

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

2           **46.011 (1g)** "Disabled children's long-term support program" means the  
3           programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003  
4           Wisconsin Act 33, section 9124 (8c).

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

7           **49.265 (6) REPORTS.** At least annually, the secretary shall submit a report to  
8           the chief clerk of each house of the legislature, for distribution to the appropriate  
9           standing committees under s. 13.172 (3), concerning activities of community action  
10          agencies under s. 46.30 this section and their effectiveness in promoting social and  
11          economic opportunities for poor persons.

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

13          **46.016 Cooperation with federal government.** The department may  
14          cooperate with the federal government in carrying out federal acts concerning public  
15          assistance, social security, ~~child welfare and youth services~~, mental hygiene, services  
16          for the blind, and in other matters of mutual concern pertaining to public welfare.

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

18          **46.02 Agency powers and duties.** Any institution which ~~that~~ is subject to  
19          chs. 46, 48 49 to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of  
20          conflict between chs. 46, 48 49 to 51, 55, and 58 and ch. 150, be governed by ch. 150.  
21          The department shall promulgate rules and establish procedures for resolving any  
22          such ~~controversy~~ a conflict.

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

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



1           46.03 (4) (b) In order to discharge more effectively its responsibilities under  
2 this chapter and ~~ch. 48~~ and other relevant provisions of the statutes, be authorized  
3 to study causes and methods of prevention and treatment of mental illness, mental  
4 deficiency, mental infirmity, and related social problems, including establishment of  
5 demonstration projects to apply and evaluate such methods in actual cases. The  
6 department is directed and authorized to utilize all powers provided by the statutes,  
7 including the authority under sub. (2a), to accept grants of money or property from  
8 federal, state, or private sources, and to enlist the cooperation of other appropriate  
9 agencies and state departments. The department may enter into agreements with  
10 local government subdivisions, departments, and agencies for the joint conduct of  
11 these projects, and it may purchase services when deemed considered appropriate.

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

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

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

22           46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
23 under s. 891.40, ~~declarations of paternal interest under s. 48.025~~, and statements  
24 acknowledging paternity under s. 69.15 (3) (b). The department may release those  
25 records, ~~declarations~~, and statements only upon an order of the court except that the

1 department may use nonidentifying information concerning artificial inseminations  
2 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~  
3 ~~released as provided in s. 48.025 (3) (b) and (c), and statements acknowledging~~  
4 ~~paternity shall be released without a court order to the department of workforce~~  
5 ~~development children and families or a county child support agency under s. 59.53~~  
6 ~~(5) upon the request of that department or county child support agency pursuant to~~  
7 ~~the program responsibilities under s. 49.22 or to any other person with a direct and~~  
8 ~~tangible interest in the statement.~~

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

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

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

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

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

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

15 **SECTION 809.** 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended  
16 to read:

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

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

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

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

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

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

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

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

6 46.03 (18) (am) Paragraph (a) does not prevent the department from charging  
7 and collecting the cost of adoptive placement investigations and child care as  
8 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county  
9 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
10 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

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

12 46.03 (18) (ar) A county may retain fees that it collects under this subsection  
13 for services the county provides without state funding under the disabled children's  
14 long-term support program.

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

16 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,  
17 the department may make payments directly to recipients of public assistance or to  
18 such persons authorized to receive such payments in accordance with law and rules  
19 of the department on behalf of the counties. Except for payments provided under ch.  
20 48 or subch. III of ch. 49, the department may charge the counties for the cost of  
21 operating public assistance systems which make such payments.

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

23 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

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

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

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

10           46.03 (22) (b) Community living arrangements for adults shall be subject to the  
11 same building and housing ordinances, codes, and regulations of the municipality or  
12 county as similar residences located in the area in which the facility is located.

