

1 entered into an information sharing and access agreement with the department or
2 any of those county departments and that has been approved for access to the
3 statewide automated child welfare information system by the department may have
4 access to information that is maintained in that system, if necessary to enable the
5 county department, department, or organization to perform its duties under this
6 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the
7 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to
8 679b.

9 **SECTION 810.** 46.03 (7m) of the statutes is renumbered 48.62 (7) and amended
10 to read:

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

16 **SECTION 811.** 46.03 (18) (a) of the statutes is amended to read:

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

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

6 **SECTION 812.** 46.03 (18) (a) of the statutes, as affected by 2007 Wisconsin Act
7 (this act), is amended to read:

8 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
9 ~~health and family services shall establish a uniform system of fees for services~~
10 ~~provided or purchased by the department of health and family services, or a county~~
11 ~~department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided~~
12 ~~under ch. 48 and subch. III of ch. 49; services relating to adoption; services provided~~
13 ~~to courts; outreach, information and referral services; or where when, as determined~~
14 ~~by the department of health and family services, a fee is administratively unfeasible~~
15 ~~or would significantly prevent accomplishing the purpose of the service. A county~~
16 ~~department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees which that~~
17 ~~it collects under this program to cover the cost of such those services.~~

18 **SECTION 813.** 46.03 (18) (am) of the statutes is 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).~~

24 **SECTION 814.** 46.03 (18) (ar) of the statutes is created to read:

1 46.03 (18) (ar) A county may retain fees that it collects under this subsection
2 for services the county provides without state funding under the disabled children's
3 long-term support program.

4 **SECTION 815.** 46.03 (20) (a) of the statutes is amended to read:

5 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,
6 the department may make payments directly to recipients of public assistance or to
7 such persons authorized to receive such payments in accordance with law and rules
8 of the department on behalf of the counties. Except for payments provided under ch.
9 48 or subch. III of ch. 49, the department may charge the counties for the cost of
10 operating public assistance systems which make such payments.

11 **SECTION 816.** 46.03 (22) (title) of the statutes is amended to read:

12 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

13 **SECTION 817.** 46.03 (22) (a) of the statutes is amended to read:

14 46.03 (22) (a) "Community In this subsection, "community living arrangement
15 for adults" means ~~any of the following facilities licensed or operated, or permitted~~
16 ~~under the authority of the department: residential care centers for children and~~
17 ~~youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under~~
18 ~~s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based~~
19 ~~residential facilities~~ a community-based residential facility, as defined in s. 50.01
20 (1g); ~~but does not include adult family homes, as defined in s. 50.01 (1), day care~~
21 ~~centers, nursing homes, general hospitals, special hospitals, prisons, and jails.~~

22 **SECTION 818.** 46.03 (22) (b) of the statutes is amended to read:

23 46.03 (22) (b) Community living arrangements for adults shall be subject to the
24 same building and housing ordinances, codes, and regulations of the municipality or
25 county as similar residences located in the area in which the facility is located.

SECTION 819

1 **SECTION 819.** 46.03 (22) (c) of the statutes is amended to read:

2 46.03 (22) (c) The department shall designate a subunit to keep records and
3 supply information on community living arrangements for adults under ss. 59.69
4 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving
5 all complaints regarding community living arrangements for adults and for
6 coordinating all necessary investigatory and disciplinary actions under the laws of
7 this state and under the rules of the department relating to the licensing of
8 community living arrangements for adults.

9 **SECTION 820.** 46.03 (22) (d) of the statutes is amended to read:

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

17 **SECTION 821.** 46.03 (22) (e) of the statutes is amended to read:

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

1 **SECTION 822.** 46.03 (29) of the statutes is repealed.

2 **SECTION 823.** 46.03 (39) of the statutes is renumbered 48.47 (39).

3 **SECTION 824.** 46.031 (3) (a) of the statutes is amended to read:

4 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
5 county board of supervisors of each county or the county boards of supervisors of 2
6 or more counties jointly shall establish a citizen advisory committee to the county
7 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
8 committee shall advise in the formulation of the budget under sub. (1). Membership
9 on the committee shall be determined by the county board of supervisors in a county
10 with a single-county committee or by the county boards of supervisors in counties
11 with a multicounty committee and shall include representatives of those persons
12 receiving services, providers of service and citizens. A majority of the members of the
13 committee shall be citizen and service consumers. ~~At least one member of the~~
14 ~~committee shall be chosen from the governing or administrative board of the~~
15 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The
16 committee's membership may not consist of more than 25% county supervisors, nor
17 of more than 20% service providers. The chairperson of the committee shall be
18 appointed by the county board of supervisors establishing it. In the case of a
19 multicounty committee, the chairperson shall be nominated by the committee and
20 approved by the county boards of supervisors establishing it. The county board of
21 supervisors in a county with a single-county committee or the county boards of
22 supervisors in counties with a multicounty committee may designate an agent to
23 determine the membership of the committee and to appoint the committee
24 chairperson or approve the nominee.

25 **SECTION 825.** 46.034 (1) of the statutes is amended to read:

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

13 **SECTION 826.** 46.036 (1) of the statutes is amended to read:

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

24 **SECTION 827.** 46.036 (4) (a) of the statutes is amended to read:

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

12 **SECTION 828.** 46.036 (4) (c) of the statutes is amended to read:

13 46.036 (4) (c) Unless waived by the department, biennially, or annually if
14 required under federal law, provide the purchaser with a certified financial and
15 compliance audit report if the care and services purchased exceed ~~\$25,000~~ \$100,000
16 or any higher threshold amount determined by the department. The audit shall
17 follow standards that the department prescribes. A purchaser may waive the
18 requirements of this paragraph for any family-operated group home, as defined
19 under par. (a), from which it purchases services.

20 **SECTION 829.** 46.036 (4) (c) of the statutes, as affected by 2007 Wisconsin Act
21 (this act), is amended to read:

22 46.036 (4) (c) Unless waived by the department, biennially, or annually if
23 required under federal law, provide the purchaser with a certified financial and
24 compliance audit report if the care and services purchased exceed \$100,000 or any
25 higher threshold amount determined by the department. The audit shall follow

1 standards that the department prescribes. A purchaser may waive the requirements
2 of this paragraph for any family-operated group home, as defined under par. (a),
3 from which it purchases services.

