

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB428)

Received: 10/05/2009

Received By: gmalaise

Wanted: 10/06/2009

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Carrie Kahn

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - abuse and neglect

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Public disclosure of child abuse or neglect; disclosure of disciplinary action; applicability to juvenile justice code

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2	gmalaise 10/06/2009	kfollett 10/06/2009	jfrantze 10/07/2009	_____	mbarman 10/07/2009	mbarman 10/07/2009	

FE Sent For:

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FE Sent For:							
<END>							

Malaise, Gordon

From: Kahn, Carrie
Sent: Monday, October 05, 2009 4:17 PM
To: Malaise, Gordon
Cc: Sappenfield, Anne; McGinnis, Cindy
Subject: Amendments to SB 299/AB 428

Hi Gordon,

I need a couple amendments to SB 299/AB 428, the child welfare disclosure bill. Please see the notes below. I'll call you in just a minute to discuss. Both our committee and Grigsby's committee are execing on this bill on Wed., so we need the amendments quickly:

- 1) Require summary reports of incidents to include information about any discipline or dismissal enacted on the **social worker/supervisor** involved in the case, if applicable. If that information is not available at the time of the summary report, must be provided within 6 months of the incident.

Add a requirement that in the summary report the department must also report whether the child was receiving services under chapter 938. In s. 48.981(7)(cr)4.b. and c. (Page 9, lines 21-25; Page 10, Lines 1-3), there is required to be a statement as to whether any services under Ch. 48 were provided to the child, et. al., but this bill also applies to a child placed outside of the home under Ch. 938 who commits suicide. Therefore the language should require a statement as to whether any services under Ch. 48 or Ch. 938 were provided. [Also applies to subd. 5.]

- 2) ~~Expand reporting of sexual assaults of children in out-of-home care to include anyone who assaults the child, not just the caregiver or relative or contractor of the caregiver. This could include a neighbor of the foster parent, an unrelated person residing in the foster home, a teacher at school, etc.~~

~~Amend the language in Section 6 of the bill:~~

- ~~• So that the information reported on injury, disease, or pregnancy is only reported on an annual basis (the other information would still be required on a quarterly basis). This will better assure that the information is accurate.~~
- ~~• Better specify and define injury, pregnancy and disease to mean injury that is known to be directly caused by the incident of sexual abuse. In addition, add the language that the Department shall make an active effort to obtain this information from counties/agencies and report it.~~

Carrie Kahn
Legislative Assistant
State Senator Bob Jauch
P.O. Box 7882
Madison, WI 53707-7882

608-266-3510
1-800-469-6562



State of Wisconsin
2009 - 2010 LEGISLATURE

IN 10/5

Tues 10/6 10:20 AM

LRBa0808/10
GMM...
Jld

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 428

1 At the locations indicated, amend the bill as follows:

2 1. Page 9, line 21: after "chapter" insert "or ch. 938".

3 2. Page 10, line 2: after "chapter" insert "or ch. 938".

4 3. Page 10, line 15: after that line insert:

5 "gm. A summary of any disciplinary actions taken by the agency with respect
6 to any employee or contractor of the agency involved in providing services under this
7 chapter or ch. 938 to the child, any member of the child's family, or the person
8 suspected of the abuse or neglect or any supervisor of such an employee or contractor.
9 If that information is not available when the summary report under subd. 3. is
10 submitted, the subunit of the department that prepares the summary report shall
11 make the information available to the public within 6 months after receiving the
12 information provided under subd. 2."

13 4. Page 10, line 16: after "placement" insert "under this chapter or ch. 938".

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Cassie 10/6

delete items 3 & 5 & insert at p 9, p 1

"any actions taken by the agency in response to
the incident"



IN 1016
today

↓
E
KJ

ASSEMBLY AMENDMENT,

TO 2009 ASSEMBLY BILL 428

✓
Page 9, line 1: after "summary" insert "of any actions taken by the agency in response to the incident and".

✓
Page 9, line 4: after "those" insert "actions or".

✓
Page 9, line 6: after "those" insert "actions or".

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6 to any employee or contractor of the agency involved in providing services under this
7 chapter or ch. 938 to the child, any member of the child's family, or the person
8 suspected of the abuse or neglect or with respect to any supervisor of such an
9 employee or contractor. If that information is not available when the summary
10 report under subd. 3. is submitted, the subunit of the department that prepares the
11 summary report shall make the information available to the public within 6 months
12 after receiving the information provided under subd. 2.".

13 4. Page 10, line 16: after "placement" insert "under this chapter or ch. 938".

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5. Page 11, line 13: after that line insert:

~~“fm. A summary of any disciplinary actions taken by the agency with respect to any employee or contractor of the agency involved in supervising the child’s placement or any supervisor of such an employee or contractor. If that information is not available when the summary report under subd. 3. is submitted, the subunit of the department that prepares the summary report shall make the information available to the public within 6 months after receiving the information provided under subd. 2.”~~

(END)