
















State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 10/01/2013 (Per: EHS)

Appendix H

- Appendix A1  The drafting file for LRB 13-0480 (used to create 13-3303)
- Appendix A2  The drafting file for LRB 11-0558 (used to create 13-0480)
- Appendix B1  The drafting file for LRB 13-0481 (used to create 13-3303)
- Appendix B2  The drafting file for LRB 11-0559 (used to create 13-0481)
- Appendix C1  The drafting file for LRB 13-0482 (used to create 13-3303)
- Appendix C2  The drafting file for LRB 11-0560 (used to create 13-0482)
- Appendix D1  The drafting file for LRB 13-0483 (used to create 13-3303)
- Appendix D2  The drafting file for LRB 11-0563 (used to create 13-0483)
- Appendix E  The drafting file for LRB 13-0484 (used to create 13-3303)
- Appendix F  The drafting file for LRB 13-0486 (used to create 13-3303)
- Appendix G  The drafting file for LRB 13-0487 (used to create 13-3303)
- Appendix H  The drafting file for LRB 13-0488 (used to create 13-3303)
- Appendix I  The drafting file for LRB 13-0489 (used to create 13-3303)

has been transferred to the drafting file for

2013 LRB-3303

2013 DRAFTING REQUEST

Bill

Received: 11/2/2012 Received By: eshea
Wanted: As time permits Same as LRB:
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: eshea
Subject: Children - child welfare Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Repeal of voluntary foster education program provisions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/8/2012	jdyer 11/9/2012	jmurphy 11/9/2012	_____			
/P1	gmalaise 8/9/2013			_____	srose 11/9/2012		
/1		jdyer 8/12/2013	phenry 8/12/2013	_____	sbasford 8/12/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 11/2/2012 Received By: eshea
Wanted: As time permits Companion to LRB:
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: eshea
Subject: Children - child welfare Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Repeal of voluntary foster education program provisions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/8/2012	jdye 11/9/2012	11/9/2012	_____			
/P1		<i>T 8</i> <i>12 jld</i>	<i>8/12</i> <i>ph</i>	<i>X</i> _____	srose 11/9/2012		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

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1/?	eshea	PI 11/8 jld	jm 11/9/12	PH 11/9/12			

FE Sent For:

<END>

Shea, Elisabeth

From: Malaise, Gordon
Sent: Thursday, November 01, 2012 3:53 PM
To: Kahler, Pam; Shea, Elisabeth
Subject: FW: DCF Law Revision Proposals

From: Sappenfield, Anne
Sent: Thursday, November 01, 2012 3:35 PM
To: Malaise, Gordon
Subject: RE: DCF Law Revision Proposals

They should be drafted separately.

Thank you,
Anne

From: Malaise, Gordon
Sent: Thursday, November 01, 2012 3:22 PM
To: Sappenfield, Anne
Subject: RE: DCF Law Revision Proposals

Anne:

So how do they want this drafted—all rolled into one as in 2011 SB 460 or each item in the Secretary's memo drafted separately?

Gordon

From: Sappenfield, Anne
Sent: Thursday, November 01, 2012 2:25 PM
To: Malaise, Gordon
Subject: FW: DCF Law Revision Proposals

Hi Gordon,

I am attaching DCF's requests to the Law Revision Committee for remedial legislation for next session.

Let me know if you have any questions.

Thanks!
Anne

From: DCF Secretary Eloise Anderson [<mailto:DCFSecretaryEloiseAnderson@wisconsin.gov>]
Sent: Wednesday, October 31, 2012 10:30 AM
To: Sappenfield, Anne
Cc: Archer, Cynthia - DCF; Lippert, MaryAnn - DCF
Subject: DCF Law Revision Proposals

11/5/2012

Attached please find the Department of Children and Families remedial legislation proposals for consideration. A hard copy will follow in the mail.

11/5/2012

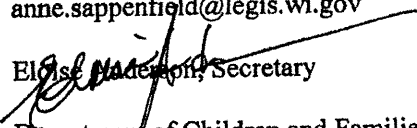
Governor Scott Walker
Secretary Eloise Anderson

Secretary's Office


wisconsin department of
children & families
201 East Washington Avenue, Room G200
P.O. Box 8916
Madison, WI 53708-8916

DATE: November 1, 2012

TO: Ann Sappenfield, Senior Staff Attorney
Joint Legislative Council
anne.sappenfield@legis.wi.gov

From:  Secretary

RE: Department of Children and Families Law Revision Proposals.

The Department of Children and Families (DCF) has identified the following remedial legislation proposals for consideration by the Law Revision Committee:

Child Welfare

3. Foster Parent Training

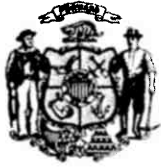
Specific Statutory Change:
Delete s. 48.675

Administrative or Substantive Problem with Current Law and Need for the Change:
Section 48.675 directs the Department to develop a voluntary foster parent education program; to promulgate rules for approval of the program and to provide funds from s. 20.437 (1) (a) for support services for foster parents. However, 2009 Wisconsin Acts 28 and 336 created provisions for mandatory foster parent training. When the mandatory training provisions were created, references to the voluntary program under s. 48.675 should have been repealed.

The department has implemented the mandatory training as directed and recommends deleting 48.675. Not doing so would leave a direct conflict in the statues regarding whether foster parent training is mandatory or voluntary.

Fiscal Effect: None

Earlier LRB Draft: LRB-0569/P1 and LRB-0568/2 [2011 Senate Bill 460]



State of Wisconsin
2011 - 2012 LEGISLATURE

update

In 11/7/12



0488/p1

LRB-0569/

GMN: [unclear]

GMM: EHS

RMNR

2011 BILL

JLD

X

regenerate

1 AN ACT *to repeal* 48.675; and *to amend* 48.981 (3) (c) 1. a. of the statutes;

2 relating to: requiring an agency that receives a report of child abuse or neglect

3 to initiate a diligent investigation if the agency cannot identify an individual

4 who is suspected of abuse or neglect of the child and eliminating a voluntary

5 foster care education program developed by the Department of Children and

6 Families (suggested as remedial legislation by the Department of Children and

7 Families).

Analysis by the Legislative Reference Bureau

Under current law, if a county department of human services or social services (county department), the Department of Children and Families in a county having a population of 500,000 or more (DCF), or a licensed child welfare agency under contract with a county department or DCF to perform child abuse and neglect investigations (collectively "agency"), after evaluating a report of suspected or threatened child abuse or neglect, cannot determine who abused or neglected the child, the agency must initiate a diligent investigation to determine if the child is in need of protection or services. This bill instead requires an agency to initiate such an investigation if the agency cannot identify an individual who is suspected of abuse or neglect or of threatened abuse or neglect of the child.

Current law requires (DCF) to promulgate rules establishing minimum requirements for the issuance of foster home licenses, including rules requiring all

the Department of Children and Families (DCF)

BILL

foster parents to successfully complete training in the care and support needs of children who have been placed in foster care. That training must be completed before the first child is placed with the foster parent and on an ongoing basis. Current law also requires DCF to develop a voluntary foster care education program to provide specialized training for foster parents who provide care for children with special treatment needs. This bill eliminates that voluntary foster care education program.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Children and Families and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 48.675 of the statutes, is repealed.

NOTE: Repeals a statute that requires the Department of Children and Families to develop a voluntary foster parent education program for foster parents who provide care for children with special treatment needs.

2 **SECTION 2.** 48.981 (3) (c) 1. a. of the statutes is amended to read:

3 48.981 (3) (c) 1. a. Immediately after receiving a report under par. (a), the
4 agency shall evaluate the report to determine whether there is reason to suspect that
5 a caregiver has abused or neglected the child, has threatened the child with abuse
6 or neglect, or has facilitated or failed to take action to prevent the suspected or
7 threatened abuse or neglect of the child. Except as provided in sub. (3m), if the
8 agency determines that a caregiver is suspected of abuse or neglect or of threatened
9 abuse or neglect of the child, determines that a caregiver is suspected of facilitating
10 or failing to take action to prevent the suspected or threatened abuse or neglect of
11 the child, or cannot ~~determine who abused or neglected the child~~ identify an
12 individual who is suspected of abuse or neglect or of threatened abuse or neglect of
13 the child, within 24 hours after receiving the report the agency shall, in accordance

BILL

1 with the authority granted to the department under s. 48.48 (17) (a) 1. or the county
2 department under s. 48.57 (1) (a), initiate a diligent investigation to determine if the
3 child is in need of protection or services. If the agency determines that a person who
4 is not a caregiver is suspected of abuse or of threatened abuse, the agency may, in
5 accordance with that authority, initiate a diligent investigation to determine if the
6 child is in need or protection or services. Within 24 hours after receiving a report
7 under par. (a) of suspected unborn child abuse, the agency, in accordance with that
8 authority, shall initiate a diligent investigation to determine if the unborn child is
9 in need of protection or services. An investigation under this subd. 1. a. shall be
10 conducted in accordance with standards established by the department for
11 conducting child abuse and neglect investigations or unborn child abuse
12 investigations.

NOTE: Under current law, if an agency that investigates a report of alleged child abuse or neglect cannot determine who abused or neglected the child, the agency must initiate a diligent investigation to determine if the child is in need of protection or services within 24 hours after receiving the report. This SECTION instead requires an investigation to be initiated within 24 hours after receiving such a report if the agency cannot identify an individual who is suspected of abuse or neglect or of threatened abuse or neglect of the child.

13

(END)

Malaise, Gordon

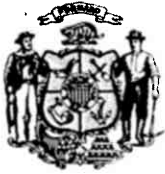
From: Sappenfield, Anne
Sent: Friday, August 09, 2013 9:00 AM
To: Malaise, Gordon
Subject: Law revision drafts

Hi Gordon,

The law revision committee is planning to meet on September 5. My recollection is that we take final drafts before the committee, so could you convert LRB—0488/P1, 0488/P1, 0488/P1 to /1 drafts?

Thank you,
Anne

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0488/F1
GMM&EHS:jld:jm

1

KN 8/9
soon
convert to A

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

X

Regen

1 AN ACT *to repeal* 48.675 of the statutes; **relating to:** eliminating a voluntary
2 foster care education program developed by the Department of Children and
3 Families (suggested as remedial legislation by the Department of Children and
4 Families).

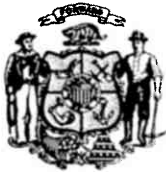
Analysis by the Legislative Reference Bureau

Current law requires the Department of Children and Families (DCF) to promulgate rules establishing minimum requirements for the issuance of foster home licenses, including rules requiring all foster parents to successfully complete training in the care and support needs of children who have been placed in foster care. That training must be completed before the first child is placed with the foster parent and on an ongoing basis. Current law also requires DCF to develop a voluntary foster care education program to provide specialized training for foster parents who provide care for children with special treatment needs. This bill eliminates that voluntary foster care education program.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Children and Families and introduced by the



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0488/1
GMM&EHS:jld:ph

2013 BILL

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