4 SECTION 830. 46.037 of the statutes is renumbered 49.343 and amended to
5 read:

6 **49.343 Rates for residential child care centers and group homes. (1)**
7 Subject to sub. (1m), each residential child care center for children and youth, as
8 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is
9 licensed under s. 48.625 and incorporated under ch. 180, 181, 185, or 193 shall
10 establish a per client rate for its services and shall charge all purchasers the same
11 rate.

12 (1m) Notwithstanding sub. (1), the department, a county department under
13 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the
14 department and one or more of those county departments, and a residential child
15 care center for children and youth or group home, as described in sub. (1), may
16 negotiate a per client rate for the services of that residential child care center for
17 children and youth or group home, if the department, that county department, the
18 county departments in that group of county departments, or the department and one
19 or more of those county departments, agree to place 75% or more of the residents of
20 that residential child care center for children and youth or group home during the
21 period for which that rate is effective. A residential child care center for children and
22 youth or group home that negotiates a per client rate under this subsection shall
23 charge that rate to all purchasers of its services.

24 (2) A residential child care center for children and youth or a group home, as
25 described in sub. (1) or (1m), shall submit to the department the rate it charges and

1 any change in that rate before a charge is made to any purchaser. The department
2 shall provide forms and instructions for the submission of rates and changes in rates
3 under this subsection and a residential child care center for children and youth or
4 a group home that is required to submit a rate or a change in a rate under this
5 subsection shall submit that rate or change in a rate using those forms and
6 instructions.

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

10 SECTION 831. 46.043 (1) of the statutes is amended to read:

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

19 SECTION 832. 46.057 (2) of the statutes is amended to read:

20 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
21 department of corrections shall transfer to the appropriation account under s. 20.435
22 (2) (kx) ~~\$1,379,300 in each fiscal year 2005-06 and \$1,379,300 in fiscal year 2006-07~~
23 and, from the appropriation account under s. 20.410 (3) (hm), the department of
24 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
25 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06 and \$2,390,600~~ 2007-08 and

1 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the
2 Mendota juvenile treatment center. The department of health and family services
3 may charge the department of corrections not more than the actual cost of providing
4 those services.

5 **SECTION 833.** 46.10 (14) (b) of the statutes is amended to read:

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

15 **SECTION 834.** 46.10 (14) (g) of the statutes is created to read:

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

23 **SECTION 835.** 46.10 (16) of the statutes is amended to read:

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

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

12 **SECTION 836.** 46.16 (1) of the statutes is amended to read:

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

19 **SECTION 837.** 46.16 (2) of the statutes is repealed.

20 **SECTION 838.** 46.16 (2m) of the statutes is repealed.

21 **SECTION 839.** 46.16 (2s) of the statutes is repealed.

22 **SECTION 840.** 46.16 (3) of the statutes is amended to read:

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

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1 under what circumstances affecting their health, comfort, morals, and education;
2 collect statistics of the cost of support, and other important facts, of the poor relieved
3 at public expense outside of county homes; and collect information as to the adequacy
4 and efficiency of existing laws for the support and relief of the poor, and the causes
5 of pauperism in the state.

6 **SECTION 841.** 46.16 (7) of the statutes is 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 **SECTION 842.** 46.17 (1) of the statutes is amended to read:

17 46.17 (1) The department shall fix reasonable standards and regulations for
18 the design, construction, repair, and maintenance of county homes, county
19 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,
20 with respect to their adequacy and fitness for the needs which they are to serve.

21 **SECTION 843.** 46.206 (1) (a) of the statutes is amended to read:

22 46.206 (1) (a) The department shall supervise the administration of social
23 services, except as provided under ch. 48 and subch. III of ch. 49 and except for
24 juvenile delinquency-related services. The department shall submit to the federal
25 authorities state plans for the administration of social services, except as provided

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

5 **SECTION 844.** 46.206 (1) (bm) of the statutes is amended to read:

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

18 **SECTION 845.** 46.206 (2) of the statutes is amended to read:

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

23 **SECTION 846.** 46.21 (2m) (c) of the statutes is amended to read:

24 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
25 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07

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

16 **SECTION 847.** 46.21 (5) (b) of the statutes is amended to read:

17 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the
18 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

19 **SECTION 848.** 46.215 (1) (d) of the statutes is amended to read:

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

1 **SECTION 849.** 46.215 (1) (j) of the statutes is amended to read:

2 46.215 (1) (j) To make payments in such manner as the department of
3 workforce development children and families may determine for training of
4 recipients, former recipients, and potential recipients of aid in programs established
5 under s. 49.193, 1997 stats., and s. 49.26 (1).

6 **SECTION 850.** 46.215 (1m) of the statutes is amended to read:

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

24 **SECTION 851.** 46.215 (1p) of the statutes is amended to read:

1 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE
2 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
3 (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,
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 **SECTION 852.** 46.215 (2) (a) 2. of the statutes is amended to read:

9 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and
10 services, the county department of social services may contract, either directly or
11 through the department of ~~workforce development~~ children and families, with public
12 or voluntary agencies or others to purchase, in full or in part, care and services under
13 ch. 48 and subch. III of ch. 49 which the county department of social services is
14 authorized to furnish. This care and these services may be purchased from the
15 department of ~~workforce development~~ children and families if the department of
16 ~~workforce development~~ children and families has staff to furnish the services. If the
17 county department of social services has adequate staff, it may sell the care and
18 services directly to another county or state agency.

19 **SECTION 853.** 46.215 (2) (b) of the statutes is amended to read:

20 46.215 (2) (b) A county department of social services may purchase
21 development and training services from the department of health and family
22 services, from the department of ~~workforce development~~ children and families, from
23 the department of corrections or from other county agencies when the services are
24 available. A county department of social services may sell the development and staff

1 training services to another county or state agency if the county department has
2 adequate staff to provide the services.

3 **SECTION 854.** 46.215 (2) (c) 2. of the statutes is amended to read:

4 46.215 (2) (c) 2. A county department of social services shall develop, under the
5 requirements of s. 49.34, plans and contracts for care and services to be purchased
6 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~
7 children and families may review the contracts and approve them if they are
8 consistent with s. 49.34 and if state or federal funds are available for such purposes.
9 The joint committee on finance may require the department of ~~workforce~~
10 ~~development~~ children and families to submit the contracts to the committee for
11 review and approval. The department of ~~workforce development~~ children and
12 families may not make any payments to a county for programs included in a contract
13 under review by the committee.

