

2015 DRAFTING REQUEST

Bill

Received: **10/15/2014** Received By: **mduchek**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Kirschbaum**
May Contact: Drafter: **mduchek**
Subject: **Employ Priv - miscellaneous** Addl. Drafters:
Extra Copies:

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

Pre Topic:

DOA:.....Kirschbaum, BB0150 -

Topic:

Transfer independent living funding from DWD to DHS

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>
/?	mduchek 10/24/2014			_____			
/P1	mduchek 1/22/2015	kfollett 1/22/2015	jfrantze 1/23/2015	_____	lparisi 10/28/2014		State
/P2				_____	lparisi 1/23/2015		State

FE Sent For:

<END>

2015 DRAFTING REQUEST

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/?	mduchek 10/24/2014			_____			
/P1		kfollett 10/28/2014	jmurphy 10/28/2014	_____	lparisi 10/28/2014		State

FE Sent For:

1P2/5f *Jo/aet*
1/22 *1/23*
<END>

2015 DRAFTING REQUEST

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Received: 10/15/2014 Received By: mduchek
 Wanted: As time permits Same as LRB:
 For: Administration-Budget By/Representing: Kirschbaum
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Pre Topic:

DOA:.....Kirschbaum, BB0150 -

Topic:

Transfer independent living funding from DWD to DHS ✓

Instructions:

See attached

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/?	mduchek	1 P/15F 10/28	1 P/15F 10/28				

FE Sent For:

<END>

Duchek, Michael

From: Hanaman, Cathlene
Sent: Wednesday, October 15, 2014 8:45 AM
To: Malaise, Gordon; Duchek, Michael
Subject: FW: Statutory Language Drafting Request - BB0150
Attachments: DWDTransferStatLanguage.pdf

From: Bryan.Kirschbaum@wisconsin.gov [mailto:Bryan.Kirschbaum@wisconsin.gov]
Sent: Wednesday, October 15, 2014 8:40 AM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Kirschbaum, Bryan W - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0150

Biennial Budget: 2015-17

Topic: Transfer of Independent Living Funding from Department of Workforce Development to Department of Health Services

Tracking Code: BB0150

SBO Team: EWD

SBO Analyst: Kirschbaum, Bryan
Phone: 608-266-8219
E-mail: Bryan.Kirschbaum@wisconsin.gov

Agency Acronym: DWD

Agency Number: 445

Priority: Medium

Intent:

DHS is the primary state agency that interacts and oversees the Independent Living Centers. Language changes will transfer all federal Independent Living Centers grant funding and associated GPR match funds to DHS and annually transfer \$600,000 in Social Security Reimbursements funds from DWD directly to DHS for allocation. Please see attached request change from the agency.

Attachments: True

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

Statutory Language Changes

The following statutory language changes are recommended:

- Amend s.20.445(5)(a) to read:
General program operations; purchased services for clients. As a continuing appropriation, the amounts in the schedule for general program operations, including field services to clients and administrative services, for the purchase of goods and services authorized under ch. 47, and for vocational rehabilitation and other independent living services to persons with disabilities.
- Amend s.20.445(5)(n) to read:
Federal program aids and operations. All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and for grants to independent living centers the department of health services under s. 47.02 (3m) (p) and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified.
- Renumber 47.02(3m)(p)1 to 47.02(3m)(p), and as renumbered, amend 47.02(3m)(p) to read:
From the appropriation under s. 20.445(5)(n), in each fiscal year, allocate transfer \$600,000 of moneys received from the federal social security administration for reimbursement of grants to independent living centers. ~~The department shall make grants to independent living centers for nonresidential services to severely disabled individuals as defined in s. 46.96 (1) (b) to the department of health services for grants under s. 46.96(2)(b).~~
- Renumber 47.02(3m)(p)2 to 46.96(2)(b).
- Renumber 46.96(2) to 46.96(2)(a), and , as renumbered, amend 46.96(2)(a) to read:
The department shall make grants from the appropriation under s. 20.435(7)(c) and funds received from the department of workforce development under s. 47.02(3m)(p) to independent living centers for nonresidential services to severely disabled individuals.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0318/P2
TJD:jld:ph

