



1 **SECTION 1259.** 48.362 (4) (c) of the statutes is amended to read:

2 48.362 (4) (c) A county department that pays for court-ordered special
3 treatment or care under par. (a) may recover from the parent or adult expectant
4 mother, based on the ability of the parent or adult expectant mother to pay, a
5 reasonable contribution toward the costs of the court-ordered special treatment or
6 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

7 **SECTION 1260.** 48.363 (1) (c) of the statutes is amended to read:

8 48.363 (1) (c) If the proposed revision is for a change in the amount of child
9 support to be paid by a parent, the court shall order the child's parent to provide a
10 statement of income, assets, debts and living expenses to the court and the person
11 or agency primarily responsible for implementing the dispositional order by a date
12 specified by the court. The clerk of court shall provide, without charge, to any parent
13 ordered to provide a statement of income, assets, debts, and living expenses a
14 document setting forth the percentage standard established by the department of
15 workforce development under s. 49.22 (9) and the manner of its application
16 established by the department of health and family services under s. ~~46.247~~ 49.345
17 ~~(14) (g)~~ and listing the factors that a court may consider under s. ~~46.10~~ 49.345 (14)
18 (c).

19 **SECTION 1261.** 48.363 (2) of the statutes is amended to read:

20 48.363 (2) If the court revises a dispositional order with respect to the amount
21 of child support to be paid by a parent for the care and maintenance of the parent's
22 minor child who has been placed by a court order under this chapter in a residential,
23 nonmedical facility, the court shall determine the liability of the parent in the
24 manner provided in s. ~~46.10~~ 49.345 (14).

25 **SECTION 1262.** 48.38 (2) (intro.) of the statutes is amended to read:



1 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
2 for each child living in a foster home, treatment foster home, group home, residential
3 care center for children and youth, juvenile detention facility, or shelter care facility,
4 the agency that placed the child or arranged the placement or the agency assigned
5 primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g,
6 shall prepare a written permanency plan, if any of the following conditions exists,
7 and, for each child living in the home of a relative other than a parent, that agency
8 shall prepare a written permanency plan, if any of the conditions specified in pars.
9 (a) to (e) exists:

10 **SECTION 1263.** 48.417 (2) (c) of the statutes is amended to read:

11 48.417 (2) (c) The agency primarily responsible for providing services to the
12 child and the family under a court order, if required under s. 48.355 (2) (b) 6: to make
13 reasonable efforts to make it possible for the child to return safely to his or her home,
14 has not provided to the family of the child, consistent with the time period in the
15 child's permanency plan, the services necessary for the safe return of the child to his
16 or her home.

17 **SECTION 1264.** 48.425 (1) (c) of the statutes is amended to read:

18 48.425 (1) (c) If the child has been previously adjudicated to be in need of
19 protection and services, a statement of the steps the agency or person responsible for
20 provision of services has taken to remedy the conditions responsible for court
21 intervention and the parent's response to and cooperation with these services. If the
22 child has been removed from the home, the report ~~should~~ shall also include a
23 statement of the reasons why the child cannot be returned safely to the family, and
24 the steps the person or agency has taken to effect this return. If a permanency plan
25 has previously been prepared for the child, the report shall also include specific

1 information showing that the agency primarily responsible for providing services to
2 the child has made reasonable efforts to achieve the goal of the child's permanency
3 plan.

4 **SECTION 1265.** 48.43 (1) (am) of the statutes is created to read:

5 48.43 (1) (am) If the department or a county department receives guardianship
6 or custody of the child under par. (a), an order ordering the child into the placement
7 and care responsibility of the department or county department as required under
8 42 USC 672 (a) (2) and assigning the department or county department primary
9 responsibility for providing services to the child.

10 **SECTION 1266.** 48.43 (1) (cm) of the statutes is created to read:

11 48.43 (1) (cm) If a permanency plan has previously been prepared for the child,
12 a finding as to whether the agency primarily responsible for providing services to the
13 child has made reasonable efforts to achieve the goal of the child's permanency plan.

14 The court shall make the findings specified in this paragraph on a case-by-case basis
15 based on circumstances specific to the child and shall document or reference the
16 specific information on which those findings are based in the order. An order that
17 merely references this paragraph without documenting or referencing that specific
18 information in the order or an amended order that retroactively corrects an earlier
19 order that does not comply with this paragraph is not sufficient to comply with this
20 paragraph.

21 **SECTION 1267.** Subchapter XI (title) of chapter 48 [precedes 48.468] of the
22 statutes is amended to read:

23 **CHAPTER 48**

24 **SUBCHAPTER XI**

1 PURPOSE, DUTIES, AND AUTHORITY

2 OF DEPARTMENT

3 **SECTION 1267g.** 48.468 of the statutes is created to read:

4 **48.468 Purpose of department.** The purpose of the department is to focus
5 on integrating the child welfare, child care, and child support services provided in
6 this state and the services provided under the Wisconsin Works program and on
7 increasing collaboration and efficiency in providing those services.

8 **SECTION 1268.** 48.47 (intro.) of the statutes is created to read:

9 **48.47 Duties of department.** (intro.) The department shall do all of the
10 following:

11 **SECTION 1269.** 48.47 (3) of the statutes is created to read:

12 **48.47 (3) TRUSTEE DUTY.** When ordered by the court, act as trustee of funds paid
13 for the support of any child if appointed by the court or a circuit court commissioner
14 under s. 767.82 (7).

15 **SECTION 1270.** 48.47 (4) of the statutes is created to read:

16 **48.47 (4) EDUCATION AND PREVENTION.** Develop and maintain education and
17 prevention programs that the department considers to be proper.

18 **SECTION 1271.** 48.47 (7) (title) of the statutes is created to read:

19 **48.47 (7) (title) CHILDREN AND YOUTH.**

20 **SECTION 1272.** 48.48 (2b) of the statutes is created to read:

21 **48.48 (2b)** To accept gifts, grants, or donations of money or of property from
22 private sources to be administered by the department for the execution of its
23 functions. All moneys so received shall be paid into the general fund and may be
24 appropriated from that fund as provided in s. 20.437 (1) (i).

25 **SECTION 1273.** 48.48 (4) of the statutes is created to read:

1 48.48 (4) In order to discharge more effectively its responsibilities under this
2 chapter and other relevant provisions of the statutes, to study causes and methods
3 of prevention and treatment of problems among children and families and related
4 social problems. The department may utilize all powers provided by the statutes,
5 including the authority to accept grants of money or property from federal, state, or
6 private sources, and enlist the cooperation of other appropriate agencies and state
7 departments.

8 **SECTION 1274.** 48.48 (12) (a) of the statutes is amended to read:

9 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child
10 after legal adoption when the department has determined that such assistance is
11 necessary to assure the child's adoption. Agreements under this paragraph shall be
12 made in accordance with s. 48.975. Payments shall be made from the appropriation
13 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

14 **SECTION 1275.** 48.48 (17) (am) of the statutes is created to read:

15 48.48 (17) (am) The requirement of statewide uniformity with respect to the
16 organization and governance of human services does not apply to the administration
17 of child welfare services under par. (a).

18 **SECTION 1276.** 48.48 (17) (c) (intro.) of the statutes is amended to read:

19 48.48 (17) (c) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1)
20 (cx), (gx), (kw), and (mx), the department may provide funding for the maintenance
21 of any child who meets all of the following criteria:

22 **SECTION 1277.** 48.48 (17) (c) 3. of the statutes is amended to read:

23 48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or
24 under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior
25 to his or her 18th birthday.

1 **SECTION 1278.** 48.48 (17) (d) of the statutes is amended to read:

2 48.48 (17) (d) The funding provided for the maintenance of a child under par.
3 (c) shall be in an amount equal to that which the child would receive under s. ~~20.435~~
4 ~~(3) 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495~~ 48.569 (1) (d) if the child were 17
5 years of age.

6 **SECTION 1279.** 48.48 (18) of the statutes is created to read:

7 48.48 (18) To contract with public or voluntary agencies or others for the
8 following purposes:

9 (a) To purchase in full or in part care and services that the department is
10 authorized by any statute to provide as an alternative to providing that care and
11 those services itself.

12 (b) To purchase or provide in full or in part the care and services that county
13 agencies may provide or purchase under any statute and to sell to county agencies
14 such portions of that care and those services as the county agency may desire to
15 purchase.

16 (d) To sell services, under contract, that the department is authorized to
17 provide by statute, to any federally recognized tribal governing body.

18 **SECTION 1283.** 48.547 (2) of the statutes is amended to read:

19 48.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding
20 under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the program, the department
21 shall select counties to participate in the program. Unless a county department of
22 human services has been established under s. 46.23 in the county that is seeking to
23 implement a program, the application submitted to the department shall be a joint
24 application by the county department that provides social services and the county
25 department established under s. 51.42 or 51.437. The department shall select

1 counties in accordance with the request for proposal procedures established by the
2 department. The department shall give a preference to county applications that
3 include a plan for case management.

