of the statutes  
4 is renumbered 48.645 (2) (a) 3. and amended to read:

5 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
6 the department, when the child is placed in a licensed foster home, treatment foster  
7 home, group home, or residential care center for children and youth or in a subsidized  
8 guardianship home by a licensed child welfare agency or by a federally recognized  
9 American Indian tribal governing body in this state or by its designee, if the child is  
10 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
11 department under s. 48.48 (17) or if the child was removed from the home of a  
12 relative, ~~as defined under s. 48.02 (15),~~ as a result of a judicial determination that  
13 continuance in the home of the relative would be contrary to the child's welfare for  
14 any reason and the placement is made ~~pursuant to~~ under an agreement with the  
15 county department or the department.

16 **\*-1261/5.260\* \*-1261/P3.206\* SECTION 900.** 46.261 (2) (a) 4. of the statutes  
17 is renumbered 48.645 (2) (a) 4. and amended to read:

18 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
19 or residential care center for children and youth or a subsidized guardianship home  
20 when the child is in the custody or guardianship of the state, when the child is a ward  
21 of an American Indian tribal court in this state and the placement is made under an  
22 agreement between the department and the tribal governing body, or when the child  
23 was part of the state's direct service case load and was removed from the home of a  
24 relative, ~~as defined under s. 48.02 (15),~~ as a result of a judicial determination that

1 continuance in the home of a relative would be contrary to the child's welfare for any  
2 reason and the child is placed by the department.

3 **\*-1261/5.261\* \*-1261/P3.207\* SECTION 901.** 46.261 (2) (b) of the statutes is  
4 renumbered 48.645 (2) (b).

5 **\*-1261/5.262\* \*-1261/P3.208\* SECTION 902.** 46.261 (3) of the statutes is  
6 renumbered 48.645 (3).

7 **\*-1562/P4.1\* SECTION 903.** 46.27 (4) (am) of the statutes is amended to read:  
8 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
9 of a resource center assumes under s. 46.282 (3) (b) 46.283 (6) (b) 10. the duties of the  
10 county long-term support planning committee under this subsection, the county  
11 long-term support planning committee for the county is dissolved.

12 **\*-1562/P4.2\* SECTION 904.** 46.27 (4) (c) (intro.) of the statutes is amended to  
13 read:

14 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
15 ~~long-term care council~~ the governing board of a resource center has under s. 46.282  
16 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the ~~local~~  
17 ~~long-term care council~~ governing board of the resource center shall recommend a  
18 community options plan for participation in the program. The plan shall include:

19 **\*-1562/P4.3\* SECTION 905.** 46.27 (4) (c) 5. of the statutes is amended to read:

20 46.27 (4) (c) 5. A description of the method to be used by the committee or, if  
21 ~~a local long-term care council~~ the governing board of a resource center has under  
22 s. 46.282 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the  
23 ~~local long-term care council~~ governing board of the resource center to monitor the  
24 implementation of the program.

25 **\*-0330/P6.3\* SECTION 906.** 46.27 (4) (c) 8. of the statutes is amended to read:

1           46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1~~, 46.284 (2)  
2           is established in the county, a description of how the activities of the entity relate to  
3           and are coordinated with the county's proposed program.

4           \***-0330/P6.4\*** SECTION 907. 46.27 (5) (am) of the statutes is amended to read:

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

18          \***-1198/P4.1\*** SECTION 908. 46.27 (5) (j) of the statutes is created to read:

19          46.27 (5) (j) Within the time period specified by the department, offer  
20          counseling, that is specified by the department, concerning public and private  
21          benefit programs to prospective residents of community-based residential facilities  
22          who are referred to the county department or aging unit under s. 50.035 (4n).

