

1 (g) shall be structurally separate from the provision of services of the care
2 management organization by January 1, 2001.

3 (2) The department may approve separation of the functions of a resource
4 center from those of a care management organization by a means other than those
5 specified in sub. (2) creating a long-term care district under s. 46.2895 to serve either
6 as a resource center or a care management organization.

7 SECTION 1002. 46.285 (2) of the statutes is repealed.

8 SECTION 1003. 46.286 (1) (intro.) of the statutes is amended to read:

9 46.286 (1) ELIGIBILITY. (intro.) A person is eligible for, but not necessarily
10 entitled to, the family care benefit if the person is at least 18 years of age; has a
11 physical disability, as defined in s. 15.197 (4) (a) 2., or a developmental disability, as
12 defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in s. 55.01 (1v)
13 is a frail elder; and meets all of the following criteria:

14 SECTION 1004. 46.286 (1) (a) 1. of the statutes is amended to read:

15 46.286 (1) (a) 1. The person's functional capacity level of care need is at either
16 of the following levels:

17 a. The comprehensive nursing home level, if the person has a long-term or
18 irreversible condition, expected to last at least 90 days or result in death within one
19 year of the date of application, and requires ongoing care, assistance or supervision.

20 b. The intermediate non-nursing home level, if the person has a condition that
21 is expected to last at least 90 days or result in death within 12 months after the date
22 of application, and is at risk of losing his or her independence or functional capacity
23 unless he or she receives assistance from others.

24 SECTION 1005. 46.286 (1) (b) (intro.) of the statutes is amended to read:



1 46.286 (1) (b) *Financial eligibility*. (intro.) A person is financially eligible if
2 all any of the following apply:

3 **SECTION 1006.** 46.286 (1) (b) 1. (intro.) of the statutes is repealed.

4 **SECTION 1007.** 46.286 (1) (b) 1. a. of the statutes is renumbered 46.286 (1) (b)
5 3. and amended to read:

6 46.286 (1) (b) 3. The person was receiving the family care benefit on the
7 effective date of this subdivision ... [revisor inserts date], the person would qualify
8 for medical assistance except for financial or disability criteria, and the projected cost
9 of the person's care plan, as calculated by the department or its designee, exceeds the
10 person's gross monthly income, plus one-twelfth of his or her countable assets, less
11 deductions and allowances permitted by rule by the department.

12 **SECTION 1008.** 46.286 (1) (b) 1. b. and 2. of the statutes are consolidated,
13 renumbered 46.286 (1) (b) 1m. and amended to read:

14 46.286 (1) (b) 1m. The person is eligible under ch. 49 for medical assistance.
15 ~~2. If subd. 1. b. applies, the person accepts medical assistance and, unless he or she~~
16 ~~is exempt from the acceptance under rules promulgated by the department, accepts~~
17 medical assistance.

18 **SECTION 1009.** 46.286 (3) (a) (intro.) of the statutes is amended to read:

19 46.286 (3) (a) (intro.) Subject to ~~pars. par. (c) and (d)~~, a person is entitled to and
20 may receive the family care benefit through enrollment in a care management
21 organization if ~~he or she~~ all of the following apply:

22 1m. The person is at least 18 years of age,

23 2m. The person has a physical disability, as defined in s. 15.197 (4) (a) 2., a
24 developmental disability, as defined in s. 51.01 (5) (a), or ~~degenerative brain disorder,~~
25 as defined in s. 55.01 (1v), is a frail elder.

1 4m. The person is financially eligible, under sub. (1) (b) 1m., and fulfills any
2 applicable cost-sharing requirements and meets any of the following criteria:

3 **SECTION 1010.** 46.286 (3) (a) 1. of the statutes is repealed.

4 **SECTION 1011.** 46.286 (3) (a) 2. of the statutes is repealed.

5 **SECTION 1012.** 46.286 (3) (a) 3. of the statutes is repealed.

6 **SECTION 1013.** 46.286 (3) (a) 3m. of the statutes is created to read:

7 46.286 (3) (a) 3m. The person is functionally eligible under sub. (1) (a).

8 **SECTION 1014.** 46.286 (3) (a) 4. of the statutes is repealed.

9 **SECTION 1015.** 46.286 (3) (a) 6. of the statutes is repealed.

10 **SECTION 1016.** 46.286 (3) (d) of the statutes is repealed.

11 **SECTION 1017.** 46.286 (3m) of the statutes is repealed and recreated to read:

12 46.286 (3m) **INFORMATION ABOUT ENROLLEES.** The department shall obtain and
13 share information about family care enrollees as provided in s. 49.475.

14 **SECTION 1018.** 46.288 (2) (intro.) of the statutes is amended to read:

15 46.288 (2) (intro.) Criteria and procedures for determining functional
16 eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost
17 sharing under s. 46.286 (2) (a) and ~~entitlement under s. 46.286 (3).~~ The rules for
18 determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially
19 similar to eligibility criteria for receipt of the long-term support community options
20 program under s. 46.27. Rules under this subsection shall include definitions of the
21 following terms applicable to s. 46.286:

22 **SECTION 1019.** 46.289 (title) of the statutes is renumbered 46.2803 (title).

23 **SECTION 1020.** 46.289 of the statutes is renumbered 46.2803 (1).

24 **SECTION 1021.** 46.2895 (title) of the statutes is amended to read:

25 **46.2895 (title) Family Long-term care district.**

1 **SECTION 1022.** 46.2895 (1) (a) (intro.) of the statutes is amended to read:

2 46.2895 (1) CREATION. (a) (intro.) A county board of supervisors, a tribe or band,
3 or any combination of counties or tribes or bands, may create a special purpose
4 district that is termed a “family long-term care district”, that is a local unit of
5 government, that is separate and distinct from, and independent of, the state and the
6 county or tribe or band that created it, and that has the powers and duties specified
7 in this section, if the each county board or tribe or band that participates in creating
8 the district does all of the following:

9 **SECTION 1023.** 46.2895 (1) (a) 1. a. of the statutes is amended to read:

10 46.2895 (1) (a) 1. a. Declares the need for establishing the family long-term
11 care district.

12 **SECTION 1024.** 46.2895 (1) (a) 1. b. of the statutes is amended to read:

13 46.2895 (1) (a) 1. b. Specifies the family long-term care district’s primary
14 purpose, which shall be to operate, under contract with the department, either a
15 resource center under s. 46.283 ~~or~~, a care management organization under s. 46.284,
16 but not both, or a program described under s. 46.2805 (1) (a) or (b).

17 **SECTION 1025.** 46.2895 (1) (a) 1. c. of the statutes is created to read:

18 46.2895 (1) (a) 1. c. Specifies the number of individuals who shall be appointed
19 as members of the long-term care district board, the length of their terms, and, if the
20 long-term care district is created by more than one county or tribe or band, how many
21 members shall be appointed by each county or tribe or band.

22 **SECTION 1026.** 46.2895 (1) (b) of the statutes is repealed.

23 **SECTION 1027.** 46.2895 (1) (c) of the statutes is created to read:

1 46.2895 (1) (c) A long-term care district may not operate a care management
2 organization under s. 46.284 or a program described under s. 46.2805 (1) (a) or (b)
3 if the district operates a resource center under s. 46.283.

4 SECTION 1028. 46.2895 (1) (d) of the statutes is created to read:

5 46.2895 (1) (d) A county or tribe or band may create more than one long-term
6 care district.

7 SECTION 1029. 46.2895 (1) (e) of the statutes is created to read:

8 46.2895 (1) (e) A long-term care district may change its primary purpose
9 specified under par. (a) 1. b. if all the counties or tribes or bands that created the
10 district and that have not withdrawn or been removed from the district under sub.
11 (14), adopt a resolution approving the change in primary purpose and if the change
12 in purpose does not violate par. (c) or any provision of a contract between the
13 department and the district.

14 SECTION 1030. 46.2895 (2) of the statutes is amended to read:

15 46.2895 (2) JURISDICTION. A family long-term care district's jurisdiction is the
16 geographical area of the county or counties of the county board or boards of
17 supervisors who that created the family long-term care district and the geographic
18 area of the reservation of, or lands held in trust for, any tribe or band that created
19 the long-term care district.

20 SECTION 1031. 46.2895 (3) (title) of the statutes is amended to read:

21 46.2895 (3) (title) FAMILY LONG-TERM CARE DISTRICT BOARD.

22 SECTION 1032. 46.2895 (3) (a) 1. of the statutes is renumbered 46.2895 (3) (a)
23 and amended to read:

24 46.2895 (3) (a) The county board of supervisors of a county or, in a county with
25 a county administrator or county executive, the county administrator or county

1 executive shall appoint the ~~members of the family long-term~~ care district board,
2 which is the governing board of a family care district under sub. (1) (a) members
3 whom the county is allotted, by resolutions adopted under sub. (1) (a) 1. c., to appoint.

4 **SECTION 1033.** 46.2895 (3) (a) 2. of the statutes is repealed.

5 **SECTION 1034.** 46.2895 (3) (b) 1. of the statutes is amended to read:

6 46.2895 (3) (b) 1. ~~The family care district board appointed under par. (a) 1. shall~~
7 ~~consist of 15 persons who are residents of the area of jurisdiction of the family care~~
8 ~~district. At least one-fourth of the members of a long-term care district board shall~~
9 ~~be representative of the client group or groups whom it is the family long-term care~~
10 ~~district's primary purpose to serve or those clients' family members, guardians, or~~
11 ~~other advocates.~~

12 **SECTION 1035.** 46.2895 (3) (b) 2. of the statutes is repealed.