4 **SECTION 1284d.** 48.55 (1) of the statutes is amended to read:

5 48.55 (1) The department shall establish a state adoption information
6 exchange for the purpose of finding adoptive homes for children with special needs
7 who do not have permanent homes and a state adoption center for the purposes of
8 increasing public knowledge of adoption and promoting to adolescents and pregnant
9 women the availability of adoption services. From the appropriation account under
10 s. 20.435 (3) (dg), the department may provide ~~not more than \$163,700 in fiscal year~~
11 ~~2001-02 and not more than \$171,300~~ shall distribute \$212,700 in fiscal year 2007-08
12 and \$219,600 in each fiscal year thereafter as grants to individuals and private
13 agencies to provide adoption information exchange services and to operate the state
14 adoption center.

15 **SECTION 1284g.** 48.55 (1) of the statutes, as affected by 2007 Wisconsin Act ...
16 (this act), is amended to read:

17 48.55 (1) The department shall establish a state adoption information
18 exchange for the purpose of finding adoptive homes for children with special needs
19 who do not have permanent homes and a state adoption center for the purposes of
20 increasing public knowledge of adoption and promoting to adolescents and pregnant
21 women the availability of adoption services. From the appropriation account under
22 s. ~~20.435 (3)~~ 20.437 (1) (dg), the department shall distribute \$212,700 in fiscal year
23 ~~2007-08 and \$219,600 in each fiscal year thereafter as grants to individuals and~~
24 ~~private agencies to provide adoption information exchange services and to operate~~
25 ~~the state adoption center.~~

1 **SECTION 1284m.** 48.55 (3) of the statutes is created to read:

2 48.55 (3) From the appropriation account under s. 20.435 (3) (dg), the
3 department shall distribute \$68,300 in each fiscal year as grants to individuals and
4 private agencies to operate postadoption resource centers.

5 **SECTION 1284p.** 48.55 (3) of the statutes, as created by 2007 Wisconsin Act ...
6 (this act), is amended to read:

7 48.55 (3) From the appropriation account under s. ~~20.435 (3)~~ 20.437 (3) (dg),
8 the department shall distribute \$68,300 in each fiscal year as grants to individuals
9 and private agencies to operate postadoption resource centers.

10 **SECTION 1285.** 48.561 (3) (a) 1. of the statutes is amended to read:

11 48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the amount amounts
12 distributed to that county under s. ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

13 **SECTION 1286.** 48.561 (3) (b) of the statutes is amended to read:

14 48.561 (3) (b) The department of administration shall collect the amount
15 specified in par. (a) 3. from a county having a population of 500,000 or more by
16 deducting all or part of that amount from any state payment due that county under
17 s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall
18 notify the department of revenue, by September 15 of each year, of the amount to be
19 deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.
20 The department of administration shall credit all amounts collected under this
21 paragraph to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kw) and shall
22 notify the county from which those amounts are collected of that collection. The
23 department may not expend any moneys from the appropriation account under s.
24 ~~20.435 (3)~~ 20.437 (1) (cx) for providing services to children and families under s. 48.48

1 (17) until the amounts in the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
2 (kw) are exhausted.

3 **SECTION 1287.** 48.563 of the statutes is created to read:

4 **48.563 Children and family aids funding.** (1) DISTRIBUTION LIMITS. (a)

5 Within the limits of available federal funds and of the appropriations under s. 20.437

6 (1) (b) and (o), the department shall distribute funds for children and family services

7 to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

8 (d) If the department receives from the department of health and family

9 services under s. 46.40 (1) (d) any federal moneys under 42 USC 1396 to 1396v in

10 reimbursement of the cost of preventing out-of-home placements of children, the

11 department shall use those moneys as the first source of moneys used to meet the

12 amount of the allocation under sub. (2) that is budgeted from federal funds.

13 (2) BASIC COUNTY ALLOCATION. For children and family services under s. 48.569

14 (1) (d), the department shall distribute not more than \$67,452,000 in each fiscal year.

15 (14m) COUNTY CHILDREN AND FAMILY AIDS BUDGETS. Before December 1 of each

16 year, each county department and each tribal governing body shall submit to the

17 department a proposed budget for the expenditure of funds allocated under this

18 section, distributed under s. 48.565 (2) (a), or carried forward under s. 48.565 (3). The

19 proposed budget shall be submitted on a form developed by the department and

20 approved by the department of administration.

21 **SECTION 1288.** 48.565 of the statutes is created to read:

22 **48.565 Carry-over of children and family aids funds.** Funds allocated by

23 the department under s. 48.569 (1) (d) but not spent or encumbered by counties,

24 governing bodies of federally recognized American Indian tribes, or private nonprofit

25 organizations by December 31 of each year and funds recovered under s. 48.569 (2)

1 (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the
2 general fund on the succeeding January 1 unless carried forward to the next calendar
3 year under s. 20.437 (1) (b) or as follows:

4 (3) At the request of a county, tribal governing body, or private nonprofit
5 organization, the department shall carry forward up to 3 percent of the total amount
6 allocated to the county, tribal governing body, or nonprofit organization for a
7 calendar year. All funds carried forward for a tribal governing body or nonprofit
8 organization and all federal child welfare funds under 42 USC 620 to 626 carried
9 forward for a county shall be used for the purpose for which the funds were originally
10 allocated. Other funds carried forward under this subsection may be used for any
11 purpose under s. 20.437 (1) (b), except that a county may not use any funds carried
12 forward under this subsection for administrative or staff costs. An allocation of
13 carried-forward funding under this subsection does not affect a county's base
14 allocation under s. 48.563 (2).

15 (6) The department may carry forward 10 percent of any funds specified in sub.
16 (3) that are not carried forward under sub. (3) for emergencies, for justifiable unit
17 services costs above planned levels, and for increased costs due to population shifts.
18 An allocation of carried-forward funding under this subsection does not affect a
19 county's base allocation under s. 48.563 (2).

20 SECTION 1289. 48.567 of the statutes is created to read:

21 **48.567 Expenditure of income augmentation services receipts. (1)**

22 From the appropriation account under s. 20.437 (3) (mp), the department shall
23 support costs that are exclusively related to the ongoing and recurring operational
24 costs of augmenting the amount of moneys received under 42 USC 670 to 679a and
25 to any other purpose provided for by the legislature by law or in budget

1 determinations. In addition, the department may expend moneys from the
2 appropriation account under s. 20.437 (3) (mp) as provided in subs. (1m) and (2).

3 (2) If the department proposes to use any moneys from the appropriation
4 account under s. 20.437 (3) (mp) for any purpose other than the purposes specified
5 in subs. (1) and (1m), the department shall submit a plan for the proposed use of those
6 moneys to the secretary of administration by September 1 of the fiscal year after the
7 fiscal year in which those moneys were received. If the secretary of administration
8 approves the plan, he or she shall submit the plan to the joint committee on finance
9 by October 1 of the fiscal year after the fiscal year in which those moneys were
10 received. If the cochairpersons of the committee do not notify the secretary of
11 administration within 14 working days after the date of submittal of the plan that
12 the committee has scheduled a meeting for the purpose of reviewing the plan, the
13 department may implement the plan. If within 14 working days after the date of the
14 submittal by the secretary of administration the cochairpersons of the committee
15 notify him or her that the committee has scheduled a meeting for the purpose of
16 reviewing the plan, the department may implement the plan only with the approval
17 of the committee.

18 SECTION 1290. 48.568 of the statutes is created to read:

19 **48.568 Allocation of federal funds for children and family aids and**
20 **child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives
21 unanticipated federal foster care and adoption assistance payments under 42 USC
22 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation
23 limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed
24 allocation to the secretary of administration. If the secretary of administration
25 approves the plan, he or she shall submit it to the joint committee on finance. If the

1 cochairpersons of the committee do not notify the secretary of administration that
2 the committee has scheduled a meeting for the purpose of reviewing the plan within
3 14 working days after the date of his or her submittal, the department may
4 implement the plan, notwithstanding any allocation limits under s. 48.563. If within
5 14 working days after the date of the submittal by the secretary of administration
6 the cochairpersons of the committee notify him or her that the committee has
7 scheduled a meeting for the purpose of reviewing the plan, the department may
8 implement the plan, notwithstanding s. 48.563, only with the approval of the
9 committee.

10 SECTION 1291. 48.569 of the statutes is created to read:

11 **48.569 Distribution of children and family aids funds to counties. (1)**

12 (am) The department shall reimburse each county from the appropriations under
13 s. 20.437 (1) (b) and (o) for children and family services as approved by the
14 department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

15 (d) From the appropriations under s. 20.437 (1) (b) and (o), the department shall
16 distribute the funding for children and family services, including funding for foster
17 care, treatment foster care, or subsidized guardianship care of a child on whose
18 behalf aid is received under s. 48.645 to county departments as provided under s.
19 48.563. County matching funds are required for the distribution under s. 48.563 (2).
20 Each county's required match for the distribution under s. 48.563 (2) shall be
21 specified in a schedule established annually by the department. Matching funds
22 may be from county tax levies, federal and state revenue sharing funds, or private
23 donations to the county that meet the requirements specified in sub. (1m). Private
24 donations may not exceed 25 percent 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 (dc) The department shall prorate the amount allocated to any county
5 department under par. (d) to reflect actual federal funds available.

6 (f) 1. If any state matching funds allocated under par. (d) to match county funds
7 are not claimed, the funds shall be redistributed for the purposes the department
8 designates.

