

**2009 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB297)**

Received: **08/18/2009**

Received By: **gmalaise**

Wanted: **Today**

Identical to LRB:

For: **Tamara Grigsby (608) 266-0645**

By/Representing: **Melissa Schmidt, LC**

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:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Child abuse and neglect prevention grants

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**Instructions:**

Draft substitute amendment that folds a0597 into the bill

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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>
/?	gmalaise 08/18/2009	jdye 08/18/2009		_____			
/1			rschluet 08/18/2009	_____	lparisi 08/18/2009	lparisi 08/18/2009	

FE Sent For:

<END>

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/?	gmalaise	1/8/09 jld		_____	_____	_____	_____
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FE Sent For:  **<END>**



10/17/11 8/19

State of Wisconsin  
2009 - 2010 LEGISLATURE

2010/11

LRB-210171

GMM:kjf:ph

Assembly Substitute Amendment to

stays + jld

2009 ASSEMBLY BILL 297

June 2, 2009 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Children and Families.

4

Repeal

1 AN ACT *to repeal* 48.983 (1) (i) and (j) and 48.983 (3) (title) and (a); *to renumber*  
2 *and amend* 48.983 (3) (b) and 48.983 (8); *to amend* 48.983 (1) (b) 1. c., 48.983  
3 (2), 48.983 (4) (a) 4m., 48.983 (4) (am), 48.983 (4) (b) 1., 48.983 (4) (b) 2. and 3.,  
4 48.983 (5), 48.983 (6) (intro.), 48.983 (6) (a) (intro.), 48.983 (6) (a) 1., 48.983 (6)  
5 (a) 3., 48.983 (6) (a) 6., 48.983 (6) (b) 4., 48.983 (6) (c), 48.983 (6g) (b) and 48.983  
6 (8) (title); *to repeal and recreate* 48.983 (7) (c); and *to create* 48.983 (1) (gm),  
7 48.983 (6) (f), 48.983 (7) (ag) and (ar) and 48.983 (8) (b) of the statutes; **relating**  
8 **to:** child abuse and neglect prevention grants. ✓

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.  
For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

Insert A

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**ASSEMBLY BILL 297**

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Strengthening Wisconsin Families.

Under current law, the Department of Children and Families (DCF) distributes grants for the prevention of child abuse and neglect under a program commonly referred to as "Family Foundations." DCF may distribute this funding to six rural counties, three urban counties, and two Indian tribes.

The amount of funding that each county (other than a county with a population of 500,000 or more; currently, only Milwaukee County) or Indian tribe receives in excess of the \$10,000 minimum grant amount is based on the number of births funded by medical assistance (MA) in that county or in the reservation of the tribe in proportion to the number of MA-funded births in all counties and the reservations of all tribes selected to participate in the program. Milwaukee County's grant award is based on 60 percent of the number of MA-funded births in that county in proportion to the number of MA-funded births in all counties and the reservations of all tribes selected to participate in the program.

Except for Milwaukee County, the grant funds may be used for a home visitation program for first-time parents who are eligible for MA and to support the cost of case management. In all counties and tribes, grants may also be used to provide intervention services and flexible funds to participating families for appropriate expenses. DCF is required to provide technical assistance and training to programs receiving a grant.

The bill makes the following changes to current law:

- ✓ • Provides that a private agency may participate in Family Foundations.
- ✓ • Deletes the provision requiring funding to be distributed to six rural counties, three urban counties, and two Indian tribes.
- ✓ • Deletes references to Milwaukee County so that Milwaukee County may use grant funds to provide home visitation and case management services.
- ✓ • Requires counties, private agencies, and Indian tribes that receive a grant to agree to match at least 25 percent of the grant amount annually in funds or in-kind contributions.
- Deletes the current formula for determining the amount of a grant in excess of the minimum \$10,000 grant amount and instead requires DCF to determine the amount of a grant in excess of \$10,000 based upon the number of MA-funded births in the county, the area in which the private agency is providing services, or the reservation of the tribe.
- Provides that if a family with a child identified as being at risk of abuse or neglect has been continuously receiving home visitation program services for not less than 12 months, those services may continue to be provided until the child reaches three years of age, regardless of whether the child continues to be eligible for MA.
- Requires that DCF give favorable consideration in the application process for a grant to a county, private agency, or Indian tribe that submits a joint application.
- Requires a county, private agency, or Indian tribe, when applying for a grant, to provide information on how the applicant's home visitation program incorporates practice standards and critical elements that have been developed for successful home visitation programs by a nationally recognized home visitation program model and that are acceptable to DCF.
- Requires a private agency that applies for participation in Family Foundations to submit documentation with the grant application that demonstrates that the application is supported by a county and that a county will collaborate with the private agency in providing services.

MA  
P.

