

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2257/P1ins
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INS. 4-4

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(OUT OF ORDER)

1 SECTION 1. 13.94 (4) (a) 1. of the statutes, as affected by 2011 Wisconsin Act 10,
2 is amended to read:

3 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
4 credentialing board, commission, independent agency, council, or office in the
5 executive branch of state government; all bodies created by the legislature in the
6 legislative or judicial branch of state government; any public body corporate and
7 politic created by the legislature including specifically the Fox River Navigational
8 System Authority, the Lower Fox River Remediation Authority, the Wisconsin
9 Aerospace Authority, and the Wisconsin Economic Development Corporation, a
10 professional baseball park district, a local professional football stadium district, a
11 local cultural arts district, and a long-term care district under s. 46.2895; every
12 Wisconsin works Works agency under subch. III II of ch. 49; every provider of medical
13 assistance Medical Assistance under subch. IV of ch. 49; technical college district
14 boards; every county department under s. 51.42 or 51.437; every nonprofit
15 corporation or cooperative or unincorporated cooperative association to which
16 moneys are specifically appropriated by state law; and every corporation, institution,
17 association or other organization which receives more than 50% of its annual budget
18 from appropriations made by state law, including subgrantee or subcontractor
19 recipients of such funds.

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983
a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a.
27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007
a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10.

20 SECTION 2. 13.94 (4) (b) of the statutes is amended to read:
21 13.94 (4) (b) In performing audits of long-term care districts under s. 46.2895,
22 Wisconsin works Works agencies under subch. III II of ch. 49, providers of medical



1 ~~assistance~~ Medical Assistance under subch. IV of ch. 49, corporations, institutions,
 2 associations, or other organizations, and their subgrantees or subcontractors, the
 3 legislative audit bureau shall audit only the records and operations of such providers
 4 and organizations which pertain to the receipt, disbursement, or other handling of
 5 appropriations made by state law.

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 262; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007 a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10.

6 **SECTION 3.** 16.009 (2) (j) of the statutes is amended to read:

7 16.009 (2) (j) Provide information and counseling to consumers regarding
 8 insurance policies available to supplement federal medicare insurance coverage,
 9 including long-term care insurance, and the eligibility requirements for medical
 10 ~~assistance~~ Medical Assistance under s. 49.46 (1) (1g), 49.468 or 49.47 (4). To
 11 implement this responsibility, the board shall provide training, educational
 12 materials, and technical assistance to volunteer organizations and private
 13 businesses that are willing and able to provide insurance and ~~medical assistance~~
 14 Medical Assistance eligibility information and counseling, in order that these
 15 organizations and businesses may provide the information and counseling to
 16 consumers.

History: 1981 c. 20; 1983 a. 524; 1985 a. 29; 1987 a. 27; 1989 a. 31, 294; 1991 a. 39, 232; 1993 a. 16, 205; 1995 a. 27 s. 9126 (19); 1997 a. 131; 1999 a. 9, 82, 86, 186; 2003 a. 33; 2007 a. 20 ss. 74, 9121 (6) (a); 2009 a. 28.

END INS. 4-4

INS. 6-15

17 20.435 (4) (im) ~~Medical assistance~~ Assistance; correct payment recovery;
 18 collections; other recoveries. All moneys received from the recovery of correct medical
 19 ~~assistance~~ Medical Assistance payments under ss. 49.496 and 867.035 and rules
 20 promulgated under s. 46.286 (7), all moneys received as collections and other



1 recoveries from providers, drug manufacturers, and other 3rd parties under ~~medical~~
 2 ~~assistance~~ Medical Assistance ✓ performance-based contracts, and all moneys
 3 credited to this appropriation account under s. ~~49.89~~ 49.037 ✓ (7) (f), for payments to
 4 counties and tribal governing bodies under s. 49.496 (4) (a), for payment of claims
 5 under s. 867.035 (3), for payments to the federal government for its share of ~~medical~~
 6 ~~assistance~~ Medical Assistance ✓ benefits recovered, for the state share of ~~medical~~
 7 ~~assistance~~ Medical Assistance ✓ benefits provided under subch. ✓ IV of ch. 49, and for
 8 costs related to collections and other recoveries.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334.

END INS. 6-15

INS. 7-13

9 20.437 (1) (b) ✓ *Children and family aids payments.* The amounts in the schedule
 10 for services for children and families under s. 48.563, for reimbursement to counties
 11 having a population of less than 500,000 for the cost of court attached intake services
 12 under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, and for foster care and
 13 subsidized guardianship care under ss. 48.645 and 49.19 (10). Social services
 14 disbursements under s. ~~49.32~~ 49.06 ✓ (2) (b) may be made from this appropriation.
 15 Refunds received relating to payments made under s. ~~49.32~~ 49.06 ✓ (2) (b) for the
 16 provision of services for which moneys are appropriated under this paragraph shall
 17 be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1),
 18 the department of children and families may transfer funds between fiscal years
 19 under this paragraph. The department shall deposit into this appropriation funds



1 it recovers under s. 48.569 (2) (b), from prior fiscal year audit adjustments. Except
2 for amounts authorized to be carried forward under s. 48.565, all funds recovered
3 under s. 48.569 (2) (b) and all funds allocated under s. 48.563 and not spent or
4 encumbered by December 31 of each year shall lapse to the general fund on the
5 succeeding January 1 unless carried forward to the next calendar year by the joint
6 committee on finance.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; s. 13.92 (2) (i).

END INS. 7-13

INS. 7-19

7 (gg) *Collection remittances to local units of government.* All moneys received
8 under ss. ~~49.32~~ 49.06 (1) and 49.345 for the purposes of remitting departmental
9 collections under s. ~~49.32~~ 49.06 (1) (g) or 49.345 (8) (g).

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; s. 13.92 (2) (i).

END INS. 7-19

INS. 7-22

Ins. 7-22

11 (s) *Economic support — public benefits.* From the utility public benefits fund,
12 the amounts in the schedule for the Wisconsin Works program under subch. ~~III~~ II of
ch. 49.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; s. 13.92 (2) (i).