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

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

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

22           46.03 (22) (d) A community living arrangement for adults with a capacity for  
23 8 or fewer persons shall be a permissible use for purposes of any deed covenant which  
24 limits use of property to single-family or 2-family residences. A community living  
25 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible

1 use for purposes of any deed covenant which limits use of property to more than  
2 2-family residences. Covenants in deeds which expressly prohibit use of property  
3 for community living arrangements for adults are void as against public policy.

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

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

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

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

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

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

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

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

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

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

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

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

12           46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double  
13      entry accounting system and a management information system which are  
14      compatible with cost accounting and control systems prescribed by the department.  
15      ~~The department shall establish a simplified double entry bookkeeping system for use~~  
16      ~~by family-operated group homes. Each purchaser shall determine whether a~~  
17      ~~family-operated group home from which it purchases services shall use the double~~  
18      ~~entry accounting system or the simplified system and shall include this~~  
19      ~~determination in the purchase of service contract. In this paragraph,~~  
20      ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~  
21      ~~which the licensee is one or more individuals who operate not more than one group~~  
22      ~~home.~~

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

24           46.036 (4) (c) Unless waived by the department, biennially, or annually if  
25      required under federal law, provide the purchaser with a certified financial and

1 compliance audit report if the care and services purchased exceed \$25,000. The audit  
2 shall follow standards that the department prescribes. ~~A purchaser may waive the~~  
3 ~~requirements of this paragraph for any family-operated group home, as defined~~  
4 ~~under par. (a), from which it purchases services.~~

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

7 **49.343 Rates for residential ~~child~~ care centers and group homes. (1)**

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

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

1           (2) A residential ~~ehild~~ care center for children and youth or a group home, as  
2 described in sub. (1) or (1m), shall submit to the department the rate it charges and  
3 any change in that rate before a charge is made to any purchaser. The department  
4 shall provide forms and instructions for the submission of rates and changes in rates  
5 under this subsection and a residential ~~ehild~~ care center for children and youth or  
6 a group home that is required to submit a rate or a change in a rate under this  
7 subsection shall submit that rate or change in a rate using those forms and  
8 instructions.

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

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

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

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

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

1 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)  
2 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and  
3 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the  
4 Mendota juvenile treatment center. The department of health and family services  
5 may charge the department of corrections not more than the actual cost of providing  
6 those services.

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

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

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

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

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

1       46.10 (16) The department shall delegate to county departments under ss.  
2       51.42 and 51.437 or the local providers of care and services meeting the standards  
3       established by the department under s. 46.036, the responsibilities vested in the  
4       department under this section for collection of patient fees for services other than  
5       those provided at state facilities or, those provided to children that are reimbursed  
6       under a waiver under s. 46.27 (11), 46.275, 46.278, or 46.2785, or a waiver requested  
7       under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section  
8       9124 (8e), those provided under the disabled children's long-term support program  
9       if the county departments or providers meet the conditions that the department  
10       determines are appropriate. The department may delegate to county departments  
11       under ss. 51.42 and 51.437 the responsibilities vested in the department under this  
12       section for collection of patient fees for services provided at the state facilities if the  
13       necessary conditions are met.

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

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

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

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

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

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

1           46.16 (3) COUNTY HOMES, POOR RELIEF. ~~It~~ The department shall visit the county  
2 homes and ascertain the number of each sex and the number of mentally ill, mentally  
3 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and  
4 under what circumstances affecting their health, comfort, morals, and education;  
5 collect statistics of the cost of support, and other important facts, of the poor relieved  
6 at public expense outside of county homes; and collect information as to the adequacy  
7 and efficiency of existing laws for the support and relief of the poor, and the causes  
8 of pauperism in the state.

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

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

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

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

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

1 46.206 (1) (a) The department shall supervise the administration of social  
2 services, except as provided under ch. 48 and subch. III of ch. 49 and except for  
3 juvenile delinquency-related services. The department shall submit to the federal  
4 authorities state plans for the administration of social services, except as provided  
5 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related  
6 services, in such form and containing such information as the federal authorities  
7 require, and shall comply with all requirements prescribed to ensure their  
8 correctness.

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

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

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

23 46.206 (2) The county administration of all laws relating to social services,  
24 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to

1 juvenile delinquency-related programs, shall be vested in the officers and agencies  
2 designated in the statutes.

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

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

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

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

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

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

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

8           46.215 (1) (j) To make payments in such manner as the department of  
9           ~~workforce development~~ children and families may determine for training of  
10          recipients, former recipients, and potential recipients of aid in programs established  
11          under s. 49.193, 1997 stats., and s. 49.26 (1).

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

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

1 duties, or to enable the county department of social services or tribal agency to  
2 coordinate the delivery of services to the client. An agency that releases information  
3 under this subsection shall document that a request for information was received  
4 and what information was provided.

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

6 **46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE**  
7 **INFORMATION SYSTEM.** Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78  
8 (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,  
9 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
10 (2) (a), a county department under this section may enter the content of any record  
11 kept or information received by that county department into the statewide  
12 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

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

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

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

1           46.215 (2) (b) A county department of social services may purchase  
2 development and training services from the department of health and family  
3 services, from the department of ~~workforce development~~ children and families, from  
4 the department of corrections or from other county agencies when the services are  
5 available. A county department of social services may sell the development and staff  
6 training services to another county or state agency if the county department has  
7 adequate staff to provide the services.

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

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

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

20           46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
21 submit a final budget to the department of health and family services under s. 46.031  
22 (1), to the department of corrections under s. 301.031 (1), and to the department of  
23 ~~workforce development~~ children and families under s. 49.325 (1), for authorized  
24 services.

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

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

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

5           46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for  
6           services authorized in this section, except for the administration of and cost of aid  
7           granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

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

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

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

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

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

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

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

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

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

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

5           46.22 (1) (b) 3. (intro.) A county department of social services shall have the  
6 following functions, duties, and powers in accordance with the rules promulgated  
7 and standards established by the department of health and family services and  
8 subject to the supervision of the department of ~~workforce development~~ children and  
9 families:

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

11          46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~  
12 ~~development~~ children and families in accordance with s. 49.325 for services  
13 authorized in this subdivision.

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

15          46.22 (1) (c) 8. f. The county department of social services shall implement the  
16 statewide automated child welfare information system established by ~~the~~  
17 ~~department~~ under s. 46.03 ~~48.47~~ (7g).

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

19          46.22 (1) (d) *Merit system; records.* The county department of social services  
20 is subject to s. 49.78 (4) to (7). The county department of social services and all county  
21 officers and employees performing any duties in connection with the administration  
22 of aid to families with dependent children shall observe all rules promulgated by the  
23 department of ~~workforce development~~ children and families under s. 49.78 (4) and  
24 shall keep records and furnish reports as the department of ~~workforce development~~  
25 children and families requires in relation to their performance of such duties.

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

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

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

20          46.22 (1) (dp) *Exchange of information; statewide automated child welfare*  
21          *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
22          (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
23          252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
24          (2) (a), a county department under this section may enter the content of any record

1 kept or information received by that county department into the statewide  
2 automated child welfare information system established under s. 46.03 ~~48.47~~ (7g).

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

4 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
5 services, a county department of social services may contract, either directly or  
6 through the department of health and family services, the department of workforce  
7 development children and families, or the department of corrections, with public or  
8 voluntary agencies or others to purchase, in full or in part, care and services which  
9 the county department of social services is authorized by any statute to furnish in  
10 any manner. The services may be purchased from the department of health and  
11 family services, the department of ~~workforce development~~ children and families, or  
12 the department of corrections if the department of health and family services, the  
13 department of ~~workforce development~~ children and families, or the department of  
14 corrections has staff to furnish the services. The county department of social  
15 services, if it has adequate staff, may sell the care and services directly to another  
16 county or state agency.

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

18 46.22 (1) (e) 2. A county department of social services may purchase  
19 development and training services from the department of health and family  
20 services, the department of ~~workforce development~~ children and families, or the  
21 department of corrections or from other county agencies if the services are available  
22 or sell the development and staff training services to another county or state agency  
23 if the county department of social services has adequate staff to provide the services.

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

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

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

14 46.22 (1) (e) 3. b. A county department of social services shall develop, under  
15 the requirements of s. 49.34, plans and contracts for care and services under ch. 48  
16 and subch. III of ch. 49 to be purchased. 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 to the extent that state or federal funds are available for  
19 such purposes. The joint committee on finance may require the department of  
20 ~~workforce development~~ children and families to submit the contracts to the  
21 committee for review and approval. The department of ~~workforce development~~  
22 children and families may not make any payments to a county for programs included  
23 in the contract that is under review by the committee.

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

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

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

11           46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the  
12           department of health and family services, by the department of ~~workforce~~  
13           ~~development~~ children and families, or by the department of corrections.

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

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

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

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

1 or multicounty basis to provide the services required under this section. The county  
2 department of human services shall consist of the county human services board, the  
3 county human services director and necessary personnel.

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

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

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

11 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.  
12 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
13 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of  
14 human services or tribal agency acting under this section may exchange confidential  
15 information about a client, without the informed consent of the client, with any other  
16 subunit of the same county department of human services or tribal agency, with a  
17 resource center, a care management organization, or a family long-term care  
18 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
19 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
20 1g., or with a person providing services to the client under a purchase of services  
21 contract with the county department of human services or tribal agency or with a  
22 resource center, a care management organization, or a family long-term care  
23 district, if necessary to enable an employee or service provider to perform his or her  
24 duties, or to enable the county department of human services or tribal agency to  
25 coordinate the delivery of services to the client. An agency that releases information

1 under this paragraph shall document that a request for information was received  
2 and what information was provided.

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

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

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

12 46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
13 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
14 delinquency-related policies, within limits established by the department of health  
15 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
16 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
17 for the department of health and family services may be delegated by the secretary  
18 to the county human services board.

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

20 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
21 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~  
22 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of  
23 ch. 49 not reserved by statute for the department of ~~workforce development~~ children  
24 and families may be delegated by the secretary of ~~workforce development~~ children  
25 and families to the county human services board.

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

2           46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
3           department of health and family services, the department of corrections, or the  
4           department of ~~workforce development~~ children and families.

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

6           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
7           services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
8           services, are provided or purchased or contracted for with local providers, and  
9           monitor the performance of such contracts. Purchase of services contracts shall be  
10          subject to the conditions specified in s. 46.036.

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

12          46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
13          and subch. III of ch. 49 are provided or purchased or contracted for with local  
14          providers, and monitor the performance of such contracts. Purchase of services  
15          contracts shall be subject to the conditions specified in s. 49.34.

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

17          46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
18          authorized services, except for services under ch. 48 and subch. III of ch. 49 and  
19          juvenile delinquency-related services. Notwithstanding the categorization of or  
20          limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
21          of the department of health and family services the county human services board  
22          may expend these funds consistent with any service provided under s. 46.495 or  
23          51.42.

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

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

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

7           46.23 (5m) (c) Prepare, with the assistance of the county human services  
8           director under sub. (6m) (e), a proposed budget for submission to the county executive  
9           or county administrator, a final budget for submission to the department of health  
10          and family services in accordance with s. 46.031 (1) for authorized services, except  
11          services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
12          services, a final budget for submission to the department of ~~workforce development~~  
13          children and families in accordance with s. 49.325 for authorized services under ch.  
14          48 and subch. III of ch. 49, and a final budget for submission to the department of  
15          corrections in accordance with s. 301.031 for authorized juvenile  
16          delinquency-related services.

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

18          46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
19          (f) shall have all of the administrative and executive powers and duties of managing,  
20          operating, maintaining, and improving the programs of the county department of  
21          human services, subject to the rules promulgated by the department of health and  
22          family services for programs, except services or programs under ch. 48 and subch.  
23          III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
24          rules promulgated by the department of ~~workforce development~~ children and  
25          families for services or programs under ch. 48 and subch. III of ch. 49, and subject

1 to the rules promulgated by the department of corrections for juvenile  
2 delinquency-related services or programs. In consultation with the county human  
3 services board under sub. (5) and subject to its approval, the county human services  
4 director shall prepare:

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

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

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

13 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.  
14 If a minor who is contemplating an abortion requests assistance from a county  
15 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
16 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
17 member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking  
18 a waiver from the circuit court, the county department shall provide assistance,  
19 including, if so requested, accompanying the minor as appropriate.

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

22 49.345 (14) (g) *Application of child support standard for certain children.* For  
23 purposes of determining child support under s. 46.10 (14) par. (b), the department  
24 shall promulgate rules related to the application of the standard established by the  
25 department of workforce development under s. 49.22 (9) to a child support obligation

1 for the care and maintenance of a child who is placed by a court order under s. 48.355  
2 or 48.357 in a residential, nonmedical facility. The rules shall take into account the  
3 needs of any person, including dependent children other than the child, whom either  
4 parent is legally obligated to support.

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

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

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

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

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

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

1 child under one year of age shall be eligible for aid under this subsection irrespective  
2 of any other residence requirement for eligibility within this section.

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

5 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
6 the department, on behalf of a child in the legal custody of a county department under  
7 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
8 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a  
9 result of a judicial determination that continuance in the home of a relative would  
10 be contrary to the child's welfare for any reason when such the child is placed in a  
11 licensed child-caring institution residential care center for children and youth by the  
12 county department or the department. Reimbursement shall be made by the state  
13 pursuant to as provided in subd. 1.

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

16 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
17 the department, when the child is placed in a licensed foster home, treatment foster  
18 home, group home, or residential care center for children and youth or in a subsidized  
19 guardianship home by a licensed child welfare agency or by a federally recognized  
20 American Indian tribal governing body in this state or by its designee, if the child is  
21 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
22 department under s. 48.48 (17) or if the child was removed from the home of a  
23 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that  
24 continuance in the home of the relative would be contrary to the child's welfare for

1 any reason and the placement is made pursuant to under an agreement with the  
2 county department or the department.

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

5 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
6 or residential care center for children and youth or a subsidized guardianship home  
7 when the child is in the custody or guardianship of the state, when the child is a ward  
8 of an American Indian tribal court in this state and the placement is made under an  
9 agreement between the department and the tribal governing body, or when the child  
10 was part of the state's direct service case load and was removed from the home of a  
11 relative, as defined under s. 48.02 (15), as a result of a judicial determination that  
12 continuance in the home of a relative would be contrary to the child's welfare for any  
13 reason and the child is placed by the department.

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

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

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

17 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
18 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10. the duties of the  
19 county long-term support planning committee under this subsection, the county  
20 long-term support planning committee for the county is dissolved.

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

22 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
23 ~~long-term care council~~ the governing board of a resource center has under s. 46.282  
24 ~~(3) (b)~~ 46.283 (6) (b) 10. assumed the duties of the planning committee, the local

1 ~~long-term care council governing board of the resource center~~ shall recommend a  
2 community options plan for participation in the program. The plan shall include:

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

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

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

10 46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2)  
11 is established in the county, a description of how the activities of the entity relate to  
12 and are coordinated with the county's proposed program.

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

14 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county  
15 department or aging unit shall utilize persons for each assessment who can  
16 determine the needs of the person being assessed and who know the availability  
17 within the county of services alternative to placement in a nursing home. If any  
18 hospital patient is referred to a nursing home for admission, these persons shall work  
19 with the hospital discharge planner in performing the activities specified in sub. (6).  
20 The county department or aging unit shall coordinate the involvement of  
21 representatives from the county departments under ss. 46.215, 46.22, 51.42 and  
22 51.437, health service providers and the county commission on aging in the  
23 assessment activities specified in sub. (6), as well as the person being assessed and  
24 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), ~~(g)~~, (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.