

2015 DRAFTING REQUEST

Bill

Received: **9/25/2014** Received By: **eshea**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget 266-2288** By/Representing: **Major**
May Contact: Drafter: **eshea**
Subject: **Children - abuse and neglect** Addl. Drafters:
Children - child welfare Extra Copies:
Children - out-of-home placement

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Major, BB0039 -

Topic:

Allocation of children and family aids to counties

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 10/10/2014			_____			
/P1	eshea 12/16/2014	wjackson 10/24/2014	rschluet 10/24/2014	_____	mbarman 10/24/2014		
/P2	eshea	wjackson	rschluet	_____	srose		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	12/18/2014	12/17/2014	12/17/2014	_____	12/17/2014		
/P3	eshea 1/15/2015	csicilia 1/19/2015	jfrantze 1/19/2015	_____ _____	lparisi 12/22/2014		
/P4				_____ _____	lparisi 1/19/2015		

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	12/18/2014	12/17/2014	12/17/2014	_____	12/17/2014		
/P3		wjackson 12/22/2014	jmurphy 12/22/2014	_____	lparisi 12/22/2014		

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P4 jgs 1/19
15
JL
<END> 1/19

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/P2		wjackson	rschluet	_____	srose		

1p3wly 12/22

Jim 12/22

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	eshea 10/10/2014			_____			
/P1		wjackson 10/24/2014	rschluet 10/24/2014	_____	mbarman 10/24/2014		

FE Sent For:

1p2 Wj 12/17

[Handwritten signature]
12/17/14

<END>

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/? eshea

/pl wlj 10/21

[Handwritten signature]
10/21/14 JF

FE Sent For:

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Shea, Elisabeth

From: Hanaman, Cathlene
Sent: Thursday, September 25, 2014 11:01 AM
To: Malaise, Gordon; Shea, Elisabeth
Subject: FW: Statutory Language Drafting Request - BB0039

From: katrina.major@wisconsin.gov [mailto:katrina.major@wisconsin.gov]
Sent: Thursday, September 25, 2014 11:01 AM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Major, Katrina L - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0039

Biennial Budget: 2015-17

DOA Tracking Code: BB0039

Topic: Children and Family Aids, Allocation to Counties

SBO Team: GGCF

SBO Analyst: Major, Katrina L - DOA
Phone: 608-266-2288
E-mail: katrina.major@wisconsin.gov

Agency Acronym: DCF

Agency Number: 437

Priority: Medium

Intent:

Reflects DCF request

Attachments: False

Please send completed drafts to SBOStatlanguage@webapps.wi.gov

Malaise, Gordon

From: Swissdorf, Kim M - DCF <KimM.Swissdorf@wisconsin.gov>
Sent: Thursday, September 11, 2014 11:47 AM
To: Malaise, Gordon; Shea, Elisabeth
Subject: children and family aids
Attachments: Children and Family Aids stat changes 2015-17.doc

Here's another draft request. Thanks for all of your help.

Kim Swissdorf
Budget and Policy Manager
Department of Children and Families

201 East Washington Avenue
Madison, WI 53703

T: (608) 261-0616
E: KimM.Swissdorf@wisconsin.gov

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Department of Children and Families
2015-17 Biennial Budget
Statutory Language Request

Topic: Children and Family Aids, allocation to counties

Current Language:

S.48.563 (2) provides, “**(2) BASIC COUNTY ALLOCATION.** For children and family services under s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500 in each fiscal year.

S.48.563 (4) provides, “**(4) POST-REUNIFICATION SERVICES.** If a demonstration project authorized under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children in a county having a population of 750,000 or more, from the appropriations under s. 20.437 (1) (cx) and (o) the department may distribute the amount by which that cost is reduced by that demonstration project in each fiscal year to county departments for services for children and families to prevent the reentry of children into out-of-home care.”

S. 48.563 (14m), provides, “**(14m) COUNTY CHILDREN AND FAMILY AIDS BUDGETS.** Before December 1 of each year, each county department and each tribal governing body shall submit to the department a proposed budget for the expenditure of funds allocated under this section, distributed under s. 48.565 (2) (a), or carried forward under s. 48.565 (3). The proposed budget shall be submitted on a form developed by the department and approved by the department of administration.”

S.48.565 (intro) and (2) provide:

48.565 Carry-over of children and family aids funds. Funds allocated by the department under s. 48.569 (1) (d) but not spent or encumbered by counties, governing bodies of Indian tribes, or private nonprofit organizations by December 31 of each year and funds recovered under s. 48.569 (2) (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year under s. 20.437 (1) (b) or as follows:

(2) (a) Subject to par. (am), if on December 31 of any year there remains unspent or unencumbered in the allocation under s. 48.563 (2) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 48.563 (2) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services, except that in the calendar year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after that calendar year the county may use 100% of the moneys distributed under this paragraph to reimburse the department for the costs of achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county's allocation under s. 48.563 (2). All moneys received by the department under this paragraph shall be credited to the appropriation account under s. 20.437 (1) (j). (am). If on December 31 of any year a county is not using the centralized unit contracted for under s. 48.47 (7) (h) for determining whether the cost of providing care for

a child is eligible for reimbursement under 42 USC 670 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

(b) A county may not use any moneys distributed under par. (a) to supplant any other moneys expended by the county for services and projects to assist children and families in a base year determined by the department.

(c) The department shall credit to the appropriation account under s. 20.437 (3) (kp) any moneys carried forward under par. (a), but not distributed to counties, and may expend those moneys as provided in s. 48.567.

S.48.569 (1) (d) provides in pertinent part:

48.569 Distribution of children and family aids funds

to counties. (1) ... (d) From the appropriations under s. 20.437 (1) (b), (cx), (km), and (o), the department shall distribute the funding for children and family services, including funding for foster care or subsidized guardianship care of a child on whose behalf aid is received under s. 48.645 to county departments as provided under s. 48.563. County matching funds are required for the distribution under s. 48.563 (2). Each county's required match for the distribution under s. 48.563 (2) shall be specified in a schedule established annually by the department. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the county that meet the requirements specified in sub. (1m). Private donations may not exceed 25 percent of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

S.48.569 (2) (a) provides:

(2) (a) The county treasurer and each director of a county department shall monthly certify under oath to the department, in the manner the department prescribes, the claim of the county for state reimbursement under this section, and if the department approves the claim it shall certify to the department of administration for reimbursement to the county for amounts due under this section and payment claimed to be made to the counties monthly. The department may make advance payments prior to the beginning of each month equal to one-twelfth of the contracted amount. (b) To facilitate prompt reimbursement, the certificate of the department may be based on the certified statements of the county officers filed under par. (a). Funds recovered from audit adjustments from a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of any audit adjustment. By September 30 of each year the department shall submit a report to the appropriate standing committees under s. 13.172 (3) on funds recovered and paid out during the previous calendar year as a result of audit adjustments.

Proposed Changes:

- ✓ 1. Amend s.48.563 (2) to read: “(2) ~~BASIC COUNTY ALLOCATION.~~ For children and family services under s. 48.569 (1) (d), the department shall distribute not more than ~~\$66,475,500~~ \$70,566,700 in each fiscal year 2015-16 and \$74,448,100 in fiscal year 2016-17 and each subsequent fiscal year.”
2. Amend the federal-funds appropriation reference in s. 48.563 (4) to specify s.20.437 (1) (mb) rather than (1) (o): “(4) ~~POST-REUNIFICATION SERVICES.~~ If a demonstration project authorized under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children in a county having a population of 750,000 or more, from the appropriations under s. 20.437 (1) (cx) and (mb) ~~(o)~~ the department may distribute the amount by which that cost is reduced by that demonstration project in each fiscal year

to county departments for services for children and families to prevent the reentry of children into out-of-home care."

- 3. Repeal s. 48.563 (14m). *(am) xref - what to replace with? (*)*
- 4. Repeal s.48.565 (2) (a) and (c), and amend s.48.565 (2) (b) as follows:

*Com form
CRP
20.437 (1) (3)
AM (3) (CRP)
AM (3) (MM)
AM 48.983 (5)
(48.562 (2))
RP?
AM 48.983 (6) (d) 2
~~AM 48.563 (14m)~~*

(b) A county may not use any moneys distributed under ~~par. (a)~~ s.48.563 (2) to supplant any other moneys expended by the county for services and projects to assist children and families in a base year determined by the department.

Note: Since, as modified, this provision would no longer pertain to carryover of specific unspent funds allocated to counties, the drafter could also consider deleting "par. (a)" and renumbering this provision to s.48.563 or s.48.569; the latter contains a somewhat similar provision that matching funds are required for the distribution under s.48.563 (2).