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SAS

**ASSEMBLY BILL 297**

6 • Requires DCF to evaluate the availability of home visitation programs in the state and determine whether there are gaps in home visitation services. DCF must then cooperate with counties, private agencies, and Indian tribes providing home visitation programs to address any gaps identified.

7 a • Requires each county, private agency, and Indian tribe providing a home visitation program to collect and report data as required by DCF, using forms prescribed by DCF.

8 b • Requires each county, private agency, and Indian tribe providing a home visitation program to develop a plan for evaluating the effectiveness of its program for approval by DCF. The bill sets forth outcomes that must be tracked and measured. The evaluation must be used to improve the quality and outcomes of the home visitation program.

9 • Provides that training provided by DCF to counties, private agencies, and Indian tribes participating in the program may not be limited to a particular home visitation model. Requires the training to include training regarding basic skills, uniform administration of screening and assessment tools, the issues and challenges that families face, and supervision and personnel skills for program managers. The training may also include training on data collection and reporting.

• Requires DCF to cooperate with the Child Abuse and Neglect Prevention Board to ensure that employees and managers of home visitation programs receive training and other services to develop and maintain competencies in providing home visitation services to families.

**SECTION 1. 48.983 (1) (b) 1. c. of the statutes is amended to read:**

48.983 (1) (b) 1. c. A family that includes a person who has contacted a county department, a private agency, or an Indian tribe that has been awarded a grant under this section or, in a county having a population of 500,000 or more that has been awarded a grant under this section, the department, a private agency, or a licensed child welfare agency under contract with the department requesting assistance to prevent abuse or neglect of a child in the person's family and with respect to which an individual responding to the request has determined that all of the conditions in subd. 2. exist.

~~Note: Adds references to private agencies.~~

Insert  
3-9

**SECTION 2. 48.983 (1) (gm) of the statutes is created to read:**

48.983 (1) (gm) "Private agency" means an organization operated for profit or a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

ASSEMBLY BILL 297

SECTION 2

NOTE: Defines "private agency" for purposes of eligibility for participation in Family Foundations.

SECTION 3. 48.983 (1) (i) and (j) of the statutes are repealed.

NOTE: Repeals the definitions of "rural county" and "urban county."

SECTION 4. 48.983 (2) of the statutes is amended to read:

48.983 (2) FUNDS PROVIDED. If a county, private agency, or Indian tribe applies and is selected by the department under sub. (5) to participate in the program under this section, the department shall award, from the appropriation under s. 20.437 (2) (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is \$10,000. The county, private agency, or Indian tribe shall agree to match at least 25 percent of the grant amount annually in funds or in-kind contributions. The department shall determine the amount of a grant awarded to a county, other than a county with a population of 500,000 or more private agency, or Indian tribe in excess of the minimum amount based on the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county, the area in which that private agency is providing services, or the reservation of that Indian tribe in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section. The department shall determine the amount of a grant awarded to a county with a population of 500,000 or more in excess of the minimum amount based on 60% of the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section.

NOTE: Requires a county, private agency, or Indian tribe that receives a grant to agree to match at least 25 percent of the grant amount annually in funds or in-kind

ASSEMBLY BILL 297

Insert  
S-1

~~contributions. Deletes the formula for awarding grants above \$10,000 and, instead, requires DCF to determine the amount of the grant in excess of \$10,000 based upon the number of births that are funded by MA in that county, the area in which the private agency is providing services, or the reservation of the Indian tribe. Deletes the formula for awarding grants to Milwaukee County so that a grant awarded to Milwaukee County is calculated using the same formula as other counties.~~

1

SECTION 5. 48.983 (3) (title) and (a) of the statutes are repealed.

~~Note: Repeals a provision of current law specifying how many counties and Indian tribes may be selected for grants in the 1997-99 state fiscal biennium.~~

2

SECTION 6. 48.983 (3) (b) of the statutes is renumbered 48.983 (3) and amended

3

to read:

4

48.983 (3) JOINT APPLICATION PERMITTED. ~~Two~~ Any combination of 2 or more

5

counties and, private agencies, or Indian tribes may submit a joint application to the

6

department. ~~Each county or Indian tribe in a joint application shall be counted as~~

7

~~a separate county or Indian tribe for the purpose of limiting the number of counties~~

8

~~and Indian tribes selected in each state fiscal biennium.~~

~~NOTE: Repeals language relating to the limit on the number of counties and Indian tribes that may be selected for grants in the 1997-99 state fiscal biennium. Adds private agencies to the list of entities that can submit a joint application.~~

9

SECTION 7. 48.983 (4) (a) 4m. of the statutes is amended to read:

10

48.983 (4) (a) 4m. ~~Other than in a county with a population of 500,000 or more,~~

11

~~to~~ To reimburse a case management provider under s. 49.45 (25) (b) for the amount

12

of the allowable charges under the medical assistance program that is not provided

13

by the federal government for case management services provided to a medical

14

assistance beneficiary described in s. 49.45 (25) (am) 9. who is a child and who is a

15

member of a family that receives home visitation program services under par. (b) 1.