14 **SECTION 855.** 46.215 (2) (c) 3. of the statutes is amended to read:

15 46.215 (2) (c) 3. A county department of social services shall develop, under the
16 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
17 care and services to be purchased. The department of corrections may review the
18 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
19 federal funds are available for such purposes. The joint committee on finance may
20 require the department of corrections to submit the contracts to the committee for
21 review and approval. The department of corrections may not make any payments
22 to a county for programs included in a contract under review by the committee. The
23 department of corrections shall reimburse each county for the contracts from the
24 appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

25 **SECTION 856.** 46.215 (3) of the statutes is amended to read:

SECTION 856

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

6 SECTION 857. 46.22 (1) (b) 1. b. of the statutes is amended to read:

7 46.22 (1) (b) 1. b. To make investigations which relate to welfare services,
8 except as provided under ch. 48 and subch. III of ch. 49, upon request by the
9 department of health and family services.

10 SECTION 858. 46.22 (1) (b) 1. d. of the statutes is amended to read:

11 46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for
12 services authorized in this section, except for the administration of and cost of aid
13 granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

14 SECTION 859. 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

15 SECTION 860. 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

16 46.22 (1) (b) 2. (intro.) A county department of social services shall have the
17 following functions, duties, and powers in accordance with the rules promulgated by
18 the department of ~~workforce development~~ children and families and subject to the
19 supervision of the department of ~~workforce development~~ children and families:

20 SECTION 861. 46.22 (1) (b) 2. c. of the statutes is amended to read:

21 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.
22 III of ch. 49 upon request by the department of ~~workforce development~~ children and
23 families.

24 SECTION 862. 46.22 (1) (b) 2. e. of the statutes is amended to read:

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

5 **SECTION 863.** 46.22 (1) (b) 2. g. of the statutes is amended to read:

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

9 **SECTION 864.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

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

15 **SECTION 865.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

16 46.22 (1) (b) 3. d. To submit a final budget to the department of workforce
17 development children and families in accordance with s. 49.325 for services
18 authorized in this subdivision.

19 **SECTION 866.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

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

23 **SECTION 867.** 46.22 (1) (d) of the statutes is amended to read:

24 46.22 (1) (d) *Merit system; records.* The county department of social services
25 is subject to s. 49.78 (4) to (7). The county department of social services and all county

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

6 **SECTION 868.** 46.22 (1) (dm) of the statutes is amended to read:

7 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
8 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
9 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
10 services or tribal agency acting under this subsection may exchange confidential
11 information about a client, without the informed consent of the client, with any other
12 subunit of the same county department of social services or tribal agency, with a
13 resource center, a care management organization, or a family long-term care
14 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
15 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
16 1g., or with a person providing services to the client under a purchase of services
17 contract with the county department of social services or tribal agency or with a
18 resource center, a care management organization, or a family long-term care
19 district, if necessary to enable an employee or service provider to perform his or her
20 duties, or to enable the county department of social services or tribal agency to
21 coordinate the delivery of services to the client. An agency that releases information
22 under this paragraph shall document that a request for information was received
23 and what information was provided.

24 **SECTION 869.** 46.22 (1) (dp) of the statutes is 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 **SECTION 870.** 46.22 (1) (e) 1. of the statutes is amended to read:

9 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
10 services, a county department of social services may contract, either directly or
11 through the department of health and family services, the department of ~~workforce~~
12 ~~development children and families~~, or the department of corrections, with public or
13 voluntary agencies or others to purchase, in full or in part, care and services which
14 the county department of social services is authorized by any statute to furnish in
15 any manner. The services may be purchased from the department of health and
16 family services, the department of ~~workforce development~~ children and families, or
17 the department of corrections if the department of health and family services, the
18 department of ~~workforce development~~ children and families, or the department of
19 corrections has staff to furnish the services. The county department of social
20 services, if it has adequate staff, may sell the care and services directly to another
21 county or state agency.

22 **SECTION 871.** 46.22 (1) (e) 2. of the statutes is amended to read:

23 46.22 (1) (e) 2. A county department of social services may purchase
24 development and training services from the department of health and family
25 services, the department of ~~workforce development~~ children and families, or the

1 department of corrections or from other county agencies if the services are available
2 or sell the development and staff training services to another county or state agency
3 if the county department of social services has adequate staff to provide the services.

4 **SECTION 872.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

5 46.22 (1) (e) 3. a. A county department of social services shall develop, under
6 the requirements of s. 46.036, plans and contracts for care and services, except under
7 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
8 health and family services may review the contracts and approve them if they are
9 consistent with s. 46.036 and to the extent that state or federal funds are available
10 for such purposes. The joint committee on finance may require the department of
11 health and family services to submit the contracts to the committee for review and
12 approval. The department of health and family services may not make any payments
13 to a county for programs included in the contract that is under review by the
14 committee. The department of health and family services shall reimburse each
15 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)
16 according to s. 46.495.

17 **SECTION 873.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

18 46.22 (1) (e) 3. b. A county department of social services shall develop, under
19 the requirements of s. 49.34, plans and contracts for care and services under ch. 48
20 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~
21 children and families may review the contracts and approve them if they are
22 consistent with s. 49.34 and to the extent that state or federal funds are available for
23 such purposes. The joint committee on finance may require the department of
24 ~~workforce development~~ children and families to submit the contracts to the
25 committee for review and approval. The department of ~~workforce development~~

1 children and families may not make any payments to a county for programs included
2 in the contract that is under review by the committee.

3 **SECTION 874.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

4 46.22 (1) (e) 3. c. A county department of social services shall develop, under
5 the requirements of s. 301.08 (2), plans and contracts for juvenile
6 delinquency-related care and services to be purchased. The department of
7 corrections may review the contracts and approve them if they are consistent with
8 s. 301.08 (2) and to the extent that state or federal funds are available for such
9 purposes. The joint committee on finance may require the department of corrections
10 to submit the contracts to the committee for review and approval. The department
11 of corrections may not make any payments to a county for programs included in the
12 contract that is under review by the committee. The department of corrections shall
13 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
14 (cd) and, (ko), and (r) as appropriate.