- 5. Amend s.48.569 (1) (d) to delete the sentence, "Private donations may not exceed 25 percent of the total county match."

- 6. Repeal s.48.569 (2) (a). and (b) ?

*(b) references (a), doesn't make sense w/out (a)
or AM (b) to delete refs to certification under (a)?*

*X-refs 20.437 (1) (3)
if (b)
also repealed 48.565 (intro.)
48.645 (2) (a) 1.
49.19 (1) (a)*

Justification:

1. The Children and Family Aids statutes and "Basic County Allocation" were modeled on the DHS Community Aids statutes. Beginning in 2009, DCF began to distribute its "Children and Families Allocation" (CFA) separately from the DHS Community Aids. Unlike DHS, which has "Basic" and other allocations, DCF currently views its CFA as referring to funds distributed under these statutes and rules (e.g., a match requirement) pertaining to them. Other funds contracted to counties are considered separate from the CFA. Therefore, the word "Basic" could be deleted.

Although intended to be included in the CFA fiscal-year amount, \$427,700 to recognize foster-care rate increases in 2013 Wisconsin Act 20, and \$688,500 appropriated in 2013 Wisconsin Act 334 for an extension of out-of-home care to age 21 for youth with individual education programs, were not included in the current-law number of \$66,475,500. If they were, current law would specify \$67,591,700. This number primarily serves as indication of the "all-funds" amounts DCF distributes to counties, while specific amounts are budgeted in four separate appropriations of GPR and federal funds. In addition, the amounts specified in this drafting request reflect four proposals:

First, the federal Adam Walsh Child Protective Safety Act requires state agencies and their subordinate local agencies, as part of their licensing processes for prospective foster parents and adoptive parents, to require the prospective foster and adoptive parents to be finger-printed as part of a criminal record check. DCF currently allocates \$135,900 all-funds for this purpose as

part of the "state-county contract," but separate from the CFA. DCF believes it would be more accurate and administratively efficient to view these funds as local-assistance and part of the CFA, and has accordingly proposed reallocating base funding to the CFA appropriations. The proposed CFA totals include the \$135,900 all-funds in each year.

Second, DCF is proposing a 2.5% annual increase in foster care rates, at an estimated all-funds cost of \$444,400 in fiscal year 2015-16 and \$468,900 in fiscal-year 2016-17. The proposed CFA totals for each fiscal year include these amounts.

Third, DCF is proposing additional funding for the ongoing cost of 2013 Act 334, extending foster care to age 21 for certain individuals, at an estimated above-base cost of \$1,144,700 in fiscal-year 2015-16 and \$1,251,600 in fiscal-year 2016-17. The proposed CFA totals for each fiscal year include these amounts.

Finally, DCF is proposing to increase CFA allocations for all counties outside Milwaukee county by \$5,000,000 on an ongoing basis beginning with CY 2016. These are budgeted on a payment schedule that requires funding only ¼ of CY 2016 in 2015-16, or \$1,250,000 in that year, and \$5,000,000 in fiscal-year 2016-17. These amounts are also included in the proposed CFA totals for each fiscal year.

If any of these proposals are not approved, or are modified, the proposed CFA statutory amount would need to be modified accordingly.

2. The substitution of a reference to the appropriation at s.20.437 (1) (mb), rather than (1) (o) in s.48.563 (4) reflects a recommendation to keep the funding for the post-reunification contracts separate from the CFA funding. DCF has estimated the federal share of this funding in the appropriation at s.20.437 (1) (mb). Although a cross-reference to s.48.563 (4) could be considered, DCF believes the current-law definition of this appropriation is consistent with these expenditures.

3. S. 48.563 (14m) may be repealed as obsolete and unnecessary in view of other statutory provisions. It requires counties to submit a proposed budget for the expenditure of CFA funds or funds carried over, by December 1 of each year, on a form approved by DOA. This has not been enforced since before the creation of DCF (for Community Aids, reportedly in the 1980s), and carryover requests are less common. It could be argued that there is some value in having counties submit their budgets, but not a budget for specific to the CFA allocation. However, this appears to be separately provided for at s.49.325:

49.325 County department budgets and contracts.

(1) BUDGET. (a) Each county department under s. 46.215, 46.22, or 46.23 shall submit its final budget for services directly provided or purchased under this subchapter or ch. 48 to the department by December 31 annually.

As a result, s.48.563 (14m) is unnecessary given other authority for DCF to request budgets or any information necessary to approve a carryover request or contract amendment.

✓ 4. For similar reasons, most of s.48.565 (2) should be repealed as obsolete and unnecessary. The exception might be s.48.565 (2) (b), which allows DCF to establish a year by which to measure a non-supplant requirement, at least for carryover funds. DCF has not done this, since the concept is more relevant in a year when a larger increase is provided, in order to maximize the amount that funds increased services rather than local budget reallocations or tax relief. DCF is proposing a significant increase for 2016 and may want to consider this, along with other concepts (such as whether to target some of the increase to prevention) in consultation with counties. However, it would be more logical to associate this option with the CFA allocation under s.48.563 (2) than with the carryover statute.

5. The restriction at s.49.569 (1) (d) limiting the portion of county match that may be derived from private donations to 25% of the match, can be deleted. DCF's current match policy is 9.89% of a county's allocation. Since counties have not received a significant general increase since before the creation of the Department, and must first expend their own funds before being reimbursed by the Department, most counties do not have difficulty meeting the current match requirement. However, while DCF is not aware of counties funding their match with private donations, there does not appear to be a strong policy rationale for restricting the local match contribution in the event a non-profit organization or wealthy donor wished to contribute to better local child welfare services. This will provide additional flexibility to counties and further public-private partnerships.

6. Similarly, s.48.569 (2) (a) may be repealed as obsolete and unnecessary. It requires county treasurers and directors of county departments to monthly certify under oath to the department the expenditures they submit for reimbursement from the CFA, and provides that DCF may make advance payments prior to the beginning of each month equal to 1/12th of the contracted amount. DCF stopped making advance payments for the CFA with the 2013 allocations, and even when advances are made, they are typically done at the beginning of the contract rather than monthly.

Desired Effective Date/Initial applicability: The general effective date of the budget act is appropriate for most provisions. A revision to s.48.565 (2) (b) could be made effective for allocations for CY 2016 and thereafter.

Agency Contact: Mark Mansfield
266-9475

Shea, Elisabeth

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Thursday, September 25, 2014 11:53 AM
To: Mansfield, Mark - DCF; Shea, Elisabeth
Cc: Swissdorf, Kim M - DCF
Subject: RE: Children and family aids, "base" allocation versus "basic" allocation to counties

Yes, I agree, for now, let's proceed with trying to get it to reflect what DCF intended in their request (but under the DOA draft number instead of keeping both draft versions floating). Thanks all!

From: Mansfield, Mark - DCF
Sent: Thursday, September 25, 2014 11:51 AM
To: Shea, Elisabeth - LEGIS
Cc: Swissdorf, Kim M - DCF; Major, Katrina L - DOA
Subject: RE: Children and family aids, "base" allocation versus "basic" allocation to counties

If OK with Katie, I would think we would only need the DOA version at this point, particularly for this draft: I think our best guess is it would be something that would either go in the budget or not. I mentioned this to Kim and she agrees. Katie feel free to weigh in or call to discuss, but I would imagine they'd like a version that reflects what DCF recommends, but they are likely at least a few weeks away from making a decision on whether to include it in the budget.

From: Shea, Elisabeth [<mailto:Elisabeth.Shea@legis.wisconsin.gov>]
Sent: Thursday, September 25, 2014 11:16 AM
To: Mansfield, Mark - DCF
Cc: Swissdorf, Kim M - DCF; Major, Katrina L - DOA
Subject: RE: Children and family aids, "base" allocation versus "basic" allocation to counties

Hi Mark and Kim,

We just got this budget drafting request from DOA, and I have permission to discuss it with you. Should I continue with this draft (for DCF), or just do the DOA version?

Lis

From: Mansfield, Mark - DCF [<mailto:Mark.Mansfield@wisconsin.gov>]
Sent: Thursday, September 25, 2014 10:27 AM
To: Shea, Elisabeth
Cc: Swissdorf, Kim M - DCF; Major, Katrina L - DOA
Subject: FW: Children and family aids, "base" allocation versus "basic" allocation to counties

Hi Lis, sorry for the slightly delayed response. I started thinking about this too late in the day Tuesday and then had a couple other things going on yesterday. What you probably thought was a simple question was again some food for thought. Sorry about the length of this.

As with your other questions, you're highlighting some lack of clarity in current law and discrepancies with current and anticipated practice that I think deserve clarifying. In general, from experience with aid-allocation formulas I'd say in context (s.48.565) the term "base allocation," while not defined, means something slightly different than the references elsewhere to the term "BASIC COUNTY ALLOCATION" under s.48.563 (2), although they're related.

S.48.565 is dealing with this concept of "carryover" of a portion of the funds DCF allocates to a county for a calendar year, but the county ends up not fully expending within that calendar year. They're allowed under s.48.565 to request that we "carry over" up to 3 percent of the total amount allocated to the county, tribal, governing body, or non-profit organization for a calendar year" to the next succeeding calendar year. I believe that what s.48.565 (3) and (6) are trying to say is that those additional funds available to the county for the subsequent year should not alter the amount that county would otherwise receive for that particular calendar year, its "base allocation." In other words, under sub. 3, if a county has a "base allocation" for 2014 (which admittedly may be identical to its basic allocation under s.48.563) of \$100,000, and it could not spend it all within 2014, it could ask DCF to "carry over" 3 percent (\$3,000) to 2015. Other things equal, its total contract allocation for 2015 would then be \$103,000, reflecting a "base allocation" of \$100,000 and the \$3,000 carried over from the previous calendar year. That said, I think the term "base allocation" is a confusing way to convey what could be a number that is not the same from one year to the next in years that there is an increase in the overall funding as we've proposed.

Additional confusing aspects of that statute are 1) it says we may carry forward funds allocated to counties, tribes, or nonprofit organizations, even though only counties are allocated funds under s.48.563 [or s.48.569 (1) (d), which the intro to s.48.565 cites], and looking even more broadly, tribes might be treated similarly but we don't allocate funds to nonprofit organizations under the same statutes; and 2) it assumes that the up to 3% of an annual "all-funds" allocation to a county under s.48.563 (that is currently comprised of 4 fund sources/types—GPR, SSBG, IV-E, and IV-B, subpart I) could be subject to different rules depending on which fund type was carried over, with the IV-B funds required to be used only for the purposes originally allocated (which we don't currently target to anything in particular), while GPR, SSBG, and IV-E could be used for "any purpose under s.20.437 (1) (b)," unconventionally using the GPR appropriation definition to describe what counties could do with the carried over funds. In pertinent part it reads:

(b) *Children and family aids payments.* The amounts in the schedule for services for children and families under s. 48.563, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, and for foster care and subsidized guardianship care under ss. 48.645 and 49.19 (10). Social services disbursements under s. 49.32 (2) (b) may be made from this appropriation.

While GPR appropriations are generally the most flexible, the reference to "services for children and families under s.48.563" is arguably circular, and seems an awkward way of conveying the broad notion of "anything related to child welfare, child-abuse and neglect prevention-related services." I suspect the authority at s.49.32 (2) (b) to pay 3rd party/non-profit agencies on behalf of counties could be why s.48.565 includes a provision that they could request that DCF carry-over funds; however, if read as applying to the CFA at s.48.563 (2), we would currently assume such requests would come from the county, not a subcontractor of the county. One might construe the carryover statute at s.48.565 as covering a broader set of "allocations" than just the CFA basic allocation under s.48.563 (2) but that seems inconsistent with general understanding and practice. Other contract allocations, including some state funds, are generally governed by other program statutes, while programs that are solely federally funded are generally (at least those related to child welfare) are operated within the rules for those federal grants or programs (such as a plan accepted by the relevant federal agency) and expended through "all moneys received" continuing federal appropriations for which the concept of carryover across a calendar year is of limited value. Under the state's accounting manual, "reimbursement federal aid contracts" may be encumbered through the end point of a contract, and contracts may be amended or extended, subject to the applicable federal rules.

So, all that said, with respect to s.48.565 (3), minimally it seems advisable to re-word the last sentence to avoid the ambiguity. I'd suggest, "The amount of funding carried forward from the preceding calendar year at the request of a

county under this subsection shall not affect the determination of that county's share of the funding allocated under s.48.563 (2) for a calendar year." This would eliminate the term "base allocation" while preserving, or hopefully clarifying, the intent and current policy.

It would be desirable to go even further to eliminate much of the middle of s.48.565 (3) though we hadn't requested it specifically in our request. However, I would note that DCF separately requested repeal of a statute (s.48.985) that limits the amount "distributed" to counties from the federal funds cross-referenced in s.48.565 (3) [the "IV-B" funds under 42 USC 620 to 626] to not more than "\$3,554,300 each fiscal year. It could be argued that viewing these two provisions of current law together strengthens the argument for their repeal as obsolete and largely unworkable taken together. And the provision limiting use of carryover to things other than administration or staff costs, doesn't seem to have a strong rationale, since these aren't separately reported and staff costs would be a core service supported by these funds. It may be that the provision was intended to ensure counties treated the carryover as "one-time" funding not part of the "base" funding.

I'd suggest the following as consistent with our basic intent to repeal and clarify the obsolete provisions [concentrating on s.48.565 (2)] while retaining still-used provisions such as the ability for counties to request to carry over 3% of a year's allocation under s.48.565 (3). At any rate you could keep this in mind and if DOA and the Governor approve both that request and the repeal of s.48.985, this would be appropriate for a draft combining the two proposals. It was a last-minute call on our part to make the latter part of a separate drafting request streamlining some appropriations and funding provisions. This could also incorporate the provision at s.48.565 (6). The last sentence could be re-written to avoid the term "county's base allocation" similar to the above suggestion for sub. (3). However, the provision is very awkwardly worded, referring to carrying over "10 percent of any funds specified in sub. (3) that are not carried forward under sub. (3)." It is unclear whether that means, when limited by the 3% maximum, DCF could carry forward more if for emergencies, etc., or if it might be construed as referring only to the funds under 42 USC 620 to 626, or various other interpretations (10% "of" some other percentage that the county didn't spend but wasn't carried over as part of the 3%). Focusing on the word "may," as opposed to s.48.565 (3)'s use of "shall," I think the intent is to suggest it is a discretionary provision allowing DCF to could carry forward up to 10% if some "emergencies" or circumstances unforeseen when the county's original allocation was made. Therefore, I think the best solution would be to incorporate both those ideas into a re-write of s.48.565 (3), or when combined with the repeal of s.48.565 (2)(a)(b), and (c) and renumbering and amending s.48.565 (2) (am) to probably s.48.569, it amounts to repealing and recreating 48.565 (intro) (3) and (6) to read:

48.565 Carry-over of children and family aids funds. Funds allocated by the department under s.48.569 (1) (d) must be spent, or encumbered for obligations incurred by counties by, December 31 of each year unless carried forward to the next calendar year under s.20.437 (1) (b) or as follows:

(3m?) At the request of a county, the department shall carry forward to the next calendar year up to 3 percent of the total amount allocated to the county under s.48.569 (1) (d) for a calendar year.

(6m?) At the request of a county, the department may carry forward to the next calendar year up to 10 percent of the total amount allocated to the county under s.48.569 (1) (d) for a calendar year, if the department agrees that emergencies or circumstances exist that were unforeseen when the original allocation to the county was made.

(7?) The amount of funding carried forward from the preceding calendar year at the request of a county under this section shall not affect the determination of that county's share of the funding allocated under s.48.563 (2) for a calendar year. Funds carried forward under this section must be used for services provided to children and families and may not be used for a county's general administrative costs.

At any rate, this illustrates what I think is are the key aspects of this section that should be retained. Since I don't see that s.48.569 (1) (d) currently provides for allocations to non-profit organizations or tribes, and certainly s.48.563 (2) is specific to counties, I think the references to non-county entities in the intro and s.48.48.565 (3) are obsolete. Similarly, since the appropriations cited at s.48.569 (1) (d) are either non-lapsing (continuing) or covered by the reference to s.20.437 (1) (b), and some of the federal funds are not lapsable to the general fund, I think the intro can be clarified to sound more consistent with current budgetary accounting practices.

Thanks for your attention to this.

From: Shea, Elisabeth [<mailto:Elisabeth.Shea@legis.wisconsin.gov>]
Sent: Tuesday, September 23, 2014 4:42 PM
To: Mansfield, Mark - DCF
Subject: RE: Children and family aids, allocation to counties

Same issue in s. 48.565 (6).

From: Shea, Elisabeth
Sent: Tuesday, September 23, 2014 4:38 PM
To: 'Mansfield, Mark - DCF'
Subject: RE: Children and family aids, allocation to counties

Thanks, Mark. One more question: S. 48.565(3) refers to the "a county's base allocation under s. 48.563 (2)." From what you described in your request, it sounds like calling it a "base allocation" is no longer accurate. Should this be changed to "a county's allocation under s. 48.563 (2)"?

Lis

From: Mansfield, Mark - DCF [<mailto:Mark.Mansfield@wisconsin.gov>]
Sent: Monday, September 22, 2014 1:39 PM
To: Shea, Elisabeth
Cc: Swissdorf, Kim M - DCF; Major, Katrina L - DOA
Subject: RE: Children and family aids, allocation to counties

Lis, both your observations are on point.

For the first one (item 4) we would recommend repealing par. (am) for similar reasons as the repeal of par. (a): That process of distributing excess IV-E with various strings and reductions hasn't been done since DCF was created. Par. (a) has a penalty for any county that isn't using the statewide automated child welfare information system before July 1, 2005, which is obsolete (all counties do) and par. (am) appears to be a similar thought related to use of uniform systems for IV-E eligibility. I think there is more consistency with that now as well (with the state doing the claiming).

For item 5, we would also recommend also repealing par. (b). As you observe, the first two sentences relate back to the par. (a) we proposed to repeal as obsolete and unnecessary. We would acknowledge, though repealing a required report to the legislature could be viewed as more sensitive. To my knowledge, we have not been doing this report, though to the extent that it relates specifically to funds recovered from audit adjustments that are paid out as add-ons to the basic CFA, there haven't been any. And the notion (middle sentence) of funds recovered in audit adjustments being "included in subsequent certifications [by counties of claims for reimbursement through the CFA] only to pay counties [to whom more was owed due to audit adjustments] just all sounds very confusing. So we suggest repealing it as at best likely to be a very rare situation. Copying our DOA analyst Katie, though, in case she'd like to give it thought for refinement in the Governor's bill.

From: Shea, Elisabeth [<mailto:Elisabeth.Shea@legis.wisconsin.gov>]
Sent: Tuesday, September 16, 2014 3:00 PM
To: Mansfield, Mark - DCF

Cc: Swissdorf, Kim M - DCF

Subject: Children and family aids, allocation to counties

Hi Mark and Kim,

Just a couple of questions on the drafting request related to allocating children and family aids to counties.

Item 4 says to repeal s. 48.565 (2) (a). Par. (am) refers to par. (a) and the distributions made under it. Should this reference be replaced with another reference, or should par. (am) also be repealed?

Item 5 says to repeal s. 48.569 (2) (a). I'm not sure that the remaining par. (b) makes any sense when par. (a) is gone. Should par. (b) also be repealed, or amended in some way?

Thank you!

Lis

Elisabeth H. Shea

Legislative Attorney

Wisconsin Legislative Reference Bureau

P.O. Box 2037

Madison, WI 53701-2037

(608) 266 - 5446

elisabeth.shea@legis.wisconsin.gov

15-0276

Shea, Elisabeth

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Thursday, September 25, 2014 11:09 AM
To: Shea, Elisabeth
Subject: RE: Statutory Language Drafting Request - BB0039

I meant no I don't mind for now...but after I sent it, I realized you could read that two dif ways haha

From: Major, Katrina L - DOA
Sent: Thursday, September 25, 2014 11:08 AM
To: Shea, Elisabeth - LEGIS
Subject: RE: Statutory Language Drafting Request - BB0039

No, not for now anyway, but can you just copy me on your correspondence? Thanks!

From: Shea, Elisabeth [<mailto:Elisabeth.Shea@legis.wisconsin.gov>]
Sent: Thursday, September 25, 2014 11:06 AM
To: Major, Katrina L - DOA
Subject: FW: Statutory Language Drafting Request - BB0039

Hi Katie,
Do you mind if I talk to DCF about this one?
Lis

From: Hanaman, Cathlene
Sent: Thursday, September 25, 2014 11:01 AM
To: Malaise, Gordon; Shea, Elisabeth
Subject: FW: Statutory Language Drafting Request - BB0039

From: katrina.major@wisconsin.gov [<mailto:katrina.major@wisconsin.gov>]
Sent: Thursday, September 25, 2014 11:01 AM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Major, Katrina L - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0039

Biennial Budget: 2015-17

DOA Tracking Code: BB0039

Topic: Children and Family Aids, Allocation to Counties

SBO Team: GGCF

SBO Analyst: Major, Katrina L - DOA
Phone: 608-266-2288
E-mail: katrina.major@wisconsin.gov

Agency Acronym: DCF

Agency Number: 437

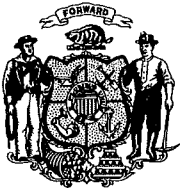
Priority: Medium

Intent:

Reflects DCF request

Attachments: False

Please send completed drafts to SBOSlanguage@webapps.wi.gov



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0276(2) P1
EHS: /..... RMR
WJ

In 10/10/14

DOA:.....Major, BB0039 - Allocation of children and family aids to counties

FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ... relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES *vs may not more than*
CHILDREN *↓ e (MUST)*

Under current law, DCF is required to distribute \$66,475,500 in each fiscal year to counties for children and family services. This bill increases the amount DCF must distribute to counties for these services to \$70,566,700 in fiscal year 2015-16 and \$74,448,100 in fiscal year 2016-17 and each subsequent fiscal year.

Insert Analysis → Under current law, after distributing money to counties for children and family services, any amount left over that is in excess of the amount received by the federal government for foster care and transitional independent living programs and adoption assistance for children with special needs, DCF must carry forward, and DCF must distribute not less than 50% of the excess moneys to counties other than Milwaukee county that are making a good faith effort to implement the statewide automated child welfare information system for services and projects to assist children and families. Current law also generally requires counties to use not less than 50% of these moneys for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. This bill eliminates this requirement that DCF carry forward and distribute excess moneys.

STEP Under current law, a county must match funds received from DCF for children and family services, in an amount specified annually by DCF, using county tax levies, federal and state revenue sharing funds, or private donations to the county that meet

using
certain requirements. Current law prohibits a county from using private donations to make up more than 25 percent of the total county match. This bill removes the restriction on private donations in the total county match. X

Current law requires each county department of social services or human services (county department) to submit its final budget to DCF for services directly provided by or purchased from DCF (DCF service budget) by December 31 each year. Current law also requires DCF, under certain circumstances, to distribute, allocate, and carry forward funds for children and family services to county departments and tribal governing bodies. Current law requires each county department and tribal governing body to submit to DCF a proposed budget for the expenditure of these funds (children and family aids budget) before December 1 of each year. This bill eliminates the requirement to submit a children and family aids budget, but does not eliminate the requirement of submitting a DCF service budget. (STET) X

to submit
Current law requires DCF, at the request of a county, tribal governing body, or private nonprofit organization, to carry forward up to 3 percent of the total amount allocated to the county, tribal governing body, or private nonprofit organization for children and family services for a calendar year. This bill eliminates the authority of DCF to carry forward amounts allocated to a tribal governing body or private nonprofit organization for children and family services for a calendar year. X

family
Current law also allows DCF to carry forward up to 10 percent of allocated children and families services funds, less any amount carried forward as requested, for emergencies, justifiable unit services costs above planned levels, and increased costs due to population shifts. This bill instead requires DCF, at a county's request, to carry forward up to 10 percent of those funds for emergencies or other circumstances that DCF agrees were unforeseen when the original allocation to the county was made. X

forward
family
In addition, this bill requires any children and families services funds carried over from one calendar year to the next to be used for children and families services and not general county administrative costs. The bill also prohibits any amount of funds carried forward from affecting the determination of a county's share of the children and families services funding allocated for a calendar year. X

move
Under current law, DCF must reimburse each county for approved children and family services. Current law requires the county treasurer and each director of a county department to certify, monthly, under oath to DCF, the claim of the county for reimbursement. Current law requires DCF, if it approves the claim, to certify, monthly, to DOA for reimbursement to the county for amounts due and payment claimed to be made to the counties. This bill eliminates the requirement that a county treasurer and each director of a county department certify to DCF, and that DCF certify to DOA, a county's claim for reimbursement. X

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

1 SECTION 1. 20.437 (1) (j) of the statutes is repealed.

→ *** NOTE: bud

1 **SECTION 2.** 20.437 (3) (kp) of the statutes is amended to read:

2 20.437 (3) (kp) *Interagency and intra-agency aids; income augmentation*
3 *services receipts.* All moneys transferred from the appropriation account under s.
4 20.435 (8) (mb) ~~and all moneys credited to this appropriation account under s. 48.565~~
5 ~~(2) (e)~~[✓], to be used as provided in s. 48.567. All moneys received under this paragraph
6 in excess of the moneys necessary to support the costs specified in s. 48.567 shall be
7 deposited into the general fund as a nonappropriated receipt.

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; 2011 a. 32, 258; 2013 a. 20, 170, 334.

8 **SECTION 3.** 20.437 (3) (mm) of the statutes is amended to read:

9 20.437 (3) (mm) *Reimbursements from federal government.* All moneys
10 received from the federal government, other than moneys described under ~~ss. 48.565~~
11 ~~(2) and~~[✓] s. 48.567, that are intended to reimburse the state for expenditures in
12 previous fiscal years from general purpose revenue appropriations whose purpose
13 includes a requirement to match or secure federal funds and that exceeded in those
14 fiscal years the estimates reflected in the intentions of the legislature and governor,
15 as expressed by them in the budget determinations, and the joint committee on
16 finance, as expressed by the committee in any determinations, and the estimates
17 approved for expenditure by the secretary of administration under s. 16.50 (2), for
18 the purpose of paying federal disallowances, federal sanctions or penalties and the
19 costs of any corrective action affecting the department of children and families.
20 Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount
21 determined by the department of administration under s. 16.54 (12) (d) shall lapse
22 to the general fund.

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; 2011 a. 32, 258; 2013 a. 20, 170, 334.

23 **SECTION 4.** 48.563 (2) of the statutes is amended to read:

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COUNTY
^

1 48.563 (2) ~~BASIC COUNTY~~ ALLOCATION. For children and family services under
2 s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500
3 \$70,566,700 in each fiscal year 2015-16 and \$74,448,100 in fiscal year 2016-17 and
4 each subsequent fiscal year.

History: 2007 a. 20 ss. 1097, 1098, 1102, 1103, 1287, 9121 (6) (a); 2009 a. 28, 94; 2011 a. 32; 2013 a. 20.

5 SECTION 5. 48.563 (4) of the statutes is amended to read:

6 48.563 (4) POSTREUNIFICATION SERVICES. If a demonstration project authorized
7 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
8 in a county having a population of 750,000 or more, from the appropriations under
9 s. 20.437 (1) (cx) and (e) (mb) the department may distribute the amount by which
10 that cost is reduced by that demonstration project in each fiscal year to county
11 departments for services for children and families to prevent the reentry of children
12 into out-of-home care.

History: 2007 a. 20 ss. 1097, 1098, 1102, 1103, 1287, 9121 (6) (a); 2009 a. 28, 94; 2011 a. 32; 2013 a. 20.

13 SECTION 6. 48.563 (14m) of the statutes is repealed.

(except 48.565 (title))

14 SECTION 7. 48.565 (intro.) of the statutes is amended to read:

(renumbered 48.565 (1) (intro.) and

FIX
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15 48.565 Carry-over of children and family aids funds. (intro.) Funds

(1) ← B

NCB

16 allocated by the department under s. 48.569 (1) (d) but not spent or encumbered by
17 counties, governing bodies of Indian tribes, or private nonprofit organizations by
18 December 31 of each year and funds recovered under s. 48.569 (2) (b) and deposited
19 into the appropriation account under s. 20.437 (1) (b) lapse to the general fund on the
20 succeeding January 1 unless carried forward to the next calendar year under s.
21 20.437 (1) (b) or as follows:

History: 2007 a. 20 ss. 1106 to 1109, 1288; 2009 a. 94; 2011 a. 32.

22 SECTION 8. 48.565 (2) (a) of the statutes is repealed.

23 SECTION 9. 48.565 (2) (am) of the statutes is repealed.

1 SECTION 10. 48.565 (2) (b) of the statutes is renumbered 48.565 (2) and
2 amended to read:

3 48.565 (2) A county may not use any moneys distributed under ~~par. (a)~~ s. 48.563
4 (2) to supplant any other moneys expended by the county for services and projects
5 to assist children and families in a base year determined by the department.

6 History: 2007 a. 20 ss. 1106 to 1109, 1288; 2009 a. 94; 2011 a. 32.

6 SECTION 11. 48.565 (2) (c) of the statutes is repealed.

7 SECTION 12. 48.565 (3) of the statutes is ^{renumbered 48.565(1)(a) and} amended to read:

8 48.565 (3) ^{(1)(a)} At the request of a county, ~~tribal governing body, or private nonprofit~~
9 ~~organization,~~ ^{plan} the department shall carry forward to the next calendar year up to 3
10 percent of the total amount allocated to the county, ~~tribal governing body, or~~
11 ~~nonprofit organization~~ under s. 48.569 (1) (d) for a calendar year. All funds carried
12 forward for a tribal governing body or nonprofit organization and all federal child
13 welfare funds under 42 USC 620 to 626 carried forward for a county shall be used
14 for the purpose for which the funds were originally allocated. Other funds carried
15 forward under this subsection may be used for any purpose under s. 20.437 (1) (b),
16 except that a county may not use any funds carried forward under this subsection
17 for administrative or staff costs. An allocation of carried-forward funding under this
18 subsection does not affect a county's base allocation under s. 48.563 (2).

19 History: 2007 a. 20 ss. 1106 to 1109, 1288; 2009 a. 94; 2011 a. 32.

19 SECTION 13. 48.565 (6) of the statutes is ^{renumbered 48.565(1)(b) and} amended to read:

20 48.565 (6) ^{(1)(b)} The At the request of a county, the department may shall carry
21 forward to the next calendar year up to 10 percent of any funds specified in sub. (3)
22 that are not carried forward under sub. (3) for emergencies, for justifiable unit
23 services costs above planned levels, and for increased costs due to population shifts.
24 An allocation of carried-forward funding under this subsection the total amount

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- 1 allocated to the county under s. 48.569(d) (1) for a calendar year if the department
- 2 agrees that an emergency or other circumstance that was unforeseen when the
- 3 original allocation to the county was made necessitates the carry-over.
- 4 (B) — (7) The amount of funds carried forward from the preceding calendar year at
- 5 the request of a county under sub. (3) or (6) does not affect a the determination of that
- 6 county's base-allocation share of the funding allocated under s. 48.563 (2) for a
- 7 calendar year.

History: 2007 a. 20 ss. 1106 to 1109, 1288; 2009 a. 94; 2011 a/32.

SECTION 14. 48.565 (8) of the statutes is created to read:

48.565 (8) A county shall use funds carried forward under this section for services provided to children and families and not for the county's general administrative costs.

SECTION 15. 48.569 (1) (d) of the statutes is amended to read:

48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (cx), (km), and (o), the department shall distribute the funding for children and family services, including funding for foster care or subsidized guardianship care of a child on whose behalf aid is received under s. 48.645 to county departments as provided under s. 48.563. County matching funds are required for the distribution under s. 48.563 (2). Each county's required match for the distribution under s. 48.563 (2) shall be specified in a schedule established annually by the department. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the county that meet the requirements specified in sub. (1m). Private donations may not exceed 25 percent of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal

1 funds equals the difference between the required and the actual amount of county
2 matching funds.

3 History: 2007 a. 20; 2009 a. 28; 2011 a. 32; 2013 a. 20.

3 ~~SECTION 16. 48.569 (2) of the statutes is repealed.~~

4 **SECTION 17. 48.983 (5) of the statutes 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, the
10 department shall give favorable consideration to a county, private agency, or Indian
11 tribe that submits a joint application under sub. (3) and to a county that has indicated
12 under sub. (6) (d) 2. that it is willing to use a portion of any moneys distributed to the
13 county under s. 48.565 (2) (a) to provide case management services to a Medical
14 Assistance beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member
15 of a family that is a case and that has explained under sub. (6) (d) 2. how the county
16 plans to use that portion of those moneys to promote the provision of those services
17 for the case by using a wraparound process so as to provide those services in a
18 flexible, comprehensive and individualized manner in order to reduce the necessity
19 for court-ordered services. The department shall also provide application
20 requirements and procedures for the renewal of a grant awarded under this section.
21 The application procedures and the renewal application requirements and
22 procedures shall be clear and understandable to the applicants. The department
23 need not promulgate as rules under ch. 227 the application procedures, the renewal

1 application requirements or procedures, or the method for ranking applicants
2 established under this subsection.

3 **History:** 1997 a. 293; 2005 a. 25, 165; 2007 a. 20 ss. 1133, 1134, 1136 to 1141, 1143 to 1167; Stats. 2007 s. 48.983; 2009 a. 28, 82, 94, 185; 2011 a. 32.

3 **SECTION 18.** 48.983 (6) (d) (title) and 1. of the statutes are consolidated,

4 renumbered 48.983 (6) (d) and amended to read:

5 48.983 (6) (d) (title) *Wraparound process.* 1. The applicant demonstrates in
6 the grant application that the payments that will be made from the fund established
7 under par. (b) 2. will promote the provision of services for the case by using a
8 wraparound process so as to provide those services in a flexible, comprehensive and
9 individualized manner in order to reduce the necessity for court-ordered services.

10 **History:** 1997 a. 293; 2005 a. 25, 165; 2007 a. 20 ss. 1133, 1134, 1136 to 1141, 1143 to 1167; Stats. 2007 s. 48.983; 2009 a. 28, 82, 94, 185; 2011 a. 32.

10 **SECTION 19.** 48.983 (6) (d) 2. of the statutes is repealed.

11 (END)

INSERT ANALYSIS

1 Under current law, if, after distributing money to counties for children and
2 family services, there is an amount allocated for that purpose that is left over and
3 that is in excess of the amount received by the federal government for foster care and
4 transitional independent living programs and adoption assistance for children with
5 special needs, DCF must carry forward and distribute not less than 50 percent of that
6 excess amount. DCF must distribute this excess amount to counties other than
7 Milwaukee County that are making good faith efforts to implement the statewide
8 automated child welfare information system for services and projects to assist
9 children and families. Current law also generally requires counties to use not less
10 than 50 percent of these moneys for services for children who are at risk of abuse or
11 neglect to prevent the need for child abuse and neglect intervention services. This
12 bill eliminates the requirement that DCF carry forward and distribute excess federal
13 money.

Shea, Elisabeth

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Monday, December 15, 2014 10:06 AM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: 0276

Hi Lis, can you please do a version of this draft that only updates the basic county allocation to include the base plus the Adam Walsh fingerprinting money for a total of \$67,727,600 in FY16 and \$67,727,600 in FY17. Thanks! k



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0276/P1
EHS:wj:rs

l
p2
RMR

In 12/16/14
Out 12/18/14

Stays

DOA:.....Major, BB0039 – Allocation of children and family aids to counties

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF may distribute not more than \$66,475,500 in each fiscal year to counties for children and family services. This bill increases the amount DCF must distribute to counties for these services to \$70,566,700 in fiscal year 2015-16 and \$74,448,100 in fiscal year 2016-17 and each subsequent fiscal year.

\$67,727,600

each

Under current law, if, after distributing money to counties for children and family services, there is an amount allocated for that purpose that is left over and that is in excess of the amount received by the federal government for foster care and transitional independent living programs and adoption assistance for children with special needs, DCF must carry forward and distribute not less than 50 percent of that excess amount. DCF must distribute this excess amount to counties other than Milwaukee County that are making good faith efforts to implement the statewide automated child welfare information system for services and projects to assist children and families. Current law also generally requires counties to use not less than 50 percent of these moneys for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. This bill eliminates the requirement that DCF carry forward and distribute excess federal money.

Keep

Under current law, a county must match funds received from DCF for children and family services, in an amount specified annually by DCF, using county tax levies,

federal and state revenue sharing funds, or private donations to the county that meet certain requirements. Current law prohibits a county from using private donations to make up more than 25 percent of the total county match. This bill removes the restriction on using private donations in the total county match.

Current law requires each county department of social services or human services (county department) to submit its final budget to DCF for services directly provided by or purchased from DCF (DCF service budget) by December 31 each year. Current law also requires DCF, under certain circumstances, to distribute, allocate, and carry forward funds for children and family services to county departments and tribal governing bodies. Current law requires each county department and tribal governing body to submit to DCF a proposed budget for the expenditure of these funds (children and family aids budget) before December 1 of each year. This bill eliminates the requirement to submit a children and family aids budget, but does not eliminate the requirement to submit a DCF service budget.

Current law requires DCF, at the request of a county, tribal governing body, or private nonprofit organization, to carry forward up to 3 percent of the total amount allocated to the county, tribal governing body, or private nonprofit organization for children and family services for a calendar year. This bill eliminates the authority of DCF to carry forward amounts allocated to a tribal governing body or private nonprofit organization for children and family services for a calendar year.

Current law allows DCF to carry forward up to 10 percent of allocated children and family services funds, less any amount carried forward as requested, for emergencies, justifiable costs above planned levels, and increased costs due to population shifts. This bill instead requires DCF, at a county's request, to carry forward up to 10 percent of those funds for emergencies or other circumstances that DCF agrees were unforeseen when the original allocation to the county was made. In addition, this bill requires any children and family services funds carried forward from one calendar year to the next to be used for children and family services and not general county administrative costs. The bill also prohibits any amount of funds carried forward from affecting the determination of a county's share of the children and family services funding allocated for a calendar year.

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

1 **SECTION 1.** 20.437 (1) (j) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 2.** 20.437 (3) (kp) of the statutes is amended to read:

3 20.437 (3) (kp) *Interagency and intra-agency aids; income augmentation*
4 *services receipts.* All moneys transferred from the appropriation account under s.

1 20.435 (8) (mb) and all moneys credited to this appropriation account under s. 48.565
2 (2) (e), to be used as provided in s. 48.567. All moneys received under this paragraph
3 in excess of the moneys necessary to support the costs specified in s. 48.567 shall be
4 deposited into the general fund as a nonappropriated receipt.

5 SECTION 3. 20.437 (3) (mm) of the statutes is amended to read:

6 20.437 (3) (mm) *Reimbursements from federal government.* All moneys
7 received from the federal government, other than moneys described under ~~ss. 48.565~~
8 (2) and s. 48.567, that are intended to reimburse the state for expenditures in
9 previous fiscal years from general purpose revenue appropriations whose purpose
10 includes a requirement to match or secure federal funds and that exceeded in those
11 fiscal years the estimates reflected in the intentions of the legislature and governor,
12 as expressed by them in the budget determinations, and the joint committee on
13 finance, as expressed by the committee in any determinations, and the estimates
14 approved for expenditure by the secretary of administration under s. 16.50 (2), for
15 the purpose of paying federal disallowances, federal sanctions or penalties and the
16 costs of any corrective action affecting the department of children and families.
17 Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount
18 determined by the department of administration under s. 16.54 (12) (d) shall lapse
19 to the general fund.

20 SECTION 4. 48.563 (2) of the statutes is amended to read:

21 48.563 (2) ~~BASIC COUNTY~~ COUNTY ALLOCATION. For children and family services
22 under s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500
23 \$70,566,700 in each fiscal year ^{plain} 2015-16 and \$74,448,100 in fiscal year 2016-17 and
24 each subsequent fiscal year.

25 SECTION 5. 48.563 (4) of the statutes is amended to read:

\$67,727,600
20
21

1 48.563 (4) POSTREUNIFICATION SERVICES. If a demonstration project authorized
2 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
3 in a county having a population of 750,000 or more, from the appropriations under
4 s. 20.437 (1) (cx) and (e) (mb) the department may distribute the amount by which
5 that cost is reduced by that demonstration project in each fiscal year to county
6 departments for services for children and families to prevent the reentry of children
7 into out-of-home care.

8 **SECTION 6.** 48.563 (14m) of the statutes is repealed.

9 **SECTION 7.** 48.565 (intro.) (except 48.565 (title)) of the statutes is renumbered
10 48.565 (1) (intro.) and amended to read:

11 48.565 (1) (intro.) Funds allocated by the department under s. 48.569 (1) (d) but
12 not spent or encumbered by counties, ~~governing bodies of Indian tribes, or private~~
13 ~~nonprofit organizations~~ by December 31 of each year and funds recovered under s.
14 48.569 (2) (b) and deposited into the appropriation account under s. 20.437 (1) (b)
15 lapse to the general fund on the succeeding January 1 unless carried forward to the
16 next calendar year under s. 20.437 (1) (b) or as follows:

17 **SECTION 8.** 48.565 (2) (a) of the statutes is repealed.

18 **SECTION 9.** 48.565 (2) (am) of the statutes is repealed.

19 **SECTION 10.** 48.565 (2) (b) of the statutes is renumbered 48.565 (2) and
20 amended to read:

21 48.565 (2) A county may not use any moneys distributed under ~~par. (a)~~ s. 48.563
22 (2) to supplant any other moneys expended by the county for services and projects
23 to assist children and families in a base year determined by the department.

24 **SECTION 11.** 48.565 (2) (c) of the statutes is repealed.

1 **SECTION 12.** 48.565 (3) of the statutes is renumbered 48.565 (1) (a) and
2 amended to read:

3 48.565 (1) (a) ~~At the request of a county, tribal governing body, or private~~
4 ~~nonprofit organization, the department shall carry forward to the next calendar year~~
5 ~~up to 3 percent of the total amount allocated to the county, tribal governing body, or~~
6 ~~nonprofit organization under s. 48.569 (1) (d) for a calendar year. All funds carried~~
7 ~~forward for a tribal governing body or nonprofit organization and all federal child~~
8 ~~welfare funds under 42 USC 620 to 626 carried forward for a county shall be used~~
9 ~~for the purpose for which the funds were originally allocated. Other funds carried~~
10 ~~forward under this subsection may be used for any purpose under s. 20.437 (1) (b),~~
11 ~~except that a county may not use any funds carried forward under this subsection~~
12 ~~for administrative or staff costs. An allocation of carried-forward funding under this~~
13 ~~subsection does not affect a county's base allocation under s. 48.563 (2).~~

14 **SECTION 13.** 48.565 (6) of the statutes is renumbered 48.565 (1) (b) and
15 amended to read:

16 48.565 (1) (b) ~~The~~ At the request of a county, the department may shall carry
17 forward to the next calendar year up to 10 percent of any funds specified in sub. (3)
18 ~~that are not carried forward under sub. (3) for emergencies, for justifiable unit~~
19 ~~services costs above planned levels, and for increased costs due to population shifts.~~
20 ~~An allocation of carried-forward funding under this subsection~~ the total amount
21 allocated to the county under s. 48.569 (1) (d) for a calendar year if the department
22 agrees that an emergency or other circumstance that was unforeseen when the
23 original allocation to the county was made necessitates the carryover.

24 (7) The amount of funds carried forward from the preceding calendar year at
25 the request of a county under sub. (1) (a) or (b) does not affect a the determination

1 of that county's base allocation share of the funding allocated under s. 48.563 (2) for
2 a calendar year.

3 **SECTION 14.** 48.565 (8) of the statutes is created to read:

4 48.565 (8) A county shall use funds carried forward under this section for
5 services provided to children and families and not for the county's general
6 administrative costs.

7 **SECTION 15.** 48.569 (1) (d) of the statutes is amended to read:

8 48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (cx), (km), and
9 (o), the department shall distribute the funding for children and family services,
10 including funding for foster care or subsidized guardianship care of a child on whose
11 behalf aid is received under s. 48.645 to county departments as provided under s.
12 48.563. County matching funds are required for the distribution under s. 48.563 (2).
13 Each county's required match for the distribution under s. 48.563 (2) shall be
14 specified in a schedule established annually by the department. Matching funds
15 may be from county tax levies, federal and state revenue sharing funds, or private
16 donations to the county that meet the requirements specified in sub. (1m). ~~Private~~
17 ~~donations may not exceed 25 percent of the total county match.~~ If the county match
18 is less than the amount required to generate the full amount of state and federal
19 funds distributed for this period, the decrease in the amount of state and federal
20 funds equals the difference between the required and the actual amount of county
21 matching funds.

22 **SECTION 16.** 48.983 (5) of the statutes is amended to read:

23 48.983 (5) SELECTION OF COUNTIES, PRIVATE AGENCIES, AND INDIAN TRIBES. The
24 department shall provide competitive application procedures for selecting counties,
25 private agencies, and Indian tribes for participation in the program under this

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

19 **SECTION 17.** 48.983 (6) (d) (title) and 1. of the statutes are consolidated,
20 renumbered 48.983 (6) (d) and amended to read:

21 48.983 **(6)** (d) *Wraparound process.* ~~1.~~ The applicant demonstrates in the grant
22 application that the payments that will be made from the fund established under par.
23 (b) 2. will promote the provision of services for the case by using a wraparound
24 process so as to provide those services in a flexible, comprehensive and
25 individualized manner in order to reduce the necessity for court-ordered services.

Shea, Elisabeth

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Wednesday, December 17, 2014 4:31 PM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: RE: 0276

Hi Lis, I tried to give you a call but got voicemail, so feel free to call me back if you want to chat about this. I got the new version today, but it looks like it still has the other changes DCF had requested in it, and I need a version that doesn't include those changes please as the budget draft (for example, without the match changes, the budget submittal changes, etc). Thanks, Katie

From: Major, Katrina L - DOA
Sent: Tuesday, December 16, 2014 11:31 AM
To: Shea, Elisabeth - LEGIS
Cc: Kraus, Jennifer - DOA
Subject: RE: 0276

Either way. Whichever works best on your end. I think those pieces are the only two that I'm expecting to be in the budget, but I think the rest may move forward as separate legislation. Thanks

From: Shea, Elisabeth [<mailto:Elisabeth.Shea@legis.wisconsin.gov>]
Sent: Tuesday, December 16, 2014 11:29 AM
To: Major, Katrina L - DOA
Subject: RE: 0276

Hi Katrina – you mean a new draft, not a revised version of this draft, right?

From: Major, Katrina L - DOA [<mailto:Katrina.Major@wisconsin.gov>]
Sent: Monday, December 15, 2014 10:06 AM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: 0276

Hi Lis, can you please do a version of this draft that only updates the basic county allocation to include the base plus the Adam Walsh fingerprinting money for a total of \$67,727,600 in FY16 and \$67,727,600 in FY17. Thanks! k



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0276/P2

EHS:wlj:ys

Stays

P3

RMR

In 12/18/14

DOA:.....Major, BB0039 – Allocation of children and family aids to counties

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF may distribute not more than \$66,475,500 in each fiscal year to counties for children and family services. This bill increases the amount DCF must distribute to counties for these services to \$67,727,600 in each fiscal year.

Under current law, if, after distributing money to counties for children and family services, there is an amount allocated for that purpose that is left over and that is in excess of the amount received by the federal government for foster care and transitional independent living programs and adoption assistance for children with special needs, DCF must carry forward and distribute not less than 50 percent of that excess amount. DCF must distribute this excess amount to counties other than Milwaukee County that are making good faith efforts to implement the statewide automated child welfare information system for services and projects to assist children and families. Current law also generally requires counties to use not less than 50 percent of these moneys for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. This bill eliminates the requirement that DCF carry forward and distribute excess federal money.

Under current law, a county must match funds received from DCF for children and family services, in an amount specified annually by DCF, using county tax levies,

federal and state revenue sharing funds, or private donations to the county that meet certain requirements. Current law prohibits a county from using private donations to make up more than 25 percent of the total county match. This bill removes the restriction on using private donations in the total county match.

Current law requires each county department of social services or human services (county department) to submit its final budget to DCF for services directly provided by or purchased from DCF (DCF service budget) by December 31 each year. Current law also requires DCF, under certain circumstances, to distribute, allocate, and carry forward funds for children and family services to county departments and tribal governing bodies. Current law requires each county department and tribal governing body to submit to DCF a proposed budget for the expenditure of these funds (children and family aids budget) before December 1 of each year. This bill eliminates the requirement to submit a children and family aids budget, but does not eliminate the requirement to submit a DCF service budget.

Current law requires DCF, at the request of a county, tribal governing body, or private nonprofit organization, to carry forward up to 3 percent of the total amount allocated to the county, tribal governing body, or private nonprofit organization for children and family services for a calendar year. This bill eliminates the authority of DCF to carry forward amounts allocated to a tribal governing body or private nonprofit organization for children and family services for a calendar year.

Current law allows DCF to carry forward up to 10 percent of allocated children and family services funds, less any amount carried forward as requested, for emergencies, justifiable costs above planned levels, and increased costs due to population shifts. This bill instead requires DCF, at a county's request, to carry forward up to 10 percent of those funds for emergencies or other circumstances that DCF agrees were unforeseen when the original allocation to the county was made. In addition, this bill requires any children and family services funds carried forward from one calendar year to the next to be used for children and family services and not general county administrative costs. The bill also prohibits any amount of funds carried forward from affecting the determination of a county's share of the children and family services funding allocated for a calendar year.

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

1 **SECTION 1.** 20.437 (1) (j) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 2.** 20.437 (3) (kp) of the statutes is amended to read:

3 20.437 (3) (kp) *Interagency and intra-agency aids; income augmentation*
4 *services receipts.* All moneys transferred from the appropriation account under s.

1 20.435 (8) (mb) ~~and all moneys credited to this appropriation account under s. 48.565~~
2 (2) (e), to be used as provided in s. 48.567. All moneys received under this paragraph
3 in excess of the moneys necessary to support the costs specified in s. 48.567 shall be
4 deposited into the general fund as a nonappropriated receipt.

5 **SECTION 3.** 20.437 (3) (mm) of the statutes is amended to read:

6 20.437 (3) (mm) *Reimbursements from federal government.* All moneys
7 received from the federal government, other than moneys described under ~~ss. 48.565~~
8 (2) ~~and s.~~ 48.567, that are intended to reimburse the state for expenditures in
9 previous fiscal years from general purpose revenue appropriations whose purpose
10 includes a requirement to match or secure federal funds and that exceeded in those
11 fiscal years the estimates reflected in the intentions of the legislature and governor,
12 as expressed by them in the budget determinations, and the joint committee on
13 finance, as expressed by the committee in any determinations, and the estimates
14 approved for expenditure by the secretary of administration under s. 16.50 (2), for
15 the purpose of paying federal disallowances, federal sanctions or penalties and the
16 costs of any corrective action affecting the department of children and families.
17 Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount
18 determined by the department of administration under s. 16.54 (12) (d) shall lapse
19 to the general fund.

20 **SECTION 4.** 48.563 (2) of the statutes is amended to read:

21 48.563 (2) ~~BASIC COUNTY~~ COUNTY ALLOCATION. For children and family services
22 under s. 48.569 (1) (d), the department shall distribute not more than ~~\$66,475,500~~
23 \$67,727,600 in each fiscal year.

24 **SECTION 5.** 48.563 (4) of the statutes is amended to read:

1 48.563 (4) POSTREUNIFICATION SERVICES. If a demonstration project authorized
2 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
3 in a county having a population of 750,000 or more, from the appropriations under
4 s. 20.437 (1) (cx) and (e) (mb) the department may distribute the amount by which
5 that cost is reduced by that demonstration project in each fiscal year to county
6 departments for services for children and families to prevent the reentry of children
7 into out-of-home care.

8 **SECTION 6.** 48.563 (14m) of the statutes is repealed.

9 **SECTION 7.** 48.565 (intro.) (except 48.565 (title)) of the statutes is renumbered
10 48.565 (1) (intro.) and amended to read:

11 48.565 (1) (intro.) Funds allocated by the department under s. 48.569 (1) (d) but
12 not spent or encumbered by counties, ~~governing bodies of Indian tribes, or private~~
13 ~~nonprofit organizations~~ by December 31 of each year and funds recovered under s.
14 48.569 (2) (b) and deposited into the appropriation account under s. 20.437 (1) (b)
15 lapse to the general fund on the succeeding January 1 unless carried forward to the
16 next calendar year under s. 20.437 (1) (b) or as follows:

17 **SECTION 8.** 48.565 (2) (a) of the statutes is repealed.

18 **SECTION 9.** 48.565 (2) (am) of the statutes is repealed.

19 **SECTION 10.** 48.565 (2) (b) of the statutes is renumbered 48.565 (2) and
20 amended to read:

21 48.565 (2) A county may not use any moneys distributed under ~~par. (a)~~ s. 48.563
22 (2) to supplant any other moneys expended by the county for services and projects
23 to assist children and families in a base year determined by the department.

24 **SECTION 11.** 48.565 (2) (c) of the statutes is repealed.

1 **SECTION 12.** 48.565 (3) of the statutes is renumbered 48.565 (1) (a) and
2 amended to read:

3 48.565 (1) (a) ~~At the request of a county, tribal governing body, or private~~
4 ~~nonprofit organization, the department shall carry forward to the next calendar year~~
5 ~~up to 3 percent of the total amount allocated to the county, tribal governing body, or~~
6 ~~nonprofit organization under s. 48.569 (1) (d) for a calendar year. All funds carried~~
7 ~~forward for a tribal governing body or nonprofit organization and all federal child~~
8 ~~welfare funds under 42 USC 620 to 626 carried forward for a county shall be used~~
9 ~~for the purpose for which the funds were originally allocated. Other funds carried~~
10 ~~forward under this subsection may be used for any purpose under s. 20.437 (1) (b),~~
11 ~~except that a county may not use any funds carried forward under this subsection~~
12 ~~for administrative or staff costs. An allocation of carried-forward funding under this~~
13 ~~subsection does not affect a county's base allocation under s. 48.563 (2).~~

14 **SECTION 13.** 48.565 (6) of the statutes is renumbered 48.565 (1) (b) and
15 amended to read:

16 48.565 (1) (b) ~~The~~ At the request of a county, the department may shall carry
17 forward to the next calendar year up to 10 percent of any funds specified in sub. (3)
18 ~~that are not carried forward under sub. (3) for emergencies, for justifiable unit~~
19 ~~services costs above planned levels, and for increased costs due to population shifts.~~
20 ~~An allocation of carried-forward funding under this subsection~~ the total amount
21 allocated to the county under s. 48.569 (1) (d) for a calendar year if the department
22 agrees that an emergency or other circumstance that was unforeseen when the
23 original allocation to the county was made necessitates the carryover.

24 (7) The amount of funds carried forward from the preceding calendar year at
25 the request of a county under sub. (1) (a) or (b) does not affect -a- the determination

1 of that county's base allocation share of the funding allocated under s. 48.563 (2) for
2 a calendar year.

3 **SECTION 14.** 48.565 (8) of the statutes is created to read:

4 48.565 (8) A county shall use funds carried forward under this section for
5 services provided to children and families and not for the county's general
6 administrative costs.

7 **SECTION 15.** 48.569 (1) (d) of the statutes is amended to read:

8 48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (cx), (km), and
9 (o), the department shall distribute the funding for children and family services,
10 including funding for foster care or subsidized guardianship care of a child on whose
11 behalf aid is received under s. 48.645 to county departments as provided under s.
12 48.563. County matching funds are required for the distribution under s. 48.563 (2).
13 Each county's required match for the distribution under s. 48.563 (2) shall be
14 specified in a schedule established annually by the department. Matching funds
15 may be from county tax levies, federal and state revenue sharing funds, or private
16 donations to the county that meet the requirements specified in sub. (1m). ~~Private~~
17 ~~donations may not exceed 25 percent of the total county match.~~ If the county match
18 is less than the amount required to generate the full amount of state and federal
19 funds distributed for this period, the decrease in the amount of state and federal
20 funds equals the difference between the required and the actual amount of county
21 matching funds.

22 **SECTION 16.** 48.983 (5) of the statutes is amended to read:

23 48.983 (5) SELECTION OF COUNTIES, PRIVATE AGENCIES, AND INDIAN TRIBES. The
24 department shall provide competitive application procedures for selecting counties,
25 private agencies, and Indian tribes for participation in the program under this

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

19 **SECTION 17.** 48.983 (6) (d) (title) and 1. of the statutes are consolidated,
20 renumbered 48.983 (6) (d) and amended to read:

21 48.983 (6) (d) *Wraparound process.* -1. The applicant demonstrates in the grant
22 application that the payments that will be made from the fund established under par.
23 (b) 2. will promote the provision of services for the case by using a wraparound
24 process so as to provide those services in a flexible, comprehensive and
25 individualized manner in order to reduce the necessity for court-ordered services.

1

SECTION 18. 48.983 (6) (d) 2. of the statutes is repealed.

2

(END)

Shea, Elisabeth

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Thursday, January 15, 2015 2:06 PM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: RE: 0276

Hi Lis, we would like it only in the reg reform one please...that way we can be consistent that all the non-\$ stat lang changes are in that version. Thanks!

From: Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]
Sent: Thursday, January 15, 2015 10:53 AM
To: Major, Katrina L - DOA
Cc: Kraus, Jennifer - DOA
Subject: RE: 0276

Hi Katie,

No problem. As for the title change, on the off chance that the reg reform bill does not pass, do you want the title change? Because we could put it in both bills. The second one to pass will just be moot (in that regard).

Lis

From: Major, Katrina L - DOA [mailto:Katrina.Major@wisconsin.gov]
Sent: Thursday, January 15, 2015 9:49 AM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: 0276

Hi Lis, on this draft, can you please change the levels to \$68,264,800 in FY16 and \$68,327,900 in FY17? Also, this is that weird draft where most of it is going into the separate reg reform bill that Jon Hoelter requested, so can you please also move the change to the title of 48.563(2) to that draft instead of this one? Thanks! Katie



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0276/P3
EHS:wlj:jm

In 1/15/15

RMNR
dcs

DOA:.....Major, BB0039 - Allocation of children and family aids to counties

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

do NOT gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF may distribute not more than \$66,475,500 in each fiscal year to counties for children and family services. This bill increases the amount DCF must distribute to counties for these services to \$67,727,600 in each fiscal year.

\$68,264,800

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

2015-16 and
\$68,327,900 in
fiscal year
2016-17

2 SECTION 1. 48.563 (2) of the statutes is amended to read:

3 48.563 (2) BASIC COUNTY COUNTY ALLOCATION. For children and family services

4 under s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500

5 \$67,727,600 in each fiscal year. 2015-16 and \$68,327,900 in fiscal year 2016-17

6 \$68,264,800 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0276/P4
EHS:wlj&cjs:jf

DOA:.....Major, BB0039 - Allocation of children and family aids to counties

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HEALTH AND HUMAN SERVICES

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Under current law, DCF may distribute not more than \$66,475,500 in each fiscal year to counties for children and family services. This bill increases the amount DCF must distribute to counties for these services to \$68,264,800 in fiscal year 2015-16 and \$68,327,900 in fiscal year 2016-17.

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

2 **SECTION 1.** 48.563 (2) of the statutes is amended to read:

3 48.563 (2) BASIC COUNTY ALLOCATION. For children and family services under
4 s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500
5 \$68,264,800 in each fiscal year 2015-16 and \$68,327,900 in fiscal year 2016-17.

6 (END)