~~Note: Deletes a reference to Milwaukee County.~~

16

SECTION 8. 48.983 (4) (am) of the statutes is amended to read:

17

48.983 (4) (am) *Grants; start-up costs and capacity building.* In the first year

18

in which a grant under this section is awarded to a county, private agency, or Indian

Insert  
S-15

**ASSEMBLY BILL 297****SECTION 8**

1 tribe, the county, private agency, or Indian tribe may use a portion of the grant to pay  
2 for start-up costs and capacity building related to the program under this section.  
3 The department shall determine the maximum amount of a grant that a county,  
4 private agency, or Indian tribe may use to pay for those start-up costs and that  
5 capacity building.

NOTE: Adds references to private agencies.

6 **SECTION 9.** 48.983 (4) (b) 1. of the statutes is amended to read:

7 48.983 (4) (b) 1. A county, ~~other than a county with a population of 500,000 or~~  
8 ~~more~~ private agency, or ~~an~~ Indian tribe that is selected to participate in the program  
9 under this section shall select persons who are first-time parents and who are  
10 eligible for medical assistance under subch. IV of ch. 49 and shall offer each of those  
11 persons an opportunity to undergo an assessment through use of a risk assessment  
12 instrument to determine whether the parent presents risk factors for perpetrating  
13 child abuse or neglect. Persons who are selected and who agree to be assessed shall  
14 be assessed during the prenatal period, if possible, or as close to the time of the child's  
15 birth as possible. The risk assessment instrument shall be developed by the  
16 department and shall be based on risk assessment instruments developed by the  
17 department for similar programs that are in operation. The department need not  
18 promulgate as rules under ch. 227 the risk assessment instrument developed under  
19 this subdivision. A person who is assessed to be at risk of abusing or neglecting his  
20 or her child shall be offered home visitation program services. Home visitation  
21 program services may be provided to a family with a child identified as being at risk  
22 of child abuse or neglect until the identified child reaches 3 years of age. If a family  
23 has been receiving home visitation program services continuously for not less than  
24 12 months, those services may continue to be provided to the family until the



**ASSEMBLY BILL 297**

1 ~~identified child reaches 3 years of age, regardless of whether the child continues to~~  
2 ~~be eligible for medical assistance under subch. IV of ch. 49. If risk factors for child~~  
3 ~~abuse or neglect with respect to the identified child continue to be present when the~~  
4 ~~child reaches 3 years of age, home visitation program services may be provided until~~  
5 ~~the identified child reaches 5 years of age. Home visitation program services may~~  
6 ~~not be provided to a person unless the person gives his or her written informed~~  
7 ~~consent to receiving those services or, if the person is a child, unless the child's~~  
8 ~~parent, guardian, or legal custodian gives his or her written informed consent for the~~  
9 ~~child to receive those services.~~

NOTE: Deletes a reference to Milwaukee County. Adds a reference to private agencies. Also, specifies that if a family with a child identified as being at risk of child abuse or neglect has been continuously receiving home visitation program services for not less than 12 months, those services may continue to be provided until the identified child reaches three years of age, regardless of whether the child continues to be eligible for MA.

10 **SECTION 10.** 48.983 (4) (b) 2. and 3. of the statutes are amended to read:

11 48.983 (4) (b) 2. The counties, private agencies, and Indian tribes that are  
12 selected to participate in the program under this section may permit a person who  
13 is not a first-time parent or who is not eligible for medical assistance under subch.  
14 IV of ch. 49 to undergo the risk assessment and to participate in the home visitation  
15 program if that person presents risk factors for perpetrating child abuse or neglect.  
16 No payments from the fund under sub. (6) (b) 1. may be made to a person described  
17 in this subdivision. No reimbursement to a case management provider under s. 49.45  
18 (25) (b) for services provided to a person described in this subdivision may be made  
19 from grant moneys received under this section.

20 3. A county, private agency, or Indian tribe that is providing home visitation  
21 program services under subd. 1. or 2. shall provide to a person receiving those

**ASSEMBLY BILL 297****SECTION 10**

1 services the information relating to shaken baby syndrome and impacted babies  
2 required under s. 253.15 (6).

NOTE: Adds references to private agencies.