15 **SECTION 875.** 46.22 (2g) (d) of the statutes is amended to read:

16 46.22 (2g) (d) Prepare, with the assistance of the county social services director
17 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
18 county administrator, a final budget for submission to the department of health and
19 family services in accordance with s. 46.031 (1) for authorized services, except
20 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for
21 submission to the department of ~~workforce development~~ children and families in
22 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.
23 49, and a final budget for submission to the department of corrections in accordance
24 with s. 301.031 (1) for authorized juvenile delinquency-related services.

25 **SECTION 876.** 46.22 (3m) (b) 12. of the statutes is amended to read:

1 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
2 department of health and family services, by the department of workforce
3 development children and families, or by the department of corrections.

4 **SECTION 877.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

5 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
6 health and family services, the secretary of ~~workforce development~~ children and
7 families, the secretary of corrections, and the county board of supervisors.

8 **SECTION 878.** 46.23 (3) (a) of the statutes is amended to read:

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

19 **SECTION 879.** 46.23 (3) (am) 4. of the statutes is amended to read:

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

25 **SECTION 880.** 46.23 (3) (e) of the statutes is amended to read:

1 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
2 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
3 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of
4 human services or tribal agency acting under this section may exchange confidential
5 information about a client, without the informed consent of the client, with any other
6 subunit of the same county department of human services or tribal agency, with a
7 resource center, a care management organization, or a family long-term care
8 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
9 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
10 lg., or with a person providing services to the client under a purchase of services
11 contract with the county department of human services or tribal agency or with a
12 resource center, a care management organization, or a family long-term care
13 district, if necessary to enable an employee or service provider to perform his or her
14 duties, or to enable the county department of human services or tribal agency to
15 coordinate the delivery of services to the client. An agency that releases information
16 under this paragraph shall document that a request for information was received
17 and what information was provided.

18 **SECTION 881.** 46.23 (3) (ed) of the statutes is amended to read:

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

1 **SECTION 882.** 46.23 (5) (a) 1. of the statutes is amended to read:

2 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
3 provided under ch. 48 and subch. III of ch. 49 and except for juvenile
4 delinquency-related policies, within limits established by the department of health
5 and family services. Policy decisions, except as provided under ch. 48 and subch. III
6 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute
7 for the department of health and family services may be delegated by the secretary
8 to the county human services board.

9 **SECTION 883.** 46.23 (5) (a) 2. of the statutes is amended to read:

10 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
11 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~
12 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of
13 ch. 49 not reserved by statute for the department of ~~workforce development~~ children
14 and families may be delegated by the secretary of ~~workforce development~~ children
15 and families to the county human services board.

16 **SECTION 884.** 46.23 (5) (b) of the statutes is amended to read:

17 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
18 department of health and family services, the department of corrections, or the
19 department of ~~workforce development~~ children and families.

20 **SECTION 885.** 46.23 (5) (c) 1. of the statutes is amended to read:

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

1 **SECTION 886.** 46.23 (5) (c) 2. of the statutes is amended to read:

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

6 **SECTION 887.** 46.23 (5) (n) 1. of the statutes is amended to read:

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

14 **SECTION 888.** 46.23 (5) (n) 2. of the statutes is amended to read:

15 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for
16 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the
17 categorization of or limits specified for funds allocated under s. 48.569, with the
18 approval of the department of children and families the county human services board
19 may expend these funds consistent with any service provided under s. 48.569.

20 **SECTION 889.** 46.23 (5m) (c) of the statutes is amended to read:

21 46.23 (5m) (c) Prepare, with the assistance of the county human services
22 director under sub. (6m) (e), a proposed budget for submission to the county executive
23 or county administrator, a final budget for submission to the department of health
24 and family services in accordance with s. 46.031 (1) for authorized services, except
25 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related

SECTION 889

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

6 **SECTION 890.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

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

19 **SECTION 891.** 46.23 (6) (a) 3. of the statutes is amended to read:

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

1 **SECTION 892.** 46.24 of the statutes is renumbered 48.375 (9) and amended to
2 read:

3 **48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.**

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

10 **SECTION 893.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended
11 to read:

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

20 **SECTION 894.** 46.261 (title) of the statutes is renumbered 48.645 (title).

21 **SECTION 895.** 46.261 (1) of the statutes is renumbered 48.645 (1).

22 **SECTION 896.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

23 **SECTION 897.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)
24 (intro.).

SECTION 898

1 **SECTION 898.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and
2 amended to read:

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

18 **SECTION 899.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and
19 amended to read:

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

1 ~~licensed child caring institution residential care center for children and youth~~ by the
2 county department or the department. Reimbursement shall be made by the state
3 pursuant to as provided in subd. 1.

4 **SECTION 900.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and
5 amended to read:

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

17 **SECTION 901.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and
18 amended to read:

19 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,
20 or residential care center for children and youth or a subsidized guardianship home
21 when the child is in the custody or guardianship of the state, when the child is a ward
22 of an American Indian tribal court in this state and the placement is made under an
23 agreement between the department and the tribal governing body, or when the child
24 was part of the state's direct service case load and was removed from the home of a
25 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 SECTION 902. 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

4 SECTION 903. 46.261 (3) of the statutes is renumbered 48.645 (3).

5 SECTION 904. 46.27 (4) (am) of the statutes is amended to read:

6 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board
7 of a resource center assumes under s. 46.282 (3) (b) 46.283 (6) (b) 10. the duties of the
8 county long-term support planning committee under this subsection, the county
9 long-term support planning committee for the county is dissolved.

10 SECTION 905. 46.27 (4) (c) (intro.) of the statutes is amended to read:

11 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~
12 ~~long-term care council~~ the governing board of a resource center has under s. 46.282
13 ~~(3) (b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the local
14 ~~long-term care council~~ governing board of the resource center shall recommend a
15 community options plan for participation in the program. The plan shall include:

16 SECTION 906. 46.27 (4) (c) 5. of the statutes is amended to read:

17 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
18 ~~a local long-term care council~~ the governing board of a resource center has under
19 s. 46.282 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the
20 ~~local long-term care council~~ governing board of the resource center to monitor the
21 implementation of the program.

22 SECTION 907. 46.27 (4) (c) 8. of the statutes is amended to read:

23 46.27 (4) (c) 8. If a contract with an entity under s. 46.281 (1) (e) 1. 46.284 (2)
24 is established in the county, a description of how the activities of the entity relate to
25 and are coordinated with the county's proposed program.