9 2. The county allocation to match aid increases shall be included in the contract
10 under s. 49.325 (2g), and approved by January 1 of the year for which funds are
11 allocated, in order to generate state aid matching funds. All funds allocated under
12 par. (d) shall be included in the contract under s. 49.325 (2g) and approved.

13 (1m) (a) A private donation to a county may be used to match the state
14 grant-in-aid under sub. (1) (d) only if the donation is both of the following:

15 1. Donated to a county department and the donation is under the
16 administrative control of that county department.

17 2. Donated without restrictions as to use, unless the restrictions specify that
18 the donation be used for a particular service and the donor neither sponsors nor
19 operates the service.

20 (b) Voluntary federated fund-raising organizations are not sponsors or
21 operators of services within the meaning of par. (a) 2. Any member agency of such
22 an organization that sponsors or operates services is considered to be an autonomous
23 entity separate from the organization unless the board membership of the
24 organization and the agency interlock.

1 (2) (a) The county treasurer and each director of a county department shall
2 monthly certify under oath to the department, in the manner the department
3 prescribes, the claim of the county for state reimbursement under this section, and
4 if the department approves the claim it shall certify to the department of
5 administration for reimbursement to the county for amounts due under this section
6 and payment claimed to be made to the counties monthly. The department may make
7 advance payments prior to the beginning of each month equal to one-twelfth of the
8 contracted amount.

9 (b) To facilitate prompt reimbursement, the certificate of the department may
10 be based on the certified statements of the county officers filed under par. (a). Funds
11 recovered from audit adjustments from a prior fiscal year may be included in
12 subsequent certifications only to pay counties owed funds as a result of any audit
13 adjustment. By September 30 of each year the department shall submit a report to
14 the appropriate standing committees under s. 13.172 (3) on funds recovered and paid
15 out during the previous calendar year as a result of audit adjustments.

16 **SECTION 1292.** 48.57 (1) (g) of the statutes is amended to read:

17 48.57 (1) (g) Upon request of the department of health and family services or
18 the department of corrections, to provide service for any child or expectant mother
19 of an unborn child in the care of those departments.

20 **SECTION 1293.** 48.57 (3) (a) 3. (intro.) of the statutes is amended to read:

21 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.
22 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

23 **SECTION 1294.** 48.57 (3) (b) of the statutes is amended to read:

1 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)
2 shall be in an amount equal to that which the child would receive under s. 46.495
3 48.569 (1) (d) if the child were 17 years of age.

4 **SECTION 1295.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

5 48.57 (3m) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
6 (kc), the department shall reimburse counties having populations of less than
7 500,000 for payments made under this subsection and shall make payments under
8 this subsection in a county having a population of 500,000 or more. A county
9 department and, in a county having a population of 500,000 or more, the department
10 shall make payments in the amount of \$215 per month to a kinship care relative who
11 is providing care and maintenance for a child if all of the following conditions are met:

12 **SECTION 1296.** 48.57 (3m) (e) of the statutes is amended to read:

13 48.57 (3m) (e) The department shall determine whether the child is eligible
14 for medical assistance under ss. 49.43 to ~~49.47~~ 49.471.

15 **SECTION 1297.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

16 48.57 (3n) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
17 (kc), the department shall reimburse counties having populations of less than
18 500,000 for payments made under this subsection and shall make payments under
19 this subsection in a county having a population of 500,000 or more. A county
20 department and, in a county having a population of 500,000 or more, the department
21 shall make monthly payments for each child in the amount specified in sub. (3m)
22 (am) (intro.) to a long-term kinship care relative who is providing care and
23 maintenance for that child if all of the following conditions are met:

24 **SECTION 1298.** 48.57 (3n) (e) of the statutes is amended to read:

1 48.57 (3n) (e) The department shall determine whether the child is eligible for
2 medical assistance under ss. 49.43 to 49.47 49.471.

3 **SECTION 1299.** 48.57 (3p) (b) 1. of the statutes is amended to read:

4 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)
5 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
6 population of 500,000 or more, the department of health and family services, with
7 the assistance of the department of justice, shall conduct a background investigation
8 of the applicant.

9 **SECTION 1300.** 48.57 (3p) (b) 2. of the statutes is amended to read:

10 48.57 (3p) (b) 2. The county department or, in a county having a population of
11 500,000 or more, the department of health and family services, with the assistance
12 of the department of justice, may conduct a background investigation of any person
13 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
14 or at any other time that the county department or department of health and family
15 services considers to be appropriate.

16 **SECTION 1301.** 48.57 (3p) (b) 3. of the statutes is amended to read:

17 48.57 (3p) (b) 3. The county department or, in a county having a population of
18 500,000 or more, the department of health and family services, with the assistance
19 of the department of justice, may conduct a background investigation of any person
20 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
21 the county department or department of health and family services considers to be
22 appropriate.

23 **SECTION 1302.** 48.57 (3p) (c) 1. of the statutes is amended to read:

24 48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m)
25 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a

1 population of 500,000 or more, the department of health and family services, with
2 the assistance of the department of justice, shall, in addition to the investigation
3 under par. (b) 1., conduct a background investigation of all employees and
4 prospective employees of the applicant who have or would have regular contact with
5 the child for whom those payments are being made and of each adult resident.

6 **SECTION 1303.** 48.57 (3p) (c) 2. of the statutes is amended to read:

7 48.57 (3p) (c) 2. The county department or, in a county having a population of
8 500,000 or more, the department of health and family services, with the assistance
9 of the department of justice, may conduct a background investigation of any of the
10 employees or prospective employees of any person who is receiving payments under
11 sub. (3m) who have or would have regular contact with the child for whom those
12 payments are being made and of each adult resident at the time of review under sub.
13 (3m) (d) or at any other time that the county department or department of health and
14 family services considers to be appropriate.

15 **SECTION 1304.** 48.57 (3p) (c) 2m. of the statutes is amended to read:

16 48.57 (3p) (c) 2m. The county department or, in a county having a population
17 of 500,000 or more, the department of health and family services, with the assistance
18 of the department of justice, may conduct a background investigation of any of the
19 employees or prospective employees of any person who is receiving payments under
20 sub. (3n) or s. 48.62 (5) (a) or (b) who have or would have regular contact with the child
21 for whom payments are being made and of each adult resident at any time that the
22 county department or department of health and family services considers to be
23 appropriate.

24 **SECTION 1305.** 48.57 (3p) (c) 3. of the statutes is amended to read:

1 48.57 (3p) (c) 3. Before a person who is receiving payments under sub. (3m) or
2 (3n) or s. 48.62 (5) (a) or (b) may employ any person in a position in which that person
3 would have regular contact with the child for whom those payments are being made
4 or permit any person to be an adult resident, the county department or, in a county
5 having a population of 500,000 or more, the department of health and family
6 services, with the assistance of the department of justice, shall conduct a background
7 investigation of the prospective employee or prospective adult resident unless that
8 person has already been investigated under subd. 1., 2. or 2m.

9 **SECTION 1306.** 48.57 (3p) (d) of the statutes is amended to read:

10 48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a
11 nonresident, or at any time within the 5 years preceding the date of the application
12 has been a nonresident, or if the county department or, in a county having a
13 population of 500,000 or more, the department of health and family services
14 determines that the person's employment, licensing or state court records provide a
15 reasonable basis for further investigation, the county department or department of
16 health and family services shall require the person to be fingerprinted on 2
17 fingerprint cards, each bearing a complete set of the person's fingerprints. The
18 department of justice may provide for the submission of the fingerprint cards to the
19 federal bureau of investigation for the purposes of verifying the identity of the person
20 fingerprinted and obtaining records of his or her criminal arrest and conviction.

21 **SECTION 1307.** 48.57 (3p) (e) (intro.) of the statutes is amended to read:

22 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
23 or (c) shall provide the county department or, in a county having a population of
24 500,000 or more, the department of health and family services with all of the
25 following information:

1 **SECTION 1308.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

2 48.57 (3p) (fm) 1. The county department or, in a county having a population
3 of 500,000 or more, the department of health and family services may provisionally
4 approve the making of payments under sub. (3m) based on the applicant's statement
5 under sub. (3m) (am) 4m. The county department or department of health and family
6 services may not finally approve the making of payments under sub. (3m) unless the
7 county department or department of health and family services receives information
8 from the department of justice indicating that the conviction record of the applicant
9 under the law of this state is satisfactory according to the criteria specified in par.
10 (g) 1. to 3. or payment is approved under par. (h) 4. The county department or
11 department of health and family services may make payments under sub. (3m)
12 conditioned on the receipt of information from the federal bureau of investigation
13 indicating that the person's conviction record under the law of any other state or
14 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

15 **SECTION 1309.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

16 48.57 (3p) (fm) 1m. The county department or, in a county having a population
17 of 500,000 or more, the department of health and family services may not enter into
18 the agreement under sub. (3n) (am) 6. or make payments under s. 48.62 (5) (a) or (b)
19 unless the county department or department of health and family services receives
20 information from the department of justice relating to the conviction record of the
21 applicant under the law of this state and that record indicates either that the
22 applicant has not been arrested or convicted or that the applicant has been arrested
23 or convicted but the director of the county department or, in a county having a
24 population of 500,000 or more, the person designated by the secretary of health and
25 family services to review conviction records under this subdivision determines that

1 the conviction record is satisfactory because it does not include any arrest or
2 conviction that the director or person designated by the secretary determines is
3 likely to adversely affect the child or the applicant's ability to care for the child. The
4 county department or, in a county having a population of 500,000 or more, the
5 department of health and family services may make payments under sub. (3n) or s.
6 48.62 (5) (a) or (b) conditioned on the receipt of information from the federal bureau
7 of investigation indicating that the person's conviction record under the law of any
8 other state or under federal law is satisfactory because the conviction record does not
9 include any arrest or conviction that the director of the county department or, in a
10 county having a population of 500,000 or more, the person designated by the
11 secretary of health and family services to review conviction records under this
12 subdivision determines is likely to adversely affect the child or the applicant's ability
13 to care for the child.