13 **SECTION 1036.** 46.2895 (3) (b) 3. of the statutes is amended to read:

14 46.2895 (3) (b) 3. Membership of the family a long-term care district board
15 ~~under subd. 1. or 2. shall reflect the ethnic and economic diversity of in the area of~~
16 ~~jurisdiction of the family long-term care district. Up to one-fourth of the members~~
17 ~~of the board may be elected or appointed officials or employees of the county or~~
18 ~~counties that created the family care district.~~

19 4. No member of the a long-term care district board may have a private
20 financial interest in or profit directly or indirectly from any contract or other
21 business of the family long-term care district.

22 **SECTION 1037.** 46.2895 (3) (b) 5. of the statutes is created to read:

23 46.2895 (3) (b) 5. Only individuals who reside within the jurisdiction of a
24 long-term care district may serve as members of the long-term care district board.

25 **SECTION 1038.** 46.2895 (3) (c) of the statutes is repealed.

1 **SECTION 1039.** 46.2895 (3) (d) of the statutes is amended to read:

2 46.2895 (3) (d) As soon as possible after the appointment of the initial members
3 of the family long-term care district board, the board shall organize for the
4 transaction of business and elect a chairperson and other necessary officers. Each
5 chairperson shall be elected by the board from time to time for the term of that
6 chairperson's office as a member of the board or for the term of 3 years, whichever
7 is shorter, and shall be eligible for reelection. A majority of the board shall constitute
8 a quorum. The Unless specified otherwise in a bylaw adopted by the board, the board
9 may act based on the affirmative vote of a majority of a quorum.

10 **SECTION 1040.** 46.2895 (4) (intro.) of the statutes is amended to read:

11 46.2895 (4) **POWERS.** (intro.) Subject to sub. (1) (a) 1. b. (c), a family long-term
12 care district has all the powers necessary or convenient to carry out the purposes and
13 provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family
14 long-term care district may do all of the following:

15 **SECTION 1041.** 46.2895 (4) (b) of the statutes is amended to read:

16 46.2895 (4) (b) Adopt bylaws and policies and procedures for the regulation of
17 its affairs and the conduct of its business. The bylaws, policies and procedures shall
18 be consistent with ss. 46.2805 to 46.2895 and, if the family long-term care district
19 contracts with the department under par. (d) or (dm), with the terms of that contract.

20 **SECTION 1042.** 46.2895 (4) (dm) of the statutes is created to read:

21 46.2895 (4) (dm) Subject to sub. (1) (c), enter into a contract with the
22 department to operate a program described under s. 46.2805 (1) (a) or (b) and provide
23 services related to the contracted services.

24 **SECTION 1043.** 46.2895 (4) (g) of the statutes is amended to read:

1 46.2895 (4) (g) Subject to sub. (8), employ any agent, employee, or special
2 adviser that the family long-term care district finds necessary, fix and regulate his
3 or her compensation and provide, either directly or subject to an agreement under
4 s. 66.0301 as a participant in a benefit plan of another governmental entity, any
5 employee benefits, including an employee pension plan.

6 **SECTION 1044.** 46.2895 (4) (h) of the statutes is amended to read:

7 46.2895 (4) (h) Mortgage, pledge or otherwise encumber the family long-term
8 care district's property or funds.

9 **SECTION 1045.** 46.2895 (4) (k) of the statutes is amended to read:

10 46.2895 (4) (k) Create a risk reserve or other special reserve as the family
11 long-term care district board desires or as the department requires under the
12 contract with the department that is specified under par. (d).

13 **SECTION 1046.** 46.2895 (4) (L) of the statutes is amended to read:

14 46.2895 (4) (L) Accept aid, including loans, to accomplish the purpose of the
15 family long-term care district from any local, state or federal governmental agency
16 or accept gifts, loans, grants or bequests from individuals or entities, if the conditions
17 under which the aid, loan, gift, grant or bequest is furnished are not in conflict with
18 this section.

19 **SECTION 1047.** 46.2895 (4) (m) of the statutes is amended to read:

20 46.2895 (4) (m) Make and execute other instruments necessary or convenient
21 to exercise the powers of the family long-term care district.

22 **SECTION 1048.** 46.2895 (5) of the statutes is amended to read:

23 46.2895 (5) **LIMITATION ON POWERS.** A family long-term care district may not
24 issue bonds or levy a tax or assessment.

25 **SECTION 1049.** 46.2895 (6) (intro.) of the statutes is amended to read:

1 46.2895 (6) DUTIES. (intro.) The family long-term care district board shall do
2 all of the following:

3 **SECTION 1050.** 46.2895 (6) (b) of the statutes is amended to read:

4 46.2895 (6) (b) Subject to sub. (8), develop and implement a personnel
5 structure and other employment policies for employees of the family long-term
6 care district.

7 **SECTION 1051.** 46.2895 (6) (c) of the statutes is amended to read:

8 46.2895 (6) (c) Assure compliance with the terms of any contract with the
9 department under sub. (4) (d) or (dm).

10 **SECTION 1052.** 46.2895 (6) (d) of the statutes is amended to read:

11 46.2895 (6) (d) Establish a fiscal operating year and annually adopt a budget
12 for the family long-term care district.

13 **SECTION 1053.** 46.2895 (6) (e) of the statutes is amended to read:

14 46.2895 (6) (e) Contract for any legal services required for the family long-term
15 care district.

16 **SECTION 1054.** 46.2895 (7) (a) of the statutes is amended to read:

17 46.2895 (7) (a) Manage the property and business of the family long-term care
18 district and manage the employees of the district, subject to the general control of the
19 family long-term care district board.

20 **SECTION 1055.** 46.2895 (7) (b) of the statutes is amended to read:

21 46.2895 (7) (b) Comply with the bylaws and direct enforcement of all policies
22 and procedures adopted by the family long-term care district board.

23 **SECTION 1056.** 46.2895 (7) (c) of the statutes is amended to read:

24 46.2895 (7) (c) Perform duties in addition to those specified in pars. (a) and (b)
25 as are prescribed by the family long-term care district board.

1 **SECTION 1057.** 46.2895 (8) (a) (intro.) of the statutes is amended to read:

2 46.2895 (8) (a) (intro.) A family long-term care district board that is created
3 at least in part by a county shall do all of the following:

4 **SECTION 1058.** 46.2895 (8) (a) 1. of the statutes is amended to read:

5 46.2895 (8) (a) 1. If the family long-term care district offers employment to any
6 individual who was previously employed by the a county, which participated in
7 creating the district and at the time of the offer had not withdrawn or been removed
8 from the district under sub. (14), and who while employed by the county performed
9 duties relating to the same or a substantially similar function for which the
10 individual is offered employment by the district and whose wages, hours and
11 conditions of employment were established in a collective bargaining agreement
12 with the county under subch. IV of ch. 111 that is in effect on the date that the
13 individual commences employment with the district, with respect to that individual,
14 abide by the terms of the collective bargaining agreement concerning the individual's
15 ~~compensation and benefits~~ wages and, if applicable, vacation allowance, sick leave
16 accumulation, sick leave bank, holiday allowance, funeral leave allowance, personal
17 day allowance, or paid time off allowance until the time of the expiration of that
18 collective bargaining agreement or adoption of a collective bargaining agreement
19 with the district under subch. IV of ch. 111 covering the individual as an employee
20 of the district, whichever occurs first.

21 **SECTION 1059.** 46.2895 (8) (a) 2. of the statutes is repealed.

22 **SECTION 1060.** 46.2895 (8) (a) 3. of the statutes is amended to read:

23 46.2895 (8) (a) 3. If the family long-term care district offers employment to any
24 individual who was previously employed by the a county, which participated in
25 creating the district and at the time of the offer had not withdrawn or been removed

1 from the district under sub. (14), and who while employed by the county performed
2 duties relating to the same or a substantially similar function for which the
3 individual is offered employment by the district, with respect to that individual,
4 recognize all years of service with the county for any benefit provided or program
5 operated by the district for which an employee's years of service may affect the
6 provision of the benefit or the operation of the program.

7 **SECTION 1061.** 46.2895 (8) (a) 4. of the statutes is amended to read:

8 46.2895 (8) (a) 4. If the county has not established its own retirement system
9 for county employees, adopt a resolution that the family long-term care district be
10 included within the provisions of the Wisconsin retirement system under s. 40.21 (1).
11 In this resolution, the family long-term care district shall agree to recognize 100%
12 of the prior creditable service of its employees earned by the employees while
13 employed by the district.

14 **SECTION 1062.** 46.2895 (8) (b) (intro.) of the statutes is amended to read:

15 46.2895 (8) (b) (intro.) The county board of supervisors of the ~~area of~~
16 jurisdiction of the family each county that creates a long-term care district shall do
17 all of the following:

18 **SECTION 1063.** 46.2895 (8) (b) 1. of the statutes is amended to read:

19 46.2895 (8) (b) 1. If the county has established its own retirement system for
20 county employees, provide that family long-term care district employees are eligible
21 to participate in the county retirement system.

22 **SECTION 1064.** 46.2895 (8) (b) 2. of the statutes is repealed.

23 **SECTION 1065.** 46.2895 (8) (b) 2m. of the statutes is created to read:

24 46.2895 (8) (b) 2m. If the long-term care district employs any individual who
25 was previously employed by the county, provide the individual health care coverage

1 that is similar to the health care coverage that the county provided the individual
2 when he or she was employed by the county.

3 **SECTION 1066.** 46.2895 (8) (b) 3. of the statutes is repealed.

4 **SECTION 1067.** 46.2895 (8) (c) of the statutes is created to read:

5 46.2895 (8) (c) A long-term care district and any county that created the
6 district and has not withdrawn from or been removed from the district under sub.
7 (14) may enter into an agreement allocating the costs of providing benefits described
8 under this section between the district and the county.

9 **SECTION 1068.** 46.2895 (9) of the statutes is amended to read:

10 46.2895 (9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2),
11 of a family long-term care district that contains personally identifiable information,
12 as defined in s. 19.62 (5), concerning an individual who receives services from the
13 family long-term care district may be disclosed by the family long-term care district
14 without the individual's informed consent, except as required to comply with s.
15 16.009 (2) (p) or 49.45 (4).

16 **SECTION 1069.** 46.2895 (10) of the statutes is amended to read:

17 46.2895 (10) EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss.
18 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7),
19 253.07 (3) (c) and 938.78 (2) (a), a family long-term care district acting under this
20 section may exchange confidential information about a client, as defined in s.
21 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c),
22 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or
23 51.437 (4r) (b) in the jurisdiction of the family long-term care district, if necessary
24 to enable the family long-term care district to perform its duties or to coordinate
25 the delivery of services to the client.

1 **SECTION 1070.** 46.2895 (11) of the statutes is amended to read:

2 46.2895 (11) OBLIGATIONS AND DEBTS, AND RESPONSIBILITIES NOT THOSE OF COUNTY.

3 The obligations and debts of ~~the family~~ a long-term care district are not the
4 obligations or debts of ~~the~~ any county that created the family care district. If a
5 long-term care district is obligated by statute or contract to provide or pay for
6 services or benefits, no county is responsible for providing or paying for those services
7 or benefits.

8 **SECTION 1071.** 46.2895 (12) of the statutes is amended to read:

9 46.2895 (12) ASSISTANCE TO FAMILY LONG-TERM CARE DISTRICT. From moneys in
10 the a county treasury that are not appropriated to some other purpose, the county
11 board of supervisors under sub. (1) (a) or the county boards of supervisors under sub.
12 (1) (b) may appropriate moneys to the family a long-term care district that the county
13 participated in creating as a gift or may lend moneys to the family long-term care
14 district.

15 **SECTION 1072.** 46.2895 (13) (intro.), (a) and (b) of the statutes are consolidated,
16 renumbered 46.2895 (13) and amended to read:

17 46.2895 (13) DISSOLUTION. (intro.) Subject to the performance of the
18 contractual obligations of a family long-term care district and if first approved by the
19 secretary of the department, the family long-term care district may be dissolved by
20 the joint action of the family long-term care district board and each county board of
21 supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b)
22 or tribe or band that created the family long-term care district and has not
23 withdrawn or been removed from the district under sub. (14). If the family a
24 long-term care district that is created by one county or tribe or band is dissolved, the
25 property of the district shall be transferred to the county board of supervisors or tribe

1 ~~or band that created the family care district except as follows: it.~~ (a) If the family a
2 ~~long-term care district was is~~ created under sub. (1) (b), by more than one county or
3 tribe or band, all of the county boards of supervisors counties or tribes or bands that
4 created the district and that have not withdrawn or been removed from the district
5 under sub. (14) shall agree on the apportioning of the family long-term care district's
6 property before the district may be dissolved. (b) If the family long-term care district
7 operates a care management organization under s. 46.284, disposition of any
8 remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the
9 terms of the district's contract with the department.

10 **SECTION 1073.** 46.2895 (14) of the statutes is created to read:

11 46.2895 (14) WITHDRAWAL OR REMOVAL OF A COUNTY OR TRIBE OR BAND. Subject
12 to approval from the department, a long-term care district may establish conditions
13 for a county or tribe or band that participated with one or more counties or tribes or
14 bands in creating the district to withdraw from the district or for the district to
15 remove the county or tribe or band from the district.

16 **SECTION 1073v.** 46.29 (1) (intro.) of the statutes is amended to read:

17 46.29 (1) (intro.) From the appropriation under s. 20.435 (6) (a), the
18 department shall allocate ~~up to \$10,000~~ at least \$16,100 in each fiscal year for
19 operation of the council on physical disabilities. The council on physical disabilities
20 shall do all of the following:

21 **SECTION 1076.** 46.30 (title) of the statutes is renumbered 49.265 (title).

22 **SECTION 1077.** 46.30 (1) of the statutes is renumbered 49.265 (1).

23 **SECTION 1078.** 46.30 (2) of the statutes is renumbered 49.265 (2).

24 **SECTION 1079.** 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

1 **SECTION 1080.** 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a)
2 (intro.).

3 **SECTION 1081.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

4 **SECTION 1082.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

5 **SECTION 1083.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

6 **SECTION 1084.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

7 **SECTION 1085.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

8 **SECTION 1086.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

9 **SECTION 1087.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

10 **SECTION 1088.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and
11 amended to read:

12 49.265 (3) (a) 8. Appoint a representative or representatives to the citizen
13 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in
14 developing and implementing programs designed to serve the poor.

15 **SECTION 1088d.** 46.30 (3) (a) 9. of the statutes is created to read:

16 46.30 (3) (a) 9. Provide, to individuals who work at least 20 hours per week and
17 whose earned income is at or below 150 percent of the poverty line, a program of skills
18 enhancement that shall include access to transportation, child care, career
19 counseling, job placement assistance, and financial support for education and
20 training.

21 **SECTION 1088e.** 46.30 (3) (a) 9. of the statutes, as created by 2007 Wisconsin
22 Act (this act), is renumbered 49.265 (3) (a) 9.

23 **SECTION 1089.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

24 **SECTION 1090.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

1 **SECTION 1091.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and
2 amended to read:

3 49.265 (4) (a) The department shall distribute the federal community services
4 block grant funds received under 42 USC 9903 and deposited in the appropriations
5 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

6 **SECTION 1092.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

7 **SECTION 1093.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

8 **SECTION 1093d.** 46.30 (4) (cm) of the statutes is created to read:

9 46.30 (4) (cm) From the appropriation under s. 20.435 (3) (fr), the department
10 shall distribute grants to community action agencies to provide the skills
11 enhancement services specified under sub. (3) (a) 9.

12 **SECTION 1093e.** 46.30 (4) (cm) of the statutes, as created by 2007 Wisconsin Act
13 (this act), is renumbered 49.265 (4) (cm) and amended to read:

14 49.265 (4) (cm) From the appropriation under s. ~~20.435~~ 20.437 (3) (fr), the
15 department shall distribute grants to community action agencies to provide the
16 skills enhancement services specified under sub. (3) (a) 9.

17 **SECTION 1094.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

18 **SECTION 1095.** 46.30 (5) of the statutes is renumbered 49.265 (5).

19 **SECTION 1096.** 46.40 (1) (a) of the statutes is amended to read:

20 46.40 (1) (a) Within the limits of available federal funds and of the
21 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds
22 for community social, mental health, developmental disabilities, and alcohol and
23 other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421
24 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to
25 county aging units, as provided in subs. (2), (2m), and (7) to (9).

1 **SECTION 1097.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and
2 amended to read:

3 48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any
4 federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated
5 under par. (a) for the provision of foster care, the department shall distribute those
6 federal moneys for services and projects to assist children and families and for the
7 purposes specified in s. ~~46.46~~ 48.567.

8 **SECTION 1098.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and
9 amended to read:

10 48.563 (1) (c) The Milwaukee County department of social services shall report
11 to the department in a manner specified by the department on all children under the
12 supervision of the Milwaukee County department of social services who are placed
13 in foster homes and whose foster parents receive funding for child care from the
14 amounts distributed under par. (a) so that the department may claim federal foster
15 care and adoption assistance reimbursement under 42 USC 670 to 679a for the
16 amounts expended by the Milwaukee County department of social services for the
17 provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the
18 department receives any federal moneys under 42 USC 670 to 679a in
19 reimbursement of the amounts expended by the Milwaukee County department of
20 social services for the provision of child care for children in foster care in 1996 and
21 1997, the department shall distribute those federal moneys to the Milwaukee County
22 department of social services for the provision of child care for children in foster care.

23 **SECTION 1099.** 46.40 (1) (d) of the statutes is amended to read:

24 46.40 (1) (d) If the department of health and family services receives any
25 federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of

1 preventing out-of-home placements of children, the department of health and
2 family services shall transfer those moneys to the department of children and
3 families, and the department of children and families shall use those moneys as the
4 first source of moneys used to meet the amount of the allocation under sub. s. 48.563
5 (2) that is budgeted from federal funds.

6 **SECTION 1100.** 46.40 (2) of the statutes is amended to read:

7 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
8 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
9 more than ~~\$242,078,700~~ \$242,421,500 in each fiscal year.

10 **SECTION 1101.** 46.40 (2) of the statutes, as affected by 2007 Wisconsin Act
11 (this act), is amended to read:

12 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
13 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
14 more than ~~\$242,421,500~~ \$176,068,400 in each fiscal year.