1 **SECTION 908.** 46.27 (5) (am) of the statutes is amended to read:

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

15 **SECTION 909.** 46.27 (5) (j) of the statutes is created to read:

16 46.27 (5) (j) Within the time period specified by the department, offer
17 counseling, that is specified by the department, concerning public and private
18 benefit programs to prospective residents of community-based residential facilities
19 who are referred to the county department or aging unit under s. 50.035 (4n).

20 **SECTION 910.** 46.27 (6) (a) 3. of the statutes is amended to read:

21 46.27 (6) (a) 3. In each participating county, except in counties in which the
22 department has contracted with an entity under s. ~~46.281 (1) (e)~~ 46.284 (2),
23 assessments shall be conducted for those persons and in accordance with the
24 procedures described in the county's community options plan. The county may elect
25 to establish assessment priorities for persons in target groups identified by the

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1 county in its plan regarding gradual implementation. If a person who is already
2 admitted to a nursing home requests an assessment and if funds allocated for
3 assessments under sub. (7) (am) are available, the county shall conduct the
4 assessment.

5 **SECTION 911.** 46.27 (6g) (intro.) of the statutes is amended to read:

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

11 **SECTION 912.** 46.27 (6u) (c) 1. a. of the statutes is amended to read:

12 46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 or,
13 49.47, or 49.471 (4) (a).

14 **SECTION 913.** 46.27 (6u) (d) (intro.) of the statutes is amended to read:

15 46.27 (6u) (d) (intro.) In determining financial eligibility under par. (c) 1. and
16 in calculating the amount under par. (c) 2., the county department or aging unit shall
17 include as the assets for any person, except those persons who are eligible for medical
18 assistance under s. 49.46, 49.468 or, 49.47, or 49.471 (4) (a), any portion of assets that
19 the person or the person's spouse has, after August 12, 1993, transferred to another
20 as specified in par. (b), unless one of the following conditions applies:

21 **SECTION 914.** 46.27 (7) (am) of the statutes is amended to read:

22 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
23 shall allocate funds to each county or private nonprofit agency with which the
24 department contracts to pay assessment and case plan costs under sub. (6) not
25 otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse

1 counties for the cost of assessing persons eligible for medical assistance under s.
2 49.46, 49.468, or 49.47, or 49.471 (4) (a) as part of the administrative services of
3 medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds
4 allocated under this paragraph to pay the cost of long-term community support
5 services and for a risk reserve under par. (fr).

6 **SECTION 915.** 46.27 (7) (b) of the statutes is amended to read:

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

21 **SECTION 916.** 46.27 (7) (cj) 3. a. of the statutes is repealed.

22 **SECTION 917.** 46.27 (7) (fr) 3. c. of the statutes is amended to read:

23 46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,
24 to transfer funds to a family long-term care district.

25 **SECTION 918.** 46.27 (9) (a) of the statutes is amended to read:

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1 46.27 (9) (a) The department may select up to 5 counties that volunteer to
2 participate in a pilot project under which they will receive certain funds allocated for
3 long-term care. The department shall allocate a level of funds to these counties
4 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), ~~(gp), or (w),~~
5 or (xd) to nursing homes for providing care because of increased utilization of nursing
6 home services, as estimated by the department. In estimating these levels, the
7 department shall exclude any increased utilization of services provided by state
8 centers for the developmentally disabled. The department shall calculate these
9 amounts on a calendar year basis under sub. (10).

10 **SECTION 919.** 46.27 (9) (c) of the statutes is amended to read:

11 46.27 (9) (c) All long-term community support services provided under this
12 pilot project in lieu of nursing home care shall be consistent with those services
13 described in the participating county's community options plan under sub. (4) (c) 1.
14 and provided under sub. (5) (b). Unless the department has contracted under s.
15 ~~46.281 (1) (e) 1.~~ 46.284 (2) with an entity other than the county department, each
16 county participating in the pilot project shall assess persons under sub. (6).

17 **SECTION 920.** 46.27 (10) (a) 1. of the statutes is amended to read:

18 46.27 (10) (a) 1. The department shall determine for each county participating
19 in the pilot project under sub. (9) a funding level of state medical assistance
20 expenditures to be received by the county. This level shall equal the amount that the
21 department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp), or (w),~~
22 or (xd), or because of increased utilization of nursing home services, as estimated by
23 the department.

24 **SECTION 921.** 46.27 (11) (c) 5n. a. of the statutes is repealed.

25 **SECTION 922.** 46.275 (1m) (a) of the statutes is amended to read:

1 46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.
2 49, except s. ss. 49.468 and 49.471.

3 **SECTION 923.** 46.275 (5) (a) of the statutes is amended to read:

4 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
5 department under sub. (3r), provides under this program is available from the
6 appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and (xd). If 2 or more
7 counties jointly contract to provide services under this program and the department
8 approves the contract, Medical Assistance reimbursement is also available for
9 services provided jointly by these counties.

10 **SECTION 924.** 46.275 (5) (c) of the statutes is amended to read:

11 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), and
12 (xd) to counties and to the department under sub. (3r) for services provided under
13 this section may not exceed the amount approved by the federal department of health
14 and human services. A county may use funds received under this section only to
15 provide services to persons who meet the requirements under sub. (4) and may not
16 use unexpended funds received under this section to serve other developmentally
17 disabled persons residing in the county.

18 **SECTION 925.** 46.275 (5m) of the statutes is repealed.

19 **SECTION 926.** 46.277 (1m) (a) of the statutes is amended to read:

20 46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.
21 49, except s. ss. 49.468 and 49.471.

22 **SECTION 927.** 46.277 (3) (d) of the statutes is created to read:

23 46.277 (3) (d) The county department or aging unit that administers the
24 program under this section shall, within the time period specified by the department,
25 offer counseling, that is specified by the department, concerning public and private

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1 benefit programs to prospective residents of community-based residential facilities
2 who are referred to the county department or aging unit under s. 50.035 (4n).

3 SECTION 928. 46.277 (5) (d) 1n. a. of the statutes is repealed.

4 SECTION 929. 46.277 (5) (g) 3. of the statutes is amended to read:

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

19 SECTION 930. 46.278 (1m) (b) of the statutes is amended to read:

20 46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.
21 49, except s. ss. 49.468 and 49.471.

22 SECTION 931. 46.278 (6) (d) of the statutes is amended to read:

23 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
24 share of service costs under a waiver received under sub. (3), the department may,
25 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services

1 that the county provides under this section to persons who are in addition to those
2 who may be served under this section with funds from the appropriation account
3 under s. 20.435 (4) (b) ~~or~~, (w), or (xd).