13 **SECTION 4.** 20.437 (1) (o) ~~and (pd)~~ of the statutes, as affected by 2011 Wisconsin
14 Act 32, ~~are~~ ^{is} amended to read:

15 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys
16 received in amounts pursuant to allocation plans developed by the department for
17 the provision or purchase of services authorized under par. (b) and all federal moneys
18 received as child welfare funds under 42 USC 620 to 626 for projects and services as



2011 Wisconsin Act 32, is amended to read:

1 limited under s. 48.985. Disbursements from this appropriation may be made
2 directly to counties for services to children and families under s. 49.32[✓] 49.06 (2) (b)
3 or 49.325 or directly to counties in accordance with federal requirements for the
4 disbursal of federal funds.

SECTION #. 20.437(1)(pd)^x of the statutes, as affected by

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; s. 13.92 (2) (i).

⑤ 20.437(1)(pd) Federal aid; state foster care, guardianship, and adoption services. All

6 federal moneys received for meeting the costs of providing foster care[✓], institutional
7 child care, and subsidized adoptions under ss. 48.48 (12) and 48.52, the cost of care
8 for children under s. 49.19 (10) (d), the cost of subsidized guardianship payments
9 under s. 48.623 (1) or (6), the cost of providing, or contracting with private adoption
10 agencies to assist the department in providing, services to children with special
11 needs who are under the guardianship of the department to prepare those children
12 for adoption, and the cost of providing postadoption services to children with special
13 needs who have been adopted. Disbursements for foster care under s. 49.32[✓] 49.06
14 (2) and for the purposes described under s. 48.627 may be made from this
15 appropriation.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; s. 13.92 (2) (i).

END INS. 7-22

INS 13-16

16 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department shall
17 establish a uniform system of fees for services provided or purchased by the
18 department, or a county department under s. 46.215, 46.22, 51.42, or 51.437, except
19 for services provided under ch. 48 and subch. ^{stat} ss. 49.811 to 49.823, ^{stat} subchs. II and III
20 of ch. 49^{stat} and ch. 48; services provided to courts; outreach, information and referral
21 services; or when, as determined by the department, a fee is administratively



1 unfeasible or would significantly prevent accomplishing the purpose of the service.
2 A county department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees that
3 it collects under this program to cover the cost of those services.

History: 1971 c. 270 s. 104; 1973 c. 90; 1973 c. 284 ss. 2, 32; 1973 c. 333; 1975 c. 39, 82; 1975 c. 189 s. 99 (1), (2); 1975 c. 224, 377, 413, 422; 1977 c. 29, 193; 1977 c. 196 s. 131; 1977 c. 203, 205, 271, 354; 1977 c. 418 ss. 287 to 289m, 924 (18) (d); 1977 c. 447, 449; 1979 c. 32 s. 92 (1); 1979 c. 34; 1979 c. 175 s. 46; 1979 c. 221, 331, 352; 1981 c. 20, 81; 1981 c. 314 s. 144; 1981 c. 390; 1983 a. 27, 193; 1983 a. 435 s. 7; 1983 a. 447, 474; 1983 a. 532 s. 36; 1985 a. 19, 29, 120, 176, 234, 285, 328, 331; 1985 a. 332 s. 251 (3); 1987 a. 3, 5, 27, 161, 186, 307, 339, 385, 399, 403, 413; 1989 a. 31 ss. 938m to 951, 2909g, 2909i; 1989 a. 56, 105, 107, 122; 1991 a. 39, 277; 1993 a. 16 ss. 851 to 859, 3072d; 1993 a. 98, 377, 385, 446, 481; 1995 a. 27 ss. 2026m to 2038b, 9126 (19); 1995 a. 77, 201, 225, 352, 370, 404, 448; 1997 a. 3, 27, 111, 283, 292; 1999 a. 9, 83; 2001 a. 16, 59, 61, 109; 2003 a. 33; 2005 a. 25, 293, 406; 2005 a. 443 s. 265; 2007 a. 20 ss. 800 to 823, 9121 (6) (a); 2007 a. 96, 104; 2009 a. 28, 180, 280.

4 **(20) (a)** Except for payments provided under ~~ch. 48 or subch. ss. 49.811 to~~
5 49.823, subchs. II and III of ch. 49, or ch. 48, the department may make payments
6 directly to recipients of public assistance or to such persons authorized to receive
7 such payments in accordance with law and rules of the department on behalf of the
8 counties. Except for payments provided under ~~ch. 48 or subch. ss. 49.811 to 49.823,~~
9 subchs. II and III of ch. 49, or ch. 48, the department may charge the counties for the
10 cost of operating public assistance systems which make such payments.

History: 1971 c. 270 s. 104; 1973 c. 90; 1973 c. 284 ss. 2, 32; 1973 c. 333; 1975 c. 39, 82; 1975 c. 189 s. 99 (1), (2); 1975 c. 224, 377, 413, 422; 1977 c. 29, 193; 1977 c. 196 s. 131; 1977 c. 203, 205, 271, 354; 1977 c. 418 ss. 287 to 289m, 924 (18) (d); 1977 c. 447, 449; 1979 c. 32 s. 92 (1); 1979 c. 34; 1979 c. 175 s. 46; 1979 c. 221, 331, 352; 1981 c. 20, 81; 1981 c. 314 s. 144; 1981 c. 390; 1983 a. 27, 193; 1983 a. 435 s. 7; 1983 a. 447, 474; 1983 a. 532 s. 36; 1985 a. 19, 29, 120, 176, 234, 285, 328, 331; 1985 a. 332 s. 251 (3); 1987 a. 3, 5, 27, 161, 186, 307, 339, 385, 399, 403, 413; 1989 a. 31 ss. 938m to 951, 2909g, 2909i; 1989 a. 56, 105, 107, 122; 1991 a. 39, 277; 1993 a. 16 ss. 851 to 859, 3072d; 1993 a. 98, 377, 385, 446, 481; 1995 a. 27 ss. 2026m to 2038b, 9126 (19); 1995 a. 77, 201, 225, 352, 370, 404, 448; 1997 a. 3, 27, 111, 283, 292; 1999 a. 9, 83; 2001 a. 16, 59, 61, 109; 2003 a. 33; 2005 a. 25, 293, 406; 2005 a. 443 s. 265; 2007 a. 20 ss. 800 to 823, 9121 (6) (a); 2007 a. 96, 104; 2009 a. 28, 180, 280.