DOA:.....Stritchko, BB0158 – Remove annual social security administration funding transfer for independent living centers from DWD appropriation

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation program. The funding for the vocational rehabilitation program is provided by a federal grant and matching state funds. Some of the individuals assisted through this program receive assistance from the federal government through certain social security benefits. An individual with a disability who gains employment with assistance from the vocational rehabilitation program no longer receives certain benefits from social security. The federal government reimburses some of the benefits it no longer has to pay to individuals to DWD for the vocational rehabilitation program. Also under current law, DHS provides grants for independent living centers to provide nonresidential services to severely disabled individuals. An independent living center, to receive a grant from DHS, must have a board of directors that is the principal governing body of the independent living center; substantially involve severely disabled individuals in policy direction and management of and employ severely disabled individuals in the independent living center; offer severely disabled individuals a combination of

independent living services that includes services that assist those individuals to increase personal self-determination and minimize unnecessary dependence on others; and comply with certain requirements under federal law. Current law requires that DWD transfer \$600,000 in social security reimbursement funds to DHS in order to provide these grants.

This bill eliminates the \$600,000 transfer from DWD to DHS for grants to independent living centers. Instead, DWD must allocate the \$600,000 of moneys received from the federal Social Security Administration for reimbursement of grants to independent living centers. The bill then requires DWD to make grants to independent living centers for providing nonresidential services to severely disabled individuals. To be eligible to receive a grant from DWD, an independent living center must comply with the same requirements as those imposed to receive grant moneys from DHS.

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

1 **SECTION 1.** 20.435 (7) (kc) 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.** 20.435 (7) (ky) of the statutes is amended to read:

3 20.435 (7) (ky) *Interagency and intra-agency aids.* ~~Except as provided in par-~~
4 ~~(kc), all~~ All moneys received from other state agencies and all moneys received by the
5 department from the department for aids to individuals and organizations relating
6 to long-term care services, for the purposes for which received.

7 **SECTION 3.** 20.445 (5) (n) of the statutes is amended to read:

8 20.445 (5) (n) *Federal program aids and operations.* All moneys received from
9 the federal government, as authorized by the governor under s. 16.54, for the state
10 administration of continuing programs and for grants to independent living centers
11 under s. 47.02 (3m) (p) and all federal moneys received for the purchase of goods and
12 services under ch. 47 and for the purchase of vocational rehabilitation programs for
13 individuals and organizations, to be expended for the purposes specified. The
14 department shall, in each fiscal year, transfer to the appropriation account under s.

1 ~~20.435 (7) (ke) \$600,000 of moneys received from the federal social security~~
2 ~~administration for reimbursement of grants to independent living centers.~~

3 **SECTION 4.** 46.96 (2) of the statutes is amended to read:

4 46.96 (2) The department shall make grants from the appropriations under s.
5 20.435 (7) (c) ~~or (ke)~~ to independent living centers for nonresidential services to
6 severely disabled individuals.

7 **SECTION 5.** 47.02 (3m) (p) of the statutes is created to read:

8 47.02 (3m) (p) 1. From the appropriation under s. 20.445 (5) (n), in each fiscal
9 year, allocate \$600,000 of moneys received from the federal social security
10 administration for reimbursement of grants to independent living centers. The
11 department shall make grants to independent living centers for nonresidential
12 services to severely disabled individuals as defined in s. 46.96 (1) (b).

13 2. To be eligible to receive a grant under subd. 1., an independent living center
14 shall comply with the requirements under s. 46.96 (3m) (a) 1. to 3. and (am) 1. and
15 2.

16

(END)

Duchek, Michael

From: Holland, Michael - DWD <Michael2.Holland@dwd.wisconsin.gov>
Sent: Tuesday, October 21, 2014 11:25 AM
To: Duchek, Michael
Subject: RE: One more question

Hi Mike – DWD believes the word "reimbursement" is not accurate. In our draft language change suggestions we deleted it. Over the years the amount was changed from the original \$200,000 to the current \$600,000 amount and I think the phrase you are asking about also got inserted at some point. The SSA revenue is received by DVR for reasons completely unrelated to independent living center grants.