3 **SECTION 11.** 48.983 (5) of the statutes is amended to read:

4 **48.983 (5) SELECTION OF COUNTIES, PRIVATE AGENCIES, AND INDIAN TRIBES.** The  
5 department shall provide competitive application procedures for selecting counties,  
6 private agencies, and Indian tribes for participation in the program under this  
7 section. The department shall establish a method for ranking applicants for  
8 selection based on the quality of their applications. In ranking the applications  
9 submitted by counties, the department shall give favorable consideration to a county,  
10 private agency, or Indian tribe that submits a joint application under sub. (3) and to  
11 a county that has indicated under sub. (6) (d) 2. that it is willing to use a portion of  
12 any moneys distributed to the county under s. 48.565 (2) (a) to provide case  
13 management services to a medical assistance beneficiary under s. 49.45 (25) (am) 9.  
14 who is a case or who is a member of a family that is a case and that has explained  
15 under sub. (6) (d) 2. how the county plans to use that portion of those moneys to  
16 promote the provision of those services for the case by using a wraparound process  
17 so as to provide those services in a flexible, comprehensive and individualized  
18 manner in order to reduce the necessity for court-ordered services. The department  
19 shall also provide application requirements and procedures for the renewal of a grant  
20 awarded under this section. The application procedures and the renewal application  
21 requirements and procedures shall be clear and understandable to the applicants.  
22 The department need not promulgate as rules under ch. 227 the application  
23 procedures, the renewal application requirements or procedures or the method for  
24 ranking applicants established under this subsection.

**ASSEMBLY BILL 297**

[Insert] ✓  
9-1 →

~~NOTE: Requires that DCF give favorable consideration in the application process to a county, private agency, or Indian tribe that submits a joint application.~~

1           **SECTION 12.** 48.983 (6) (intro.) of the statutes is amended to read:

2           48.983 (6) **CRITERIA FOR AWARDING GRANTS.** (intro.) In addition to any other  
3 criteria developed by the department, a county, private agency, or Indian tribe shall  
4 meet all of the following criteria in order to be selected for participation in the  
5 program under this section:

~~NOTE: Adds a reference to private agencies.~~

6           **SECTION 13.** 48.983 (6) (a) (intro.) of the statutes is amended to read:

7           48.983 (6) (a) (intro.) The part of an application, other than a renewal  
8 application, submitted by a county, ~~other than a county with a population of 500,000~~  
9 ~~or more~~ private agency, or an Indian tribe that relates to home visitation programs  
10 shall include all of the following:

~~NOTE: Deletes a reference to Milwaukee County. Adds a reference to private agencies.~~

11           **SECTION 14.** 48.983 (6) (a) 1. of the statutes is amended to read:

12           48.983 (6) (a) 1. Information on how the applicant's home visitation program  
13 is comprehensive and incorporates practice standards and critical elements that  
14 have been developed for successful home visitation programs by ~~entities concerned~~  
15 ~~with the prevention of child abuse and neglect~~ a nationally recognized home  
16 visitation program model and that are acceptable to the department.

~~NOTE: Modifies current law relating to information that must be provided about an applicant's home visitation program.~~

17           **SECTION 15.** 48.983 (6) (a) 3. of the statutes is amended to read:

18           48.983 (6) (a) 3. An identification of existing child abuse and neglect prevention  
19 services that are available to residents of the county, ~~the area in which the private~~  
20 ~~agency is providing services, or the reservation of the Indian tribe and a description~~

ASSEMBLY BILL 297

SECTION 15

1 ~~of how these services and any additional needed services will support a~~  
2 ~~comprehensive home visitation program.~~

NOTE: Adds a reference to the area served by a private agency

SECTION 16. 48.983 (6) (a) 6. of the statutes is amended to read:

4 48.983 (6) (a) 6. An identification of how the home visitation program is  
5 comprehensive and incorporates the practice standards ~~for~~ and critical elements for  
6 successful home visitation programs referred to in subd. 1., including how services  
7 will vary in intensity levels depending on the needs and strengths of the  
8 participating family.

~~NOTE: Modifies current law relating to information that must be provided about  
an applicant's home visitation program.~~

9 SECTION 17. 48.983 (6) (b) 4. of the statutes is amended to read:

10 48.983 (6) (b) 4. 'Nonentitlement.' No individual is entitled to any payment  
11 from a fund established under subd. 1. or 2. Nothing in this section shall be construed  
12 as requiring a county, private agency, or Indian tribe to make a determination  
13 described in sub. (1) (b) 2. A determination described in sub. (1) (b) 2. may not be  
14 construed to be a determination described in s. 48.981 (3) (c) 4.

~~NOTE: Adds a reference to private agencies.~~

15 SECTION 18. 48.983 (6) (c) of the statutes is amended to read:

16 48.983 (6) (c) *Case management benefit.* The applicant, ~~other than a county~~  
17 ~~with a population of 500,000 or more~~, states in the grant application that it has  
18 elected, or, if selected, that it will elect, under s. 49.45 (25) (b), to make the case  
19 management benefit under s. 49.45 (25) available to the category of beneficiaries  
20 under s. 49.45 (25) (am) 9. who are children and who are members of families  
21 receiving home visitation program services under sub. (4) (b) 1.