23          \***-0330/P6.5\*** SECTION 909. 46.27 (6) (a) 3. of the statutes is amended to read:

24          46.27 (6) (a) 3. In each participating county, except in counties in which the  
25          department has contracted with an entity under s. ~~46.281 (1) (e) 1~~, 46.284 (2),

1 assessments shall be conducted for those persons and in accordance with the  
2 procedures described in the county's community options plan. The county may elect  
3 to establish assessment priorities for persons in target groups identified by the  
4 county in its plan regarding gradual implementation. If a person who is already  
5 admitted to a nursing home requests an assessment and if funds allocated for  
6 assessments under sub. (7) (am) are available, the county shall conduct the  
7 assessment.

8 **\*-0330/P6.6\* SECTION 910.** 46.27 (6g) (intro.) of the statutes is amended to  
9 read:

10 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and  
11 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an  
12 assessment, unless the assessment is performed by an entity under a contract as  
13 specified under s. ~~46.281 (1) (e) 1.~~ 46.284 (2), case plan, or services provided to a  
14 person under this section is as follows:

15 **\*-0905/3.12\* SECTION 911.** 46.27 (6u) (c) 1. a. of the statutes is amended to  
16 read:

17 46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 or,  
18 49.47, or 49.471 (4) (a).

19 **\*-0905/3.13\* SECTION 912.** 46.27 (6u) (d) (intro.) of the statutes is amended to  
20 read:

21 46.27 (6u) (d) (intro.) In determining financial eligibility under par. (c) 1. and  
22 in calculating the amount under par. (c) 2., the county department or aging unit shall  
23 include as the assets for any person, except those persons who are eligible for medical  
24 assistance under s. 49.46, 49.468 or, 49.47, or 49.471 (4) (a), any portion of assets that

1 the person or the person's spouse has, after August 12, 1993, transferred to another  
2 as specified in par. (b), unless one of the following conditions applies:

3 **\*-0905/3.14\* SECTION 913.** 46.27 (7) (am) of the statutes is amended to read:

4 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
5 shall allocate funds to each county or private nonprofit agency with which the  
6 department contracts to pay assessment and case plan costs under sub. (6) not  
7 otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse  
8 counties for the cost of assessing persons eligible for medical assistance under s.  
9 49.46, 49.468, ~~or 49.47~~, or 49.471 (4) (a) as part of the administrative services of  
10 medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds  
11 allocated under this paragraph to pay the cost of long-term community support  
12 services and for a risk reserve under par. (fr).

13 **\*-0905/3.15\* SECTION 914.** 46.27 (7) (b) of the statutes is amended to read:

14 46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the  
15 department shall allocate funds to each county to pay the cost of providing long-term  
16 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to  
17 persons eligible for medical assistance under s. 49.46 ~~or 49.47~~, or 49.471 (4) (a) or  
18 to persons whom the county department or aging unit administering the program  
19 finds likely to become medically indigent within 6 months by spending excess income  
20 or assets for medical or remedial care. The average per person reimbursement under  
21 this paragraph may not exceed the state share of the average per person payment  
22 rate the department expects under s. 49.45 (6m). The county department or aging  
23 unit administering the program may spend funds received under this paragraph  
24 only in accordance with the case plan and service contract created for each person  
25 receiving long-term community support services. Counties may use unspent funds

1 allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a  
2 risk reserve under par. (fr).

3 **\*-1198/P4.2\* SECTION 915.** 46.27 (7) (cj) 3. a. of the statutes is repealed.

4 **\*-1524/P3.19\* SECTION 916.** 46.27 (7) (fr) 3. c. of the statutes is amended to  
5 read:

6 46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,  
7 to transfer funds to a family long-term care district.

8 **\*-0892/11.13\* SECTION 917.** 46.27 (9) (a) of the statutes is amended to read:

9 46.27 (9) (a) The department may select up to 5 counties that volunteer to  
10 participate in a pilot project under which they will receive certain funds allocated for  
11 long-term care. The department shall allocate a level of funds to these counties  
12 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),  
13 or ~~(xd)~~ to nursing homes for providing care because of increased utilization of nursing  
14 home services, as estimated by the department. In estimating these levels, the  
15 department shall exclude any increased utilization of services provided by state  
16 centers for the developmentally disabled. The department shall calculate these  
17 amounts on a calendar year basis under sub. (10).