We have a May 27, 2011 monitoring report from the Dept. of Ed's Rehabilitation Services Administration that confirms, per 34 CFR 361.63(c)(2), SSA reimbursement revenues can be used "to carry out programs under part B of Title I of the Act (client assistance), part B of Title VI of the Act (supported employment), and Title VII of the Act (independent living)."

So yes, the SSA revenues have to be used for purposes specified at 34 CFR 361.63(c) and the grants to independent living centers are eligible.

Let me know if you need any more detail. – Mike Holland

From: Duchek, Michael [<mailto:Michael.Duchek@legis.wisconsin.gov>]
Sent: Friday, October 17, 2014 1:13 PM
To: Holland, Michael - DWD
Subject: One more question

Mike,

One more question – current law (47.02 (3m) (p)) language uses the language "\$600,000 of moneys received from the federal social security administration for reimbursement of grants to independent living centers."

I'm not sure it's even necessary to begin with to state the reason for the \$600k allocation/transfer, but I wanted to know if the phrase "for reimbursement of grants..." is accurate. Later in that statute and in s. 46.96 (2) it says "make grants" and has no reference to reimbursement. So I'm just wondering if that word "reimbursement" is accurate or not and if so what is being reimbursed?

And a more general question - does the money received from the SSA, from which the \$600k is taken, have to be used for certain purposes?

Thanks,

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130



ln 10-24-14

State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0434/P1

MED: *gjf*

DOA:.....Kirschbaum, BB0150 - Transfer independent living funding from
DWD to DHS

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

Do not pass
1 AN ACT ...; relating to: the budget.

*general purpose
revenue*

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation (VR) program, which is funded through a combination of state and federal matching dollars. In addition, DWD receives certain moneys from the federal government as reimbursement for the fact that individuals who gain employment with assistance from the VR program no longer receive certain benefits from social security. DWD must allocate \$600,000 of those reimbursement dollars and, using the moneys so allocated, make grants to independent living centers for providing nonresidential services to severely disabled individuals. Also under current law, DHS must make ~~GPR~~-funded grants to independent living centers for providing nonresidential services to severely disabled individuals. An independent living center, in order to receive a grant from either DWD or DHS, must comply with certain requirements under state and federal law.

This bill, instead of requiring that DWD allocate \$600,000 in social security reimbursement funds to provide these grants, requires DWD to transfer \$600,000 to DHS. Consequently, the bill requires that DHS make the grants to independent

living centers that are made by DWD under current law, as well as the grants DHS currently makes using GPR funding.

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

FE-S

1 SECTION 1. 20.435 (7) (kc) of the statutes is created to read:
2 20.435 (7) (kc) *Independent living center grants*. The amounts in the schedule
3 for the purpose of making grants to independent living centers for the severely
4 disabled under s. 46.96. All moneys transferred from s. 20.445 (5) (n) shall be
5 credited to this appropriation *account*

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

6 SECTION 2. 20.435 (7) (ky) of the statutes is amended to read:
7 20.435 (7) (ky) *Interagency and intra-agency aids*. ~~All~~ Except as provided in
8 par. (kc), all moneys received from other state agencies and all moneys received by
9 the department from the department for aids to individuals and organizations
10 relating to long-term care services, for the purposes for which received.

11 SECTION 3. 20.445 (5) (a) of the statutes is amended to read:
12 20.445 (5) (a) *General program operations; purchased services for clients*. As
13 a continuing appropriation, the amounts in the schedule for general program
14 operations, including field services to clients and administrative services, for the
15 purchase of goods and services authorized under ch. 47, and for vocational
16 rehabilitation and other independent living services to for persons with disabilities.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778l, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 s. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197; 2005 a. 25, 86, 172; 2005 a. 443 s. 265; 2007 a. 20, 59; 2009 a. 28, 180; 2011 a. 32, 128, 183, 198; 2013 a. 9, 20; 2013 a. 36 ss. 6p to 7, 236m; 2013 a. 57, 139.