~~NOTE: Deletes a reference to Milwaukee County.~~

Insert  
10-23

(g) (var twice)

SECTION 19. 48.983 (6) of the statutes is created to read:

48.983 (6) ~~(g)~~ *Private agency applicant.* If the applicant is a private agency, the applicant submits documentation with the grant application that demonstrates that the application is supported by a county and that a county will collaborate with the private agency in providing services.

NOTE: Requires a private agency that applies for participation in Family Foundations to submit documentation with the grant application that demonstrates that the application is supported by a county and that a county will collaborate with the private agency in providing services.

SECTION 20. 48.983 (6g) (b) of the statutes is amended to read:

48.983 (6g) (b) A county, private agency, or Indian tribe that is selected to participate in the program under this section shall provide or shall designate an individual or entity to provide an explanation of the confidentiality requirements under par. (a) to each individual who is offered an assessment under sub. (4) (b) or who is offered services under the home visitation program of the county, private agency, or Indian tribe.

Note: Adds a reference to private agencies.

SECTION 21. 48.983 (7) (ag) and (ar) of the statutes are created to read:

48.983 (7) (ag) The department shall evaluate the availability of home visitation programs in the state and determine whether there are gaps in home visitation services in the state. The department shall cooperate with counties, private agencies, and Indian tribes providing home visitation programs to address any gaps in services identified.

(ar) Each county, private agency, and Indian tribe providing a home visitation program shall collect and report data to the department, as required by the department. The department shall require each county, private agency, and Indian

**ASSEMBLY BILL 297****SECTION 21**

1 tribe providing a home visitation program to collect data using forms prescribed by  
2 the department.

~~NOTE: Requires DCF to evaluate the availability of home visitation programs in the state and determine whether there are gaps in home visitation services. Requires DCF to cooperate with counties, private agencies, and Indian tribes providing home visitation programs to address any gaps identified.~~

~~Also requires each county, private agency, and Indian tribe providing a home visitation program to collect and report data as required by DCF, using forms prescribed by DCF.~~

3 **SECTION 22.** 48.983 (7) (c) of the statutes is repealed and recreated to read:

4 48.983 (7) (c) Each county, private agency, and Indian tribe providing a home  
5 visitation program shall develop a plan for evaluating the effectiveness of its  
6 program for approval by the department. The plan shall demonstrate how the  
7 county, private agency, or Indian tribe will use the evaluation of its program to  
8 improve the quality and outcomes of the program and to ensure continued  
9 compliance with the home visitation program criteria under sub. (6) (a). The plan  
10 shall demonstrate how the outcomes will be tracked and measured. Under the plan,  
11 the extent to which all of the following outcomes are achieved shall be tracked and  
12 measured:

13 1. Parents receiving home visitation services acquiring knowledge of early  
14 learning and child development and interacting with their children in ways that  
15 enhance the children's development and early learning.

16 2. Children receiving home visitation services being healthy.

17 3. Children receiving home visitation services living in a safe environment.

18 4. Families receiving home visitation services accessing formal and informal  
19 support networks.

20 5. Children receiving home visitation services achieving milestones in  
21 development and early learning.

ASSEMBLY BILL 297

1           6. Children receiving home visitation services who have developmental delays  
2 receiving appropriate intervention services.

~~NOTE: Repeals language requiring DCF to determine the most appropriate way to evaluate strengthened family functioning, enhanced child development, and positive parenting practices and to evaluate those criteria as part of its evaluation of home visitation programs. Instead, under the bill, each county, private agency, and Indian tribe providing a home visitation program must develop a plan for evaluating the effectiveness of its program for approval by DCF. The plan must demonstrate how the county, private agency, or Indian tribe will use the evaluation to improve the quality and outcomes of the program and to ensure continued compliance with the home visitation program criteria required to be demonstrated when applying for a grant. The plan must also demonstrate how the outcomes will be tracked and measured. The outcomes to be measured are set forth in the SECTION.~~

3 ~~SECTION 23. 48.983 (8) (title) of the statutes is amended to read:~~  
4 ~~48.983 (8) (title) TECHNICAL ASSISTANCE AND TRAINING; COMPETENCY TRAINING.~~

⑤ Fix components

5 SECTION 24. 48.983 (8) of the statutes is renumbered 48.983 (8) (a) and  
6 amended to read:

NO SCORING

7 48.983 (8) (a) Technical assistance and training. The department shall provide  
8 technical assistance and training to counties, private agencies, and Indian tribes  
9 that are selected to participate in the program under this section. The training may  
10 not be limited to a particular home visitation model. The training shall include  
11 training in best practices regarding basic skills, uniform administration of screening  
12 and assessment tools, the issues and challenges that families face, and supervision  
13 and personnel skills for program managers. The training may also include training  
14 on data collection and reporting.

~~NOTE: Specifies that training for counties, private agencies, and Indian tribes selected to receive home visitation grants may not be limited to a particular home visitation model. Requires that the training include training in best practices regarding basic skills, uniform administration of screening and assessment tools, the issues and challenges that families face, and supervision and personnel skills for program managers. The training may also include training on data collection and reporting.~~

15 SECTION 25. 48.983 (8) (b) of the statutes is created to read:

**ASSEMBLY BILL 297**

**SECTION 25**

1 ~~48.983 (8) (b) *Competency training*. The department shall cooperate with the~~  
2 ~~child abuse and neglect prevention board to ensure that employees and managers of~~  
3 ~~home visitation programs receive training and other services to develop and~~  
4 ~~maintain competencies in providing home visitation services to families.~~

NOTE: Requires DCF to cooperate with the Child Abuse and Neglect Prevention Board to ensure that employees and directors of home visitation programs receive training and other services to develop and maintain competencies in providing home visitation services to families

5

(END)





State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0597/3  
GMM:bjk:md

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 297

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

2 1. Page 3, line 1. delete lines 1 to 9 and substitute

3

SECTION ~~10~~ 48.983 (1) (b) 1. c. of the statutes, as affected by 2009 Wisconsin

4 Act 28, is amended to read:

Insert  
3-9

5 48.983 (1) (b) 1. c. A family that includes a person who has contacted a county  
6 department, a private agency, or an Indian tribe that has been awarded a grant  
7 under this section or, in a county having a population of 500,000 or more that has  
8 been awarded a grant under this section, the department, a private agency, or a  
9 licensed child welfare agency under contract with the department requesting  
10 assistance to prevent poor birth outcomes or abuse or neglect of a child in the person's  
11 family and with respect to which an individual responding to the request has  
12 determined that all of the conditions in subd. 2. exist. *Q* (end ins 3-9)

13 2. Page 4, line 2: delete lines 2 to 22 and substitute:

- 2 -  
Insert 5-11

1 SECTION ~~48.983~~ 48.983 (2) of the statutes, as affected by 2009 Wisconsin Act 28,

2 is amended to read:

3 48.983 (2) FUNDS PROVIDED. If a county, private agency or Indian tribe applies  
4 and is selected by the department under sub. (5) to participate in the program under  
5 this section, the department shall award, from the appropriation under s. 20.437 (1)  
6 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and  
7 (am). The minimum amount of a grant is \$10,000. The county, private agency, or  
8 Indian tribe shall agree to match at least 25 percent of the grant amount annually  
9 in funds or in-kind contributions. The department shall determine the amount of  
10 a grant awarded to a county, ~~other than a county with a population of 500,000 or more~~  
11 private agency, or Indian tribe in excess of the minimum amount based on the need  
12 of the county, private agency, or Indian tribe for a grant, as determined by a formula  
13 that the department shall promulgate by rule. That formula shall determine that  
14 need based on the number of births that are funded by Medical Assistance under  
15 subch. IV of ch. 49 in that county, the area in which that private agency is providing  
16 services, or the reservation of that Indian tribe and on the rate of poor birth  
17 outcomes, including infant mortality, premature births, low birth weights, and racial  
18 or ethnic disproportionality in the rates of those outcomes, in that county, the area  
19 in which that private agency is providing services, or the reservation of that Indian  
20 tribe. ~~The department shall determine the amount of a grant awarded to a county~~  
21 ~~with a population of 500,000 or more in excess of the minimum amount based on the~~  
22 ~~need of the county for a grant, as determined by a formula that the department shall~~  
23 ~~promulgate by rule. That formula shall determine that need based on 60% of the~~  
24 ~~number of births that are funded by Medical Assistance under subch. IV of ch. 49 in~~  
25 ~~that county and on the rate of poor birth outcomes, including infant mortality,~~



Insert  
5-1  
CONT

1 premature births, low birth weights, and racial or ethnic disproportionality in the  
2 rates of those outcomes, in that county. *g* (end ins 5-1)

3. ~~Page 5, line 9: delete lines 9 to 15 and substitute~~

Insert  
5-15

4. SECTION ~~4~~ 48.983 (4) (a) 4m. of the statutes, as affected by 2009 Wisconsin  
5 Act 28, is amended to read:

6 48.983 (4) (a) 4m. <sup>✓</sup> Other than in a county with a population of 500,000 or more,  
7 to reimburse a case management provider under s. 49.45 (25) (b) for the amount  
8 of the allowable charges under the Medical Assistance program that is not provided  
9 by the federal government for case management services provided to a Medical  
10 Assistance beneficiary described in s. 49.45 (25) (am) 9. who is a child and who is a  
11 member of a family that receives home visitation program services under par. (b) 1. *g*

4. Page 6, line 6: delete lines 6 to 24.  
5. Page 7, line 1: delete lines 1 to 21.  
6. Page 8, line 1: delete lines 1 to 24 and substitute:

15. SECTION ~~4~~ 48.983 (4) (b) 1. of the statutes, as affected by 2009 Wisconsin Act  
16 28, is amended to read:

17 48.983 (4) (b) 1. A county, other than a county with a population of 500,000 or  
18 more private agency, or an Indian tribe that is selected to participate in the program  
19 under this section shall offer all pregnant women in the county, the area in which  
20 that private agency is providing services, or the reservation of the tribe who are  
21 eligible for Medical Assistance under subch. IV of ch. 49 an opportunity to undergo  
22 an assessment through use of a risk assessment instrument to determine whether  
23 the person assessed presents risk factors for poor birth outcomes or for perpetrating  
24 child abuse or neglect. Persons who agree to be assessed shall be assessed during

Insert  
9-1



Insert 9-1  
cont

1 the prenatal period. The risk assessment instrument shall be developed by the  
 2 department and shall be based on risk assessment instruments developed by the  
 3 department for similar programs that are in operation. The department need not  
 4 promulgate as rules under ch. 227 the risk assessment instrument developed under  
 5 this subdivision. A person who is assessed to be at risk of poor birth outcomes or of  
 6 abusing or neglecting his or her child shall be offered home visitation program  
 7 services that shall be commenced during the prenatal period. Home visitation  
 8 program services may be provided to a family with a child identified as being at risk  
 9 of child abuse or neglect until the identified child reaches 3 years of age. If a family  
 10 has been receiving home visitation program services continuously for not less than  
 11 12 months, those services may continue to be provided to the family until the  
 12 identified child reaches 3 years of age, regardless of whether the child continues to  
 13 be eligible for Medical Assistance under subch. IV of ch. 49. If risk factors for child  
 14 abuse or neglect with respect to the identified child continue to be present when the  
 15 child reaches 3 years of age, home visitation program services may be provided until  
 16 the identified child reaches 5 years of age. Home visitation program services may  
 17 not be provided to a person unless the person gives his or her written informed  
 18 consent to receiving those services or, if the person is a child, unless the child's  
 19 parent, guardian, or legal custodian gives his or her written informed consent for the  
 20 child to receive those services.

21

~~SECTION 104~~ 48.983 (4) (b) 3. of the statutes, as affected by 2009 Wisconsin Act  
 22 28, is amended to read:

23 48.983 (4) (b) 3. A county, private agency, or Indian tribe that is providing home  
 24 visitation program services under subd. 1. shall provide to a person receiving those

- 5 -  
Insert 9-1  
cont

1 services the information relating to shaken baby syndrome and impacted babies  
2 required under s. 253.15 (6).

3 SECTION ~~48.983~~ 48.983 (5) of the statutes, as affected by 2009 Wisconsin Act 28,  
4 is amended to read:

5 48.983 (5) SELECTION OF COUNTIES, PRIVATE AGENCIES AND INDIAN TRIBES. The  
6 department shall provide competitive application procedures for selecting counties,  
7 private agencies, and Indian tribes for participation in the program under this  
8 section. The department shall establish a method for ranking applicants for  
9 selection based on the quality of their applications. In ranking the applications  
10 submitted by counties, the department shall give favorable consideration to a county,  
11 private agency, or Indian tribe that submits a joint application under sub. (3) and to  
12 a county that has indicated under sub. (6) (d) 2. that it is willing to use a portion of  
13 any moneys distributed to the county under s. 48.565 (2) (a) to provide case  
14 management services to a Medical Assistance beneficiary under s. 49.45 (25) (am)  
15 9. who is a case or who is a member of a family that is a case and that has explained  
16 under sub. (6) (d) 2. how the county plans to use that portion of those moneys to  
17 promote the provision of those services for the case by using a wraparound process  
18 so as to provide those services in a flexible, comprehensive and individualized  
19 manner in order to reduce the necessity for court-ordered services. The department  
20 shall also provide application requirements and procedures for the renewal of a grant  
21 awarded under this section. The application procedures and the renewal application  
22 requirements and procedures shall be clear and understandable to the applicants.  
23 The department need not promulgate as rules under ch. 227 the application  
24 procedures, the renewal application requirements or procedures, or the method for  
25 ranking applicants established under this subsection.