18 **\*-0330/P6.7\* SECTION 918.** 46.27 (9) (c) of the statutes is amended to read:

19 46.27 (9) (c) All long-term community support services provided under this  
20 pilot project in lieu of nursing home care shall be consistent with those services  
21 described in the participating county's community options plan under sub. (4) (c) 1.  
22 and provided under sub. (5) (b). Unless the department has contracted under s.  
23 ~~46.281 (1) (e) 1.~~ 46.284 (2) with an entity other than the county department, each  
24 county participating in the pilot project shall assess persons under sub. (6).

25 **\*-0892/11.14\* SECTION 919.** 46.27 (10) (a) 1. of the statutes is amended to read:

1           46.27 (10) (a) 1. The department shall determine for each county participating  
2           in the pilot project under sub. (9) a funding level of state medical assistance  
3           expenditures to be received by the county. This level shall equal the amount that the  
4           department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),  
5           or (xd), or because of increased utilization of nursing home services, as estimated by  
6           the department.

7           \***-1198/P4.3**\* SECTION 920. 46.27 (11) (c) 5n. a. of the statutes is repealed.

8           \***-0905/3.16**\* SECTION 921. 46.275 (1m) (a) of the statutes is amended to read:  
9           46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
10          49, except s. ss. 49.468 and 49.471.

11          \***-0892/11.15**\* SECTION 922. 46.275 (5) (a) of the statutes is amended to read:  
12          46.275 (5) (a) Medical Assistance reimbursement for services a county, or the  
13          department under sub. (3r), provides under this program is available from the  
14          appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and (xd). If 2 or more  
15          counties jointly contract to provide services under this program and the department  
16          approves the contract, Medical Assistance reimbursement is also available for  
17          services provided jointly by these counties.

18          \***-0892/11.16**\* SECTION 923. 46.275 (5) (c) of the statutes is amended to read:  
19          46.275 (5) (c) The total allocation under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and  
20          (xd) to counties and to the department under sub. (3r) for services provided under  
21          this section may not exceed the amount approved by the federal department of health  
22          and human services. A county may use funds received under this section only to  
23          provide services to persons who meet the requirements under sub. (4) and may not  
24          use unexpended funds received under this section to serve other developmentally  
25          disabled persons residing in the county.

1           \***-0242/1.2\*** SECTION 924. 46.275 (5m) of the statutes is repealed.

2           \***-0905/3.17\*** SECTION 925. 46.277 (1m) (a) of the statutes is amended to read:

3           46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.

4           49, except s. ss. 49.468 and 49.471.

5           \***-1198/P4.4\*** SECTION 926. 46.277 (3) (d) of the statutes is created to read:

6           46.277 (3) (d) The county department or aging unit that administers the  
7           program under this section shall, within the time period specified by the department,  
8           offer counseling, that is specified by the department, concerning public and private  
9           benefit programs to prospective residents of community-based residential facilities  
10          who are referred to the county department or aging unit under s. 50.035 (4n).

11          \***-1198/P4.5\*** SECTION 927. 46.277 (5) (d) 1n. a. of the statutes is repealed.