14 **SECTION 1310.** 48.57 (3p) (fm) 2. of the statutes is amended to read:

15 48.57 **(3p)** (fm) 2. A person receiving payments under sub. (3m) may
16 provisionally employ a person in a position in which that person would have regular
17 contact with the child for whom those payments are being made or provisionally
18 permit a person to be an adult resident if the person receiving those payments states
19 to the county department or, in a county having a population of 500,000 or more, the
20 department of health and family services that the employee or adult resident does
21 not have any arrests or convictions that could adversely affect the child or the ability
22 of the person receiving payments to care for the child. A person receiving payments
23 under sub. (3m) may not finally employ a person in a position in which that person
24 would have regular contact with the child for whom those payments are being made
25 or finally permit a person to be an adult resident until the county department or, in

1 a county having a population of 500,000 or more, the department of health and family
2 services receives information from the department of justice indicating that the
3 person's conviction record under the law of this state is satisfactory according to the
4 criteria specified in par. (g) 1. to 3. and the county department or, in a county having
5 a population of 500,000 or more, the department of health and family services so
6 advises the person receiving payments under sub. (3m) or until a decision is made
7 under par. (h) 4. to permit a person who is receiving payments under sub. (3m) to
8 employ a person in a position in which that person would have regular contact with
9 the child for whom payments are being made or to permit a person to be an adult
10 resident and the county department or, in a county having a population of 500,000
11 or more, the department of health and family services so advises the person receiving
12 payments under sub. (3m). A person receiving payments under sub. (3m) may finally
13 employ a person in a position in which that person would have regular contact with
14 the child for whom those payments are being made or finally permit a person to be
15 an adult resident conditioned on the receipt of information from the county
16 department or, in a county having a population of 500,000 or more, the department
17 of health and family services that the federal bureau of investigation indicates that
18 the person's conviction record under the law of any other state or under federal law
19 is satisfactory according to the criteria specified in par. (g) 1. to 3.

20 **SECTION 1311.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

21 48.57 (3p) (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5)
22 (a) or (b) may provisionally employ a person in a position in which that person would
23 have regular contact with the child for whom those payments are being made or
24 provisionally permit a person to be an adult resident if the person receiving those
25 payments states to the county department or, in a county having a population of

1 500,000 or more, the department of health and family services that, to the best of his
2 or her knowledge, the employee or adult resident does not have any arrests or
3 convictions that could adversely affect the child or the ability of the person receiving
4 payments to care for the child. A person receiving payment under sub. (3n) or s. 48.62
5 (5) (a) or (b) may not finally employ a person in a position in which that person would
6 have regular contact with the child for whom those payments are being made or
7 finally permit a person to be an adult resident until the county department or, in a
8 county having a population of 500,000 or more, the department of health and family
9 services receives information from the department of justice relating to the person's
10 conviction record under the law of this state and that record indicates either that the
11 person has not been arrested or convicted or that the person has been arrested or
12 convicted but the director of the county department or, in a county having a
13 population of 500,000 or more, the person designated by the secretary of health and
14 family services to review conviction records under this subdivision determines that
15 the conviction record is satisfactory because it does not include any arrest or
16 conviction that is likely to adversely affect the child or the ability of the person
17 receiving payments to care for the child and the county department or department
18 of health and family services so advises the person receiving payments under sub.
19 (3n) or s. 48.62 (5) (a) or (b). A person receiving payments under sub. (3n) or s. 48.62
20 (5) (a) or (b) may finally employ a person in a position in which that person would
21 have regular contact with the child for whom those payments are being made or
22 finally permit a person to be an adult resident conditioned on the receipt of
23 information from the county department or, in a county having a population of
24 500,000 or more, the department of health and family services that the federal
25 bureau of investigation indicates that the person's conviction record under the law

1 of any other state or under federal law is satisfactory because the conviction record
2 does not include any arrest or conviction that the director of the county department
3 or, in a county having a population of 500,000 or more, the person designated by the
4 secretary of health and family services to review conviction records under this
5 subdivision determines is likely to adversely affect the child or the ability of the
6 person receiving payments to care for the child.

7 **SECTION 1312.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

8 48.57 (3p) (g) (intro.) Except as provided in par. (h), the county department or,
9 in a county having a population of 500,000 or more, the department of health and
10 family services may not make payments to a person applying for payments under
11 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person
12 in a position in which that person would have regular contact with the child for whom
13 those payments are being made or permit a person to be an adult resident if any of
14 the following applies:

15 **SECTION 1313.** 48.57 (3p) (g) 3. of the statutes is amended to read:

16 48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944m
17 or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63m or 948.70,
18 or of a violation of the law of any other state or federal law that would be a violation
19 of ch. 940, 944m or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45,
20 948.63m or 948.70, if committed in this state, except that a county department or,
21 in a county having a population of 500,000 or more, the department of health and
22 family services may make payments to a person applying for payments under sub.
23 (3m) and a person receiving payments under sub. (3m) may employ in a position in
24 which the person would have regular contact with the child for whom those payments
25 are being made or permit to be an adult resident a person who has been convicted

1 of a violation of s. 944.30, 944.31, or 944.33 or of a violation of the law of any other
2 state or federal law that would be a violation of s. 944.30, 944.31, or 944.33 if
3 committed in this state, if that violation occurred 20 years or more before the date
4 of the investigation.

5 **SECTION 1314.** 48.57 (3p) (h) 2. of the statutes is amended to read:

6 48.57 (3p) (h) 2. The request for review shall be filed with the director of the
7 county department or, in a county having a population of 500,000 or more, with the
8 person designated by the secretary of health and family services to receive requests
9 for review filed under this subdivision. If the governing body of a federally
10 recognized American Indian tribe or band has entered into an agreement under sub.
11 (3t) to administer the program under this subsection and sub. (3m), the request for
12 review shall be filed with the person designated by that governing body to receive
13 requests for review filed under this subdivision.

14 **SECTION 1315.** 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

15 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
16 designated by the governing body of a federally recognized American Indian tribe or
17 band or, in a county having a population of 500,000 or more, the person designated
18 by the secretary of health and family services shall review the denial of payments or
19 the prohibition on employment or being an adult resident to determine if the
20 conviction record on which the denial or prohibition is based includes any arrests,
21 convictions, or penalties that are likely to adversely affect the child or the ability of
22 the kinship care relative to care for the child. In reviewing the denial or prohibition,
23 the director of the county department, the person designated by the governing body
24 of the federally recognized American Indian tribe or band or the person designated

1 by the secretary of health and family services shall consider, but not be limited to,
2 all of the following factors:

3 **SECTION 1316.** 48.57 (3p) (h) 4. of the statutes is amended to read:

4 48.57 (3p) (h) 4. If the director of the county department, the person designated
5 by the governing body of the federally recognized American Indian tribe or band or,
6 in a county having a population of 500,000 or more, the person designated by the
7 secretary of health and family services determines that the conviction record on
8 which the denial of payments or the prohibition on employment or being an adult
9 resident is based does not include any arrests, convictions, or penalties that are likely
10 to adversely affect the child or the ability of the kinship care relative to care for the
11 child, the director of the county department, the person designated by the governing
12 body of the federally recognized American Indian tribe or band, or the person
13 designated by the secretary of health and family services may approve the making
14 of payments under sub. (3m) or may permit a person receiving payments under sub.
15 (3m) to employ a person in a position in which that person would have regular contact
16 with the child for whom payments are being made or permit a person to be an adult
17 resident.

18 **SECTION 1317.** 48.57 (3p) (i) of the statutes is amended to read:

19 48.57 (3p) (i) A county department and, in a county having a population of
20 500,000 or more, the department of health and family services shall keep
21 confidential all information received under this subsection from the department of
22 justice or the federal bureau of investigation. Such information is not subject to
23 inspection or copying under s. 19.35.

24 **SECTION 1318.** 48.57 (3p) (j) of the statutes is amended to read:

1 48.57 (3p) (j) A county department or, in a county having a population of
2 500,000 or more, the department of health and family services may charge a fee for
3 conducting a background investigation under this subsection. The fee may not
4 exceed the reasonable cost of conducting the investigation.

5 SECTION 1319. 48.576 of the statutes is created to read:

6 48.576 Shelter care facilities; general supervision and inspection by
7 department. (1) GENERALLY. The department shall investigate and supervise all
8 shelter care facilities and familiarize itself with all the circumstances affecting their
9 management and usefulness.