15 **SECTION 1101p.** 46.40 (2m) (b) of the statutes is amended to read:

16 46.40 (2m) (b) *Community mental health services.* For community mental
17 health services under 42 USC 300x to 300x-9, the department shall distribute ~~not~~
18 ~~more than~~ \$2,513,400 in each fiscal year.

19 **SECTION 1102.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended
20 to read:

21 48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
22 department shall distribute not more than \$412,800 in each fiscal year from the
23 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized
24 American Indian tribes or bands. A tribe or band that receives funding under this

1 subsection shall use that funding to provide child care for an eligible child, as defined
2 in 42 USC 9858n (4).

3 **SECTION 1103.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and
4 amended to read:

5 **48.563 (7m) USE BY COUNTY OF COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO**
6 **PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE.** Upon
7 application by a county department under s. 46.215, 46.22, or 46.23 to the
8 department for permission to use funds allocated to that county department under
9 sub. (2) to employ private counsel for the purposes specified in this subsection and
10 a determination by the department that use of funds for those purposes does not
11 affect any federal grants or federal funding allocated under this section, the
12 department and the county department shall execute a contract authorizing the
13 county department to expend, as agreed upon in the contract, funds allocated to that
14 county department under sub. (2) to permit the county department to employ private
15 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~
16 this chapter relating to child abuse or neglect cases, unborn child abuse cases,
17 ~~proceedings to terminate, termination of parental rights, and any ch. 48 cases or~~
18 ~~proceedings involving the Indian child welfare act~~ Child Welfare Act, 25 USC 1901
19 ~~to 1963.~~

20 **SECTION 1104a.** 46.40 (9) (a) of the statutes is renumbered 46.40 (9) (ar) and
21 amended to read:

22 **46.40 (9) (ar) Transfer to family care program and adult protective services**
23 **allocation.** If a care management organization under s. 46.284 is available in a
24 county, the department may dispose of not more than 21.3% of the amount allocated
25 under sub. (2) to that county as follows; and, of the amount allocated under sub. (8),

1 may dispose of the lesser of up to 60% or the amount remaining after subtracting an
2 amount necessary to maintain funding for recipients under sub. (8) who, on
3 September 1, 2001, are ineligible for the family care benefit under s. 46.286, to that
4 county, as follows:

5 1. By transferring a portion of these amounts that amount, as determined by
6 the department, to the family care program to fund the services of resource centers
7 under s. 46.283 (5) and the services of care management organizations under s.
8 46.284 (4).

9 2. By transferring a portion of these amounts that amount, as determined by
10 the department, to the county's adult protective services allocation under par. (b).

11 **SECTION 1104c.** 46.40 (9) (ag) of the statutes is created to read:

12 46.40 (9) (ag) *Adjustment for family care.* If a care management organization
13 under s. 46.284 is available in a county and the county has under s. 46.281 (4) agreed
14 to a reduction in its distribution under sub. (2), the department shall use the amount
15 established under s. 46.281 (4) to fund the services of care management
16 organizations under s. 46.284 (4).

17 **SECTION 1104g.** 46.40 (9) (b) of the statutes is amended to read:

18 46.40 (9) (b) *Adult protective services allocation.* For adult protective services,
19 the department shall distribute the amounts transferred under par. (a) (ar) 2. in each
20 fiscal year.

21 **SECTION 1106.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and
22 amended to read:

23 48.565 (2) (a) Subject to par. (am), if on December 31 of any year there remains
24 unspent or unencumbered in the allocation under s. 46.40 48.563 (2) an amount that
25 exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40

1 48.563 (2) in that year, the department shall carry forward the excess moneys and
2 distribute not less than 50% of the excess moneys to counties having a population of
3 less than 500,000 that are making a good faith effort, as determined by the
4 department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist
5 children and families, notwithstanding the percentage limit specified in sub. (3) (a).
6 A county shall use not less than 50% of the moneys distributed to the county under
7 this subsection for services for children who are at risk of abuse or neglect to prevent
8 the need for child abuse and neglect intervention services, except that in the calendar
9 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2
10 calendar years after that calendar year the county may use 100% of the moneys
11 distributed under this paragraph to reimburse the department for the costs of
12 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before
13 July 1, 2005, the department may recover any amounts distributed to that county
14 under this paragraph after June 30, 2001, by billing the county or deducting from
15 that county's allocation under s. 46.40 48.563 (2). All moneys received by the
16 department under this paragraph shall be credited to the appropriation account
17 under s. ~~20.435 (3)~~ 20.437 (1) (j).

18 **SECTION 1107.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and
19 amended to read:

20 48.565 (2) (am) If on December 31 of any year a county is not using the
21 centralized unit contracted for under s. 46.03 48.47 (7) (h) for determining whether
22 the cost of providing care for a child is eligible for reimbursement under 42 USC 670
23 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

24 **SECTION 1108.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

1 **SECTION 1109.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and
2 amended to read:

3 48.565 (2) (c) The department shall credit to the appropriation account under
4 s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) any moneys carried forward under par. (a), but not
5 distributed to counties, and may expend those moneys as provided in s. ~~46.46~~ 48.567.

6 **SECTION 1110.** 46.45 (3) (a) of the statutes is amended to read:

7 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
8 governing body, or private nonprofit organization, the department shall carry
9 forward up to 3% of the total amount allocated to the county, tribal governing body,
10 or nonprofit organization for a calendar year, not including the amount allocated to
11 the county under s. 46.40 (7), which amount may be carried forward as provided in
12 par. (c). All funds carried forward for a tribal governing body or nonprofit
13 organization, ~~all federal child welfare funds under 42 USC 620 to 626, and all funds~~
14 allocated under s. 46.40 (2m) carried forward for a county shall be used for the
15 purpose for which the funds were originally allocated. Other funds carried forward
16 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that
17 a county may not use any funds carried forward under this paragraph for
18 administrative or staff costs. An allocation of carried-forward funding under this
19 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and
20 (9).

21 **SECTION 1111.** 46.46 (1) of the statutes is amended to read:

22 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the
23 department shall support costs that are exclusively related to the ongoing and
24 recurring operational costs of augmenting the amount of moneys received under 42
25 USC ~~670 to 679a~~, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and to any

1 other purpose provided for by the legislature by law or in budget determinations and
2 shall distribute moneys to counties as provided in sub. (1g). In addition, the
3 department may expend moneys from the appropriation account under s. 20.435 (8)
4 (mb) as provided in subs. ~~(1m)~~ and sub. (2).

5 **SECTION 1112.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and
6 amended to read:

7 48.567 (1m) In addition to expending moneys from the appropriation account
8 under s. 20.435 (8) ~~(mb)~~ 20.437 (3) (mp) for the augmentation activities specified in
9 sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v
10 in reimbursement of the cost of providing targeted case management services to
11 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and
12 credited to the appropriation account under s. 20.435 (8) ~~(mb)~~ 20.437 (3) (mp) to
13 support the counties' share of implementing the statewide automated child welfare
14 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and
15 families under s. 48.48 (17).

16 **SECTION 1113.** 46.46 (2) of the statutes is amended to read:

17 46.46 (2) If the department proposes to use any moneys from the appropriation
18 account under s. 20.435 (8) (mb) for any purpose other than the purposes specified
19 in subs. (1), ~~(1g)~~, and ~~(1m)~~ and (1g), the department shall submit a plan for the
20 proposed use of those moneys to the secretary of administration by September 1 of
21 the fiscal year after the fiscal year in which those moneys were received. If the
22 secretary of administration approves the plan, he or she shall submit the plan to the
23 joint committee on finance by October 1 of the fiscal year after the fiscal year in which
24 those moneys were received. If the cochairpersons of the committee do not notify the
25 secretary of administration within 14 working days after the date of submittal of the

1 plan that the committee has scheduled a meeting for the purpose of reviewing the
2 plan, the department may implement the plan. If within 14 working days after the
3 date of the submittal by the secretary of administration the cochairpersons of the
4 committee notify him or her that the committee has scheduled a meeting for the
5 purpose of reviewing the plan, the department may implement the plan only with the
6 approval of the committee.

7 **SECTION 1114.** 46.48 (9) of the statutes is created to read:

8 **46.48 (9) QUALITY HOME CARE PROGRAM.** The department shall distribute at least
9 \$167,000 in each fiscal year as a grant to an organization to provide services to
10 consumers and providers of supportive home care and personal care.

11 **SECTION 1115.** 46.48 (11m) (b) of the statutes is amended to read:

12 **46.48 (11m) (b)** The department shall award not more than \$83,800 in fiscal
13 year ~~2005–06~~ and not more than \$106,400 in fiscal year ~~2006–07~~ annually as a grant
14 to an organization or a group of organizations to provide services for female prisoners
15 and offenders from Milwaukee County and their children, if the prisoners or
16 offenders have been convicted of nonviolent crimes.

17 **SECTION 1116.** 46.48 (16) of the statutes is created to read:

18 **46.48 (16) CHILDREN'S LONG-TERM MANAGED CARE.** The department shall award
19 not more than \$250,000 in fiscal year 2007–08 and not more than \$250,000 in fiscal
20 year 2008–09 as a grant to an organization or a group of organizations for technical
21 assistance and planning services in support of family-centered managed care for
22 children with long-term support needs.

23 **SECTION 1117.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and
24 amended to read:

1 **48.481 Grants for children's community programs.** (intro.) From the
2 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the
3 following grants for children's community programs:

4 **SECTION 1118.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

5 **SECTION 1119.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and
6 amended to read:

7 **48.481 (1) (a)** The department shall distribute \$497,200 in each fiscal year to
8 counties for the purpose of supplementing payments for the care of an individual who
9 attains age 18 after 1986 and who resided in a foster home, as defined in s. 48.02 (6),
10 or a treatment foster home, ~~as defined in s. 48.02 (17q)~~, for at least 2 years
11 immediately prior to attaining age 18 and, for at least 2 years, received exceptional
12 foster care or treatment foster care payments in order to avoid institutionalization,
13 as provided under rules promulgated by the department, so that the individual may
14 live in a family home or other noninstitutional situation after attaining age 18. No
15 county may use funds provided under this paragraph to replace funds previously
16 used by the county for this purpose.

17 **SECTION 1120.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

18 **SECTION 1120m.** 46.481 (2) of the statutes is created to read:

19 **46.481 (2) FOSTER YOUTH INDEPENDENCE.** The department shall distribute
20 \$50,000 in each fiscal year to the Foster Youth Independence Center in the city of
21 Milwaukee to provide services to assist youths in making the transition from foster
22 care to independent living.

23 **SECTION 1120n.** 46.481 (2) of the statutes, as created by 2007 Wisconsin Act
24 ... (this act), is renumbered 48.481 (2).

25 **SECTION 1121.** 46.481 (3) of the statutes is renumbered 48.481 (3).

1 **SECTION 1122.** 46.485 (2g) (intro.) of the statutes is amended to read:

2 46.485 (2g) (intro.) From the appropriation accounts account under s. 20.435

3 (4) (b) and ~~(gp)~~, the department may in each fiscal year transfer funds to the
4 appropriation under s. 20.435 (7) (kb) for distribution under this section and from the
5 appropriation account under s. 20.435 (7) (mb) the department ~~may not~~ shall
6 distribute more than \$1,330,500 in each fiscal year to applying counties in this state
7 that meet all of the following requirements, as determined by the department:

8 **SECTION 1123.** 46.485 (3g) of the statutes is amended to read:

9 46.485 (3g) The amount that the department may transfer under sub. (2g) for
10 counties may not exceed the estimated state share of payments under s. 49.45, 49.46
11 or, 49.47, or 49.471 for mental health care and treatment that is provided in inpatient
12 facilities for children with severe emotional disturbances.

13 **SECTION 1124.** 46.49 (title) of the statutes is amended to read:

14 **46.49 (title) Allocation of federal funds for community aids and child**
15 **welfare.**

16 **SECTION 1125.** 46.49 (1) of the statutes is amended to read:

17 46.49 (1) ~~Subject to s. 46.40 (1) (b) and (c), if~~ If the department receives
18 unanticipated federal community mental health services block grant funds under 42
19 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block
20 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~
21 ~~assistance payments under 42 USC 670 to 679a and it if the department~~ proposes to
22 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,
23 the department shall submit a plan for the proposed allocation to the secretary of
24 administration. If the secretary of administration approves the plan, he or she shall
25 submit it to the joint committee on finance. If the cochairpersons of the committee

1 do not notify the secretary of administration that the committee has scheduled a
2 meeting for the purpose of reviewing the plan within 14 working days after the date
3 of his or her submittal, the department may implement the plan, notwithstanding
4 any allocation limits under s. 46.40. If within 14 working days after the date of the
5 submittal by the secretary of administration the cochairpersons of the committee
6 notify him or her that the committee has scheduled a meeting for the purpose of
7 reviewing the plan, the department may implement the plan, notwithstanding s.
8 46.40, only with the approval of the committee.

9 **SECTION 1125m.** 46.495 (1) (d) of the statutes is amended to read:

10 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the
11 department shall distribute the funding for social services, including funding for
12 foster care, treatment foster care, or subsidized guardianship care of a child on whose
13 behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22,
14 and 46.23 as provided under s. 46.40. County matching funds are required for the
15 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the
16 distribution under s. 46.40 (2) shall be specified in a schedule established annually
17 by the department of health and family services. Each county's required match for
18 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's
19 distributions under s. 46.40 (8) for that year for which matching funds are required
20 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
21 juvenile delinquency-related services from its distribution for 1987. Each county's
22 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
23 that county's amounts described in s. 46.40 (9) (a) (ar) (intro.) for that year. Matching
24 funds may be from county tax levies, federal and state revenue sharing funds, or
25 private donations to the county that meet the requirements specified in s. 51.423 (5).

1 Private donations may not exceed 25% of the total county match. If the county match
2 is less than the amount required to generate the full amount of state and federal
3 funds distributed for this period, the decrease in the amount of state and federal
4 funds equals the difference between the required and the actual amount of county
5 matching funds.

6 **SECTION 1126.** 46.495 (1) (d) of the statutes, as affected by 2007 Wisconsin Act
7 (this act), is amended to read:

8 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the
9 department shall distribute the funding for social services, including funding for
10 ~~foster care, treatment foster care, or subsidized guardianship care of a child on whose~~
11 ~~behalf aid is received under s. 46.261~~, to county departments under ss. 46.215, 46.22,
12 and 46.23 as provided under s. 46.40. County matching funds are required for the
13 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the
14 distribution under s. 46.40 (2) shall be specified in a schedule established annually
15 by the department of health and family services. Each county's required match for
16 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's
17 distributions under s. 46.40 (8) for that year for which matching funds are required
18 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
19 juvenile delinquency-related services from its distribution for 1987. Each county's
20 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
21 that county's amounts described in s. 46.40 (9) (ar) (intro.) for that year. Matching
22 funds may be from county tax levies, federal and state revenue sharing funds, or
23 private donations to the county that meet the requirements specified in s. 51.423 (5).
24 Private donations may not exceed 25% of the total county match. If the county match
25 is less than the amount required to generate the full amount of state and federal

1 funds distributed for this period, the decrease in the amount of state and federal
2 funds equals the difference between the required and the actual amount of county
3 matching funds.

4 **SECTION 1127.** 46.51 (title) of the statutes is renumbered 48.986 (title).

5 **SECTION 1128.** 46.51 (1) of the statutes is renumbered 48.986 (1) and amended
6 to read:

7 48.986 (1). From the amounts distributed under s. 46.40 48.563 (1) for services
8 for children and families, the department shall distribute funds to eligible counties
9 for services related to child abuse and neglect and to unborn child abuse, including
10 child abuse and neglect and unborn child abuse prevention, investigation, and
11 treatment.

12 **SECTION 1129.** 46.51 (3) of the statutes is renumbered 48.986 (3).

13 **SECTION 1130.** 46.51 (4) of the statutes is renumbered 48.986 (4).

14 **SECTION 1131.** 46.51 (5) of the statutes is renumbered 48.986 (5).

15 **SECTION 1132.** 46.513 of the statutes is repealed.

16 **SECTION 1133.** 46.515 (title) of the statutes is renumbered 48.983 (title).

17 **SECTION 1134.** 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1)
18 (intro.).

19 **SECTION 1135.** 46.515 (1) (a) of the statutes is repealed.

20 **SECTION 1136.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1)
21 (b) (intro.).

22 **SECTION 1137.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1)
23 (b) 1. (intro.).

24 **SECTION 1138.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b)

25 1. a.

1 **SECTION 1139.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b)

2 1. b.

3 **SECTION 1140.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b)

4 1. c. and amended to read:

5 48.983 (1) (b) 1. c. A family that includes a person who has contacted a county
6 department, as defined in s. 48.02 (2g), or an Indian tribe that has been awarded a
7 grant under this section or, in a county having a population of 500,000 or more that
8 has been awarded a grant under this section, the department or a licensed child
9 welfare agency under contract with the department requesting assistance to prevent
10 abuse or neglect of a child in the person's family and with respect to which an
11 individual responding to the request has determined that all of the conditions in
12 subd. 2. exist.

13 **SECTION 1141.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

14 **SECTION 1142.** 46.515 (1) (c) of the statutes is repealed.

15 **SECTION 1143.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

16 **SECTION 1144.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

17 **SECTION 1145.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

18 **SECTION 1146.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

19 **SECTION 1147.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

20 **SECTION 1148.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

21 **SECTION 1149.** 46.515 (1) (i) of the statutes is renumbered 48.983 (1) (i).

22 **SECTION 1150.** 46.515 (1) (j) of the statutes is renumbered 48.983 (1) (j).

23 **SECTION 1151.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended

24 to read:

1 48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
2 by the department under sub. (5) to participate in the program under this section,
3 the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)
4 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and
5 (am). The minimum amount of a grant is \$10,000. The department shall determine
6 the amount of a grant awarded to a county, other than a county with a population of
7 500,000 or more, or Indian tribe in excess of the minimum amount based on the
8 number of births that are funded by medical assistance under subch. IV of ch. 49 in
9 that county or the reservation of that Indian tribe in proportion to the number of
10 births that are funded by medical assistance under subch. IV of ch. 49 in all of the
11 counties and the reservations of all of the Indian tribes to which grants are awarded
12 under this section. The department shall determine the amount of a grant awarded
13 to a county with a population of 500,000 or more in excess of the minimum amount
14 based on 60% of the number of births that are funded by medical assistance under
15 subch. IV of ch. 49 in that county in proportion to the number of births that are
16 funded by medical assistance under subch. IV of ch. 49 in all of the counties and the
17 reservations of all of the Indian tribes to which grants are awarded under this
18 section.