12          \***-0647/3.1\*** SECTION 928. 46.277 (5) (g) 3. of the statutes is amended to read:

13          46.277 (5) (g) 3. If it is likely that the number of individuals for whom an  
14          enhanced reimbursement for services is provided under subd. 1. and who are  
15          diverted from imminent entry into nursing homes will exceed 150, the department  
16          may submit a request to the ~~joint committee on finance~~ secretary of administration  
17          for approval to provide enhanced reimbursement for services provided under subd.  
18          1. for diversion from imminent entry into nursing homes for a number of individuals  
19          in excess of 150. ~~Notwithstanding s. 13.101 (3) (a), the committee is not required to~~  
20          ~~find that an emergency exists. If the cochairpersons of the committee do not notify~~  
21          ~~the secretary within 14 working days after the date of the department's submittal~~  
22          ~~that the committee intends to schedule a meeting to review the request, approval of~~  
23          ~~the request is granted. If, within 14 working days after the date of the department's~~  
24          ~~request submittal, the cochairpersons of the committee notify the secretary that the~~



1 ~~committee intends to schedule a meeting to review the request, the request may be~~  
2 ~~granted only as approved by the committee.~~

3 **\*-0905/3.18\* SECTION 929.** 46.278 (1m) (b) of the statutes is amended to read:  
4 46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.  
5 49, except s. ss. 49.468 and 49.471.

6 **\*-0892/11.17\* SECTION 930.** 46.278 (6) (d) of the statutes is amended to read:  
7 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
8 share of service costs under a waiver received under sub. (3), the department may,  
9 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
10 that the county provides under this section to persons who are in addition to those  
11 who may be served under this section with funds from the appropriation account  
12 under s. 20.435 (4) (b) or, (w), or (xd).

13 **\*-0892/11.18\* SECTION 931.** 46.2785 (5) (a) of the statutes is amended to read:  
14 46.2785 (5) (a) Medical assistance reimbursement for services a county or  
15 private agency contracts for or provides under the waiver program shall be made  
16 from the appropriation accounts under s. 20.435 (4) (b) and, (o), and (xd).

17 **\*-1261/5.263\* \*-1261/P3.209\* SECTION 932.** 46.28 (1) (f) of the statutes is  
18 amended to read:

19 46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
20 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

21 **\*-0330/P6.8\* SECTION 933.** 46.2803 (2) of the statutes is created to read:  
22 46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management  
23 organization is operating pursuant to a contract under s. 46.284 (2) or a county in  
24 which a program described under s. 46.2805 (1) (a) or (b) is administered may use  
25 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27

1 (7) to provide community mental health or substance abuse services and supports for  
2 persons with mental illness or persons in need of services or supports for substance  
3 abuse and to provide services under the Family Support Program under s. 46.985.

4 **\*-0330/P6.9\* SECTION 934.** 46.2804 (title) of the statutes is amended to read:

5 **46.2804 (title) ~~Managed care programs for Client management of~~**  
6 **managed care long-term care services benefit.**

7 **\*-0330/P6.10\* SECTION 935.** 46.2804 (1) of the statutes is repealed.

8 **\*-0330/P6.11\* SECTION 936.** 46.2804 (2) of the statutes is renumbered  
9 46.2804.

10 **\*-1524/P3.20\* SECTION 937.** 46.2805 (5) of the statutes is renumbered 46.2805  
11 (7r) and amended to read:

12 **46.2805 (7r) "Family Long-term care district"** means a special purpose district  
13 created under s. 46.2895 (1).

14 **\*-1524/P3.21\* SECTION 938.** 46.2805 (6) of the statutes is renumbered 46.2805  
15 (7u) and amended to read:

16 **46.2805 (7u) "Family Long-term care district board"** means the governing  
17 board of a family long-term care district.

18 **\*-0330/P6.12\* SECTION 939.** 46.2805 (6m) of the statutes is created to read:  
19 **46.2805 (6m) "Family member"** means a spouse or an individual related by  
20 blood, marriage, or adoption within the 3rd degree of kinship as computed under s.  
21 990.001 (16).

22 **\*-0330/P6.13\* SECTION 940.** 46.2805 (6r) of the statutes is created to read:  
23 **46.2805 (6r) "Financial and cost-sharing screening"** means a screening to  
24 determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s.  
25 46.286 (2) using a uniform tool prescribed by the department.