17 SECTION 4. 20.445 (5) (n) of the statutes is amended to read:

Duchek, Michael

From: Kirschbaum, Bryan W - DOA <Bryan.Kirschbaum@wisconsin.gov>
Sent: Saturday, January 17, 2015 1:49 PM
To: Duchek, Michael
Subject: RE: Statutory Reference in for ILC's

Hey Mike,

I will share this with Cindy and her team and see what the consensus is.

Bryan W. Kirschbaum

Executive Policy and Budget Analyst

Division of Executive Budget & Finance—Education & Workforce Development Team

Department of Administration | State of Wisconsin

Office: 608-266-8219

E-mail: bryan.kirschbaum@wisconsin.gov

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Saturday, January 17, 2015 10:14 AM
To: Kirschbaum, Bryan W - DOA
Cc: Dombrowski, Cynthia A - DOA; Steinmetz, Jana D - DOA; Dodge, Tamara - LEGIS
Subject: RE: Statutory Reference in for ILC's

Bryan,

I tried to do some more research here and I've come to the conclusion that there are two things we're talking about. One is payments from the social security administration to states as reimbursement for VR agencies getting people on SSDI or SSI working, etc. These payments, as far as I can tell, are under 42 USC 1382(d) and 42 USC 422(d) / 20 CFR 404 subpart V and 20 CFR 416 subpart V. All of these provisions do not appear to have been affected by the recent act, and all appear to refer to the state VR agency being the one to whom the payment is made. 29 USC 728 is what discusses what the money may be used for. This money, as far as I can tell, must go to DWD as the VR agency, but can be transferred if used for certain purposes.

Two is the funding under 29 USC 796 to 796l. This appears to be something totally separate and now overseen by HHS and not the SSA.

Is this correct? If so, to what appropriation is the money under #2 currently going?

-Mike

From: Kirschbaum, Bryan W - DOA [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Friday, January 16, 2015 4:09 PM
To: Duchek, Michael
Subject: FW: Statutory Reference in for ILC's

See below for changes to ILC draft.

Bryan W. Kirschbaum

Executive Policy and Budget Analyst

Division of Executive Budget & Finance—Education & Workforce Development Team
Department of Administration | State of Wisconsin
Office: 608-266-8219
E-mail: bryan.kirschbaum@wisconsin.gov

From: Dombrowski, Cynthia A - DOA
Sent: Friday, January 16, 2015 2:26 PM
To: Kirschbaum, Bryan W - DOA
Cc: Steinmetz, Jana D - DOA
Subject: RE: Statutory Reference in for ILC's

So I have this with me and I think the draft can be amended to:

Section 1: remove.
Section 2: not a necessary change
Section 3: I am not sure if you need any changes to this, Bryan.
Section 4: Remove the added language transferring the funding to DHS
Section 5: Rather than reference 7kc, have the draft reference 7na.

DHS would prefer to not amend 7na to include language for this specific grant. My question would be, if we don't amend 7na, do we need to reference somewhere the amount of the grant? Jana, I'm not sure if that will work or not.

I will blame my obsession with the SAA on my fever. Maybe it doesn't need a reference at all!

Maybe that is sufficient? I'm not sure. See if the drafter thinks that's ok?

Cindy

From: Kirschbaum, Bryan W - DOA
Sent: Friday, January 16, 2015 2:10 PM
To: Dombrowski, Cynthia A - DOA
Cc: Steinmetz, Jana D - DOA
Subject: RE: Statutory Reference in for ILC's

I believe it was the old draft? LRB just wants to find where or what to put in statute so the funds go to DHS. Is it something Jana could find/grab from your desk if you did not bring it along?

Bryan W. Kirschbaum
Executive Policy and Budget Analyst
Division of Executive Budget & Finance—Education & Workforce Development Team
Department of Administration | State of Wisconsin
Office: 608-266-8219
E-mail: bryan.kirschbaum@wisconsin.gov

From: Dombrowski, Cynthia A - DOA
Sent: Friday, January 16, 2015 2:09 PM
To: Kirschbaum, Bryan W - DOA
Cc: Steinmetz, Jana D - DOA
Subject: RE: Statutory Reference in for ILC's

Can you send me the draft? I think its in the draft. It might be in the draft from last time...

I can check and see if I brought this with me but I might have left this one on my desk...

From: Kirschbaum, Bryan W - DOA
Sent: Friday, January 16, 2015 2:04 PM
To: Dombrowski, Cynthia A - DOA
Cc: Steinmetz, Jana D - DOA; Duchek, Michael - LEGIS
Subject: Statutory Reference in for ILC's

Hey Cindy,

I know we talked about this earlier, but do you remember where you saw a reference in statute for where it references the \$600,000 in federal SSA dollars needing to go to DWD and then transferred to DHS? LRB is looking for some reference as to how to change the statute so all of the ILC funds are directly transferred to DHS.

Thanks!

Bryan W. Kirschbaum
Executive Policy and Budget Analyst
Division of Executive Budget & Finance—Education & Workforce Development Team
Department of Administration | State of Wisconsin
Office: 608-266-8219
E-mail: bryan.kirschbaum@wisconsin.gov

Duchek, Michael

From: Kirschbaum, Bryan W - DOA <Bryan.Kirschbaum@wisconsin.gov>
Sent: Thursday, January 22, 2015 3:19 PM
To: Duchek, Michael
Subject: FW: ILC draft

Hey Mike,

Some minor changes for the ILC draft below for [15-0434 P1](#)

Bryan W. Kirschbaum

Executive Policy and Budget Analyst

Division of Executive Budget & Finance—Education & Workforce Development Team

Department of Administration | State of Wisconsin

Office: 608-266-8219

E-mail: bryan.kirschbaum@wisconsin.gov

From: Dombrowski, Cynthia A - DOA
Sent: Thursday, January 22, 2015 3:17 PM
To: Kirschbaum, Bryan W - DOA
Subject: ILC draft

Bryan –

Can you have the draft amended to include under section 5: appropriation 7na? Grants will come from 7c, 7kc and 7na since there is GPR, the PRS from DWD and the FED that DHS will now get directly.

Thanks,
Cindy

Cynthia Dombrowski
Executive Policy and Budget Analyst
Wisconsin State Budget Office
608-267-7980 (p)
cynthia.dombrowski@wisconsin.gov



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0434/11 P2

~~ALL CARE~~ HEALTH AND HUMAN SERVICES
MED:kjf:jm
~~OTHER HEALTH AND HUMAN SERVICES~~

DOA:.....Kirschbaum, BB0150 - Transfer independent living funding from
DWD to DHS

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

1/23

purposes including providing, expanding, and improving

Also, under federal law, states may receive financial assistance for independent living services.

and allows DHS to provide grants using those moneys, as well as the federal independent living center financial assistance moneys.

Don't Gen

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

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation (VR) program, which is funded through a combination of state and federal matching dollars. In addition, DWD receives certain moneys from the federal government as reimbursement for the fact that individuals who gain employment with assistance from the VR program no longer receive certain benefits from social security. DWD must allocate \$600,000 of those reimbursement dollars and, using the moneys so allocated, make grants to independent living centers for providing nonresidential services to severely disabled individuals. Also under current law, DHS must make general purpose revenue (GPR)-funded grants to independent living centers for providing nonresidential services to severely disabled individuals. An independent living center, in order to receive a grant from either DWD or DHS, must comply with certain requirements under state and federal law.

This bill, instead of requiring that DWD allocate \$600,000 in social security reimbursement funds to provide these grants, requires DWD to transfer \$600,000 to DHS. Consequently, the bill requires that DHS make the grants to independent living centers that are made by DWD under current law, as well as the grants DHS currently makes using GPR funding.

using a combination of GPR moneys, moneys transferred from DWD, and moneys received from the federal government

for independent living services

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.435 (7) (kc) of the statutes is created to read:

2 20.435 (7) (kc) *Independent living center grants.* The amounts in the schedule
3 for the purpose of making grants to independent living centers for the severely
4 disabled under s. 46.96. All moneys transferred from s. 20.445 (5) (n) shall be
5 credited to this appropriation account.

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

6 **SECTION 2.** 20.435 (7) (ky) of the statutes is amended to read:

7 20.435 (7) (ky) *Interagency and intra-agency aids.* All Except as provided in
8 par. (kc), all moneys received from other state agencies and all moneys received by
9 the department from the department for aids to individuals and organizations
10 relating to long-term care services, for the purposes for which received.

11 **SECTION 3.** 20.445 (5) (a) of the statutes is amended to read:

12 20.445 (5) (a) *General program operations; purchased services for clients.* As
13 a continuing appropriation, the amounts in the schedule for general program
14 operations, including field services to clients and administrative services, for the
15 purchase of goods and services authorized under ch. 47, and for vocational
16 rehabilitation ~~and other independent living services to~~ for persons with disabilities.

17 **SECTION 4.** 20.445 (5) (n) of the statutes is amended to read:

18 20.445 (5) (n) *Federal program aids and operations.* All moneys received from
19 the federal government, as authorized by the governor under s. 16.54, for the state
20 administration of continuing programs ~~and for grants to independent living centers~~

1 under s. 47.02 (3m) (p) and all federal moneys received for the purchase of goods and
2 services under ch. 47 and for the purchase of vocational rehabilitation programs for
3 individuals and organizations, to be expended for the purposes specified. The
4 department shall, in each fiscal year, transfer \$600,000 of the moneys from the
5 account under this paragraph to the appropriation account under s. 20.435 (7) (kc).

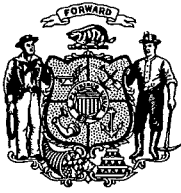
6 SECTION 5. 46.96 (2) of the statutes is amended to read: ✓

7 46.96 (2) The department shall make grants from the appropriations under s.
8 20.435 (7) (c) and (kc) ^{and (na)} to independent living centers for nonresidential services to
9 severely disabled individuals. ✓

10 SECTION 6. 47.02 (3m) (p) of the statutes is repealed.

11 (END)

(NA)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0434/P2
MED:kjf:jf

DOA:.....Kirschbaum, BB0150 – Transfer independent living funding from
DWD to DHS

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation (VR) program, which is funded through a combination of state and federal matching dollars. In addition, DWD receives certain moneys from the federal government as reimbursement for the fact that individuals who gain employment with assistance from the VR program no longer receive certain benefits from social security. DWD must allocate \$600,000 of those reimbursement dollars and, using the moneys so allocated, make grants to independent living centers for providing nonresidential services to severely disabled individuals. Also under current law, DHS must make general purpose revenue (GPR)-funded grants to independent living centers for providing nonresidential services to severely disabled individuals. An independent living center, in order to receive a grant from either DWD or DHS, must comply with certain requirements under state and federal law.

Also, under federal law, states may receive financial assistance for purposes including providing, expanding, and improving independent living services.

This bill, instead of requiring that DWD allocate \$600,000 in social security reimbursement funds to provide these grants, requires DWD to transfer \$600,000 of

those moneys to DHS and allows DHS to provide grants using those moneys, as well as the federal independent living center financial assistance moneys. Consequently, the bill requires that DHS make grants to independent living centers using a combination of GPR moneys, moneys transferred from DWD, and moneys received from the federal government for independent living services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.435 (7) (kc) of the statutes is created to read:

2 20.435 (7) (kc) *Independent living center grants.* The amounts in the schedule
3 for the purpose of making grants to independent living centers for the severely
4 disabled under s. 46.96. All moneys transferred from s. 20.445 (5) (n) shall be
5 credited to this appropriation account.

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

6 **SECTION 2.** 20.435 (7) (ky) of the statutes is amended to read:

7 20.435 (7) (ky) *Interagency and intra-agency aids.* All Except as provided in
8 par. (kc), all moneys received from other state agencies and all moneys received by
9 the department from the department for aids to individuals and organizations
10 relating to long-term care services, for the purposes for which received.

11 **SECTION 3.** 20.445 (5) (a) of the statutes is amended to read:

12 20.445 (5) (a) *General program operations; purchased services for clients.* As
13 a continuing appropriation, the amounts in the schedule for general program
14 operations, including field services to clients and administrative services, for the
15 purchase of goods and services authorized under ch. 47, and for vocational
16 rehabilitation ~~and other independent living services to~~ for persons with disabilities.

17 **SECTION 4.** 20.445 (5) (n) of the statutes is amended to read:

