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1       **SECTION 785.** 45.33 (2) (b) 1. b. of the statutes is amended to read:

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

6       **SECTION 785d.** 45.40 (1) (b) of the statutes is amended to read:

7           45.40 (1) (b) The maximum amount that any veteran may receive under this  
8       subsection per occurrence during a consecutive 12-month period may not exceed  
9       \$2,000 \$3,000.

10       **SECTION 785g.** 45.40 (2) (b) of the statutes is repealed.

11       **SECTION 785m.** 45.40 (3) of the statutes is amended to read:

12           45.40 (3) LIMITATIONS. The total cumulative amount that any veteran may  
13       receive under this section may not exceed \$5,000 \$7,500.

14       **SECTION 786.** 45.42 (6) (b) of the statutes is amended to read:

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

20       **SECTION 786g.** 45.43 (1) of the statutes is amended to read:

21           45.43 (1) The department shall administer a program to provide assistance to  
22       persons who served in the U.S. armed forces or in forces incorporated as part of the  
23       U.S. armed forces and who were discharged under conditions other than  
24       dishonorable. The department shall provide assistance to persons whose need for  
25       services is based upon homelessness, incarceration, or other circumstances

1 designated by the department by rule. The department shall designate the  
2 assistance available under this section, which may include assistance in receiving  
3 medical care, dental care, education, employment, and transitional housing. The  
4 department may provide payments to facilitate the provision of services under this  
5 section. From the appropriation under s. 20.485 (2) (ac), the department shall  
6 provide \$15,000 annually during fiscal years 2007-08 and 2008-09 to the Center for  
7 Veterans Issues, Ltd., of Milwaukee, to provide outreach services to homeless  
8 veterans with post-traumatic stress disorder.

9 **SECTION 786m.** 45.43 (3) of the statutes is created to read:

10 45.43 (3) The department shall annually provide the governor, and the  
11 appropriate standing committees of the legislature under s. 13.172 (3), with the  
12 number of veterans that were referred to the U.S. veterans administration hospitals,  
13 veterans centers, or other health care facilities as a result of telemedicine facilities.  
14 This subsection does not apply after June 30, 2009.

15 **SECTION 786u.** 45.51 (9) of the statutes is repealed.

16 **SECTION 787.** 45.51 (10) (b) of the statutes is amended to read:

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

24 **SECTION 788.** 45.51 (13) (intro.) of the statutes is amended to read:

1           **45.51 (13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES.**

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

6           **SECTION 789.** 45.51 (13) (a) of the statutes is amended to read:

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

12          **SECTION 790.** 45.51 (13) (b) of the statutes is amended to read:

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

19          **SECTION 791.** 45.61 (2) (a) of the statutes is amended to read:

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

24          **SECTION 791m.** 45.61 (2) (am) of the statutes is created to read:

1           45.61 (2) (am) A person who died while on active duty in the U.S. armed forces  
2 or in forces incorporated in the U.S. armed forces. ✓

3           **SECTION 792.** 45.61 (2) (b) ✓ of the statutes is amended to read:

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

8           **SECTION 792c.** 45.61 (5) of the statutes is renumbered 45.61 (5) (a) and  
9 amended to read:

10           45.61 (5) EXPENSES. (a) Expenses incident to the burial under this section of  
11 persons described in sub. (2) (a) and (b) to (e) shall be paid from the estate of the  
12 decedent, except that if there is no estate or the estate is insufficient, the expense of  
13 burial, or necessary part of the burial, shall be paid from the appropriation under s.  
14 20.485 (1) (gk) for members of veterans homes, and the amount expended for those  
15 expenses shall not exceed the amount established for funeral and burial expenses  
16 under s. 49.785 (1) (b). ✓

17           **SECTION 792e.** 45.61 (5) (b) of the statutes is created to read:

18           45.61 (5) (b) Expenses incident to the burial under this section of persons  
19 described in sub. (2) (am) shall be paid from the estate of the decedent, except that  
20 if there is no estate or the estate is insufficient, the expense of burial, or necessary  
21 part of the burial, shall be paid by the relatives who requested the burial. ✓

22           **SECTION 793.** 46.001 ✓ of the statutes is amended to read:

23           **46.001 Purposes of chapter.** The purposes of this chapter are to conserve  
24 human resources in Wisconsin; to provide a just and humane program of services to  
25 ~~children and unborn children in need of protection or services, nonmarital children~~

1 ~~and the expectant mothers of those unborn children~~; to prevent dependency, mental  
2 illness, developmental disability, mental infirmity, and other forms of social  
3 maladjustment by a continuous attack on causes; to provide effective aid and services  
4 to all persons in need ~~thereof of that aid and those services~~ and to assist those persons  
5 to achieve or regain self-dependence at the earliest possible date; to avoid  
6 duplication and waste of effort and money on the part of public and private agencies;  
7 and to coordinate and integrate a social welfare program.

8 **SECTION 794.** 46.011 (intro.) of the statutes is amended to read:

9 **46.011 Definitions.** (intro.) In chs. 46, 48, 50, 51, 54, 55, and 58:

10 **SECTION 795.** 46.011 (1g) of the statutes is created to read:

11 46.011 (1g) "Disabled children's long-term support program" means the  
12 programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003  
13 Wisconsin Act 33, section 9124 (8c).

14 **SECTION 796.** 46.014 (4) of the statutes is renumbered 49.265 (6) and amended  
15 to read:

16 49.265 (6) REPORTS. At least annually, the secretary shall submit a report to  
17 the chief clerk of each house of the legislature, for distribution to the appropriate  
18 standing committees under s. 13.172 (3), concerning activities of community action  
19 agencies under ~~s. 46.30~~ this section and their effectiveness in promoting social and  
20 economic opportunities for poor persons.

21 **SECTION 797.** 46.016 of the statutes is amended to read:

22 **46.016 Cooperation with federal government.** The department may  
23 cooperate with the federal government in carrying out federal acts concerning public  
24 assistance, social security, ~~child welfare and youth services~~, mental hygiene, services  
25 for the blind, and in other matters of mutual concern pertaining to public welfare.

1           **SECTION 798.** 46.02 of the statutes is amended to read:

2           **46.02 Agency powers and duties.** Any institution ~~which~~ that is subject to  
3 chs. 46, 48 ~~49~~ to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of  
4 conflict between chs. 46, 48 ~~49~~ to 51, 55, and 58 and ch. 150, be governed by ch. 150.  
5 The department shall promulgate rules and establish procedures for resolving any  
6 such ~~controversy~~ a conflict.

7           **SECTION 799.** 46.023 of the statutes is renumbered 48.562.

8           **SECTION 800.** 46.03 (4) (b) of the statutes is amended to read:

9           46.03 (4) (b) In order to discharge more effectively its responsibilities under  
10 this chapter ~~and ch. 48~~ and other relevant provisions of the statutes, be authorized  
11 to study causes and methods of prevention and treatment of mental illness, mental  
12 deficiency, mental infirmity, and related social problems, including establishment of  
13 demonstration projects to apply and evaluate such methods in actual cases. The  
14 department is directed and authorized to utilize all powers provided by the statutes,  
15 including the authority under sub. (2a), to accept grants of money or property from  
16 federal, state, or private sources, and to enlist the cooperation of other appropriate  
17 agencies and state departments. The department may enter into agreements with  
18 local government subdivisions, departments, and agencies for the joint conduct of  
19 these projects, and it may purchase services when ~~deemed~~ considered appropriate.

20           **SECTION 801.** 46.03 (7) (a) of the statutes is amended to read:

21           46.03 (7) (a) Promote the enforcement of laws for the protection of  
22 developmentally disabled children, ~~children and unborn children in need of~~  
23 ~~protection or services and nonmarital children~~; and to this end cooperate with courts  
24 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare  
25 agencies, and public and private institutions and take the initiative in all matters

1 involving the interests of those children ~~and unborn children~~ when adequate  
2 provision for those interests has not already been made, including the establishment  
3 and enforcement of standards for services provided under ss. 48.345 and 48.347.

4 **SECTION 802.** 46.03 (7) (bm) of the statutes is amended to read:

5 46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
6 under s. 891.40, ~~declarations of paternal interest under s. 48.025,~~ and statements  
7 acknowledging paternity under s. 69.15 (3) (b). The department may release those  
8 records, ~~declarations,~~ and statements only upon an order of the court except that the  
9 department may use nonidentifying information concerning artificial inseminations  
10 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~  
11 ~~released as provided in s. 48.025 (3) (b) and (e),~~ and statements acknowledging  
12 paternity shall be released without a court order to the department of ~~workforce~~  
13 ~~development~~ children and families or a county child support agency under s. 59.53  
14 (5) upon the request of that department or county child support agency pursuant to  
15 the program responsibilities under s. 49.22 or to any other person with a direct and  
16 tangible interest in the statement.

17 **SECTION 803.** 46.03 (7) (c) of the statutes is repealed.

18 **SECTION 804.** 46.03 (7) (cm) of the statutes is renumbered 48.47 (7) (cm).

19 **SECTION 805.** 46.03 (7) (d) of the statutes is renumbered 48.47 (7) (d).

20 **SECTION 806.** 46.03 (7) (e) of the statutes is repealed.

21 **SECTION 807.** 46.03 (7) (f) of the statutes is renumbered 48.47 (7) (f).

22 **SECTION 808.** 46.03 (7) (h) of the statutes is renumbered 48.47 (7) (h).

23 **SECTION 809.** 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended

24 to read:

1           48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish  
2 a statewide automated child welfare information system. Notwithstanding ss.  
3 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,  
4 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~  
5 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the  
6 content of any record kept or information received by the department into the  
7 statewide automated child welfare information system, and a county department  
8 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has  
9 entered into an information sharing and access agreement with the department or  
10 any of those county departments and that has been approved for access to the  
11 statewide automated child welfare information system by the department may have  
12 access to information that is maintained in that system, if necessary to enable the  
13 county department, department, or organization to perform its duties under this  
14 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the  
15 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to  
16 679b.

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

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

24           **SECTION 812c.** 46.03 (18) (a) of the statutes is amended to read:



1           46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of  
2 ~~health and family services~~ shall establish a uniform system of fees for services  
3 provided or purchased by the department of ~~health and family services~~, or a county  
4 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided  
5 under ch. 48 and subch. III of ch. 49; ~~services relating to adoption~~; services provided  
6 to courts; outreach, information and referral services; or ~~where~~ when, as determined  
7 by the department of ~~health and family services~~, a fee is administratively unfeasible  
8 or would significantly prevent accomplishing the purpose of the service. A county  
9 department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees which that  
10 it collects under this program to cover the cost of ~~such~~ those services. The  
11 ~~department of health and family services shall report to the joint committee on~~  
12 ~~finance no later than March 1 of each year on the number of children placed for~~  
13 ~~adoption by the department of health and family services during the previous year~~  
14 ~~and the costs to the state for services relating to such adoptions.~~

15           **SECTION 813.** 46.03 (18) (am) of the statutes is amended to read:

16           46.03 (18) (am) ~~Paragraph (a) does not prevent the department from charging~~  
17 ~~and collecting the cost of adoptive placement investigations and child care as~~  
18 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county  
19 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
20 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

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

22           46.03 (18) (ar) A county may retain fees that it collects under this subsection  
23 for services the county provides without state funding under the disabled children's  
24 long-term support program.

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

1           46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,  
2 the department may make payments directly to recipients of public assistance or to  
3 such persons authorized to receive such payments in accordance with law and rules  
4 of the department on behalf of the counties. Except for payments provided under ch.  
5 48 or subch. III of ch. 49, the department may charge the counties for the cost of  
6 operating public assistance systems which make such payments.

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

8           46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

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

10           46.03 (22) (a) ~~“Community~~ In this subsection, “community living arrangement  
11 for adults” means ~~any of the following facilities licensed or operated, or permitted~~  
12 ~~under the authority of the department: residential care centers for children and~~  
13 ~~youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under~~  
14 ~~s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based~~  
15 ~~residential facilities~~ a community-based residential facility, as defined in s. 50.01  
16 (1g); ~~but does not include adult family homes, as defined in s. 50.01 (1), day care~~  
17 ~~centers, nursing homes, general hospitals, special hospitals, prisons, and jails.~~

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

19           46.03 (22) (b) Community living arrangements for adults shall be subject to the  
20 same building and housing ordinances, codes, and regulations of the municipality or  
21 county as similar residences located in the area in which the facility is located.

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

23           46.03 (22) (c) The department shall designate a subunit to keep records and  
24 supply information on community living arrangements for adults under ss. 59.69  
25 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving

1 all complaints regarding community living arrangements for adults and for  
2 coordinating all necessary investigatory and disciplinary actions under the laws of  
3 this state and under the rules of the department relating to the licensing of  
4 community living arrangements for adults.

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

6 46.03 (22) (d) A community living arrangement for adults with a capacity for  
7 8 or fewer persons shall be a permissible use for purposes of any deed covenant which  
8 limits use of property to single-family or 2-family residences. A community living  
9 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible  
10 use for purposes of any deed covenant which limits use of property to more than  
11 2-family residences. Covenants in deeds which expressly prohibit use of property  
12 for community living arrangements for adults are void as against public policy.

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

14 46.03 (22) (e) If a community living arrangement for adults is required to  
15 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,  
16 at the request of the unit of government responsible for granting the special zoning  
17 permission, inspect the proposed facility and review the program proposed for the  
18 facility. After such inspection and review, the department shall transmit to the unit  
19 of government responsible for granting the special zoning permission a statement  
20 that the proposed facility and its proposed program have been examined and are  
21 either approved or disapproved by the department.

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

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

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

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

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

23           46.034 (1) The department, in order to discharge more effectively its  
24 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant  
25 provisions of the statutes, may establish community human services pilot programs

1 for the study, implementation, and evaluation of improved human services delivery  
2 systems. In the implementation of such those pilot programs, the requirement of  
3 statewide uniformity with respect to the organization and governance of human  
4 services shall not apply. The department and local governmental bodies may  
5 establish such departments, boards, committees, organizational structures, and  
6 procedures as may be needed to implement the pilot programs. The departments,  
7 boards, committees, and organizational structures may assume responsibilities  
8 currently assigned by statute to the departments, boards, committees, or  
9 organizational structures that are replaced.

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

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

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

22 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double  
23 entry accounting system and a management information system which are  
24 compatible with cost accounting and control systems prescribed by the department.  
25 ~~The department shall establish a simplified double entry bookkeeping system for use~~

1 ~~by family-operated group homes. Each purchaser shall determine whether a~~  
2 ~~family-operated group home from which it purchases services shall use the double~~  
3 ~~entry accounting system or the simplified system and shall include this~~  
4 ~~determination in the purchase of service contract. In this paragraph,~~  
5 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~  
6 ~~which the licensee is one or more individuals who operate not more than one group~~  
7 ~~home.~~

8 **SECTION 829c.** 46.036 (4) (c) of the statutes is amended to read:

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

15 **SECTION 830.** 46.037 of the statutes is renumbered 49.343 and amended to  
16 read:

17 **49.343 Rates for residential child care centers and group homes. (1)**  
18 Subject to sub. (1m), each residential child care center for children and youth, as  
19 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is  
20 licensed under ~~s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall  
21 establish a per client rate for its services and shall charge all purchasers the same  
22 rate.

23 **(1m)** Notwithstanding sub. (1), the department, a county department under  
24 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the  
25 department and one or more of those county departments, and a residential child

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

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

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

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

22 46.043 (1) In addition to inpatient and outpatient services provided at mental  
23 health institutes under ss. 51.05 and 51.07, the department may authorize mental  
24 health institutes to offer services other than inpatient mental health services when  
25 the department determines that community services need to be supplemented.

1 Services that may be offered under this section include mental health outpatient  
2 treatment and services, day programming, consultation and services in residential  
3 facilities, including group homes, ~~child caring institutions~~ residential care centers  
4 for children and youth and community-based residential facilities.

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

6 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
7 department of corrections shall transfer to the appropriation account under s. 20.435  
8 (2) (kx) \$1,379,300 in each fiscal year ~~2005-06~~ and ~~\$1,379,300~~ in fiscal year ~~2006-07~~  
9 and, from the appropriation account under s. 20.410 (3) (hm), the department of  
10 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)  
11 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and  
12 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the  
13 Mendota juvenile treatment center. The department of health and family services  
14 may charge the department of corrections not more than the actual cost of providing  
15 those services.

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

17 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
18 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the  
19 parent's minor child who has been placed by a court order under s. 48.355 or 48.357  
20 in a residential, nonmedical facility such as a group home, foster home, treatment  
21 foster home, subsidized guardianship home, or residential care center for children  
22 and youth shall be determined by the court by using the percentage standard  
23 established by the department of ~~workforce development~~ children and families  
24 under s. 49.22 (9) and by applying the percentage standard in the manner  
25 established by the department under s. ~~46.247~~ par. (g).



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

2           46.10 (14) (g) For purposes of determining child support under par. (b), the  
3 department shall promulgate rules related to the application of the standard  
4 established by the department of children and families under s. 49.22 (9) to a child  
5 support obligation for the care and maintenance of a child who is placed by a court  
6 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall  
7 take into account the needs of any person, including dependent children other than  
8 the child, whom either parent is legally obligated to support.

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

10          46.10 (16) The department shall delegate to county departments under ss.  
11 51.42 and 51.437 or the local providers of care and services meeting the standards  
12 established by the department under s. 46.036, the responsibilities vested in the  
13 department under this section for collection of patient fees for services other than  
14 those provided at state facilities ~~or~~, those provided to children that are reimbursed  
15 under a waiver under s. 46.27 (11), 46.275, 46.278, or 46.2785, ~~or a waiver requested~~  
16 ~~under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section~~  
17 9124 (8e), those provided under the disabled children's long-term support program  
18 if the county departments or providers meet the conditions that the department  
19 determines are appropriate. The department may delegate to county departments  
20 under ss. 51.42 and 51.437 the responsibilities vested in the department under this  
21 section for collection of patient fees for services provided at the state facilities if the  
22 necessary conditions are met.

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

24          46.16 (1) **GENERALLY.** The department shall investigate and supervise all the  
25 charitable and curative institutions, including county infirmaries, of every county

1 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~  
2 ~~children and, and~~ all hospitals, asylums, and institutions, organized for the purpose  
3 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their  
4 management and usefulness.

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

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

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

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

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

17 **SECTION 841.** 46.16 (7) of the statutes is amended to read:

18 46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon  
19 request of the department, the attorney general or the district attorney of the proper  
20 county shall aid in any investigation, inspection, hearing, or trial had under the  
21 provisions of this chapter, ~~or those sections of ch. 48~~ relating to powers of the  
22 department, and shall institute and prosecute all necessary actions or proceedings  
23 for the enforcement of ~~such~~ those provisions and for the punishment of violations of  
24 ~~the same~~ those provisions. The attorney general or district attorney so requested

1 shall report or confer with the department regarding the request, within 30 days  
2 after the receipt of such the request.

3 **SECTION 842.** 46.17 (1) of the statutes is amended to read:

4 46.17 (1) The department shall fix reasonable standards and regulations for  
5 the design, construction, repair, and maintenance of county homes, county  
6 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,  
7 with respect to their adequacy and fitness for the needs which they are to serve.

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

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

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

18 46.206 (1) (bm) All records of the department relating to aid provided under  
19 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable  
20 hours by members of the legislature who require the information contained in the  
21 records in pursuit of a specific state legislative purpose. All records of any county  
22 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are  
23 open to inspection at reasonable hours by members of the board of supervisors of the  
24 county or the governing body of a city, village or town located in the county who  
25 require the information contained in the records in pursuit of a specific county or

1 municipal legislative purpose. The right to records access provided by this  
2 paragraph does not apply if access is prohibited by federal law or regulation or if this  
3 state is required to prohibit such access as a condition precedent to participation in  
4 a federal program in which this state participates.

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

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

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

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

1 document that a request for information was received and what information was  
2 provided.

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

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

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

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

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

14 46.215 (1) (j) To make payments in such manner as the department of  
15 ~~workforce-development~~ children and families may determine for training of  
16 recipients, former recipients, and potential recipients of aid in programs established  
17 under s. 49.193, 1997 stats., and s. 49.26 (1).

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

19 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.  
20 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
21 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social  
22 services or tribal agency acting under this section may exchange confidential  
23 information about a client, without the informed consent of the client, with any other  
24 subunit of the same county department of social services or tribal agency, with a  
25 resource center, a care management organization, or a ~~family~~ long-term care

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

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

12 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE  
13 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78  
14 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
15 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
16 (2) (a), a county department under this section may enter the content of any record  
17 kept or information received by that county department into the statewide  
18 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

19 **SECTION 852.** 46.215 (2) (a) 2. of the statutes is amended to read:

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

1 department of ~~workforce development~~ children and families if the department of  
2 ~~workforce development~~ children and families has staff to furnish the services. If the  
3 county department of social services has adequate staff, it may sell the care and  
4 services directly to another county or state agency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of  
19 health and family services, the secretary of ~~workforce development~~ children and  
20 families, the secretary of corrections, and the county board of supervisors.

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

22 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family  
23 services, by the secretary of corrections, and by the secretary of ~~workforce~~  
24 ~~development~~ children and families of a feasibility study and a program  
25 implementation plan, the county board of supervisors of any county with a

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

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

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

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

14 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.  
15 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
16 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of  
17 human services or tribal agency acting under this section may exchange confidential  
18 information about a client, without the informed consent of the client, with any other  
19 subunit of the same county department of human services or tribal agency, with a  
20 resource center, a care management organization, or a family long-term care  
21 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
22 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
23 1g., or with a person providing services to the client under a purchase of services  
24 contract with the county department of human services or tribal agency or with a  
25 resource center, a care management organization, or a family long-term care

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

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

7 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*  
8 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
9 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
10 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
11 (2) (a), a county department under this section may enter the content of any record  
12 kept or information received by that county department into the statewide  
13 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

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

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

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

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

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

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

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

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

9 46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
10 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
11 services, are provided or purchased or contracted for with local providers, and  
12 monitor the performance of such contracts. Purchase of services contracts shall be  
13 subject to the conditions specified in s. 46.036.

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

15 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
16 and subch. III of ch. 49 are provided or purchased or contracted for with local  
17 providers, and monitor the performance of such contracts. Purchase of services  
18 contracts shall be subject to the conditions specified in s. 49.34.

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

20 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
21 authorized services, except for services under ch. 48 and subch. III of ch. 49 and  
22 juvenile delinquency-related services. Notwithstanding the categorization of or  
23 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
24 of the department of health and family services the county human services board



1 may expend these funds consistent with any service provided under s. 46.495 or  
2 51.42.

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

4 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
5 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the  
6 categorization of or limits specified for funds allocated under s. 48.569, with the  
7 approval of the department of children and families the county human services board  
8 may expend these funds consistent with any service provided under s. 48.569.

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

10 46.23 (5m) (c) Prepare, with the assistance of the county human services  
11 director under sub. (6m) (e), a proposed budget for submission to the county executive  
12 or county administrator, a final budget for submission to the department of health  
13 and family services in accordance with s. 46.031 (1) for authorized services, except  
14 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
15 services, a final budget for submission to the department of ~~workforce development~~  
16 children and families in accordance with s. 49.325 for authorized services under ch.  
17 48 and subch. III of ch. 49, and a final budget for submission to the department of  
18 corrections in accordance with s. 301.031 for authorized juvenile  
19 delinquency-related services.

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

21 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
22 (f) shall have all of the administrative and executive powers and duties of managing,  
23 operating, maintaining, and improving the programs of the county department of  
24 human services, subject to the rules promulgated by the department of health and  
25 family services for programs, except services or programs under ch. 48 and subch.

1 III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
2 rules promulgated by the department of ~~workforce development~~ children and  
3 families for services or programs under ch. 48 and subch. III of ch. 49, and subject  
4 to the rules promulgated by the department of corrections for juvenile  
5 delinquency-related services or programs. In consultation with the county human  
6 services board under sub. (5) and subject to its approval, the county human services  
7 director shall prepare:

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

9 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and  
10 family services, by the secretary of corrections, or by the secretary of ~~workforce~~  
11 ~~development~~ children and families and the county board of supervisors in a county  
12 with a single-county department of human services or the county boards of  
13 supervisors in counties with a multicounty department of human services.

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

16 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.  
17 If a minor who is contemplating an abortion requests assistance from a county  
18 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
19 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
20 member, ~~as defined in s. 48.375 (2) (b),~~ for the contemplated abortion or in seeking  
21 a waiver from the circuit court, the county department shall provide assistance,  
22 including, if so requested, accompanying the minor as appropriate.

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

1           49.345 (14) (g) ~~Application of child support standard for certain children.~~ For  
2 purposes of determining child support under ~~s. 46.10 (14) par.~~ (b), the department  
3 shall promulgate rules related to the application of the standard established by the  
4 department of ~~workforce development~~ under s. 49.22 (9) to a child support obligation  
5 for the care and maintenance of a child who is placed by a court order under s. 48.355  
6 or 48.357 in a residential, nonmedical facility. The rules shall take into account the  
7 needs of any person, including dependent children other than the child, whom either  
8 parent is legally obligated to support.

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

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

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

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

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

16           48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
17 home or treatment foster home having a license under s. 48.62, in a foster home or  
18 treatment foster home located within the boundaries of a federally recognized  
19 American Indian reservation in this state and licensed by the tribal governing body  
20 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
21 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
22 custodial parent who cares for the dependent child, regardless of the cause or  
23 prospective period of dependency. The state shall reimburse counties pursuant to the  
24 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set  
25 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the

1 child does not have legal settlement in the granting county, state reimbursement  
2 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the  
3 department under s. 48.48 (17) shall determine the legal settlement of the child. A  
4 child under one year of age shall be eligible for aid under this subsection irrespective  
5 of any other residence requirement for eligibility within this section.

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

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

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

19 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
20 the department, when the child is placed in a licensed foster home, treatment foster  
21 home, group home, or residential care center for children and youth or in a subsidized  
22 guardianship home by a licensed child welfare agency or by a federally recognized  
23 American Indian tribal governing body in this state or by its designee, if the child is  
24 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
25 department under s. 48.48 (17) or if the child was removed from the home of a

1 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that  
2 continuance in the home of the relative would be contrary to the child's welfare for  
3 any reason and the placement is made pursuant to under an agreement with the  
4 county department or the department.

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

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

16 **SECTION 902.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

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

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

19 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
20 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10, the duties of the  
21 county long-term support planning committee under this subsection, the county  
22 long-term support planning committee for the county is dissolved.

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

24 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
25 ~~long-term care council~~ the governing board of a resource center has under s. 46.282

1 ~~(3) (b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the local  
2 ~~long-term care council governing board of the resource center~~ shall recommend a  
3 community options plan for participation in the program. The plan shall include:

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

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

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

11 46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2)  
12 is established in the county, a description of how the activities of the entity relate to  
13 and are coordinated with the county's proposed program.

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

15 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county  
16 department or aging unit shall utilize persons for each assessment who can  
17 determine the needs of the person being assessed and who know the availability  
18 within the county of services alternative to placement in a nursing home. If any  
19 hospital patient is referred to a nursing home for admission, these persons shall work  
20 with the hospital discharge planner in performing the activities specified in sub. (6).  
21 The county department or aging unit shall coordinate the involvement of  
22 representatives from the county departments under ss. 46.215, 46.22, 51.42 and  
23 51.437, health service providers and the county commission on aging in the  
24 assessment activities specified in sub. (6), as well as the person being assessed and  
25 members of the person's family or the person's guardian. This paragraph does not

1 apply to a county department or aging unit in a county in which the department has  
2 contracted with an entity under s. ~~46.281 (1) (e) 1~~ 46.284 (2).

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

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

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

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

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

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

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

1           46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 ~~or~~,  
2           49.47, or 49.471 (4) (a).

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

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

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

11          46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
12          shall allocate funds to each county or private nonprofit agency with which the  
13          department contracts to pay assessment and case plan costs under sub. (6) not  
14          otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse  
15          counties for the cost of assessing persons eligible for medical assistance under s.  
16          49.46, 49.468, ~~or 49.47, or 49.471 (4) (a)~~ as part of the administrative services of  
17          medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds  
18          allocated under this paragraph to pay the cost of long-term community support  
19          services and for a risk reserve under par. (fr).

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

21          46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the  
22          department shall allocate funds to each county to pay the cost of providing long-term  
23          community support services under sub. (5) (b) not otherwise paid under s. 49.45 to  
24          persons eligible for medical assistance under s. 49.46 ~~or~~, 49.47, or 49.471 (4) (a) or  
25          to persons whom the county department or aging unit administering the program



1 finds likely to become medically indigent within 6 months by spending excess income  
2 or assets for medical or remedial care. The average per person reimbursement under  
3 this paragraph may not exceed the state share of the average per person payment  
4 rate the department expects under s. 49.45 (6m). The county department or aging  
5 unit administering the program may spend funds received under this paragraph  
6 only in accordance with the case plan and service contract created for each person  
7 receiving long-term community support services. Counties may use unspent funds  
8 allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a  
9 risk reserve under par. (fr).

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

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

12 46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,  
13 to transfer funds to a family long-term care district.

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

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

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

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

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

8           46.27 (10) (a) 1. The department shall determine for each county participating  
9 in the pilot project under sub. (9) a funding level of state medical assistance  
10 expenditures to be received by the county. This level shall equal the amount that the  
11 department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, ~~or (w)~~,  
12 or (xd), or because of increased utilization of nursing home services, as estimated by  
13 the department.

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

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

16           46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
17 49, except s. ss. 49.468 and 49.471.

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

19           46.275 (5) (a) Medical Assistance reimbursement for services a county, or the  
20 department under sub. (3r), provides under this program is available from the  
21 appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, ~~(o)~~, ~~and (w)~~, and (xd). If 2 or more  
22 counties jointly contract to provide services under this program and the department  
23 approves the contract, Medical Assistance reimbursement is also available for  
24 services provided jointly by these counties.

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

1           46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (~~gp~~), (o), and (w), and  
2           (xd) to counties and to the department under sub. (3r) for services provided under  
3           this section may not exceed the amount approved by the federal department of health  
4           and human services. A county may use funds received under this section only to  
5           provide services to persons who meet the requirements under sub. (4) and may not  
6           use unexpended funds received under this section to serve other developmentally  
7           disabled persons residing in the county.

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

9           46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.  
10          49, except s. ss. 49.468 and 49.471.

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

12          46.277 (3) (d) The county department or aging unit that administers the  
13          program under this section shall, within the time period specified by the department,  
14          offer counseling, that is specified by the department, concerning public and private  
15          benefit programs to prospective residents of community-based residential facilities  
16          who are referred to the county department or aging unit under s. 50.035 (4n).

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

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

19          46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.  
20          49, except s. ss. 49.468 and 49.471.

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

22          46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
23          share of service costs under a waiver received under sub. (3), the department may,  
24          from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
25          that the county provides under this section to persons who are in addition to those

1 who may be served under this section with funds from the appropriation account  
2 under s. 20.435 (4) (b) ~~or~~, (w), or (xd).

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

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

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

8 46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
9 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

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

11 46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management  
12 organization is operating pursuant to a contract under s. 46.284 (2) or a county in  
13 which a program described under s. 46.2805 (1) (a) or (b) is administered may use  
14 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27  
15 (7) to provide community mental health or substance abuse services and supports for  
16 persons with mental illness or persons in need of services or supports for substance  
17 abuse and to provide services under the Family Support Program under s. 46.985.

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

19 **46.2804** (title) ~~Managed care programs for Client management of~~  
20 managed care long-term care services benefit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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