10 (2) INSPECTIONS. The department shall inquire into the methods of treatment,
11 instruction, government, and management of children placed in shelter care
12 facilities; the conduct of the trustees, managers, directors, superintendents, and
13 other officers and employees of those facilities; the condition of the buildings,
14 grounds, and all other property pertaining to those facilities; and all other matters
15 pertaining to the usefulness and management of those facilities; and recommend to
16 the officers in charge such changes and additional provisions as the department
17 considers proper.

18 (3) FREQUENCY OF INSPECTIONS. The department shall inspect and investigate
19 each shelter care facility at least annually and, when directed by the governor, the
20 department shall conduct a special investigation into a shelter care facility's
21 management, or anything connected with its management, and report to the
22 governor the testimony taken, the facts found, and conclusions drawn.

23 (4) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon request
24 of the department, the attorney general or the district attorney of the proper county
25 shall aid in any investigation, inspection, hearing, or trial had under the provisions

1 of this chapter relating to powers of the department, and shall institute and
2 prosecute all necessary actions or proceedings for the enforcement of those
3 provisions and for the punishment of violations of those provisions. The attorney
4 general or district attorney so requested shall report or confer with the department
5 regarding the request, within 30 days after the receipt of the request.

6 (5) OPPORTUNITY TO INSPECT. All trustees, managers, directors,
7 superintendents, and other officers or employees of a shelter care facility shall at all
8 times afford to every member of the department and its agents unrestrained facility
9 for inspection of and free access to all parts of the buildings and grounds and to all
10 books and papers of the shelter care facility, and shall give, either verbally or in
11 writing, such information as the department requires. Any person who violates this
12 subsection shall forfeit not less than \$10 nor more than \$100.

13 (6) TESTIMONIAL POWER; EXPENSES. The department or any person delegated by
14 the department may administer oaths, take testimony, and cause depositions to be
15 taken. All expenses of the investigations, including fees of officers and witnesses,
16 shall be charged to the appropriation for the department.

17 (7) STATISTICS TO BE FURNISHED. Whenever the department is required to collect
18 statistics, the person or agency shall furnish the required statistics on request.

19 SECTION 1320. 48.578 of the statutes is created to read:

20 **48.578 Shelter care facilities; establishment, approval, inspection. (1)**

21 The department shall fix reasonable standards and regulations for the design,
22 construction, repair, and maintenance of shelter care facilities, with respect to their
23 adequacy and fitness for the needs that they are to serve.

24 (2) The selection and purchase of the site, and the plans, specifications, and
25 erection of buildings for shelter care facilities shall be subject to the review and

1 approval of the department. Department review shall include review of the proposed
2 program to be carried out by the shelter care facility.

3 (3) Before any shelter care facility is occupied, and at least annually thereafter,
4 the department shall inspect the shelter care facility, with respect to safety,
5 sanitation, adequacy, and fitness, and report to the authorities managing the shelter
6 care facility any deficiency found, and order the necessary work to correct that
7 deficiency. If within 6 months after the inspection the work is not commenced, or not
8 completed within a reasonable period after commencement of the work, to the
9 satisfaction of the department, the department shall suspend the allowance of state
10 aid for, and prohibit the use of the shelter care facility, until the order is complied
11 with.

12 SECTION 1321. 48.60 (3) of the statutes is amended to read:

13 48.60 (3) Before issuing or continuing any license to a child welfare agency
14 under this section, the department of health and family services shall review the
15 need for the additional placement resources that would be made available by
16 licensing or continuing the license of any child welfare agency after August 5, 1973,
17 providing care authorized under s. 48.61 (3). Neither the department of health and
18 family services nor the department of corrections may make any placements to any
19 child welfare agency where the departmental review required under this subsection
20 has failed to indicate the need for the additional placement resources.

21 SECTION 1322. 48.62 (4) of the statutes is amended to read:

22 48.62 (4) Monthly payments in foster care shall be provided according to the
23 age-related rates specified in this subsection. Beginning on January 1, 2006, the
24 age-related rates are \$317 for a child under 5 years of age; \$346 for a child 5 to 11
25 years of age; \$394 for a child 12 to 14 years of age; and \$411 2008, the age-related

1 rates are \$333 for a child under 5 years of age; \$363 for a child 5 to 11 years of age;
2 \$414 for a child 12 to 14 years of age; and \$432 for a child 15 years of age or over.
3 Beginning on January 1, 2009, the age-related rates are \$349 for a child under 5
4 years of age; \$381 for a child 5 to 11 years of age; \$433 for a child 12 to 14 years of
5 age; and \$452 for a child 15 years of age or over. In addition to these grants for basic
6 maintenance, the department shall make supplemental payments for special needs,
7 exceptional circumstances, care in a treatment foster home, and initial clothing
8 allowances according to rules promulgated by the department.

9 **SECTION 1323.** 48.62 (5) (d) of the statutes is amended to read:

10 48.62 (5) (d) The department shall request from the secretary of the federal
11 department of health and human services a waiver of the requirements under 42
12 USC 670 to 679a that would authorize the state to receive federal foster care and
13 adoption assistance reimbursement under 42 USC 670 to 679a for the costs of
14 providing care for a child who is in the care of a guardian who was licensed as the
15 child's foster parent or treatment foster parent before the guardianship appointment
16 and who has entered into a subsidized guardianship agreement with the county
17 department or department. If the waiver is approved for a county having a
18 population of 500,000 or more, the department shall provide the monthly payments
19 under par. (a) from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cx), (gx), (kw),
20 and (mx). If the waiver is approved for any other county, the department shall
21 determine which counties are authorized to provide monthly payments under par.
22 (a) or (b), and the county departments of those counties shall provide those payments
23 from moneys received under s. ~~46.495~~ 48.569 (1) (d).

24 **SECTION 1324.** 48.627 (2) (c) of the statutes is amended to read:

1 48.627 (2) (c) The department shall conduct a study to determine the
2 cost-effectiveness of purchasing insurance to provide standard homeowner's or
3 renter's liability insurance coverage for applicants who are granted a waiver under
4 par. (b). If the department determines that it would be cost-effective to purchase
5 such insurance, it may purchase the insurance from the appropriations under s.
6 20.435 (3) 20.437 (1) (cf) and (pd).

7 **SECTION 1325.** 48.627 (2c) of the statutes is amended to read:

8 48.627 (2c) The department shall determine the cost-effectiveness of
9 purchasing private insurance that would provide coverage to foster, treatment foster,
10 and family-operated group home parents for acts or omissions by or affecting a child
11 who is placed in a foster home, a treatment foster home, or a family-operated group
12 home. If this private insurance is cost-effective and available, the department shall
13 purchase the insurance from the appropriations under s. 20.435 (3) 20.437 (1) (cf)
14 and (pd). If the insurance is unavailable, payment of claims for acts or omissions by
15 or affecting a child who is placed in a foster home, a treatment foster home, or a
16 family-operated group home shall be in accordance with subs. (2m) to (3).

17 **SECTION 1326.** 48.627 (2m) of the statutes is amended to read:

18 48.627 (2m) Within the limits of the appropriations under s. 20.435 (3) 20.437
19 (1) (cf) and (pd), the department shall pay claims to the extent not covered by any
20 other insurance and subject to the limitations specified in sub. (3), for bodily injury
21 or property damage sustained by a licensed foster, treatment foster, or
22 family-operated group home parent or a member of the foster, treatment foster, or
23 family-operated group home parent's family as a result of the act of a child in the
24 foster, treatment foster, or family-operated group home parent's care.

25 **SECTION 1327.** 48.627 (2s) (intro.) of the statutes is amended to read:

1 48.627 (2s) (intro.) Within the limits of the appropriations under s. 20.435 (3)
2 20.437 (1) (cf) and (pd), the department may pay claims to the extent not covered by
3 any other insurance and subject to the limitations specified in sub. (3), for all of the
4 following:

5 **SECTION 1328.** 48.627 (3) (f) of the statutes is amended to read:

6 48.627 (3) (f) If the total amount of the claims approved during any calendar
7 quarter exceeds 25% of the total funds available during the fiscal year for purposes
8 of this subsection plus any unencumbered funds remaining from the previous
9 quarter, the department shall prorate the available funds among the claimants with
10 approved claims. The department shall also prorate any unencumbered funds
11 remaining in the appropriation under s. 20.435 (3) 20.437 (1) (cf) at the end of each
12 fiscal year among the claimants whose claims were prorated during the fiscal year.
13 Payment of a prorated amount from unencumbered funds remaining at the end of
14 the fiscal year constitutes a complete payment of the claim for purposes of this
15 program, but does not prohibit a foster parent or treatment foster parent from
16 submitting a claim under s. 16.007 for the unpaid portion.

17 **SECTION 1329.** 48.627 (4) of the statutes is amended to read:

18 48.627 (4) Except as provided in s. 895.485, the department is not liable for any
19 act or omission by or affecting a child who is placed in a foster home, treatment foster
20 home, or family-operated group home, but shall, as provided in this section, pay
21 claims described under sub. (2m) and may pay claims described under sub. (2s) or
22 may purchase insurance to cover such claims as provided for under sub. (2c), within
23 the limits of the appropriations under s. 20.435 (3) 20.437 (1) (cf) and (pd).

24 **SECTION 1330.** 48.63 (1) of the statutes is amended to read:

1 48.63 (1) Acting under court order or voluntary agreement, the child's parent
2 or guardian or the department of health and family services, the department of
3 corrections, a county department, or a child welfare agency licensed to place children
4 in foster homes, treatment foster homes, or group homes may place a child or
5 negotiate or act as intermediary for the placement of a child in a foster home,
6 treatment foster home, or group home. Voluntary agreements under this subsection
7 may not be used for placements in facilities other than foster, treatment foster, or
8 group homes and may not be extended. A foster home or treatment foster home
9 placement under a voluntary agreement may not exceed 180 days from the date on
10 which the child was removed from the home under the voluntary agreement. A group
11 home placement under a voluntary agreement may not exceed 15 days from the date
12 on which the child was removed from the home under the voluntary agreement,
13 except as provided in sub. (5). These time limitations do not apply to placements
14 made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary agreements may be
15 made only under this subsection and sub. (5) (b) and shall be in writing and shall
16 specifically state that the agreement may be terminated at any time by the parent
17 or guardian or by the child if the child's consent to the agreement is required. The
18 child's consent to the agreement is required whenever the child is 12 years of age or
19 older. If a county department, the department, or the department of corrections
20 places a child or negotiates or acts as intermediary for the placement of a child under
21 this subsection, the voluntary agreement shall also specifically state that the county
22 department, department, or department of corrections has placement and care
23 responsibility for the child as required under 42 USC 672 (a) (2) and has primary
24 responsibility for providing services to the child.

25 SECTION 1331. 48.64 (1) of the statutes is amended to read:

1 48.64 (1) DEFINITION. In this section, "agency" means the department of health
2 and family services, the department of corrections, a county department, or a
3 licensed child welfare agency authorized to place children in foster homes, treatment
4 foster homes, or group homes.

5 **SECTION 1332.** 48.651 (1) (intro.) of the statutes is amended to read:

6 48.651 (1) (intro.) Each county department shall certify, according to the
7 standards adopted by the department of workforce development under s. 49.155 (1d),
8 each day care provider reimbursed for child care services provided to families
9 determined eligible under s. 49.155, unless the provider is a day care center licensed
10 under s. 48.65 or is established or contracted for under s. 120.13 (14). Each county
11 may charge a fee to cover the costs of certification. To be certified under this section,
12 a person must meet the minimum requirements for certification established by the
13 department of workforce development under s. 49.155 (1d), meet the requirements
14 specified in s. 48.685 and pay the fee specified in this section. The county shall certify
15 the following categories of day care providers:

16 **SECTION 1333.** 48.651 (1) (a) of the statutes is amended to read:

17 48.651 (1) (a) Level I certified family day care providers, as established by the
18 department of workforce development under s. 49.155 (1d). No county may certify
19 a provider under this paragraph if the provider is a relative of all of the children for
20 whom he or she provides care.

21 **SECTION 1334.** 48.651 (1) (b) of the statutes is amended to read:

22 48.651 (1) (b) Level II certified family day care providers, as established by the
23 department of workforce development, under s. 49.155 (1d).

24 **SECTION 1335.** 48.651 (2m) of the statutes is amended to read:

1 48.651 (2m) Each county department shall provide the department of health
2 and family services with information about each person who is denied certification
3 for a reason specified in s. 48.685 (4m) (a) 1. to 5.

4 **SECTION 1338.** 48.66 (1) (a) of the statutes is amended to read:

5 48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall
6 license and supervise child welfare agencies, as required by s. 48.60, group homes,
7 as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care
8 centers, as required by s. 48.65. The department may license foster homes or
9 treatment foster homes, as provided by s. 48.62, and may license and supervise
10 county departments in accordance with the procedures specified in this section and
11 in ss. 48.67 to 48.74. In the discharge of this duty the department may inspect the
12 records and visit the premises of all child welfare agencies, group homes, shelter care
13 facilities, and day care centers and visit the premises of all foster homes and
14 treatment foster homes in which children are placed.

15 **SECTION 1339.** 48.66 (2m) (a) 1. of the statutes is amended to read:

16 48.66 (2m) (a) 1. Except as provided in subd. 2., the department of health and
17 family services shall require each applicant for a license under sub. (1) (a) to operate
18 a child welfare agency, group home, shelter care facility, or day care center who is an
19 individual to provide that department with the applicant's social security number,
20 and shall require each applicant for a license under sub. (1) (a) to operate a child
21 welfare agency, group home, shelter care facility, or day care center who is not an
22 individual to provide that department with the applicant's federal employer
23 identification number, when initially applying for or applying to continue the license.

24 **SECTION 1340.** 48.66 (2m) (a) 2. of the statutes is amended to read:

1 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
2 security number, the applicant shall submit a statement made or subscribed under
3 oath or affirmation to the department of health and family services that the
4 applicant does not have a social security number. The form of the statement shall
5 be prescribed by the department of workforce development. A license issued in
6 reliance upon a false statement submitted under this subdivision is invalid.

7 **SECTION 1341.** 48.66 (2m) (am) 2. of the statutes is amended to read:

8 48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
9 security number, the applicant shall submit a statement made or subscribed under
10 oath or affirmation to the department of corrections that the applicant does not have
11 a social security number. The form of the statement shall be prescribed by the
12 department of workforce development. A license issued in reliance upon a false
13 statement submitted under this subdivision is invalid.

14 **SECTION 1342.** 48.66 (2m) (b) of the statutes is amended to read:

15 48.66 (2m) (b) If an applicant who is an individual fails to provide the
16 applicant's social security number to the department of health and family services
17 or if an applicant who is not an individual fails to provide the applicant's federal
18 employer identification number to that the department, that department may not
19 issue or continue a license under sub. (1) (a) to operate a child welfare agency, group
20 home, shelter care facility, or day care center to or for the applicant unless the
21 applicant is an individual who does not have a social security number and the
22 applicant submits a statement made or subscribed under oath or affirmation as
23 required under par. (a) 2.

24 **SECTION 1343.** 48.66 (2m) (c) of the statutes is amended to read:

1 48.66 (2m) (c) The subunit of the department of health and family services that
2 obtains a social security number or a federal employer identification number under
3 par. (a) 1. may not disclose any that information obtained under par. (a) 1. to any
4 person except to the department of revenue for the sole purpose of requesting
5 certifications under s. 73.0301 or on the request of the subunit of the department of
6 workforce development that administers the child and spousal support program
7 under s. 49.22 (2m).

8 **SECTION 1344.** 48.66 (2m) (cm) of the statutes is amended to read:

9 48.66 (2m) (cm) The department of corrections may not disclose any
10 information obtained under par. (am) 1. to any person except on the request of the
11 department of ~~workforce development~~ under s. 49.22 (2m).

12 **SECTION 1345.** 48.675 (3) (intro.) of the statutes is amended to read:

13 48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from
14 the appropriation under s. ~~20.435 (6)~~ 20.437 (1) (a) to enable foster parents and
15 treatment foster parents to attend education programs approved under sub. (2) and
16 shall promulgate rules concerning disbursement of the funds. Moneys disbursed
17 under this subsection may be used for the following purposes:

18 **SECTION 1346.** 48.685 (1) (bg) of the statutes is repealed.

19 **SECTION 1347.** 48.685 (1) (d) of the statutes is repealed.

20 **SECTION 1348.** 48.685 (2) (am) 5. of the statutes is amended to read:

21 48.685 (2) (am) 5. Information maintained by the department of health and
22 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13
23 (14) regarding any denial to the person of a license, continuation or renewal of a
24 license, certification, or a contract to operate an entity for a reason specified in sub.
25 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract

1 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
2 5. If the information obtained under this subdivision indicates that the person has
3 been denied a license, continuation or renewal of a license, certification, a contract,
4 employment, or permission to reside as described in this subdivision, the
5 department, a county department, a child welfare agency or a school board need not
6 obtain the information specified in subs. 1. to 4.

7 **SECTION 1349.** 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

8 48.685 (2) (b) 1. (intro.) Every entity shall obtain all of the following with
9 respect to a caregiver specified in sub. (1) (ag) 1. a. of the entity:

10 **SECTION 1350.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

11 48.685 (2) (b) 1. e. Information maintained by the department of health and
12 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13
13 (14) regarding any denial to the person of a license, continuation or renewal of a
14 license, certification, or a contract to operate an entity for a reason specified in sub.
15 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract
16 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
17 5. If the information obtained under this subd. 1. e. indicates that the person has
18 been denied a license, continuation or renewal of a license, certification, a contract,
19 employment, or permission to reside as described in this subd. 1. e., the entity need
20 not obtain the information specified in subd. 1. a. to d.

21 **SECTION 1351.** 48.685 (2) (c) of the statutes is created to read:

22 48.685 (2) (c) 1. If the person who is the subject of the search under par. (am)
23 is seeking an initial license to operate a foster home or treatment foster home or is
24 seeking relicensure after a break in licensure, the department, county department,
25 or child welfare agency shall request under 42 USC 16962 (b) a fingerprint-based

1 check of the national crime information databases, as defined in 28 USC 534 (f) (3)
2 (A). The department, county department, or child welfare agency may release any
3 information obtained under this subdivision only as permitted under 42 USC 16962
4 (e).