4 **SECTION 932.** 46.2785 (5) (a) of the statutes is amended to read:

5 46.2785 (5) (a) Medical assistance reimbursement for services a county or
6 private agency contracts for or provides under the waiver program shall be made
7 from the appropriation accounts under s. 20.435 (4) (b) ~~and~~, (o), and (xd).

8 **SECTION 933.** 46.28 (1) (f) of the statutes is amended to read:

9 46.28 (1) (f) "Victim of domestic abuse" means an individual who has
10 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

11 **SECTION 934.** 46.2803 (2) of the statutes is created to read:

12 46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management
13 organization is operating pursuant to a contract under s. 46.284 (2) or a county in
14 which a program described under s. 46.2805 (1) (a) or (b) is administered may use
15 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27
16 (7) to provide community mental health or substance abuse services and supports for
17 persons with mental illness or persons in need of services or supports for substance
18 abuse and to provide services under the Family Support Program under s. 46.985.

19 **SECTION 935.** 46.2804 (title) of the statutes is amended to read:

20 46.2804 (title) ~~Managed care programs for Client management of~~
21 managed care long-term care services benefit.

22 **SECTION 936.** 46.2804 (1) of the statutes is repealed.

23 **SECTION 937.** 46.2804 (2) of the statutes is renumbered 46.2804.

24 **SECTION 938.** 46.2805 (5) of the statutes is renumbered 46.2805 (7r) and
25 amended to read:

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

3 **SECTION 939.** 46.2805 (6) of the statutes is renumbered 46.2805 (7u) and
4 amended to read:

5 46.2805 (7u) "Family Long-term care district board" means the governing
6 board of a family long-term care district.

7 **SECTION 940.** 46.2805 (6m) of the statutes is created to read:

8 46.2805 (6m) "Family member" means a spouse or an individual related by
9 blood, marriage, or adoption within the 3rd degree of kinship as computed under s.
10 990.001 (16).

11 **SECTION 941.** 46.2805 (6r) of the statutes is created to read:

12 46.2805 (6r) "Financial and cost-sharing screening" means a screening to
13 determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s.
14 46.286 (2) using a uniform tool prescribed by the department.

15 **SECTION 942.** 46.2805 (6v) of the statutes is created to read:

16 46.2805 (6v) "Frail elder" means an individual who is 65 years of age or older
17 and has a physical disability or irreversible dementia that restricts the individual's
18 ability to perform normal daily tasks or that threatens the capacity of the individual
19 to live independently.

20 **SECTION 943.** 46.2805 (7) of the statutes is amended to read:

21 46.2805 (7) "~~Functional and financial screen~~ screening" means a screen
22 ~~prescribed by the department that is used~~ screening to determine functional
23 eligibility under s. 46.286 (1) (a) and ~~financial eligibility under s. 46.286 (1) (b)~~ using
24 a uniform tool prescribed by the department.

25 **SECTION 944.** 46.2805 (7m) of the statutes is repealed.

1 **SECTION 945.** 46.281 (1) (intro.) of the statutes is renumbered 46.281 (1n)
2 (intro.), and 46.281 (1n) (title), as renumbered, is amended to read:

3 46.281 (1n) (title) DUTIES OTHER DUTIES OF THE DEPARTMENT.

4 **SECTION 946.** 46.281 (1) (c) of the statutes is renumbered 46.281 (1d) and
5 amended to read:

6 46.281 (1d) WAIVER REQUEST. Request The department shall request from the
7 secretary of the federal department of health and human services any waivers of
8 federal medicaid laws necessary to permit the use of federal moneys to provide the
9 family care benefit to recipients of medical assistance. The department shall
10 implement any waiver that is approved and that is consistent with ss. 46.2805 to
11 46.2895. Regardless of whether a waiver is approved, the department may
12 implement operation of resource centers, care management organizations, and the
13 family care benefit.

14 **SECTION 947.** 46.281 (1) (d) of the statutes is repealed.

15 **SECTION 948.** 46.281 (1) (e) of the statutes is repealed.

16 **SECTION 949.** 46.281 (1) (f) of the statutes is renumbered 46.281 (1n) (a).

17 **SECTION 950.** 46.281 (1) (g) of the statutes is renumbered 46.281 (1n) (b).

18 **SECTION 951.** 46.281 (1) (h) of the statutes is renumbered 46.281 (1n) (c).

19 **SECTION 952.** 46.281 (1) (i) of the statutes is repealed.

20 **SECTION 953.** 46.281 (1g) of the statutes is created to read:

21 46.281 (1g) CONTRACTING FOR RESOURCE CENTERS AND CARE MANAGEMENT
22 ORGANIZATIONS. The department may contract with entities as provided under s.
23 46.283 (2) to provide the services under s. 46.283 (3) and (4) as resource centers in
24 any geographic area in the state, and may contract with entities as provided under

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1 s. 46.284 (2) to administer the family care benefit as care management organizations
2 in any geographic area in the state.

3 **SECTION 954.** 46.281 (1n) (d) of the statutes is created to read:

4 46.281 (1n) (d) 1. Establish regions for long-term care advisory committees
5 under s. 46.2825, periodically review the boundaries of the regions, and, as
6 appropriate, revise the boundaries.

7 2. Specify the number of members that each governing board of a resource
8 center shall appoint to a regional long-term care advisory committee. The total
9 number of committee members shall not exceed 25, and the department shall allot
10 committee membership equally among the governing boards of resource centers
11 operating within the boundaries of the regional long-term care advisory committee.

12 3. Provide information and staff assistance to assist regional long-term care
13 advisory committees in performing the duties under s. 46.2825 (2).

14 **SECTION 955.** 46.281 (2) (title) of the statutes is amended to read:

15 46.281 (2) (title) ~~POWERS~~ OTHER POWERS OF THE DEPARTMENT.

16 **SECTION 956.** 46.281 (3) of the statutes is amended to read:

17 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,
18 hospital, nursing home, community-based residential facility, adult family home
19 and residential care apartment complex the date on which a resource center that
20 serves the area of the county, hospital, nursing home, community-based residential
21 facility, adult family home or residential care apartment complex is first available
22 to ~~provide a perform~~ functional screenings and financial ~~screen~~ and cost-sharing
23 screenings. To facilitate phase-in of services of resource centers, the secretary may
24 certify that the resource center is available for specified groups of eligible individuals
25 or for specified facilities in the county.