11 **SECTION 5. 46.036 (1)** of the statutes is amended to read:
12 **46.036 (1)** All care and services purchased by the department or by a county
13 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under
14 ~~subch. III of ch. 49 and s. ss. 49.811 to 49.823 and § 301.08 (2) and subchs. II and III~~
15 of ch. 49, shall be authorized and contracted for under the standards established
16 under this section. The department may require the county departments to submit
17 the contracts to the department for review and approval. For purchases of \$10,000
18 or less the requirement for a written contract may be waived by the department.
19 When the department directly contracts for services, it shall follow the procedures

14

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1 in this section in addition to meeting purchasing requirements established in s.
2 16.75.

History: 1973 c. 90, 333; 1975 c. 39; 1975 c. 198 s. 65; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27, 116, 192; 1985 a. 176; 1985 a. 332 s. 251 (3); 1987 a. 27; 1987 a. 161 s. 13m; 1989 a. 31, 122, 359; 1993 a. 375, 380, 446; 1995 a. 27; 1997 a. 27, 79, 237; 1999 a. 9, 103; 2001 a. 16; 2007 a. 20.

END INS 13-16

INS. 13-25

3 (g) For purposes of determining child support under par. (b), the department
4 shall promulgate rules related to the application of the standard established by the
5 department of children and families under s. ~~49.22~~ 49.811 (9) to a child support
6 obligation for the care and maintenance of a child who is placed by a court order
7 under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall take
8 into account the needs of any person, including dependent children other than the
9 child, whom either parent is legally obligated to support.

History: 1971 c. 125; 1971 c. 213 s. 5; 1973 c. 90 ss. 223, 223m, 560 (3); 1973 c. 198, 333; 1975 c. 39 ss. 347 to 350, 734; 1975 c. 41, 94; 1975 c. 189 s. 99 (2); 1975 c. 198, 199, 224; 1975 c. 413 s. 18; 1975 c. 428; 1975 c. 430 ss. 6, 80; 1977 c. 29, 203; 1977 c. 418 ss. 294 to 295, 924 (50), 929 (18); 1977 c. 428; 1977 c. 447 s. 206; 1977 c. 449 ss. 75, 497; 1979 c. 34; 1979 c. 102 ss. 236 (4), 237; 1979 c. 117, 221, 331; 1981 c. 20 ss. 755 to 758, 2202 (20) (i), (n); 1981 c. 81; 1983 a. 27 ss. 955m, 2202 (20); 1985 a. 29, 176, 281, 332; 1987 a. 307; 1989 a. 31, 56, 96, 212; 1991 a. 39, 221, 315, 316; 1993 a. 16, 27, 385, 437, 446, 479, 481; 1995 a. 27 ss. 2054, 2055, 9130 (4); 1995 a. 77, 224, 404; 1997 a. 3, 27, 35, 237, 308; 1999 a. 9, 103; 2001 a. 16, 59, 103; 2003 a. 33; ~~2005 a. 25, 264, 434; 2007 a. 20, 97; 2009 a. 28, 218; s. 13.92 (2) (i).~~

10 **SECTION 6.** ~~46.206 (1) (a) and (2) of the statutes are amended to read:~~

11 46.206 (1) (a) The department shall supervise the administration of social
12 services, except as provided under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II~~
13 ~~and III of ch. 49, and ch. 48~~ and except for juvenile delinquency-related services. The
14 department shall submit to the federal authorities state plans for the administration
15 of social services, except as provided under ~~ch. 48 and subch. ss. 49.811 to 49.823,~~
16 ~~subchs. II and III of ch. 49, and ch. 48~~ and except for juvenile delinquency-related
17 services, in such form and containing such information as the federal authorities
18 require, and shall comply with all requirements prescribed to ensure their
19 correctness.

History: 1973 c. 147; 1977 c. 271, 449; 1981 c. 329, 335; 1983 a. 27, 239, 487; 1985 a. 176; 1987 a. 27 s. 3202 (24); 1987 a. 403 s. 256; 1989 a. 31; 1995 a. 27, 77; 1997 a. 35; 2007 a. 20.



1 (2) The county administration of all laws relating to social services, except with
2 respect to the programs under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and~~
3 III of ch. 49, and ch. 48 and to juvenile delinquency-related programs, shall be vested
4 in the officers and agencies designated in the statutes.

History: 1973 c. 147; 1977 c. 271, 449; 1981 c. 329, 335; 1983 a. 27, 239, 487; 1985 a. 176; 1987 a. 27 s. 3202 (24); 1987 a. 403 s. 256; 1989 a. 31; 1995 a. 27, 77; 1997 a. 35; 2007 a. 20.

END INS. 13-25

INS. 15-9

5 ✓ **SECTION 7.** 46.215 (1) (d) of the statutes, as affected by 2009 Wisconsin Act 28,
6 is amended to read:

7 46.215 (1) (d) To make investigations that relate to services under subchs. IV
8 and V of ch. 49 and s. 49.003 upon request by the department of health services, to
9 make investigations that relate to juvenile delinquency-related services at the
10 request of the department of corrections, and to make investigations that relate to
11 programs under ch. 48 and ~~subch. subchs. II, III, and IV~~ of ch. 49 upon request by
12 the department of children and families.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334.

END INS. 15-9

INS. 16-21

13 (13) **SECTION 8.** 46.215 (2) (a) 1 and 2. of the statutes are amended to read:

14 46.215 (2) (a) 1. 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 health services, with public or voluntary agencies or
17 others to purchase, in full or in part, care and services, except as provided under
18 ~~subch. III of ch. 49 and s. ss. 49.811 to 49.823~~ and 301.08 (2) and subchs. II and III



1 of ch. 49, which the county department of social services is authorized by any statute
 2 to furnish in any manner. This care and these services may be purchased from the
 3 department of health services if the department of health services has staff to furnish
 4 the care and services. If the county department of social services has adequate staff,
 5 it may sell the care and services directly to another county or state agency.