19 **SECTION 1152.** 46.515 (3) of the statutes is renumbered 48.983 (3).

20 **SECTION 1153.** 46.515 (4) of the statutes is renumbered 48.983 (4).

21 **SECTION 1154.** 46.515 (5) of the statutes is renumbered 48.983 (5) and amended
22 to read:

23 48.983 (5) **SELECTION OF COUNTIES AND INDIAN TRIBES.** The department shall
24 provide competitive application procedures for selecting counties and Indian tribes
25 for participation in the program under this section. The department shall establish

1 a method for ranking applicants for selection based on the quality of their
2 applications. In ranking the applications submitted by counties, the department
3 shall give favorable consideration to a county that has indicated under sub. (6) (d)
4 2. that it is willing to use a portion of any moneys distributed to the county under s.
5 ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance
6 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
7 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use
8 that portion of those moneys to promote the provision of those services for the case
9 by using a wraparound process so as to provide those services in a flexible,
10 comprehensive and individualized manner in order to reduce the necessity for
11 court-ordered services. The department shall also provide application requirements
12 and procedures for the renewal of a grant awarded under this section. The
13 application procedures and the renewal application requirements and procedures
14 shall be clear and understandable to the applicants. The department need not
15 promulgate as rules under ch. 227 the application procedures, the renewal
16 application requirements or procedures or the method for ranking applicants
17 established under this subsection.

18 **SECTION 1155.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)
19 (intro.).

20 **SECTION 1156.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

21 **SECTION 1157.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

22 **SECTION 1158.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

23 **SECTION 1159.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)
24 (title).

25 **SECTION 1160.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

1 **SECTION 1161.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2.
2 and amended to read:

3 48.983 (6) (d) 2. The applicant indicates in the grant application whether the
4 applicant is willing to use a portion of any moneys distributed to the applicant under
5 s. ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance
6 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
7 that is a case. If the applicant is so willing, the applicant shall explain how the
8 applicant plans to use that portion of those moneys to promote the provision of those
9 services for the case by using a wraparound process so as to provide those services
10 in a flexible, comprehensive and individualized manner in order to reduce the
11 necessity for court-ordered services.

12 **SECTION 1162.** 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

13 **SECTION 1163.** 46.515 (6g) of the statutes is renumbered 48.983 (6g).

14 **SECTION 1164.** 46.515 (6m) of the statutes is renumbered 48.983 (6m) and
15 amended to read:

16 48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.
17 If a person who is providing services under a home visitation program under sub. (4)
18 (b) 1. determines that he or she is required or permitted to make a report under s.
19 48.981 (2) about a child in a family to which the person is providing those services,
20 the person shall, prior to making the report under s. 48.981 (2), make a reasonable
21 effort to notify the child's parent that a report under s. 48.981 (2) will be made and
22 to encourage the parent to contact a county department under s. ~~46.22~~ or ~~46.23~~ to
23 request assistance. The notification requirements under this subsection do not affect
24 the reporting requirements under s. 48.981 (2).

25 **SECTION 1165.** 46.515 (6r) of the statutes is renumbered 48.983 (6r).

1 **SECTION 1166.** 46.515 (7) of the statutes is renumbered 48.983 (7).

2 **SECTION 1167.** 46.515 (8) of the statutes is renumbered 48.983 (8).

3 **SECTION 1167n.** 46.54 of the statutes is amended to read:

4 **46.54 Consumer and family self-help and peer-support programs.**

5 From the appropriation under s. 20.435 (7) (md), the department may not shall
6 distribute more than \$874,000 in each fiscal year to increase support for mental
7 health family support projects, employment projects operated by consumers of
8 mental health services, mental health crisis intervention and drop-in projects, and
9 public mental health information activities.

10 **SECTION 1168.** 46.75 (title) of the statutes is renumbered 49.171 (title).

11 **SECTION 1169.** 46.75 (1) of the statutes is renumbered 49.171 (1).

12 **SECTION 1170.** 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

13 **SECTION 1171.** 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and
14 amended to read:

15 49.171 (2) (a) From the appropriation under s. 20.435 (5) 20.437 (2) (dn), the
16 department shall award grants to agencies to operate food distribution programs
17 that qualify for participation in the emergency food assistance program under P.L.
18 98-8, as amended.

19 **SECTION 1172.** 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

20 **SECTION 1173.** 46.75 (3) of the statutes is renumbered 49.171 (3).

21 **SECTION 1174.** 46.76 (intro.) of the statutes is renumbered 49.172 (intro.).

22 **SECTION 1175.** 46.76 (1) of the statutes is renumbered 49.172 (1).

23 **SECTION 1176.** 46.76 (2) of the statutes is renumbered 49.172 (2).

24 **SECTION 1176d.** 46.76 (4) of the statutes is renumbered 49.172 (4).

25 **SECTION 1176f.** 46.76 (5) of the statutes is renumbered 49.172 (5).

1 **SECTION 1179.** 46.766 of the statutes is repealed.

2 **SECTION 1180.** 46.77 of the statutes is renumbered 49.1715 and amended to
3 read:

4 **49.1715 Food distribution administration.** From the appropriation under
5 s. 20.435 (5) 20.437 (2) (dn), the department shall allocate funds to eligible recipient
6 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,
7 as amended, for the storage, transportation, and distribution of commodities
8 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

9 **SECTION 1181.** 46.95 (title) of the statutes is renumbered 49.165 (title).

10 **SECTION 1182.** 46.95 (1) of the statutes is renumbered 49.165 (1).

11 **SECTION 1183.** 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

12 **SECTION 1185.** 46.95 (2) (a) of the statutes is renumbered 49.165 (2) (a) and
13 amended to read:

14 **49.165 (2) (a)** The secretary shall make grants from the appropriations
15 appropriation accounts under s. 20.435 (3) 20.437 (1) (cd) and (hh) to organizations
16 for the provision of any of the services specified in sub. (1) (d). Grants may be made
17 to organizations which have provided those domestic abuse services in the past or to
18 organizations which propose to provide those services in the future. No grant may
19 be made to fund services for child or unborn child abuse or abuse of elderly persons.

20 **SECTION 1186.** 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).

21 **SECTION 1187.** 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

22 **SECTION 1188.** 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

23 **SECTION 1189.** 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

24 **SECTION 1190.** 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f)
25 (intro.) and amended to read:

1 49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)
2 and (hh), the department shall do all of the following:

3 **SECTION 1191.** 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

4 **SECTION 1192.** 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

5 **SECTION 1193.** 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

6 **SECTION 1194.** 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

7 **SECTION 1195.** 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

8 **SECTION 1196.** 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

9 **SECTION 1197.** 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

10 **SECTION 1198.** 46.95 (2m) of the statutes is renumbered 49.165 (2m).

11 **SECTION 1199.** 46.95 (3) of the statutes is renumbered 49.165 (3).

12 **SECTION 1200.** 46.95 (4) of the statutes is renumbered 49.165 (4).

13 **SECTION 1201.** 46.976 of the statutes is repealed.

14 **SECTION 1202.** 46.985 (2) (a) 2. of the statutes is repealed.

15 **SECTION 1203.** 46.985 (2) (f) of the statutes is created to read:

16 46.985 (2) (f) Establish criteria for priority of services that take into account
17 urgency of need, statewide consistency, developmental impact on eligible children,
18 and other factors, so as to ensure that available funds are used consistently and
19 effectively.

20 **SECTION 1204.** 46.99 (title) of the statutes is renumbered 48.545 (title).

21 **SECTION 1205.** 46.99 (1) of the statutes is renumbered 48.545 (1).

22 **SECTION 1206.** 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

23 **SECTION 1207.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a)

24 (intro.) and amended to read:

1 48.545 (2) (a) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (eg)
2 and (nL), the department shall distribute \$2,125,200 in each fiscal year to applying
3 nonprofit corporations and public agencies operating in a county having a population
4 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments
5 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county
6 having a population of 500,000 or more to provide programs to accomplish all of the
7 following:

8 **SECTION 1208.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

9 **SECTION 1209.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

10 **SECTION 1210.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

11 **SECTION 1211.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

12 **SECTION 1212.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

13 **SECTION 1213.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

14 **SECTION 1214.** 46.99 (3) of the statutes is renumbered 48.545 (3).

15 **SECTION 1215.** 46.995 (title) of the statutes is renumbered 48.487 (title).

16 **SECTION 1216.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and

17 amended to read:

18 **48.487 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATION.** From the appropriation
19 account under s. ~~20.435 (3)~~ 20.437 (1) (eg), the department may allocate \$210,000 in
20 each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

21 **SECTION 1217.** 46.995 (2) of the statutes is renumbered 48.487 (2).

22 **SECTION 1218.** 46.995 (3) of the statutes is renumbered 48.487 (3).

23 **SECTION 1219.** 46.995 (4m) of the statutes is renumbered 48.487 (4m).

24 **SECTION 1220.** 46.997 (title) of the statutes is renumbered 48.647 (title).

25 **SECTION 1221.** 46.997 (1) of the statutes is renumbered 48.647 (1).