1 **SECTION 957.** 46.282 (title) of the statutes is repealed.

2 **SECTION 958.** 46.282 (2) of the statutes is repealed.

3 **SECTION 959.** 46.282 (3) (title) of the statutes is repealed.

4 **SECTION 960.** 46.282 (3) (a) (intro.) of the statutes is repealed.

5 **SECTION 961.** 46.282 (3) (a) 1. of the statutes is repealed.

6 **SECTION 962.** 46.282 (3) (a) 2. of the statutes is repealed.

7 **SECTION 963.** 46.282 (3) (a) 3. of the statutes is repealed.

8 **SECTION 964.** 46.282 (3) (a) 4. of the statutes is repealed.

9 **SECTION 965.** 46.282 (3) (a) 5. of the statutes is repealed.

10 **SECTION 966.** 46.282 (3) (a) 6. of the statutes is repealed.

11 **SECTION 967.** 46.282 (3) (a) 7. of the statutes is repealed.

12 **SECTION 968.** 46.282 (3) (a) 8. of the statutes is renumbered 46.2825 (2) (e) and
13 amended to read:

14 46.2825 (2) (e) Monitor ~~the pattern of~~ enrollments and disenrollments in local
15 care management organizations that provide services in the committee's region.

16 **SECTION 969.** 46.282 (3) (a) 9. of the statutes is renumbered 46.283 (6) (b) 3. and
17 amended to read:

18 46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and
19 community resources ~~and develop strategies to build local capacity to serve older~~
20 ~~persons and persons with physical or developmental disabilities~~ needed by
21 individuals belonging to the client groups served by the resource center, especially
22 those with long-term care needs.

23 **SECTION 970.** 46.282 (3) (a) 10. of the statutes is renumbered 46.2825 (2) (g) and
24 amended to read:

1 46.2825 (2) (g) Perform long-range planning on long-term care policy for older
2 ~~persons and persons with physical or developmental disabilities~~ individuals
3 belonging to the client groups served by the resource center.

4 **SECTION 971.** 46.282 (3) (a) 11. of the statutes is renumbered 46.283 (6) (b) 8.
5 and amended to read:

6 46.283 (6) (b) 8. Annually review interagency agreements between ~~a~~ the
7 resource center and care management organization or organizations that provide
8 services in the area served by the resource center and make recommendations, as
9 appropriate, on the interaction between the resource center and the care
10 management organization or organizations to assure coordination between or
11 among them and to assure access to and timeliness in provision of services by the
12 resource center and the care management organizations.

13 **SECTION 972.** 46.282 (3) (a) 12. of the statutes is renumbered 46.283 (6) (b) 9.
14 and amended to read:

15 46.283 (6) (b) 9. Annually review Review the number and types of complaints
16 and grievances about and appeals concerning the long-term care system by persons
17 who receive or may receive care under the system in the area served by the resource
18 center, to determine if a need exists for system changes, and recommend system or
19 other changes if appropriate.

20 **SECTION 973.** 46.282 (3) (a) 13. of the statutes is renumbered 46.283 (6) (b) 6.
21 and amended to read:

22 46.283 (6) (b) 6. Identify potential new sources of community resources and
23 funding for needed services for ~~older persons and persons with physical or~~
24 developmental disabilities individuals belonging to the client groups served by the
25 resource center.

1 **SECTION 974.** 46.282 (3) (a) 14. of the statutes is repealed.

2 **SECTION 975.** 46.282 (3) (a) 15. of the statutes is repealed.

3 **SECTION 976.** 46.282 (3) (b) of the statutes is renumbered 46.283 (6) (b) 10. and
4 amended to read:

5 46.283 (6) (b) 10. ~~A local long-term care council may, within the local~~
6 ~~long-term care council's area~~ If directed to do so by the county board, assume the
7 duties of the county long-term community support planning committee as specified
8 under s. 46.27 (4) for a county served by the resource center.

9 **SECTION 977.** 46.2825 of the statutes is created to read:

10 **46.2825 Regional long-term care advisory committees. (1) CREATION.**

11 The governing board of each resource center operating in a region established by the
12 department under s. 46.281 (1n) (d) 1. shall appoint the number of its members that
13 is specified by the department under s. 46.281 (1n) (d) 2. to a regional long-term care
14 advisory committee. At least 50 percent of the persons a resource center board
15 appoints to a regional long-term care advisory committee shall be older persons or
16 persons with a physical or developmental disability or their family members,
17 guardians, or other advocates.

18 **(2) DUTIES.** A regional long-term care advisory committee shall do all of the
19 following:

20 (a) Evaluate the performance of care management organizations and entities
21 that operate a program described under s. 46.2805 (1) (a) or (b) in the committee's
22 region with respect to responsiveness to recipients of their services, fostering choices
23 for recipients, and other issues affecting recipients; and make recommendations
24 based on the evaluation to the department and to the care management
25 organizations and entities, as appropriate.

1 (b) Evaluate the performance of resource centers operating in the committee's
2 region and, as appropriate, make recommendations, concerning their performance
3 to the department and the resource centers.

4 (c) Monitor grievances and appeals made to care management organizations
5 or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the
6 committee's region.

7 (d) Review utilization of long-term care services in the committee's region.

8 (f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards
9 of resources centers operating in the committee's region and other available
10 information, identify any gaps in the availability of services, living arrangements,
11 and community resources needed by older persons and persons with physical or
12 developmental disabilities, and develop strategies to build capacity to provide those
13 services, living arrangements, and community resources in the committee's region.

14 (h) Annually report to the department regarding significant achievements and
15 problems relating to the provision of long-term care services in the committee's
16 region.

17 **SECTION 978.** 46.283 (1) (a) 2. of the statutes is amended to read:

18 46.283 (1) (a) 2. Whether to create a family long-term care district to apply to
19 the department for a contract to operate a resource center.

20 **SECTION 979.** 46.283 (2) (a) of the statutes is repealed.