6 2. In order to ensure the availability of a full range of care and services, the
 7 county department of social services may contract, either directly or through the
 8 department of children and families, with public or voluntary agencies or others to
 9 purchase, in full or in part, care and services under ~~ch. 48 and subch. ss. 49.811 to~~
 10 49.823, subchs. II and III of ch. 49, and ch. 48 which the county department of social
 11 services is authorized to furnish. This care and these services may be purchased
 12 from the department of children and families if the department of children and
 13 families has staff to furnish the services. If the county department of social services
 14 has adequate staff, it may sell the care and services directly to another county or
 15 state agency.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 4, 96; 2009 a. 15, 28, 180, 334.

16 **SECTION 9. 46.215 (2) (c) 1. and 2. of the statutes are amended to read:**

17 46.215 (2) (c) 1. A county department of social services shall develop, under the
 18 requirements of s. 46.036, plans and contracts for care and services to be purchased,
 19 except for care and services under ~~subch. III of ch. 49 or s. ss. 49.811 to 49.823~~ or
 20 301.08 (2) or subchs. II or III of ch. 49. The department of health services may review
 21 the contracts and approve them if they are consistent with s. 46.036 and if state or
 22 federal funds are available for such purposes. The joint committee on finance may
 23 require the department of health services to submit the contracts to the committee



1 for review and approval. The department of health services may not make any
2 payments to a county for programs included in a contract under review by the
3 committee. The department of health services shall reimburse each county for the
4 contracts from the appropriations under s. 20.435 (7) (b) and (o), as appropriate,
5 under s. 46.495.

6 2. A county department of social services shall develop, under the requirements
7 of s. 49.34, plans and contracts for care and services to be purchased under ~~ch. 48 and~~
8 subch. ss. 49.811 to 49.823, ~~subchs. II and III of ch. 49, and ch. 48.~~ The department
9 of children and families may review the contracts and approve them if they are
10 consistent with s. 49.34 and if state or federal funds are available for such purposes.
11 The joint committee on finance may require the department of children and families
12 to submit the contracts to the committee for review and approval. The department
13 of children and families may not make any payments to a county for programs
14 included in a contract under review by the committee.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 211, 18; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334.

15 **SECTION 10.** 46.22 (1) (b) 1. b. of the statutes is amended to read:
16 46.22 (1) (b) 1. b. To make investigations which relate to welfare services,
17 except as provided under ~~ch. 48 and subch. ss. 49.811 to 49.823~~, subchs. II and III of
18 ch. 49, and ch. 48 upon request by the department of health services.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

19 **SECTION 11.** 46.22 (1) (b) 2. c. of the statutes is amended to read:



1 46.22 (1) (b) 2. c. To make investigations as provided under ~~ch. 48 and subch.~~
2 ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48 upon request by the
3 department of children and families.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

END INS. 16-21

INS. 17-5

4 46.22 (1) (b) 2. e. To make payments in such manner as the department of
5 children and families may determine for training of recipients, former recipients and
6 potential recipients of aid in programs established under s. 49.193, 1997 stats., and
7 s. ~~49.26~~ 49.198 (1).

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

8 g. To make certification or referral of eligibles for state or federal works or other
9 assistance programs under ~~ch. 48 and subch.~~ ss. 49.811 to 49.823, subchs. II and III
10 of ch. 49, and ch. 48, eligibility for which is based on need.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

END INS 17-5

INS. 18-11

11 (e) 3. a. A county department of social services shall develop, under the
12 requirements of s. 46.036, plans and contracts for care and services, except under ~~ch.~~
13 ~~48, subch. III of ch. 49, and s.~~ ss. 49.811 to 49.823 and 301.08 (2), subchs. II and II
14 of ch. 49 and ch. 48, to be purchased. The department of health services may review
15 the contracts and approve them if they are consistent with s. 46.036 and to the extent



1 that state or federal funds are available for such purposes. The joint committee on
 2 finance may require the department of health services to submit the contracts to the
 3 committee for review and approval. The department of health services may not make
 4 any payments to a county for programs included in the contract that is under review
 5 by the committee. The department of health services shall reimburse each county
 6 for the contracts from the appropriations under s. 20.435 (7) (b) and (o) according to
 7 s. 46.495.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

8 b. A county department of social services shall develop, under the requirements
 9 of s. 49.34, plans and contracts for care and services under ~~ch. 48~~ and ~~subch. ss.~~
 10 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48 to be purchased. The
 11 department of children and families may review the contracts and approve them if
 12 they are consistent with s. 49.34 and to the extent that state or federal funds are
 13 available for such purposes. The joint committee on finance may require the
 14 department of children and families to submit the contracts to the committee for
 15 review and approval. The department of children and families may not make any
 16 payments to a county for programs included in the contract that is under review by
 17 the committee.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

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18

SECTION 12. 46.22 (2) (b) and (m), (2g) (d) and (3m) (a) of the statutes are

19 amended to read:

END INS. 18-11

STET

1

INS. 18-24

2 ✓ (2g) (d) Prepare, with the assistance of the county social services director under
 3 sub. (3m) (b) 5., a proposed budget for submission to the county executive or county
 4 administrator, a final budget for submission to the department of health services in
 5 accordance with s. 46.031 (1) for authorized services, except services under ~~ch. 48,~~
 6 ~~subch. III of ch. 49, or s. ss. 49.811 to 49.823 and 301.08 (2), subchs. II and III of ch.~~
 7 49, or ch. 48, a final budget for submission to the department of children and families
 8 in accordance with s. 49.325 for authorized services under ~~ch. 48 and subch. ss.~~
 9 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48, and a final budget for
 10 submission to the department of corrections in accordance with s. 301.031 (1) for
 11 authorized juvenile delinquency-related services.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334.

END INS. 18-24

INS. 20-9

12 (12) SECTION 13. 46.23 (5) (a) 1. and 2., (c) 1. and 2., and (n) 1. and 2., (5m) (c) and
 13 (6) (a) (intro.) of the statutes are amended to read:
 14 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
 15 provided under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and~~
 16 ch. 48 and except for juvenile delinquency-related policies, within limits established
 17 by the department of health services. Policy decisions, except as provided under ~~ch.~~
 18 ~~48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~ and except
 19 for juvenile delinquency-related policies, not reserved by statute for the department



1 of health services may be delegated by the secretary to the county human services
2 board.

3 2. Shall determine administrative and program policies under ~~ch. 48 and~~
4 ~~subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~ within limits
5 established by the department of children and families. Policy decisions under ch.
6 48 and ~~subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~ not reserved
7 by statute for the department of children and families may be delegated by the
8 secretary of children and families to the county human services board.