(end of insert)

Insert 10-2

1

~~7. Page 9, line 11: delete lines 11 to 20.~~

2

~~8. Page 10, line 1: delete lines 1 and 2 and substitute~~

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~~SECTION 48.983 (6) (a) 1.~~ 48.983 (6) (a) 1. of the statutes, as affected by 2009 Wisconsin

4

Act 28, is amended to read:

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48.983 (6) (a) 1. Information on how the applicant's home visitation program

6

is comprehensive and, incorporates practice standards that have been developed for

7

home visitation programs by entities concerned with the prevention of poor birth

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outcomes and child abuse and neglect and that are acceptable to the department, and

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incorporates practice standards and critical elements that have been developed for

10

successful home visitation programs by a nationally recognized home visitation

11

program model and that are acceptable to the department.

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~~SECTION 48.983 (6) (a) 3.~~ 48.983 (6) (a) 3. of the statutes, as affected by 2009 Wisconsin Act

13

28, is amended to read:

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48.983 (6) (a) 3. An identification of existing poor birth outcome and child abuse

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and neglect prevention services that are available to residents of the county, the area

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in which the private agency is providing services, or the reservation of the Indian

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tribe and a description of how those services and any additional needed services will

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support a comprehensive home visitation program.

19

9. Page 11, line 1: delete "(f)" and substitute "(g)".

20

10. Page 11, line 2: delete "(f)" and substitute "(g)".

21

END

(end ins 10-2)

(end Act)

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0101/lins  
GMM.....

(INSERT A)

Under current law, the Department of Children and Families (DCF) administers the Child Abuse and Neglect Prevention Program under which DCF awards grants to no more than six rural counties, three urban counties, and two Indian tribes that offer voluntary home visitation services to first-time parents who are eligible for Medical Assistance (MA). Current law requires DCF to determine the amount of a grant awarded to a county or an Indian tribe in excess of the statutory minimum grant amount of \$10,000 based on need, as determined by a formula that DCF is required to promulgate by rule, and requires that formula to determine need based on the number of births that are funded by MA in a county or a reservation of an Indian tribe and on the rate of poor birth outcomes, including infant mortality, premature births, low birth weights, and racial or ethnic disproportionality in the rate of those outcomes, in the county or reservation. For Milwaukee County, however, that formula must be based on 60 percent of the number of births that are funded by MA in that county and on the rate of poor birth outcomes in that county. Currently, a county or Indian tribe may use a grant to make payments totaling not less than \$250 per year for the appropriate expenses of a family participating in the program. A county, other than Milwaukee County, or an Indian tribe may also use a grant to provide home visitation services for first-time parents who are eligible for MA and case management services for a family participating in the program.

This bill makes all of the following changes to the Child Abuse and Neglect Prevention Program:

1. Eliminates the caps on the number of counties and Indian tribes that may be selected to participate in the program.
2. Permits private agencies to participate in the program and requires a private agency that applies for participation in the program to submit documentation with the grant application that demonstrates that the application is supported by a county and that a county will collaborate with the private agency in providing services.
3. Provides that the formula for determining the amount of a grant to Milwaukee County must be based on 100 percent, not 60 percent, of the number of births that are funded by MA in that county and permits Milwaukee County to use grant funds to provide home visitation and case management services.
4. Requires a county, private agency, or Indian tribe that receives a grant to agree to match at least 25 percent of the grant amount in funds or in-kind contributions.
5. Requires that DCF give favorable consideration in the application process for a grant to a county, private agency, or Indian tribe that submits a joint application.
6. Requires a county, private agency, or Indian tribe, when applying for a grant, to provide information on how the applicant's home visitation program incorporates practice standards and critical elements that have been developed for successful home visitation programs by a nationally recognized home visitation program model and that are acceptable to DCF.



INSERT A cont

7. Requires DCF<sup>✓</sup> to evaluate the availability of home visitation programs in the state and determine whether there are gaps in home visitation services and to cooperate with counties, private agencies, and Indian tribes providing home visitation programs to address any gaps identified.

8. Requires each county, private agency, and Indian tribe providing a home visitation program to do all of the following:

a. Collect and report data as required by DCF<sup>✓</sup>, using forms prescribed by DCF<sup>✓</sup>.

b. Develop a plan for evaluating the effectiveness of its program for approval by DCF<sup>✓</sup> and to use the evaluation to improve the quality and outcomes of the home visitation program. <sup>✱</sup> The <sup>Ⓞ</sup> bill sets forth the outcomes that must be tracked and measured. <sup>e substitute amendment</sup>

9. Provides that the training provided by DCF to counties, private agencies, and Indian tribes participating in the program may not be limited to a particular home visitation model and requires the training to include training regarding basic skills, uniform administration of screening and assessment tools, the issues and challenges that families face, and supervision and personnel skills for program managers. The training may also include training on data collection and reporting.<sup>✓</sup>

(END OF INSERT)