21 **SECTION 980.** 46.283 (2) (b) of the statutes is renumbered 46.283 (2), and 46.283
22 (2) (intro.) and (b), as renumbered, are amended to read:

23 46.283 (2) (intro.) ~~After June 30, 2001, the~~ The department may, if the
24 applicable review conditions under s. 46.281 (1) (e) 2. are satisfied, contract to
25 operate a resource center with counties, family long-term care districts, or the

1 governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc., under
2 a joint application of any of these, or with a private nonprofit organization if the
3 department determines that the organization has no significant connection to an
4 entity that operates a care management organization and if any of the following
5 applies:

6 (b) A county agency or a family long-term care district applies for a contract
7 but fails to meet the standards specified in sub. (3).

8 **SECTION 981.** 46.283 (3) (h) of the statutes is repealed.

9 **SECTION 982.** 46.283 (3) (i) of the statutes is repealed.

10 **SECTION 983.** 46.283 (3) (k) of the statutes is amended to read:

11 46.283 (3) (k) A determination of eligibility for state supplemental payments
12 under s. 49.77, medical assistance under s. 49.46, 49.468 or 49.47, or 49.471, or the
13 federal food stamp program under 7 USC 2011 to 2029.

14 **SECTION 984.** 46.283 (4) (e) of the statutes is amended to read:

15 46.283 (4) (e) ~~Within 6 months after the family care benefit is available to all~~
16 ~~eligible persons in the area of the resource center, provide~~ Provide information about
17 the services of the resource center, including the services specified in sub. (3) (d),
18 about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and
19 about the family care benefit to all older persons and persons with a physical
20 disability who are residents of nursing homes, community-based residential
21 facilities, adult family homes and residential care apartment complexes in the area
22 of the resource center.

23 **SECTION 985.** 46.283 (4) (f) of the statutes is amended to read:

24 46.283 (4) (f) Provide Perform a functional screening and a financial screen to
25 and cost-sharing screening for any resident, as specified in par. (e), who requests a

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1 ~~screen~~ screening and assist any resident who is eligible and chooses to enroll in a care
2 management organization to do so.

3 **SECTION 986.** 46.283 (4) (g) of the statutes is amended to read:

4 ~~46.283 (4) (g) Provide~~ Perform a functional screening and a financial ~~screen to~~
5 and cost-sharing screening for any person seeking admission to a nursing home,
6 community-based residential facility, residential care apartment complex, or adult
7 family home if the secretary has certified that the resource center is available to the
8 person and the facility and the person is determined by the resource center to have
9 a condition that is expected to last at least 90 days that would require care,
10 assistance, or supervision. A resource center may not require a financial ~~screen and~~
11 cost-sharing screening for a person seeking admission or about to be admitted on a
12 private pay basis who waives the requirement for a financial ~~screen and cost-sharing~~
13 screening under this paragraph, unless the person is expected to become eligible for
14 medical assistance within 6 months. A resource center need not ~~provide~~ perform a
15 functional ~~screen for~~ screening for a person seeking admission or about to be
16 admitted who has received a ~~screen for~~ whom a functional eligibility under s. 46.286
17 (1) (a) screening was performed within the previous 6 months.

18 **SECTION 987.** 46.283 (4) (j) of the statutes is created to read:

19 46.283 (4) (j) Target any outreach, education, and prevention services it
20 provides and any service development efforts it conducts on the basis of findings
21 made by the governing board of the resource center under sub. (6) (b) 2. and 3.

22 **SECTION 988.** 46.283 (5) of the statutes is amended to read:

23 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
24 (bm), ~~(gp)~~, (pa), and (w), and (xd) and (7) (b), (bd), and (md), the department may
25 contract with organizations that meet standards under sub. (3) for performance of

1 the duties under sub. (4) and shall distribute funds for services provided by resource
2 centers.

3 **SECTION 989.** 46.283 (6) of the statutes is amended to read:

4 46.283 (6) GOVERNING BOARD. (a) 1. A resource center shall have a governing
5 board that reflects the ethnic and economic diversity of the geographic area served
6 by the resource center.

7 2. At least one-fourth of the members of the governing board shall be ~~older~~
8 ~~persons or persons with physical or developmental disabilities~~ individuals who
9 belong to a client group served by the resource center or their family members,
10 guardians, or other advocates. The proportion of these board members who belong
11 to each client group, or their family members, guardians, or advocates, shall be the
12 same, respectively, as the proportion of individuals in this state who receive services
13 under s. 46.2805 to 46.2895 and belong to each client group.

14 **SECTION 990.** 46.283 (6) (a) 3. of the statutes is created to read:

15 46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the
16 governing board of, a care management organization or an organization that
17 administers a program described under s. 46.2805 (1) (a) or (b) or a managed care
18 program under s. 49.45 for individuals who are eligible to receive supplemental
19 security income under 42 USC 1381 to 1383c, which serves any geographic area also
20 served by a resource center, and the individual's family members, may not serve as
21 members of the governing board of the resource center.

22 **SECTION 991.** 46.283 (6) (b) of the statutes is created to read:

23 46.283 (6) (b) The governing board of a resource center shall do all of the
24 following:

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1 1. Determine the structure, policies, and procedures of, and oversee the
2 operations of, the resource center. The operations of a resource center that is
3 operated by a county are subject to the county's ordinances and budget.

4 2. Annually gather information from consumers and providers of long-term
5 care services and other interested persons concerning the adequacy of long-term
6 care services offered in the area served by the resource center. The board shall
7 provide well-advertised opportunities for persons to participate in the board's
8 information gathering activities conducted under this subdivision.

9 4. Report findings made under subsds. 2. and 3. to the applicable regional
10 long-term care advisory committee.

11 5. Recommend strategies for building local capacity to serve older persons and
12 persons with physical or developmental disabilities, as appropriate, to local elected
13 officials, the regional long-term care advisory committee, or the department.

14 7. Appoint members to the regional long-term care advisory committee, as
15 provided under s. 46.2825 (1).

16 **SECTION 992.** 46.284 (1) (a) (intro.) of the statutes is amended to read:

17 46.284 (1) (a) (intro.) ~~After considering recommendations of the local~~
18 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors and,
19 in a county with a county executive or a county administrator, the county executive
20 or county administrator, may decide all of the following:

21 **SECTION 993.** 46.284 (1) (a) 2. of the statutes is amended to read:

22 46.284 (1) (a) 2. Whether to create a family long-term care district to apply to
23 the department for a contract to operate a care management organization.

24 **SECTION 994.** 46.284 (2) (b) (intro.) of the statutes is repealed.

25 **SECTION 995.** 46.284 (2) (b) 1. of the statutes is repealed.