9 (c) 1. Shall determine whether state mandated services, except for services
10 under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~
11 and juvenile delinquency-related services, are provided or purchased or contracted
12 for with local providers, and monitor the performance of such contracts. Purchase
13 of services contracts shall be subject to the conditions specified in s. 46.036.

14 2. Shall determine whether state mandated services under ~~ch. 48 and subch.~~
15 ~~ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~ are provided or purchased
16 or contracted for with local providers, and monitor the performance of such contracts.
17 Purchase of services contracts shall be subject to the conditions specified in s. 49.34.

18 (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for authorized
19 services, except for services under ~~ch. 48 and subch. ss. 49.811 to 49.823, and subchs.~~
20 ~~II and III of ch. 49, and ch. 48~~ and juvenile delinquency-related services.
21 Notwithstanding the categorization of or limits specified for funds allocated under
22 s. 46.495 or 51.423 (2), with the approval of the department of health services the
23 county human services board may expend these funds consistent with any service
24 provided under s. 46.495 or 51.42.



1 2. Shall submit a final budget in accordance with s. 49.325 (1) for authorized
 2 services under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and~~
 3 ch. 48. Notwithstanding the categorization of or limits specified for funds allocated
 4 under s. 48.569, with the approval of the department of children and families the
 5 county human services board may expend these funds consistent with any service
 6 provided under s. 48.569.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180.

7 **(5m)** (c) Prepare, with the assistance of the county human services director
 8 under sub. (6m) (e), a proposed budget for submission to the county executive or
 9 county administrator, a final budget for submission to the department of health
 10 services in accordance with s. 46.031 (1) for authorized services, except services
 11 under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and ch. 48~~
 12 and juvenile delinquency-related services, a final budget for submission to the
 13 department of children and families in accordance with s. 49.325 for authorized
 14 services under ~~ch. 48 and subch. ss. 49.811 to 49.823, subchs. II and III of ch. 49, and~~
 15 ch. 48, and a final budget for submission to the department of corrections in
 16 accordance with s. 301.031 for authorized juvenile delinquency-related services.

17 **(6)** (a) (intro.) A county human services director appointed under sub. (5) (f)
 18 shall have all of the administrative and executive powers and duties of managing,
 19 operating, maintaining, and improving the programs of the county department of
 20 human services, subject to the rules promulgated by the department of health
 21 services for programs, except services or programs under ~~ch. 48 and subch. ss. 49.811~~
 22 to 49.823, subchs. II and III of ch. 49, and ch. 48 and juvenile delinquency-related
 23 services or programs, subject to the rules promulgated by the department of children
 24 and families for services or programs under ~~ch. 48 and subch. ss. 49.811 to 49.823,~~



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

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180.

END INS. 20-9

INS. 21-4

5 **SECTION 14.** 46.283 (7) (b) of the statutes is amended to read:
6 46.283 (7) (b) Notwithstanding ss. 48.78 (2) (a), 49.013, 49.45 (4), ~~49.83~~, 51.30,
7 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource
8 center acting under this section may exchange confidential information about a
9 client, as defined in s. 46.287 (1), without the informed consent of the client, under
10 s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284 (7), 46.2895 (10),
11 51.42 (3) (e) or 51.437 (4r) (b) in the county of the resource center, if necessary to
12 enable the resource center to perform its duties or to coordinate the delivery of
13 services to the client.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249.

END INS. 21-4

INS. 21-22

14 **SECTION 15.** 46.56 (3) (b) 15. of the statutes is amended to read:
15 46.56 (3) (b) 15. Representatives of economic support agencies and the
16 Wisconsin Works agency under subch. ~~III~~ II of ch. 49, if a different agency.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334.

END INS. 21-22

INS. 23-19



1 **SECTION 16.** 48.36 (2) of the statutes is amended to read:

2 **48.36 (2)** If an expectant mother or a child whose legal custody has not been
3 taken from a parent or guardian is given educational and social services, or medical,
4 psychological or psychiatric treatment by order of the court, the cost of those services
5 or that treatment, if ordered by the court, shall be a charge upon the county in a
6 county having a population of less than 500,000 or the department in a county having
7 a population of 500,000 or more. This section does not prevent recovery of reasonable
8 contribution toward the costs from the parent or guardian of the child or from an
9 adult expectant mother as the court may order based on the ability of the parent,
10 guardian or adult expectant mother to pay. This subsection shall be subject to s.
11 ~~49.32~~ 49.06 (1).

History: 1977 c. 354; 1979 c. 221; 1981 c. 81; 1985 a. 29 s. 3202 (23); ~~1985 a. 176~~; 1989 a. 31, 107; 1993 a. 446, 481; 1995 a. 27 ss. 2468, 9126 (19); 1995 a. 77, 404; 1997 a. 3, 27, 292; 2007 a. 20 ss. 1255 to 1257, 9121 (6) (a).

12 **SECTION 17.** 48.361 (2) (c) of the statutes is amended to read:

13 **48.361 (2) (c)** Payment for alcohol and other drug abuse services by a county
14 department under this section does not prohibit the county department from
15 contracting with another county department or approved treatment facility for the
16 provision of alcohol and other drug abuse services. Payment by the county under this
17 section does not prevent recovery of reasonable contribution toward the costs of the
18 court-ordered alcohol and other drug abuse services from the parent or adult
19 expectant mother which is based upon the ability of the parent or adult expectant
20 mother to pay. This subsection is subject to s. ~~49.32~~ 49.06 (1).

History: 1987 a. 339; 1989 a. 56 s. 259; 1993 a. 446; 1995 a. 77, 235; 1997 a. 292; 2007 a. 20.

21 **SECTION 18.** 48.362 (4) (c) of the statutes is amended to read:

22 **48.362 (4) (c)** A county department that pays for court-ordered special
23 treatment or care under par. (a) may recover from the parent or adult expectant
24 mother, based on the ability of the parent or adult expectant mother to pay, a



1 reasonable contribution toward the costs of the court-ordered special treatment or
2 care. This paragraph is subject to s. ~~49.32~~ [✓]49.06 (1).

History: 1993 a. 446; 1995 a. 77, 275; 1997 a. 292; 2007 a. 20.

