

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-AB462)**

Received: 10/27/2009

Received By: **pkahler**

Wanted: **Today**

Identical to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jennifer Toftness**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

Carbon copy (CC:) to: **Kim.Swissdorf@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Incentive program for fraud detection in Wis Shares

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**Instructions:**

See attached

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**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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FE Sent For:

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/?	pkahler	1 gjs 10/29 09	10 28 PH	10 08 PH JK			

FE Sent For:

<END>

**Kahler, Pam**

**From:** Toftness, Jennifer  
**Sent:** Tuesday, October 27, 2009 3:50 PM  
**To:** Kahler, Pam  
**Subject:** request for amendment

Hi Pam,

I am waiting for some comments from fiscal bureau about some of the logistics of this incentive idea..but in the interest of time, I am going to send you the request so you might be able to get started on it. I mistakenly told you the hearing was tomorrow at 1. It is at 12:30.

This amendment would:

<sup>Require</sup>  
Authorize DCF, ~~contingent to federal approval~~, to write rules to create an incentive program that would use funds from the Wisconsin Shares appropriation to reward counties for their role in identifying Wisconsin Shares Fraud. Specify counties would receive an amount equal to 1.5 months of would have been paid to the provider for their authorized slots had the fraud not been discovered. Further specify that counties receiving the incentive payment could use the money for any TANF related purpose. Require that before implementation, the plan written by DCF must be presented to the JFC for approval. Further specify that if no federal approval is necessary, DCF would be authorized to write rules for the program immediately upon enactment.

As always, let me know if you have any questions.

Thanks!

Jenny

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

*plan by March 1, 2010*

*allocation under 49.175 (1)(p)*

~~rule for...~~

*any purpose for which the TANF \$ can be used would be*

*(md)*

*use appro language*

*what would have been*

*paid 11/2 times full time although average monthly not*

*require DCF - w fed approval needed*

*subsidy payment made for child in prior fiscal*

*by rule*

*1.5 x ave month st x no of slots*  
*check for when slots provided*

10/27/2009

*Ypa*

## Kahler, Pam

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**From:** Swissdorf, Kim  
**Sent:** Tuesday, October 27, 2009 4:42 PM  
**To:** Kahler, Pam  
**Subject:** county incentive program

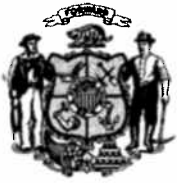
I double-checked with Jenny, and we are replacing the current program under 49.197(2) and excluding Milwaukee County is fine.

OK—the formula:

Require the rules to specify that counties would receive an amount equal to the average monthly subsidy payment per child during the prior fiscal year multiplied by the number of children participating in Wisconsin Shares under the fraudulent provider's care multiplied by 1.5 months.

I'll be here until 5:30, so please give me a call if this doesn't make sense.

Kim Swissdorf, Fiscal Analyst  
Legislative Fiscal Bureau  
1 E Main St, Ste 301  
Madison, WI 53703  
(608) 266-3847  
Kim.Swissdorf@legis.state.wi.us



g

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 462

Wed am.  
by B:OD

bill intro

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

2 1. Page 2, line 2: after "provided" insert "establishing an incentive program for  
3 fraud detection under Wisconsin Shares,".

4 2. Page 23, line 3: after that line insert:

5 "SECTION 37g. 49.197 (2) of the statutes, as affected by 2009 Wisconsin Act 28,  
6 is repealed and recreated to read: program local

7 49.197 (2) LOCAL INCENTIVE FOR FRAUD DETECTION. (a) In this subsection:

8 1. "County department" means a county department under s. 46.22 or 46.23.

9 2. "Subsidy program" means the child care subsidy program under s. 49.155.

10 3. "Tribal governing body" means an elected governing body of a federally  
11 recognized American Indian tribe.

1 (b) Subject to the approval of the joint committee on finance, the department  
 2 shall by rule establish an incentive program that, using moneys from the allocation  
 3 under s. 49.175 (1) (p), rewards county departments, Wisconsin Works agencies, and  
 4 tribal governing bodies that administer the subsidy program for identifying fraud in  
 5 the subsidy program. The rules shall specify that a county department, Wisconsin  
 6 Works agency, or tribal governing body shall receive, for identifying fraudulent  
 7 activity under the subsidy program on the part of a child care provider, an amount  
 8 equal to the average monthly subsidy payment per child during the prior fiscal year,  
 9 multiplied by the number of children participating in the subsidy program for whom  
 10 the provider provides care, multiplied by 1.5 months. A county department,  
 11 Wisconsin Works agency, or tribal governing body may use payments received under  
 12 this subsection for any purpose for which moneys under the Temporary Assistance  
 13 for Needy Families block grant program may be used under federal law. No later  
 14 than March 1, 2010, the department shall submit its plan for the incentive program  
 15 to the joint committee on finance for the approval of the committee.

16 **3.** Page 24, line 1: delete "This act" and substitute "Except for the treatment  
 17 of section 49.197 (2) of the statutes, this act".

18 **4.** Page 24, line 13: after that line insert:

19 "(2) INCENTIVE PROGRAM FOR WISCONSIN SHARES FRAUD DETECTION. The treatment  
 20 of section 49.197 (2) of the statutes takes effect on the day after publication.

Ⓟ (a)  
 repeal and recreation

(END)

(END)

Ⓟ SECTION 37h. 49.197(2)(cm) of the statutes, as created by 2009 Wisconsin Act 28, is repealed.

Ⓟ (b) The repeal of section 49.197 (2)(cm) of the statutes takes effect on January 1, 2010, or on the day after publication, whichever is later.