5 2. If the person who is the subject of the search under par. (am) is seeking a
6 license to operate a foster home or treatment foster home or is an adult nonclient
7 resident of the foster home or treatment foster home and if the person is not, or at
8 any time within the 5 years preceding the date of the search has not been, a resident
9 of this state, the department, county department, or child welfare agency shall check
10 any child abuse or neglect registry maintained by any state or other U.S. jurisdiction
11 in which the person is a resident or was a resident within those 5 years for
12 information that is equivalent to the information specified in par. (am) 4. The
13 department, county department, or child welfare agency may not use any
14 information obtained under this subdivision for any purpose other than a search of
15 the person's background under par. (am).

16 **SECTION 1352.** 48.685 (3) (a) of the statutes is amended to read:

17 48.685 (3) (a) Every 4 years or at any time within that period that the
18 department, a county department, a child welfare agency, or a school board considers
19 appropriate, the department, county department, child welfare agency, or school
20 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
21 caregivers specified in sub. (1) (ag) 1. b. who are licensed, certified, or contracted to
22 operate an entity, for all persons who are nonclient residents of an entity such a
23 caregiver, and for all persons under 18 years of age, but not under 12 years of age,
24 who are caregivers of a day care center that is licensed under s. 48.65 or established

1 or contracted for under s. 120.13 (4) or of a day care provider that is certified under
2 s. 48.651.

3 **SECTION 1353.** 48.685 (3) (b) of the statutes is amended to read:

4 48.685 (3) (b) Every 4 years or at any time within that period that an entity
5 considers appropriate, the entity shall request the information specified in sub. (2)
6 (b) 1. a. to e. for all persons who are caregivers specified in sub. (1) (ag) 1. a. of the
7 entity other than persons under 18 years of age, but not under 12 years of age, who
8 are caregivers of a day care center that is licensed under s. 48.65 or established or
9 contracted for under s. 120.13 (14) or of a day care provider that is certified under s.
10 48.651.

11 **SECTION 1354.** 48.685 (4m) (b) (intro.) of the statutes is amended to read:

12 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
13 sub. (5), an entity may not employ or contract with a caregiver specified in sub. (1)
14 (ag) 1. a. or permit a nonclient resident to reside at the entity if the entity knows or
15 should have known any of the following:

16 **SECTION 1355.** 48.685 (5) (a) of the statutes is amended to read:

17 48.685 (5) (a) The Subject to par. (bm), the department may license to operate
18 an entity, a county department may certify under s. 48.651, a county department or
19 a child welfare agency may license under s. 48.62 and a school board may contract
20 with under s. 120.13 (14) a person who otherwise may not be licensed, certified or
21 contracted with for a reason specified in sub. (4m) (a) 1. to 5., and an entity may
22 employ, contract with, or permit to reside at the entity a person who otherwise may
23 not be employed, contracted with, or permitted to reside at the entity for a reason
24 specified in sub. (4m) (b) 1. to 5., if the person demonstrates to the department, the
25 county department, the child welfare agency, or the school board or, in the case of an

1 entity that is located within the boundaries of a reservation, to the person or body
2 designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and
3 in accordance with procedures established by the department by rule or by the tribe
4 that he or she has been rehabilitated.

5 **SECTION 1356.** 48.685 (5) (bm) (intro.) of the statutes is amended to read:

6 48.685 (5) (bm) (intro.) For purposes of licensing a foster home or treatment
7 foster home for the placement of a child on whose behalf foster care maintenance
8 payments under s. 48.62 (4) will be provided, no person who has been convicted of
9 any of the following offenses may be permitted to demonstrate that he or she has been
10 rehabilitated:

11 **SECTION 1357.** 48.685 (5c) (a) of the statutes is amended to read:

12 48.685 (5c) (a) Any person who is permitted but fails under sub. (5) (a) to
13 demonstrate to the department or a child welfare agency that he or she has been
14 rehabilitated may appeal to the secretary of health and family services or his or her
15 designee. Any person who is adversely affected by a decision of the secretary or his
16 or her designee under this paragraph has a right to a contested case hearing under
17 ch. 227.

18 **SECTION 1358.** 48.685 (8) of the statutes is amended to read:

19 48.685 (8) The department, the department of health and family services, a
20 county department, a child welfare agency, or a school board may charge a fee for
21 obtaining the information required under sub. (2) (am) or (3) (a) or for providing
22 information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b).
23 The fee may not exceed the reasonable cost of obtaining the information. No fee may
24 be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or
25 maintaining information if to do so would be inconsistent with federal law.

1 **SECTION 1359.** 48.715 (6) of the statutes is amended to read:

2 48.715 (6) The department of health and family services shall deny, suspend,
3 restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a
4 probationary license under s. 48.69 to operate a child welfare agency, group home,
5 shelter care facility, or day care center, and the department of corrections shall deny,
6 suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1)
7 (b) to operate a secured residential care center for children and youth, for failure of
8 the applicant or licensee to pay court-ordered payments of child or family support,
9 maintenance, birth expenses, medical expenses, or other expenses related to the
10 support of a child or former spouse or for failure of the applicant or licensee to comply,
11 after appropriate notice, with a subpoena or warrant issued by the department of
12 workforce development or a county child support agency under s. 59.53 (5) and
13 related to paternity or child support proceedings, as provided in a memorandum of
14 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
15 taken under this subsection is subject to review only as provided in the memorandum
16 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

17 **SECTION 1360.** 48.743 of the statutes is created to read:

18 **48.743 Community living arrangements for children.** (1) In this section,
19 “community living arrangement for children” means a residential care center for
20 children and youth or a group home.

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

24 (3) The department shall designate a subunit to keep records and supply
25 information on community living arrangements for children under ss. 59.69 (15) (f),

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

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

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

22 **SECTION 1361.** 48.745 (5) of the statutes is amended to read:

23 48.745 (5) If the county department designates the department to receive
24 formal complaints, the subunit under s. ~~46.03 (22) (e)~~ 48.743 (3) shall receive the

1 complaints and the department shall have all the powers and duties granted to the
2 county department in this section.

3 **SECTION 1362.** 48.75 (1g) (c) 1. of the statutes is amended to read:

4 48.75 (1g) (c) 1. A statement that the public licensing agency issuing the license
5 is responsible has placement and care responsibility for the child as required under
6 42 USC 672 (a) (2) and has primary responsibility for providing services to the child
7 who is placed in the foster home, as specified in the agreement.

8 **SECTION 1363.** 48.75 (1m) of the statutes is amended to read:

9 48.75 (1m) Each child welfare agency and public licensing agency shall provide
10 ~~the subunit of the department that administers s. 48.685~~ of health and family
11 services with information about each person who is denied a license for a reason
12 specified in s. 48.685 (4m) (a) 1. to 5.

13 **SECTION 1364.** 48.78 (2) (h) of the statutes is amended to read:

14 48.78 (2) (h) Paragraph (a) does not prohibit the department, a county
15 department, or a licensed child welfare agency from entering the content of any
16 record kept or information received by the department, county department, or
17 licensed child welfare agency into the statewide automated child welfare
18 information system established under s. 46.03 ~~48.47~~ (7g).

19 **SECTION 1365.** 48.839 (1) (d) of the statutes is amended to read:

20 48.839 (1) (d) If custody of the child is transferred under sub. (4) (b) to a county
21 department or child welfare agency before the child is adopted, the department shall
22 periodically bill the guardian and the surety under s. 46.03 (18) (b) or ~~46.10~~ 49.32 (1)
23 (b) or 49.345 for the cost of care and maintenance of the child until the child is adopted
24 or becomes age 18, whichever is earlier. The guardian and surety shall also be liable

1 under the bond for costs incurred by the department in enforcing the bond against
2 the guardian and surety.

3 **SECTION 1366.** 48.839 (1) (e) of the statutes is amended to read:

4 48.839 (1) (e) This section does not preclude the department or any other
5 agency given custody of a child under sub. (4) (b) from collecting under s. 46.03 (18)
6 (b) or 46.10 49.32 (1) (b) or 49.345 from the former guardian for costs in excess of the
7 amount recovered under the bond incurred in enforcing the bond and providing care
8 and maintenance for the child until he or she reaches age 18 or is adopted.

9 **SECTION 1366m.** 48.84 (1) of the statutes, as created by 2005 Wisconsin Act
10 293, is amended to read:

11 48.84 (1) Before a child may be placed under s. 48.833 for adoption by a
12 proposed adoptive parent who has not previously adopted a child, before a proposed
13 adoptive parent who has not previously adopted a child may petition for placement
14 of a child for adoption under s. 48.837, and before a proposed adoptive parent who
15 has not previously adopted a child may bring a child into this state for adoption under
16 s. 48.839, the proposed adoptive parent shall complete the preadoption preparation
17 required under this section. The preparation shall be provided by a licensed child
18 welfare agency, a licensed private adoption agency, the state adoption information
19 exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded
20 foster care and adoption resource center, or a state-funded postadoption resource
21 center, a technical college district school, or an institution or college campus within
22 the University of Wisconsin System. If the proposed adoptive parent does not reside
23 in this state, he or she may meet this requirement by obtaining equivalent
24 preparation in his or her state of residence.

25 **SECTION 1367.** 48.88 (2) (am) of the statutes is created to read:

1 48.88 (2) (am) 1. If the petitioner was required to obtain an initial license to
2 operate a foster home or treatment foster home before placement of the child for
3 adoption or relicensure after a break in licensure, the agency making the
4 investigation shall obtain a criminal history search from the records maintained by
5 the department of justice and request under 42 USC 16962 (b) a fingerprint-based
6 check of the national crime information databases, as defined in 28 USC 534 (f) (3)
7 (A), with respect to the petitioner. The agency may release any information obtained
8 under this subdivision only as permitted under 42 USC 16962 (e). In the case of a
9 child on whose behalf adoption assistance payments will be provided under s. 48.975,
10 if the petitioner has been convicted of any of the offenses specified in s. 48.685 (5) (bm)
11 1. to 4., the agency may not report that the petitioner's home is suitable for the child.

12 2. If the petitioner was required to obtain a license to operate a foster home or
13 treatment foster home before placement of the child for adoption, the agency making
14 the investigation shall obtain information maintained by the department regarding
15 any substantiated reports of child abuse or neglect against the petitioner and any
16 other adult residing in the petitioner's home. If the petitioner or other adult residing
17 in the petitioner's home is not, or at any time within the 5 years preceding the date
18 of the search has not been, a resident of this state, the agency shall check any child
19 abuse or neglect registry maintained by any state or other U.S. jurisdiction in which
20 the petitioner or other adult is a resident or was a resident within those 5 years for
21 information that is equivalent to the information maintained by the department
22 regarding substantiated reports of child abuse or neglect. The agency may not use
23 any information obtained under this subdivision for any purpose other than a
24 background search under this subdivision.

25 **SECTION 1368.** 48.93 (1d) of the statutes is amended to read:

1 48.93 (1d) All records and papers pertaining to an adoption proceeding shall
2 be kept in a separate locked file and may not be disclosed except under sub. (1g) or
3 (1r), s. 46.03 (29), 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order
4 of the court for good cause shown.

5 **SECTION 1369.** 48.98 (2) (d) of the statutes is amended to read:

6 48.98 (2) (d) The department shall periodically bill the person who filed the
7 bond and the surety under s. 46.03 (18) (b) or ~~46.10~~ 49.32 (1) (b) or 49.345 for the cost
8 of care and maintenance of the child until the child is adopted or becomes age 18,
9 whichever is earlier. The guardian and surety shall also be liable under the bond for
10 costs incurred by the department in enforcing the bond.

11 **SECTION 1370.** 48.981 (3) (c) 8. of the statutes is amended to read:

12 48.981 (3) (c) 8. Using the format prescribed by the department, each county
13 department shall provide the department with information about each report that
14 the county department receives or that is received by a licensed child welfare agency
15 that is under contract with the county department and about each investigation that
16 the county department or a licensed child welfare agency under contract with the
17 county department conducts. Using the format prescribed by the department, a
18 licensed child welfare agency under contract with the department shall provide the
19 department with information about each report that the child welfare agency
20 receives and about each investigation that the child welfare agency conducts. ~~This~~
21 ~~information shall be used by the~~ The department shall use the information to
22 monitor services provided by county departments or licensed child welfare agencies
23 under contract with county departments or the department. The department shall
24 use nonidentifying information to maintain statewide statistics on child abuse and

1 neglect and on unborn child abuse, and for planning and policy development
2 purposes.

3 **SECTION 1371.** 48.981 (7) (dm) of the statutes is amended to read:

4 48.981 (7) (dm) Notwithstanding par. (a), an agency may enter the content of
5 any report or record maintained by the agency into the statewide automated child
6 welfare information system established under s. ~~46.03~~ 48.47 (7g).

7 **SECTION 1372.** 48.981 (8) (a) of the statutes is amended to read:

8 48.981 (8) (a) The department, the county departments, and a licensed child
9 welfare agency under contract with the department in a county having a population
10 of 500,000 or more to the extent feasible shall conduct continuing education and
11 training programs for staff of the department, the county departments, licensed
12 child welfare agencies under contract with the department or a county department,
13 law enforcement agencies, and the tribal social services departments, persons and
14 officials required to report, the general public, and others as appropriate. The
15 programs shall be designed to encourage reporting of child abuse and neglect and of
16 unborn child abuse, to encourage self-reporting and voluntary acceptance of services
17 and to improve communication, cooperation, and coordination in the identification,
18 prevention, and treatment of child abuse and neglect and of unborn child abuse.
19 Programs provided for staff of the department, county departments, and licensed
20 child welfare agencies under contract with county departments or the department
21 whose responsibilities include the investigation or treatment of child abuse or
22 neglect shall also be designed to provide information on means of recognizing and
23 appropriately responding to domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a). The
24 department, the county departments, and a licensed child welfare agency under
25 contract with the department in a county having a population of 500,000 or more

1 shall develop public information programs about child abuse and neglect and about
2 unborn child abuse.

3 **SECTION 1373.** 48.981 (8) (d) 1. of the statutes is amended to read:

4 48.981 (8) (d) 1. Each agency staff member and supervisor whose
5 responsibilities include investigation or treatment of child abuse and neglect or of
6 unborn child abuse shall successfully complete training in child abuse and neglect
7 protective services and in unborn child abuse protective services approved by the
8 department. The training shall include information on means of recognizing and
9 appropriately responding to domestic abuse, as defined in s. 46.95 49.165 (1) (a). The
10 department shall monitor compliance with this subdivision according to rules
11 promulgated by the department.

12 **SECTION 1374.** 48.982 (2) (g) (intro.) of the statutes is amended to read:

13 48.982 (2) (g) (intro.) In coordination with the departments of health and family
14 services and department and the department of public instruction:

15 **SECTION 1383.** 48.985 (1) of the statutes is amended to read:

16 48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.
17 20.435 (3) 20.437 (1) (n), the department shall expend not more than \$273,700 in each
18 fiscal year of the moneys received under 42 USC 620 to 626 for the department's
19 expenses in connection with administering the expenditure of funds received under
20 42 USC 620 to 626 and for child abuse and neglect and unborn child abuse
21 independent investigations.

22 **SECTION 1384.** 48.985 (2) of the statutes is amended to read:

23 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
24 appropriation under s. 20.435 (7) 20.437 (1) (o), the department shall distribute not
25 more than \$3,809,600 \$3,554,300 in each fiscal year of the moneys received under

1 42 USC 620 to 626 to county departments under ss. ~~46.215, 46.22, and 46.23~~ for the
2 provision or purchase of child welfare projects and services, for services to children
3 and families, for services to the expectant mothers of unborn children, and for
4 family-based child welfare services.

5 **SECTION 1385.** 48.985 (4) of the statutes is amended to read:

6 48.985 (4) RUNAWAY SERVICES. From the appropriation under s. ~~20.435 (3)~~
7 20.437 (1) (na) for runaway services, not more than \$458,600 in each fiscal year.

8 **SECTION 1386.** 48.985 (5) of the statutes is repealed.

9 **SECTION 1387.** 48.989 (1) (a) of the statutes is amended to read:

10 48.989 (1) (a) "Appropriate authority in the receiving state" means the
11 department of health and family services.

12 **SECTION 1388.** 48.989 (1) (b) of the statutes is amended to read:

13 48.989 (1) (b) "Appropriate public authorities" means the department of health
14 and family services, which shall receive and act with reference to notices required
15 by s. 48.988 (3).

16 **SECTION 1389.** Chapter 49 (title) of the statutes is amended to read:

17 **CHAPTER 49**

18 **PUBLIC ASSISTANCE AND**

19 **CHILDREN AND FAMILY SERVICES**

20 **SECTION 1390.** 49.001 (9) of the statutes is amended to read:

21 49.001 (9) "Wisconsin works Works agency" means a person under contract
22 under s. 49.143 to administer Wisconsin works Works under ss. 49.141 to 49.161. If
23 no contract is awarded under s. 49.143, "Wisconsin works Works agency" means the
24 department of workforce development children and families.

25 **SECTION 1391.** 49.02 (2) (c) of the statutes is repealed.

1 SECTION 1392. 49.025 (2) (a) 2. of the statutes is amended to read:

2 49.025 (2) (a) 2. The department shall subtract from the amount determined
3 under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)
4 in that year and amounts paid on behalf of individuals in that county under the
5 demonstration project under s. 49.45 (23) in that year. If the amount determined
6 under this subdivision is less than zero, the amount of the relief block grant is \$0.

7 SECTION 1393. 49.029 (3) of the statutes is amended to read:

8 49.029 (3) USE OF RELIEF BLOCK GRANT FUNDS. A tribal governing body may use
9 moneys received as a relief block grant only for the purpose of providing health care
10 services to dependent persons. Notwithstanding s. 49.01 (2g), health care services
11 may include treatment services for alcohol and other drug abuse and mental health
12 services.

13 SECTION 1394. Subchapter III (title) of chapter 49 [precedes 49.11] of the
14 statutes is amended to read:

15 CHAPTER 49

16 SUBCHAPTER III

17 ECONOMIC CHILDREN AND FAMILY

18 SUPPORT AND WORK PROGRAMS SERVICES

19 SECTION 1395. 49.11 (1) of the statutes is amended to read:

20 49.11 (1) "Department" means the department of workforce development
21 children and families.

22 SECTION 1396. 49.11 (2) of the statutes is amended to read:

23 49.11 (2) "Secretary" means the secretary of workforce development children
24 and families.

25 SECTION 1397. 49.13 (title) of the statutes is renumbered 49.79 (9) (title).