1 **SECTION 1222.** 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

2 **SECTION 1223.** 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and
3 amended to read:

4 48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the
5 department shall distribute not more than \$0 in each fiscal year as grants to private
6 agencies to provide 2nd-chance homes and related services to eligible persons who
7 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private
8 agencies. A private agency that is awarded a grant under this paragraph may use
9 the amount awarded under the grant to provide care and maintenance to eligible
10 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the
11 private agency; provide services, including the services specified in sub. (3), to
12 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the
13 2nd-chance home, to the children and families of those eligible persons, and to the
14 noncustodial parents of the children of those eligible persons; and, in the first year
15 of the grant period, pay for the start-up costs, other than capital costs, of the private
16 agency's program funded under this paragraph.

17 **SECTION 1224.** 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and
18 amended to read:

19 48.647 (2) (b) The department of health and family services shall award the
20 grants under par. (a) on a competitive basis and according to request-for-proposal
21 procedures that the department of health and family services shall prescribe in
22 consultation with the department of workforce development, local health
23 departments, as defined in s. 250.01 (4), and other providers of services to eligible
24 persons. Those request-for-proposal procedures shall include a requirement that
25 a private agency that applies for a grant under par. (a) include in its grant application

1 proof that the private agency has the cultural competency to provide services under
2 the grant to persons and families in the various cultures in the private agency's
3 target population and that cultural competency is incorporated in the private
4 agency's policies, administration, and practices. In awarding the grants under par.
5 (a), the department of health and family services shall consider the need for those
6 grants to be distributed both on a statewide basis and in the areas of the state with
7 the greatest need for 2nd-chance homes and the need to provide placements for
8 children who are voluntarily placed in a 2nd-chance home as well as for children who
9 are placed in a 2nd-chance home by court order.

10 **SECTION 1225.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

11 **SECTION 1226.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

12 **SECTION 1227.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

13 **SECTION 1228.** 46.997 (3) of the statutes is renumbered 48.647 (3).

14 **SECTION 1229.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended
15 to read:

16 48.647 (4) **EVALUATION.** From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
17 (f), the department shall conduct or shall select an evaluator to conduct an evaluation
18 of the grant program under this section and, by June 1 of the 3rd calendar year
19 beginning after the year in which the first grant under this section is awarded, shall
20 submit a report on that evaluation to the governor and to the appropriate standing
21 committees under s. 13.172 (3). The evaluation shall measure the economic
22 self-sufficiency, parenting skills, independent living skills, and life choice
23 decision-making skills of the eligible persons who received services under the
24 program and any other criteria that the department determines to be appropriate for
25 evaluation.

1 **SECTION 1230.** 48.01 (1) (h) of the statutes is created to read:

2 48.01 (1) (h) To provide a just and humane program of services to nonmarital
3 children, children and unborn children in need of protection or services, and the
4 expectant mothers of those unborn children; to avoid duplication and waste of effort
5 and money on the part of public and private agencies; and to coordinate and integrate
6 a program of services to children and families.

7 **SECTION 1231.** 48.02 (4) of the statutes is amended to read:

8 48.02 (4) “Department” means the department of health and family services
9 children and families.

10 **SECTION 1232.** 48.02 (16) of the statutes is created to read:

11 48.02 (16) “Secretary” means the secretary of children and families.

12 **SECTION 1233.** 48.06 (4) of the statutes is amended to read:

13 48.06 (4) STATE AID. State aid to any county for court services under this section
14 shall be at the same net effective rate that each county is reimbursed for county
15 administration under s. 46.495 48.569. Counties having a population of less than
16 500,000 may use funds received under s. 46.495 48.569 (1) (d), including county or
17 federal revenue sharing funds allocated to match funds received under s. 46.495
18 48.569 (1) (d), for the cost of providing court attached intake services in amounts not
19 to exceed 50% of the cost of providing court attached intake services or \$30,000 per
20 county per calendar year, whichever is less.

21 **SECTION 1234.** 48.21 (5) (b) 1. of the statutes is renumbered 48.21 (5) (b) 1. a.
22 and amended to read:

23 48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her
24 home would be contrary to the welfare of the child. ~~Unless the judge or circuit court~~

1 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
2 5. applies, the order shall in addition include a

3 b. A finding as to whether the person who took the child into custody and the
4 intake worker have made reasonable efforts to prevent the removal of the child from
5 the home, while assuring that the child's health and safety are the paramount
6 concerns, and a unless the judge or circuit court commissioner finds that any of the
7 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

8 c. A finding as to whether the person who took the child into custody and the
9 intake worker have made reasonable efforts to make it possible for the child to return
10 safely home or, if,

11 1m. If for good cause shown sufficient information is not available for the judge
12 or circuit court commissioner to make a finding as to whether those reasonable
13 efforts were made to prevent the removal of the child from the home, while assuring
14 that the child's health and safety are the paramount concerns, a finding as to
15 whether those reasonable efforts were made to make it possible for the child to return
16 safely home and an order for the county department, department, in a county having
17 a population of 500,000 or more, or agency primarily responsible for providing
18 services to the child under the custody order to file with the court sufficient
19 information for the judge or circuit court commissioner to make a finding as to
20 whether those reasonable efforts were made to prevent the removal of the child from
21 the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays,
22 after the date of on which the order is granted.

23 **SECTION 1235.** 48.21 (5) (b) 1. d. of the statutes is created to read:

24 48.21 (5) (b) 1. d. If the child is under the supervision of the county department
25 or, in a county having a population of 500,000 or more, the department, an order

1 ordering the child into the placement and care responsibility of the county
2 department or department as required under 42 USC 672 (a) (2) and assigning the
3 county department or department primary responsibility for providing services to
4 the child.

5 **SECTION 1236.** 48.21 (5) (c) of the statutes is amended to read:

6 48.21 (5) (c) The judge or circuit court commissioner shall make the findings
7 specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances
8 specific to the child and shall document or reference the specific information on
9 which those findings are based in the custody order. A custody order that merely
10 references par. (b) 1., 1m., or 3. without documenting or referencing that specific
11 information in the custody order or an amended custody order that retroactively
12 corrects an earlier custody order that does not comply with this paragraph is not
13 sufficient to comply with this paragraph.

14 **SECTION 1237.** 48.235 (4) (b) of the statutes is amended to read:

15 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b)
16 ~~1. 48.33 (1) (c)~~ as primarily responsible for the provision of services to notify the
17 guardian ad litem, if any, regarding actions to be taken under par. (a).

18 **SECTION 1238.** 48.235 (4m) (b) of the statutes is amended to read:

19 48.235 (4m) (b) The court shall order the agency identified under s. 48.355 (2)
20 (b) ~~1. 48.33 (1) (c)~~ as primarily responsible for the provision of services to notify the
21 guardian ad litem, if any, regarding actions to be taken under par. (a).

22 **SECTION 1239.** 48.275 (2) (d) 2. of the statutes is amended to read:

23 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
24 reimbursement payments shall be made to the clerk of courts of the county where the
25 proceedings took place. Each payment shall be transmitted to the secretary of

1 administration, who shall deposit the amount paid in the general fund and credit
2 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
3 (gx) and the remainder to the appropriation account under s. ~~20.550 (1)~~ (L).

4 **SECTION 1240.** ~~48.30 (6)~~ (b) of the statutes is amended to read:

5 ~~48.30 (6)~~ (b) If it appears to the court that disposition of the case may include
6 placement of the child outside the child's home, the court shall order the child's
7 parent to provide a statement of income, assets, debts, and living expenses to the
8 court or the designated agency under s. ~~48.33 (1)~~ at least 5 days before the scheduled
9 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
10 court shall provide, without charge, to any parent ordered to provide a statement of
11 income, assets, debts, and living expenses a document setting forth the percentage
12 standard established by the department of ~~workforce~~ development under s. ~~49.22 (9)~~
13 and the manner of its application established by the department of ~~health and family~~
14 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
15 consider under s. ~~46.10~~ 49.345 (14) (c).

16 **SECTION 1241.** ~~48.31 (7)~~ (b) of the statutes is amended to read:

17 ~~48.31 (7)~~ (b) If it appears to the court that disposition of the case may include
18 placement of the child outside the child's home, the court shall order the child's
19 parent to provide a statement of income, assets, debts, and living expenses to the
20 court or the designated agency under s. ~~48.33 (1)~~ at least 5 days before the scheduled
21 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
22 court shall provide, without charge, to any parent ordered to provide a statement of
23 income, assets, debts, and living expenses a document setting forth the percentage
24 standard established by the department of ~~workforce~~ development under s. ~~49.22 (9)~~
25 and the manner of its application established by the department of ~~health and family~~

1 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
2 consider under s. ~~46.10~~ 49.345 (14) (c).

3 **SECTION 1242.** 48.315 (2m) (a) 1. of the statutes is amended to read:

4 48.315 (2m) (a) 1. The court making an initial finding under s. 48.21 (5) (b) 1.
5 or 1m., 48.355 (2) (b) 6., or 48.357 (2v) (a) 1. that reasonable efforts have been made
6 to prevent the removal of the child from the home, while assuring that the child's
7 health and safety are the paramount concerns, or an initial finding under s. 48.21
8 (5) (b) 3., 48.355 (2) (b) 6r., or 48.357 (2v) (a) 3. that those efforts were not required
9 to be made because a circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more
10 than 60 days after the date on which the child was removed from the home.

11 **SECTION 1243.** 48.32 (1) (b) 1. of the statutes is renumbered 48.32 (1) (b) 1.
12 (intro.) and amended to read:

13 48.32 (1) (b) 1. (intro.) If at the time the consent decree is entered into the child
14 is placed outside the home under a voluntary agreement under s. 48.63 or is
15 otherwise living outside the home without a court order and if the consent decree
16 maintains the child in that placement or other living arrangement, the consent
17 decree shall include ~~a~~ all of the following:

18 a. A finding that placement of the child in his or her home would be contrary
19 to the welfare of the child, ~~a~~

20 b. A finding as to whether the county department, the department, in a county
21 having a population of 500,000 or more, or the agency primarily responsible for
22 providing services to the child has made reasonable efforts to prevent the removal
23 of the child from the home, while assuring that the child's health and safety are the
24 paramount concerns, unless the judge or circuit court commissioner finds that any
25 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, ~~and a~~

1 c. A finding as to whether the county department, department, or agency has
2 made reasonable efforts to achieve the goal of the child's permanency plan, unless
3 return of the child to the home is the goal of the permanency plan and the judge or
4 circuit court commissioner finds that any of the circumstances specified in s. 48.355
5 (2d) (b) 1. to 5. applies.

6 **SECTION 1244.** 48.32 (1) (b) 1. d. of the statutes is created to read:

7 48.32 (1) (b) 1. d. If the child's placement or other living arrangement is under
8 the supervision of the county department or, in a county having a population of
9 500,000 or more, the department, an order ordering the child into the placement and
10 care responsibility of the county department or department as required under 42
11 USC 672 (a) (2) and assigning the county department or department primary
12 responsibility for providing services to the child.

13 **SECTION 1245.** 48.33 (4m) (intro.) of the statutes is amended to read:

14 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In
15 making a recommendation for an amount of child support under sub. (4), the agency
16 shall consider the factors that the court considers under s. 46.10 49.345 (14) (c) for
17 deviation from the percentage standard. Prior to the dispositional hearing under s.
18 48.335, the agency shall provide the child's parent with all of the following:

19 **SECTION 1246.** 48.33 (4m) (b) of the statutes is amended to read:

20 48.33 (4m) (b) A written explanation of how the parent may request that the
21 court modify the amount of child support under s. 46.10 49.345 (14) (c).

22 **SECTION 1247.** 48.335 (3g) of the statutes is renumbered 48.335 (3g) (intro.) and
23 amended to read:

24 48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in
25 s. 48.38 (1) (a), is recommending placement of the child in a foster home, treatment

1 foster home, group home, or residential care center for children and youth or in the
2 home of a relative other than a parent, the agency shall present as evidence specific
3 information showing that all of the following:

4 (a) That continued placement of the child in his or her home would be contrary
5 to the welfare of the child, ~~specific information showing that.~~

6 (b) That the county department, the department, in a county having a
7 population of 500,000 or more, or the agency primarily responsible for providing
8 services to the child has made reasonable efforts to prevent the removal of the child
9 from the home, while assuring that the child's health and safety are the paramount
10 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
11 applies, and ~~specific information showing that.~~

12 (c) That the county department, department, or agency has made reasonable
13 efforts to achieve the goal of the child's permanency plan, unless return of the child
14 to the home is the goal of the permanency plan and any of the circumstances specified
15 in s. 48.355 (2d) (b) 1. to 5. applies.

16 **SECTION 1248.** 48.355 (2) (b) 1. of the statutes is amended to read:

17 48.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided
18 to the child and family, to the child expectant mother and family, or to the adult
19 expectant mother, ~~the identity of the agencies which are to be primarily responsible~~
20 ~~for the provision of the services ordered by the judge, the identity of the person or~~
21 ~~agency who will provide case management or coordination of services, if any, and, if~~
22 custody of the child is to be transferred to effect the treatment plan, the identity of
23 the legal custodian.

24 **SECTION 1249.** 48.355 (2) (b) 6g. of the statutes is created to read:

1 48.355 (2) (b) 6g. If the child is placed outside the home under the supervision
2 of the county department or, in a county having a population of 500,000 or more, the
3 department, an order ordering the child into the placement and care responsibility
4 of the county department or department as required under 42 USC 672 (a) (2) and
5 assigning the county department or department primary responsibility for providing
6 services to the child.

7 **SECTION 1250.** 48.357 (1) (am) 3. of the statutes is amended to read:

8 48.357 (1) (am) 3. If the court changes the child's placement from a placement
9 outside the home to another placement outside the home, the change in placement
10 order shall contain ~~one of the statements~~ the applicable order specified in sub. (2v)
11 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

12 **SECTION 1251.** 48.357 (1) (c) 3. of the statutes is amended to read:

13 48.357 (1) (c) 3. If the court changes the child's placement from a placement in
14 the child's home to a placement outside the child's home, the change in placement
15 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the
16 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
17 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
18 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
19 determination specified in sub. (2v) (a) 3.

20 **SECTION 1252.** 48.357 (2m) (c) of the statutes is amended to read:

21 48.357 (2m) (c) If the court changes the child's placement from a placement in
22 the child's home to a placement outside the child's home, the change in placement
23 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the
24 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
25 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances

1 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
2 determination specified in sub. (2v) (a) 3. If the court changes the child's placement
3 from a placement outside the home to another placement outside the home, the
4 change in placement order shall contain the applicable order specified in sub. (2v)
5 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

6 **SECTION 1253.** 48.357 (2v) (a) 1m. of the statutes is created to read:

7 48.357 (2v) (a) 1m. If the change in placement order changes the placement of
8 a child who is under the supervision of the county department or, in a county having
9 a population of 500,000 or more, the department to a placement outside the child's
10 home, whether from a placement in the home or from another placement outside the
11 home, an order ordering the child into, or to be continued in, the placement and care
12 responsibility of the county department or department as required under 42 USC
13 672 (a) (2) and assigning the county department or department primary
14 responsibility, or continued primary responsibility, for providing services to the
15 child.

16 **SECTION 1254.** 48.357 (5m) (a) of the statutes is amended to read:

17 48.357 (5m) (a) If a proposed change in placement changes a child's placement
18 from a placement in the child's home to a placement outside the child's home, the
19 court shall order the child's parent to provide a statement of income, assets, debts
20 and living expenses to the court or the person or agency primarily responsible for
21 implementing the dispositional order by a date specified by the court. The clerk of
22 court shall provide, without charge, to any parent ordered to provide a statement of
23 income, assets, debts, and living expenses a document setting forth the percentage
24 standard established by the department of workforce development under s. 49.22 (9)
25 and the manner of its application established by the department of health and family

1 services under s. 46.247 49.345 (14) (g) and listing the factors that a court may
2 consider under s. 46.10 49.345 (14) (c). If the child is placed outside the child's home,
3 the court shall determine the liability of the parent in the manner provided in s. 46.10
4 49.345 (14).

5 **SECTION 1255.** 48.36 (1) (a) of the statutes is amended to read:

6 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the
7 court otherwise designates an alternative placement for the child by a disposition
8 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the
9 parent or guardian or, in the case of a transfer of guardianship and custody under
10 s. 48.839 (4), the duty of the former guardian to provide support shall continue even
11 though the legal custodian or the placement designee may provide the support. A
12 copy of the order transferring custody or designating alternative placement for the
13 child shall be submitted to the agency or person receiving custody or placement and
14 the agency or person may apply to the court for an order to compel the parent or
15 guardian to provide the support. Support payments for residential services, when
16 purchased or otherwise funded or provided by the department or a county
17 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10
18 49.345 (14). Support payments for residential services, when purchased or otherwise
19 funded by the department of health and family services or a county department
20 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

21 **SECTION 1256.** 48.36 (1) (b) of the statutes is amended to read:

22 48.36 (1) (b) In determining the amount of support under par. (a), the court may
23 consider all relevant financial information or other information relevant to the
24 parent's earning capacity, including information reported under s. 49.22 (2m) to the
25 department of workforce development or the county child support agency under s.

1 59.53 (5). If the court has insufficient information with which to determine the
2 amount of support, the court shall order the child's parent to furnish a statement of
3 income, assets, debts, and living expenses, if the parent has not already done so, to
4 the court within 10 days after the court's order transferring custody or designating
5 an alternative placement is entered or at such other time as ordered by the court.

6 **SECTION 1257.** 48.36 (2) of the statutes is amended to read:

7 48.36 (2) If an expectant mother or a child whose legal custody has not been
8 taken from a parent or guardian is given educational and social services, or medical,
9 psychological or psychiatric treatment by order of the court, the cost of those services
10 or that treatment, if ordered by the court, shall be a charge upon the county in a
11 county having a population of less than 500,000 or the department in a county having
12 a population of 500,000 or more. This section does not prevent recovery of reasonable
13 contribution toward the costs from the parent or guardian of the child or from an
14 adult expectant mother as the court may order based on the ability of the parent,
15 guardian or adult expectant mother to pay. This subsection shall be subject to s.
16 ~~46.03 (18)~~ 49.32 (1).

17 **SECTION 1258.** 48.361 (2) (c) of the statutes is amended to read:

18 48.361 (2) (c) Payment for alcohol and other drug abuse services by a county
19 department under this section does not prohibit the county department from
20 contracting with another county department or approved treatment facility for the
21 provision of alcohol and other drug abuse services. Payment by the county under this
22 section does not prevent recovery of reasonable contribution toward the costs of the
23 court-ordered alcohol and other drug abuse services from the parent or adult
24 expectant mother which is based upon the ability of the parent or adult expectant
25 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).