END INS. 23-19

INS 26-13

3 **SECTION 19.** 48.839 (1) (d) [✗] and (e) of the statutes are amended to read:

4 48.839 (1) (d) If custody of the child is transferred under sub. (4) (b) to a county
5 department or child welfare agency before the child is adopted, the department shall
6 periodically bill the guardian and the surety under s. ~~49.32~~ [✓]49.06 (1) (b) or 49.345 for
7 the cost of care and maintenance of the child until the child is adopted or becomes
8 age 18, whichever is earlier. The guardian and surety shall also be liable under the
9 bond for costs incurred by the department in enforcing the bond against the guardian
10 and surety.

11 (e) This section does not preclude the department or any other agency given
12 custody of a child under sub. (4) (b) from collecting under s. ~~49.32~~ [✓]49.06 (1) (b) or
13 49.345 from the former guardian for costs in excess of the amount recovered under
14 the bond incurred in enforcing the bond and providing care and maintenance for the
15 child until he or she reaches age 18 or is adopted.

History: 1981 c. 81; 1985 a. 176; 1997 a. 27; 2005 a. 293; 2007 a. 20 [✓]

16 **SECTION 20.** 48.98 (2) (d) of the statutes is amended to read:

17 48.98 (2) (d) The department shall periodically bill the person who filed the
18 bond and the surety under s. ~~49.32~~ [✓]49.06 (1) (b) or 49.345 for the cost of care and
19 maintenance of the child until the child is adopted or becomes age 18, whichever is



1 earlier. The guardian and surety shall also be liable under the bond for costs incurred
2 by the department in enforcing the bond.

History: 1977 c. 354; 1979 c. 32 s. 92 (1); 1981 c. 81; 1985 a. 176; 1985 a. 332 s. 251 (5); 1993 a. 446; 2007 a. 20; 2009 a. 28, 339.

END INS 26-13

INS. 41-7

3 ✓ SECTION 21. 49.147 (4) (as) of the statutes, as affected by 2011 Wisconsin Act
4 32, is amended to read:

5 49.147 (4) (as) *Required hours.* Except as provided in pars. ~~(at)~~ and par. (av)
6 and sub. (5m), a Wisconsin Works agency shall require a participant placed in a
7 community service job program to work in a community service job for the number
8 of hours determined by the Wisconsin Works agency to be appropriate for the
9 participant at the time of application or review and may require a participant to
10 participate in education or training activities for not more than 10 hours per week,
11 except that the Wisconsin Works agency may not require a participant under this
12 subsection to spend more than 40 hours per week in combined activities under this
13 subsection.

History: 2011 a. 32.

END INS. 41-7

INS. 41-8

14 ✓ SECTION 22. 49.147 (5) (bs) of the statutes, as affected by 2011 Wisconsin Act
15 32, ^{section 1357f,} is amended to read:

16 49.147 (5) (bs) *Required hours.* Except as provided in par. ~~(bt)~~ and sub. (5m),
17 a Wisconsin Works agency may require a participant placed in a transitional
18 placement to participate in education or training activities for not more than 12
19 hours per week and to engage in activities under par. (b) 1., but may not require a



1 participant under this subsection to spend more than 40 hours per week in combined
2 activities under this subsection.

History: 2011 a. 32.

END INS 41-8

INS 42-10

3

SECTION 23. 49.148 (1) (b) 1. ~~and (1m) (a) 1.~~ of the statutes, as affected by 2011

4

Wisconsin Act 32, is amended to read:

5

49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a

6

community service job under s. 49.147 (4), a monthly grant of \$653, paid by the

7

Wisconsin Works agency. For every hour that the participant misses work or

8

education or training activities without good cause, the grant amount shall be

9

reduced by \$5.15. Good cause shall be determined by the financial and employment

10

planner in accordance with rules promulgated by the department. Good cause shall

11

include required court appearances for a victim of domestic abuse. If a participant

12

in a community service job under s. 49.147 (4) is required to work fewer than 30 hours

13

per week because the participant has unsubsidized employment, as defined in s.

14

~~49.147 (1) (e)~~ 49.141 (1) (o), the grant amount under this paragraph shall equal the

15

amount specified under subd. 1m. minus \$5 for each hour that the participant misses

16

work or education or training activities without good cause.

SECTION #. 49.148 (1m) (a) 1. of the statutes, as affected by

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28.

17

~~49.148~~ (1m) (a) 1. A custodial parent of a child 8 weeks old or less who meets the

18

eligibility requirements under s. 49.145 (2) and (3), unless another adult member of

19

the custodial parent's Wisconsin Works group is participating in, or is eligible to

20

participate in, a Wisconsin Works employment position or is employed in

21

unsubsidized employment, as defined in s. ~~49.147 (1) (e)~~ 49.141 (1) (o).

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28.

2011 Wisconsin Act 32, is amended to read:

1

✓

9

SECTION 24. 49.148 (4) (title) of the statutes is repealed.

END INS. 42-10

INS. 43-1

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✓

SECTION 25. 49.15 (3) (a) of the statutes is amended to read:

49.15 (3) (a) Unsubsidized employment, as defined in s. ~~49.147 (1) (e)~~ 49.141

(1) (o).

History: 1997 a. 27; 1999 a. 32.

END INS. 43-1

INS. 45-12

5
6

✓

(c) ~~Notwithstanding s. 49.141 (1) (j),~~ "parent" Parent means a custodial parent, guardian, foster parent, legal custodian, or a person acting in the place of a parent.

History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 165; 2007 a. 20; 2009 a. 28, 76, 77, 185.

END INS. 45-12

INS. 57-2

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✓

(g) (intro.) An individual who is a dependent child in a Wisconsin Works group that includes a participant under s. 49.147 (3), ~~(3m)~~ (4), or (5) or who is a recipient of aid under s. 49.19 is subject to the school attendance requirement under par. (ge) if all of the following apply:

History: 1995 a. 27 ss. 2319 to 2324, 2898g to 2898r, 3101 to 3120b, 9130 (4), 9145 (1); 1995 a. 289; 1997 a. 3, 27, 239; 1999 a. 9; 2007 a. 20; 2009 a. 276, 302.

END INS. 57-2

INS. 57-6

↓

1 ✓ (h) 1s. b. An individual who is a dependent child in a Wisconsin Works group
2 that includes a participant under s. 49.147 (3), (~~3m~~), ✓(4), or (5) and who fails to meet
3 the school attendance requirement under par. (ge) is subject to a monthly sanction.

History: 1995 a. 27 ss. 2319 to 2324, 2898g to 2898r, 3101 to 3120b, 9130 (4), 9145 (1); 1995 a. 289; 1997 a. 3, 27, 239; 1999 a. 9; 2007 a. 20; 2009 a. 276, 302.
END INS 57-6

INS 60-8

4 ✓ (8) PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall make a
5 periodic check of the amounts earned by recipients of aid to families with dependent
6 children under s. 49.19 and by participants under Wisconsin ~~works~~ Works ✓ under ss.
7 49.141 to 49.161 through a check of the amounts credited to the recipient's social
8 security number. The department shall make an investigation into any discrepancy
9 between the amounts credited to a social security number and amounts reported as
10 income on the declaration application and take appropriate action under s. ✓49.95
11 49.041 ✓ when warranted. The department shall use the state wage reporting system
12 under 1985 Wisconsin Act 17, section 65 (1), when the system is implemented, to
13 make periodic earnings checks.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a); 2009 a. 28.

END INS 60-8

INS. 64-1

14 ✓ **SECTION 26.** 49.325 (1) (a) of the statutes is amended to read:
15 ✓ 49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall
16 submit its final budget for services directly provided or purchased under ss. ✓49.811
17 to 49.823, this subchapter of ^{plain} subch. II, ✓ or ch. 48 to the department by December 31
18 annually.

History: 1995 a. 27; 2007 a. 20.



1 **SECTION 27.** 49.325 (2) of the statutes is amended to read:

2 49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed
3 budget for services directly provided or purchased under ss. 49.811 to 49.823, this
4 subchapter or subch. II, or ch. 48 to the county executive or county administrator or
5 the county board, the county departments listed in sub. (1) shall assess needs and
6 inventory resources and services, using an open public participation process.

7 History: 1995 a. 27; 2007 a. 20.

7 **SECTION 28.** 49.325 (2g) (a) of the statutes is amended to read:

8 49.325 (2g) (a) The department shall annually submit to the county board of
9 supervisors in a county with a single-county department or the county boards of
10 supervisors in counties with a multicounty department a proposed written contract
11 containing the allocation of funds for services directly provided or purchased under
12 ss. 49.811 to 49.823, this subchapter or subch. II, or ch. 48 and such administrative
13 requirements as necessary. The contract as approved may contain conditions of
14 participation consistent with federal and state law. The contract may also include
15 provisions necessary to ensure uniform cost accounting of services. Any changes to
16 the proposed contract shall be mutually agreed upon. The county board of
17 supervisors in a county with a single-county department or the county boards of
18 supervisors in counties with a multicounty department shall approve the contract
19 before January 1 of the year in which it takes effect unless the department grants
20 an extension. The county board of supervisors in a county with a single-county
21 department or the county boards of supervisors in counties with a multicounty
22 department may designate an agent to approve addenda to any contract after the
23 contract has been approved.

24 History: 1995 a. 27; 2007 a. 20.

24 **SECTION 29.** 49.325 (2r) (a) 1. of the statutes is amended to read:



1 49.325 (2r) (a) 1. For services under ss. 49.811 to 49.823, this subchapter or
2 subch. II, or ch. 48 that duplicate or are inconsistent with services being provided or
3 purchased by the department or other county departments receiving grants-in-aid
4 or reimbursement from the department.

History: 1995 a. 27; 2007 a. 20.

5 **SECTION 30.** 49.325 (2r) (a) 2. of the statutes is amended to read:

6 49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or
7 regulations, in which case the department may also arrange for provision of services
8 under ss. 49.811 to 49.823, this subchapter or subch. II, or ch. 48 by an alternate
9 agency. The department may not arrange for provision of services by an alternate
10 agency unless the joint committee on finance or a review body designated by the
11 committee reviews and approves the department's determination.

History: 1995 a. 27; 2007 a. 20.

12 **SECTION 31.** 49.34 (1) of the statutes is amended to read:

13 49.34 (1) All services under ss. 49.811 to 49.823, this subchapter and subch. II,
14 and ch. 48 purchased by the department or by a county department under s. 46.215,
15 46.22, or 46.23 shall be authorized and contracted for under the standards
16 established under this section. The department may require the county departments
17 to submit the contracts to the department for review and approval. For purchases
18 of \$10,000 or less the requirement for a written contract may be waived by the
19 department. No contract is required for care provided by foster homes that are
20 required to be licensed under s. 48.62. When the department directly contracts for
21 services, it shall follow the procedures in this section in addition to meeting
22 purchasing requirements established in s. 16.75.

History: 1995 a. 27; 1997 a. 79; 2007 a. 20; 2009 a. 28, 33.

23 **SECTION 32.** 49.34 (2) of the statutes is amended to read:



1 49.34 (2) All services purchased under ss. 49.811 to 49.823, this subchapter and
 2 subch. II, and ch. 48 shall meet standards established by the department and other
 3 requirements specified by the purchaser in the contract. Based on these standards
 4 the department shall establish standards for cost accounting and management
 5 information systems that shall monitor the utilization of the services, and document
 6 the specific services in meeting the service plan for the client and the objective of the
 7 service.

8 **History:** 1995 a. 27; 1997 a. 79; 2007 a. 20; 2009 a. 28, 335.

SECTION 33. 49.34 (4) (e) of the statutes is amended to read:

9 49.34 (4) (e) Charge a uniform schedule of fees as specified under s. ~~49.32~~ 49.06
 10 (1) unless waived by the purchaser with the approval of the department. Whenever
 11 providers recover funds attributed to the client, such funds shall offset the amount
 12 paid under the contract.

13 **History:** 1995 a. 27; 1997 a. 79; 2007 a. 20; 2009 a. 28, 335.

SECTION 34. 49.345 (2) of the statutes is amended to read:

14 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including but
 15 not limited to a person placed under s. 48.345 (3) or 48.357 (1) or (2m), receiving care,
 16 maintenance, services, and supplies provided by any institution in this state, in
 17 which the state is chargeable with all or part of the person's care, maintenance,
 18 services, and supplies, and the person's property and estate, including the
 19 homestead, and the spouse of the person, and the spouse's property and estate,
 20 including the homestead, and, in the case of a minor child, the parents of the person,
 21 and their property and estates, including their homestead, and, in the case of a
 22 foreign child described in s. 48.839 (1) who became dependent on public funds for his
 23 or her primary support before an order granting his or her adoption, the resident of
 24 this state appointed guardian of the child by a foreign court who brought the child



1 into this state for the purpose of adoption, and his or her property and estate,
 2 including his or her homestead, shall be liable for the cost of the care, maintenance,
 3 services, and supplies in accordance with the fee schedule established by the
 4 department under s. ~~49.32~~ 49.06 (1). If a spouse, widow, or minor, or an incapacitated
 5 person may be lawfully dependent upon the property for his or her support, the court
 6 shall release all or such part of the property and estate from the charges that may
 7 be necessary to provide for the person. The department shall make every reasonable
 8 effort to notify the liable persons as soon as possible after the beginning of the
 9 maintenance, but the notice or the receipt thereof is not a condition of liability.

History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; s. 13.92 (2) (i).

END INS. 64-1

INS. 64-2

10

SECTION 35. ~~49.345 (14) (a)~~ of the statutes is amended to read:

11 49.345 (14) (a) Except as provided in pars. (b) and (c), liability of a person
 12 specified in sub. (2) or s. ~~49.32~~ 49.06 (1) for care and maintenance of persons under
 13 18 years of age in residential, nonmedical facilities such as group homes, foster
 14 homes, subsidized guardianship homes, and residential care centers for children and
 15 youth is determined in accordance with the cost-based fee established under s. ~~49.32~~
 16 49.06 (1). The department shall bill the liable person up to any amount of liability
 17 not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd-party benefits,
 18 subject to rules that include formulas governing ability to pay established by the
 19 department under s. ~~49.32~~ 49.06 (1). Any liability of the person not payable by any
 20 other person terminates when the person reaches age 18, unless the liable person has
 21 prevented payment by any act or omission.



1 NOTE: NOTE: NOTE: Par. (a) is shown as affected by 2009 Wis. Acts 28 and 218 and as merged by the legislative reference bureau under s. 13.92 (2) (i). NOTE:

History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; s. 13.92 (2) (i).

END INS. 64-2

INS 64-9

2 ✓ (g) For purposes of determining child support under par. (b), the department
3 shall promulgate rules related to the application of the standard established by the
4 department under s. ~~49.22~~ 49.811 ✓ (9) to a child support obligation for the care and
5 maintenance of a child who is placed by a court order under s. 48.355 or 48.357 in a
6 residential, nonmedical facility. The rules shall take into account the needs of any
7 person, including dependent children other than the child, whom either parent is
8 legally obligated to support.

History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; s. 13.92 (2) (i).

END INS 64-9

INS. 64-18

9 (9) SECTION 36. ~~49.36~~ ✓ (2) to (7) ^{check A} of the statutes are renumbered 49.163 (2) to (7),
10 and 49.163 (2) ✓, as renumbered, is amended to read:

11 49.163 (2) The department may contract with any county, tribal governing
12 body, or Wisconsin Works agency to administer a work experience and job training
13 program for parents who are not custodial parents and who fail to pay child support
14 or to meet their children's needs for support as a result of unemployment or
15 underemployment. The program may provide the kinds of work experience and job
16 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
17 (3), ~~(3m)~~ ✓, or (4). The program may also include job search and job orientation



1 activities. The department shall fund the program from the appropriations under
2 s. 20.437 (2) (dz) and (k).

History: 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2135 to 2142; 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2005 a. 443 s. 265; 2007 a. 20.

END INS. 64-18

INS. 67-9

3 ✓ (11) PENALTY. Any person who receives or assists another in receiving
4 assistance under this section, to which the recipient is not entitled, shall be subject
5 to the penalties under s. ~~49.95~~ 49.041

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342; 2011 a. 10.

END INS. 67-9

INS. 67-21 A

6 SECTION 37. 49.45 (38) of the statutes is amended to read:

7 ✓ 49.45 (38) HOME OR COMMUNITY-BASED SERVICES FOR DISABLED WORKERS. The
8 department shall request a waiver from the secretary of the federal department of
9 health and human services to authorize federal financial participation for medical
10 assistance coverage of persons described in ss. 49.46 (1) (1g) (a) 14. and 49.47 (4) (as).

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342; 2011 a. 10.

(END INS. 67-21 A)

INS 68-2



AUTOREF A

1
2

SECTION 38. 49.46 (1g) (n) of the statutes, as affected by 2011 Wisconsin Act 32,
Section 1453f and (this act), is repealed. Effective date 1-1-2015

END INS. 68-2

INS.68-4

3 SECTION 39. 49.46 (2) (a) 6., (be) and (bm) of the statutes are amended to read:
4 49.46 (2) (a) 6. Premiums, deductibles and coinsurance and other cost-sharing
5 obligations for items and services otherwise paid under this subsection that are
6 required for enrollment in a group health plan, as specified in sub. (1) (1g) (m), except
7 that, if enrollment in the group health plan requires enrollment of family members
8 who are not eligible under this subsection, the department shall pay, if it is
9 cost-effective, for an ineligible family member only the premium that is required for
10 enrollment in the group health plan.

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 253; 2007 a. 20, 91; 2009 a. 28, 221; 2011 a. 10.

11 (be) Benefits for an individual eligible under sub. (1) (1g) (a) 9. are limited to
12 those services under par. (a) or (b) that are related to pregnancy, including
13 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
14 related to other conditions which may complicate pregnancy.

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 253; 2007 a. 20, 91; 2009 a. 28, 221; 2011 a. 10.

15 (bm) Benefits for an individual who is eligible for medical assistance only under
16 sub. (1) (1g) (a) 15. are limited to those services related to tuberculosis that are
17 described in 42 USC 1396a (z) (2).

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 253; 2007 a. 20, 91; 2009 a. 28, 221; 2011 a. 10.

18 SECTION 40. 49.46 (2) (c) 2., 3., 4., 5. and 5m. of the statutes, as affected by 2011
19 Wisconsin Act 32, are amended to read:

