

1 community supervision services for juveniles from that county. In distributing funds
2 to counties under this paragraph, the department shall ~~determine a county's~~
3 ~~distribution by dividing the amount allocated under this paragraph by the number~~
4 ~~of slots authorized for the program under s. 938.533 (2) and multiplying the quotient~~
5 ~~by the number of slots allocated to that county by agreement between the~~
6 ~~department and the county. The department may transfer funds among counties as~~
7 ~~necessary to distribute funds based on the number of slots allocated to each county~~
8 distribute to each county the full amount of the charges for the services purchased
9 by that county, except that if the amounts available under this paragraph are
10 insufficient to distribute that full amount, the department shall distribute those
11 available amounts to each county that purchases community supervision services
12 based on the ratio that the charges to that county for those services bear to the total
13 charges to all counties that purchase those services.

****NOTE: This is reconciled s. 48.526 (7) (h). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0209/2 and LRB-0407/P2.

14 ***-0276/P4.1*SECTION 1680.** 48.563 (2) of the statutes is amended to read:
15 48.563 (2) BASIC COUNTY ALLOCATION. For children and family services under
16 s. 48.569 (1) (d), the department shall distribute not more than \$66,475,500
17 \$68,264,800 in each fiscal year 2015-16 and \$68,327,900 in fiscal year 2016-17.

18 ***-0407/P3.48*SECTION 1681.** 48.569 (2) (a) of the statutes is amended to read:
19 48.569 (2) (a) The county treasurer and each director of a county department
20 shall monthly certify under oath to the department, in the manner the department
21 prescribes, the claim of the county for state reimbursement under this section, and
22 if the department approves the claim it shall certify to the department of
23 administration for reimbursement to the county for amounts due under this section

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1 and payment claimed to be made to the counties monthly. ~~The department may make~~
2 ~~advance payments prior to the beginning of each month equal to one-twelfth of the~~
3 ~~contracted amount.~~

4 ***-0311/P4.22*SECTION 1682.** 48.57 (3m) (a) 1. of the statutes is renumbered
5 48.57 (3m) (a) 1. (intro.) and amended to read:

6 48.57 (3m) (a) 1. (intro.) “Child” means a person under 18 years of age; “Child”
7 also includes a person 18 years of age or over, but if any of the following applies:

8 a. The person is under 19 years of age, who is a full-time student in good
9 academic standing at a secondary school or its vocational or technical equivalent,
10 and who is reasonably expected to complete his or her program of study and be
11 granted a high school or high school equivalency diploma; or a person 18 years of age
12 or over, but,

13 b. The person is under 21 years of age, who is a full-time student in good
14 academic standing at a secondary school or its vocational or technical equivalent if,
15 an individualized education program under s. 115.787 is in effect for the person, and
16 the person is placed in the home of the kinship care relative under an order under
17 s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s.
18 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a
19 voluntary transition-to-independent-living agreement under s. 48.366 (3) or
20 938.366 (3).

21 ***-0311/P4.23*SECTION 1683.** 48.57 (3m) (ar) of the statutes is renumbered
22 48.57 (3m) (i) 1. and amended to read:

23 48.57 (3m) (i) 1. ~~The department shall promulgate rules~~ Rules to provide
24 assessment criteria for determining whether a kinship care relative who is providing
25 care and maintenance for a child is eligible to receive payments under par. (am). The

1 rules shall also provide that any criteria established under the rules shall first apply
2 to applications for payments under par. (am) received, and to reviews under par. (d)
3 conducted, on the effective date of those rules.

4 ***-0311/P4.24*SECTION 1684.** 48.57 (3m) (b) 1. of the statutes is amended to
5 read:

6 48.57 (3m) (b) 1. The county department or, in a county having a population
7 of 500,000 or more, the department shall refer to the attorney responsible for support
8 enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for
9 whom a payment is made under par. (am). This subdivision does not apply to a child
10 18 years of age or over for whom a payment is made under par. (am).

11 ***-0311/P4.25*SECTION 1685.** 48.57 (3m) (i) of the statutes is created to read:

12 48.57 (3m) (i) The department shall promulgate rules to implement this
13 subsection. Those rules shall include all of the following:

14 2. Rules governing the provision of kinship care payments for the care and
15 maintenance of a child after the child attains 18 years of age.

16 ***-0311/P4.26*SECTION 1686.** 48.57 (3n) (a) 1. of the statutes is renumbered
17 48.57 (3n) (a) 1. (intro.) and amended to read:

18 48.57 (3n) (a) 1. (intro.) “Child” means a person under 18 years of age; “Child”
19 also includes a person 18 years of age or over, but if any of the following applies:

20 a. The person is under 19 years of age, who is a full-time student in good
21 academic standing at a secondary school or its vocational or technical equivalent,
22 and who is reasonably expected to complete his or her program of study and be
23 granted a high school or high school equivalency diploma; ~~or a person 18 years of age~~
24 ~~or over, but,~~

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1 b. The person is under 21 years of age, who is a full-time student in good
2 academic standing at a secondary school or its vocational or technical equivalent if,
3 an individualized education program under s. 115.787 is in effect for the person, and
4 the person is placed in the home of the long-term kinship care relative under an
5 order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates
6 under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or
7 under a voluntary transition-to-independent-living agreement under s. 48.366 (3)
8 or 938.366 (3).

9 ***-0311/P4.27***SECTION 1687. 48.57 (3n) (b) 1. of the statutes is amended to
10 read:

11 48.57 (3n) (b) 1. The county department or, in a county having a population of
12 500,000 or more, the department shall refer to the attorney responsible for support
13 enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for
14 whom a payment is made under par. (am). This subdivision does not apply to a child
15 18 years of age or over for whom a payment is made under par. (am).

16 ***-0311/P4.28***SECTION 1688. 48.57 (3n) (i) of the statutes is created to read:

17 48.57 (3n) (i) The department shall promulgate rules to implement this
18 subsection. Those rules shall include rules governing the provision of long-term
19 kinship care payments for the care and maintenance of a child after the child attains
20 18 years of age.

21 ***-0311/P4.29***SECTION 1689. 48.599 (1) of the statutes is renumbered 48.599
22 (1r).

23 ***-0311/P4.30***SECTION 1690. 48.599 (1g) of the statutes is created to read:

24 48.599 (1g) “Child” means a person under 18 years of age. For purposes of the
25 authority to provide care and maintenance for a child placed in a residential care

1 center for children and youth operated by a child welfare agency and of counting the
2 number of children for whom a child welfare agency may provide such care and
3 maintenance, "child" also includes a person 18 years of age or over, but under 21
4 years of age, who is placed in a residential care center for children and youth operated
5 by a child welfare agency under an order under s. 48.355, 48.357, 48.365, 938.355,
6 938.357, or 938.365 that terminates after the person attains 18 years of age, under
7 a voluntary transition-to-independent-living agreement under s. 48.366 (3) or
8 938.366 (3), or under the placement and care responsibility of another state under
9 42 USC 675 (8) (B) (iv).

10 *~~0311/P4.31~~*SECTION 1691. 48.619 (intro.) of the statutes is renumbered
11 48.619 and amended to read:

12 **48.619 Definition.** In this subchapter, "child" means a person under 18 years
13 of age. For purposes of the authority to provide care and maintenance for a child and
14 of counting the number of children for whom a foster home or group home may
15 provide care and maintenance, "child" also includes a person 18 years of age or over,
16 but under 21 years of age, who resides in the foster home or group home, if any of the
17 following applies: under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357,
18 or 938.365 that terminates after the person attains 18 years of age, under a voluntary
19 transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3), or
20 under the placement and care responsibility of another state under 42 USC 675 (8)
21 (B) (iv).

22 *~~0311/P4.32~~*SECTION 1692. 48.619 (1) of the statutes is repealed.

23 *~~0311/P4.33~~*SECTION 1693. 48.619 (2) of the statutes is repealed.

24 *~~0311/P4.34~~*SECTION 1694. 48.623 (1m) of the statutes is created to read:

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1 48.623 (1m) DURATION OF ELIGIBILITY. Subsidized guardianship payments
2 under sub. (1) or (6) may be continued after the child attains 18 years of age if any
3 of the following applies:

4 (a) The child is under 19 years of age, is a full-time student at a secondary
5 school or its vocational or technical equivalent, and is reasonably expected to
6 complete the program before reaching 19 years of age.

7 (b) The child is under 21 years of age, is a full-time student at a secondary
8 school or its vocational or technical equivalent, has a mental or physical disability
9 that warrants the continuation of those payments as determined by the county
10 department or, in a county having a population of 750,000 or more, the department,
11 is not eligible for social security disability insurance under 42 USC 401 to 433 or
12 supplemental security income under 42 USC 1381 to 1385 based on disability, and
13 otherwise lacks adequate resources to continue in secondary school or its vocational
14 or technical equivalent.

15 (c) The child is under 21 years of age, is a full-time student at a secondary
16 school or its vocational or technical equivalent, an individualized education program
17 under s. 115.787 is in effect for the child, and the subsidized guardianship agreement
18 for the child became effective on or after the date on which the child attained 16 years
19 of age.

20 *~~0311/P4.35~~*SECTION 1695. 48.623 (7) (d) of the statutes is created to read:

21 48.623 (7) (d) Rules governing the provision of subsidized guardianship
22 payments for the care of a child after the child attains 18 years of age.

23 *~~0305/P1.1~~*SECTION 1696. 48.685 (6) (a) of the statutes is amended to read:

24 48.685 (6) (a) The Except as provided in this paragraph, the department shall
25 require any person who applies for issuance, continuation, or renewal of a license to

1 operate an entity, ~~the department in a county having a population of 500,000 or more,~~
2 ~~a county department, or an agency contracted with under s. 48.651 (2) shall require~~
3 ~~any child care provider who applies for initial certification under s. 48.651 or for~~
4 ~~renewal of that certification,~~ a county department or a child welfare agency shall
5 require any person who applies for issuance or renewal of a license to operate a foster
6 home under s. 48.62, and the department in a county having a population of 750,000
7 or more or a county department shall require any person who applies for subsidized
8 guardianship payments under s. 48.623 (6), and a school board shall require any
9 person who proposes to contract with the school board under s. 120.13 (14) or to
10 renew a contract under that subsection, to complete a background information form
11 that is provided by the department. The department shall require any person who
12 applies for issuance, but not continuation, of a license to operate a child care center
13 under s. 48.65, a school board shall require any person who proposes to contract, but
14 not renew a contract, with the school board under s. 120.13 (14), and the department
15 in a county having a population of 750,000 or more, a county department, or an
16 agency contracted with under s. 48.651 (2) shall require any child care provider who
17 applies for initial certification, but not renewal of that certification, under s. 48.651
18 to complete a background information form that is provided by the department.

19 *~~0305/P1.2~~*SECTION 1697. 48.685 (6) (am) of the statutes is amended to read:

20 48.685 (6) (am) Except as provided in this paragraph, every 4 years an entity
21 shall require all of its caregivers and all nonclient residents of the entity or of a
22 caregiver specified in sub. (1) (ag) 1. am. of the entity to complete a background
23 information form that is provided to the entity by the department. ~~Every year a~~ A
24 child care center that is licensed under s. 48.65 or established or contracted for under
25 s. 120.13 (14) or a child care provider that is certified under s. 48.651 is exempt from

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1 the 4-year requirement, but shall require all of its caregivers and any new caregiver
2 or nonclient residents resident to complete a background information form that is
3 provided to the child care center or child care provider by the department.

4 *~~0311/P4.36~~*SECTION 1698. 48.975 (3m) of the statutes is renumbered 48.975
5 (3m) (intro.) and amended to read:

6 48.975 (3m) DURATION. (intro.) The adoption assistance may be continued after
7 the adoptee reaches the age of 18 if that adoptee is a full-time high school student.
8 attains 18 years of age if any of the following applies:

9 *~~0311/P4.37~~*SECTION 1699. 48.975 (3m) (a), (b) and (c) of the statutes are
10 created to read:

11 48.975 (3m) (a) The adoptee is under 19 years of age, is a full-time student at
12 a secondary school or its vocational or technical equivalent, and is reasonably
13 expected to complete the program before reaching 19 years of age.

14 (b) The adoptee is under 21 years of age, is a full-time student at a secondary
15 school or its vocational or technical equivalent, has a mental or physical disability
16 that warrants the continuation of adoption assistance as determined by the
17 department, is not eligible for social security disability insurance under 42 USC 401
18 to 433 or supplemental security income under 42 USC 1381 to 1385 based on
19 disability, and otherwise lacks adequate resources to continue in secondary school
20 or its vocational or technical equivalent.

21 (c) The adoptee is under 21 years of age, is a full-time student at a secondary
22 school or its vocational or technical equivalent, an individualized education program
23 under s. 115.787 is in effect for the adoptee, and the adoption assistance agreement
24 for the adoptee became effective on or after the date on which the adoptee attained
25 16 years of age.

1 ***-0311/P4.38***SECTION 1700. 48.975 (5) (f) of the statutes is created to read:
2 48.975 (5) (f) Rules governing the provision of adoption assistance for the care
3 of a child after the child attains 18 years of age.

4 ***-0209/3.5***SECTION 1701. 48.981 (1) (b) of the statutes is amended to read:
5 48.981 (1) (b) "Community placement" means probation; extended supervision;
6 parole; aftercare; conditional transfer into the community under s. 51.35 (1);
7 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 residential
8 care center for children and youth or a Type 2 juvenile correctional facility
9 authorized under s. 938.539 (5); conditional release under s. 971.17; supervised
10 release under s. 980.06 or 980.08; participation in the community residential
11 confinement program under s. 301.046, the intensive sanctions program under s.
12 301.048, ~~the corrective sanctions program~~ community supervision under s. 938.533,
13 the intensive supervision program under s. 938.534, or the serious juvenile offender
14 program under s. 938.538; or any other placement of an adult or juvenile offender in
15 the community under the custody or supervision of the department of corrections, the
16 department of health services, a county department under s. 46.215, 46.22, 46.23,
17 51.42, or 51.437 or any other person under contract with the department of
18 corrections, the department of health services or a county department under s.
19 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the
20 offender.

21 ***-0306/P2.2***SECTION 1702. 48.985 of the statutes is repealed.

22 ***-0407/P3.49***SECTION 1703. 49.11 (1) of the statutes is renumbered 49.11
23 (1e).

24 ***-0407/P3.50***SECTION 1704. 49.11 (1c) of the statutes is created to read:

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1 49.11 (1c) "Community-based juvenile delinquency-related services" means
2 juvenile delinquency-related services provided under ch. 938 other than services
3 provided for a juvenile who is being held in a juvenile detention facility or who is
4 under the supervision of the department of corrections under s. 938.183, 938.34 (4h),
5 (4m), or (4n) (a), or 938.357 (4).

6 *-0209/3.6*SECTION 1705. 49.11 (1c) of the statutes, as created by 2015
7 Wisconsin Act (this act), is amended to read:

8 49.11 (1c) "Community-based juvenile delinquency-related services" means
9 juvenile delinquency-related services provided under ch. 938 other than services
10 provided for a juvenile who is being held in a juvenile detention facility or who is
11 under the supervision of the department of corrections under s. 938.183, 938.34 (4h),
12 (4m), or (4n) (a), or 938.357 (4).

****NOTE: This is reconciled s. 49.11 (1c). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0209/2 and LRB-0407/P2.

13 *-0132/2.1*SECTION 1706. 49.138 (5) of the statutes is created to read:

14 49.138 (5) (a) The department shall recover from an individual receiving
15 emergency assistance under this section an overpayment of the emergency
16 assistance if the overpayment resulted from a misrepresentation by the individual
17 applying for the assistance with respect to any fact having an effect on the
18 individual's eligibility for, or the amount of, the assistance granted.

19 (b) If an overpayment of emergency assistance provided under this section
20 resulted from an error made by a Wisconsin Works agency, the department shall
21 recover the overpayment from the Wisconsin Works agency and may do so by
22 offsetting the amount from amounts otherwise due the agency under a contract
23 under s. 49.143.

1 (c) The department may recover overpayments of emergency assistance under
2 par. (a) or (b) in the manners provided in ss. 49.195 (3m) and 49.85. Nothing in this
3 paragraph or par. (b) precludes the department from recovering emergency
4 assistance overpayments through any other legal means.

5 *-0416/P1.1*SECTION 1707. 49.141 (1) (intro.) of the statutes is amended to
6 read:

7 49.141 (1) DEFINITIONS. (intro.) As used in ss. 49.141 to 49.161 and 49.26:

8 *-0308/2.1*SECTION 1708. 49.143 (2) (a) (intro.) of the statutes is amended to
9 read:

10 49.143 (2) (a) (intro.) Establish ~~a~~ at least one community steering committee
11 within 60 days after the date on which the contract is awarded signed. A Wisconsin
12 Works agency must establish as many committees as necessary to allow the
13 representation required under subd. 1m. on each committee without exceeding the
14 maximum number of members under subd. 1m. All of the following apply to a
15 community steering committee created under this paragraph:

16 1m. ~~The Wisconsin works Works agency shall recommend the members of the~~
17 ~~committee to the chief executive officer of each county served by the Wisconsin works~~
18 ~~agency. The chief executive officer of each county shall appoint the members of the~~
19 ~~committee. The number of members that each chief executive officer appoints to the~~
20 ~~committee shall be in proportion to the population of that officer's county relative to~~
21 ~~the population of each other county served by the Wisconsin works agency, except~~
22 ~~that the chief executive officer of a county that is not a Wisconsin works agency shall~~
23 ~~appoint the director of the county department under s. 46.215, 46.22 or 46.23, or his~~
24 ~~or her designee, and one other representative of the county department under s.~~

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1 ~~46.215, 46.22 or 46.23. The committee shall consist of at least 12 members, but not~~
2 ~~more than 15 members. within the following parameters:~~

3 2m. The members of the committee shall appoint a chairperson who shall be
4 a person who represents business interests.

5 4m. The committee shall do all of the following:

6 ~~*-0308/2.2*~~SECTION 1709. 49.143 (2) (a) 1. of the statutes is renumbered
7 49.143 (2) (a) 4m. a.

8 ~~*-0308/2.3*~~SECTION 1710. 49.143 (2) (a) 1m. a. of the statutes is created to
9 read:

10 49.143 (2) (a) 1m. a. The total number of members on the committee may not
11 exceed 20.

12 ~~*-0308/2.4*~~SECTION 1711. 49.143 (2) (a) 1m. b. of the statutes is created to
13 read:

14 49.143 (2) (a) 1m. b. Each county that the Wisconsin Works agency serves must
15 be represented on a committee by a member who is a representative of a county
16 department responsible for economic development, of a city department responsible
17 for economic development for a city that is in that county, or of the business
18 community in that county. The Wisconsin Works agency shall appoint at least one
19 representative of business interests as a member of the committee.

20 ~~*-0308/2.5*~~SECTION 1712. 49.143 (2) (a) 2. of the statutes is renumbered
21 49.143 (2) (a) 4m. b. and amended to read:

22 49.143 (2) (a) 4m. b. Identify and encourage employers to provide permanent
23 jobs for persons who are eligible for ~~trial employment match program jobs or~~
24 ~~community service jobs~~ Wisconsin Works.

1 *~~0308/2.6~~*SECTION 1713. 49.143 (2) (a) 3. of the statutes is renumbered
2 49.143 (2) (a) 4m. c. and amended to read:

3 49.143 (2) (a) 4m. c. Create, and encourage others to create, subsidized jobs for
4 persons who are eligible for ~~trial employment match program jobs or community~~
5 ~~service jobs~~ Wisconsin Works.

6 *~~0308/2.7~~*SECTION 1714. 49.143 (2) (a) 4. of the statutes is renumbered
7 49.143 (2) (a) 4m. d. and amended to read:

8 49.143 (2) (a) 4m. d. Create, and encourage others to create, ~~on-the-job~~
9 ~~training sites~~ work experience opportunities, including supported work experience,
10 for persons who are eligible for ~~trial employment match program jobs or community~~
11 ~~service jobs~~ Wisconsin Works.

12 *~~0308/2.8~~*SECTION 1715. 49.143 (2) (a) 5. and 6. of the statutes are
13 consolidated, renumbered 49.143 (2) (a) 3m. and amended to read:

14 49.143 (2) (a) 3m. ~~Foster~~ The committee may foster and guide the
15 entrepreneurial efforts of participants who are eligible for ~~trial employment match~~
16 ~~program jobs or community service jobs.~~ 6. Provide Wisconsin Works and provide
17 mentors, both from its membership and from recruitment of members of the
18 community, to provide job-related guidance, including assistance in resolving
19 job-related issues and the provision of job leads or references, to persons who are
20 eligible for ~~trial employment match program jobs or community service jobs~~
21 Wisconsin Works.

22 *~~0308/2.9~~*SECTION 1716. 49.143 (2) (a) 7. of the statutes is renumbered
23 49.143 (2) (a) 4m. e. and amended to read:

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1 49.143 (2) (a) 4m. e. Coordinate with ~~the council on workforce investment~~ local
2 workforce development boards established under 29 USC ~~2821~~ 2832 to ensure
3 compatibility of purpose and no duplication of effort.

4 *~~0308/2.10~~***SECTION 1717.** 49.143 (2) (a) 8. of the statutes is repealed.

5 *~~0308/2.11~~***SECTION 1718.** 49.143 (2) (a) 10. of the statutes is repealed.

6 *~~0417/P3.1~~***SECTION 1719.** 49.145 (2) (n) 1. (intro.) of the statutes is amended
7 to read:

8 49.145 (2) (n) 1. (intro.) Except as provided in subd. 4., beginning on the date
9 on which the individual has attained the age of 18, the total number of months in
10 which the individual or any adult member of the individual's Wisconsin works Works
11 group has participated in, or has received benefits under, any of the following or any
12 combination of the following does not exceed ~~60~~ 48 months, whether or not
13 consecutive:

14 *~~0417/P3.2~~***SECTION 1720.** 49.145 (2) (n) 1. a. of the statutes is amended to
15 read:

16 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.
17 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job
18 opportunities and basic skills program counts toward the ~~60-month~~ 48-month limit.

19 *~~0417/P3.3~~***SECTION 1721.** 49.145 (2) (n) 3. of the statutes is amended to read:

20 49.145 (2) (n) 3. A Wisconsin works Works agency may extend the time limit
21 under this paragraph only if the Wisconsin works Works agency determines, in
22 accordance with rules promulgated by the department, that ~~unusual circumstances~~
23 ~~exist that warrant an extension of the participation period~~ the individual is
24 experiencing hardship or that the individual's family includes an individual who has
25 been battered or subjected to extreme cruelty.

1 *-0351/1.1*SECTION 1722. 49.147 (3) (ac) (intro.) of the statutes is amended to
2 read:

3 49.147 (3) (ac) *Employer subsidies and reimbursements.* (intro.) The
4 Wisconsin Works agency shall pay to an employer that employs a participant under
5 this subsection a wage subsidy in an amount that is negotiated between the
6 Wisconsin Works agency and the employer but that is not less more than the state
7 or federal minimum wage that applies to the participant. The wage subsidy shall be
8 paid for each hour that the participant actually works, up to a maximum of 40 hours
9 per week. The employer shall pay the participant any difference between the wage
10 subsidy amount and the participant's wage and must pay the participant at least
11 minimum wage. In addition to paying the wage subsidy, the Wisconsin Works agency
12 may, as negotiated between the Wisconsin Works agency and the employer,
13 reimburse the employer for all or a portion of other costs that are attributable to the
14 employment of the participant, including any of the following:

15 *-0308/2.12*SECTION 1723. 49.147 (4) (at) of the statutes is amended to read:

16 49.147 (4) (at) *Motivational training.* A Wisconsin works Works agency may
17 require a participant, during the first 2 weeks of participation under this subsection,
18 to participate in an assessment and motivational training program ~~identified by the~~
19 ~~community steering committee under s. 49.143 (2) (a) 10.~~ The Wisconsin works
20 Works agency may require not more than 40 hours of participation per week under
21 this paragraph in lieu of the participation requirement under par. (as).

22 *-0308/2.13*SECTION 1724. 49.147 (5) (bt) of the statutes is amended to read:

23 49.147 (5) (bt) *Motivational training.* A Wisconsin works Works agency may
24 require a participant, during the first 2 weeks of participation under this subsection,
25 to participate in an assessment and motivational training program ~~identified by the~~

1 ~~community steering committee under s. 49.143 (2) (a) 10.~~ The Wisconsin works
2 Works agency may require not more than 40 hours of participation per week under
3 this paragraph in lieu of the participation requirement under par. (bs).

4 ***-0131/2.1*SECTION 1725.** 49.151 (1) (intro.) of the statutes is renumbered
5 49.151 (1m) (intro.).

6 ***-0131/2.2*SECTION 1726.** 49.151 (1) (a) of the statutes is repealed.

7 ***-0131/2.3*SECTION 1727.** 49.151 (1) (b) of the statutes is renumbered 49.151
8 (1m) (a) (intro.) and amended to read:

9 49.151 (1m) (a) (intro.) The participant, or an individual who is in the
10 participant's Wisconsin Works group and who is subject to the work requirement
11 under s. 49.15 (2), fails, without good cause, as determined by the Wisconsin Works
12 agency, to ~~appear~~ do any of the following:

13 1. Appear for an interview with a prospective employer ~~or, if the participant is~~
14 ~~in a Wisconsin Works transitional placement, the participant fails to appear.~~

15 2. Appear for an assigned work activity, ~~including an activity under s. 49.147~~
16 ~~(5) (b) 1. a. to d., without good cause, as determined as defined in 42 USC 607 (d), or~~
17 for an activity assigned by the Wisconsin Works agency.

18 ***-0131/2.4*SECTION 1728.** 49.151 (1) (c) of the statutes is renumbered 49.151
19 (1m) (b) and amended to read:

20 49.151 (1m) (b) The participant, or an individual who is in the participant's
21 Wisconsin works Works group and who is subject to the work requirement under s.
22 49.15 (2), voluntarily leaves appropriate employment or training without good cause,
23 as determined by the Wisconsin works Works agency.

24 ***-0131/2.5*SECTION 1729.** 49.151 (1) (d) of the statutes is renumbered 49.151
25 (1m) (d) and amended to read:

1 49.151 (1m) (d) The participant, or an individual who is in the participant's
2 Wisconsin works Works group and who is subject to the work requirement under s.
3 49.15 (2), ~~loses is discharged from appropriate~~ employment as a result of being
4 discharged or training for cause.

5 *-0131/2.6*SECTION 1730. 49.151 (1) (e) of the statutes is renumbered 49.151
6 (1m) (f) and amended to read:

7 49.151 (1m) (f) The participant, or an individual who is in the participant's
8 Wisconsin works Works group and who is subject to the work requirement under s.
9 49.15 (2), demonstrates through other behavior or action, as specified by the
10 department by rule, that he or she refuses to participate in a Wisconsin works Works
11 employment position.

12 *-0131/2.7*SECTION 1731. 49.151 (1c) of the statutes is created to read:

13 49.151 (1c) DEFINITIONS. In this section:

14 (a) "Employer" means a subsidized or unsubsidized employer or a work
15 experience provider.

16 (b) "Employment" means subsidized or unsubsidized employment or an
17 assigned work experience activity.

18 *-0131/2.8*SECTION 1732. 49.151 (1m) (c) of the statutes is created to read:

19 49.151 (1m) (c) The participant, or an individual who is in the participant's
20 Wisconsin Works group and who is subject to the work requirement under s. 49.15
21 (2), voluntarily leaves a work experience site without good cause, as determined by
22 the Wisconsin Works agency.

23 *-0131/2.9*SECTION 1733. 49.151 (1m) (e) of the statutes is created to read:

1 49.151 (1m) (e) The participant, or an individual who is in the participant's
2 Wisconsin Works group and who is subject to the work requirement under s. 49.15
3 (2), is discharged from a work experience site for cause.

4 *~~0131/2.10~~*SECTION 1734. 49.1515 (1) of the statutes is amended to read:

5 49.1515 (1) GUIDELINES BY RULE. The department shall by rule specify
6 guidelines for determining when a participant, or individual in the participant's
7 Wisconsin Works group, who engages in a behavior specified in s. 49.151 (1) (1m) (a),
8 (b), (c), (d), ~~or (e)~~, or (f) is demonstrating a refusal to participate.

9 *~~0309/P1.1~~*SECTION 1735. 49.153 of the statutes is repealed.

10 *~~0307/P2.1~~*SECTION 1736. 49.155 (1m) (intro.) of the statutes is amended to
11 read:

12 49.155 (1m) ELIGIBILITY. (intro.) Except as provided in s. 49.155 (3g), the
13 department shall determine, contract with a county department or agency to
14 determine, or contract with a county department or agency to share determination
15 of the eligibility of individuals residing in a particular geographic region or who are
16 members of a particular Indian tribal unit for child care subsidies under this section.
17 Under this section, an individual may receive a subsidy for child care for a child who
18 has not attained the age of 13 or, if the child is disabled, who has not attained the age
19 of 19, if the individual meets all of the following conditions:

20 *~~0307/P2.2~~*SECTION 1737. 49.155 (3) (intro.) of the statutes is amended to
21 read:

22 49.155 (3) CHILD CARE LOCAL ADMINISTRATION. (intro.) Except as provided in sub.
23 (3g), the a county department or agency with which the department contracts under
24 sub. (1m) to determine eligibility in a particular geographic region or for a particular
25 Indian tribal unit shall administer child care assistance in that geographic region or

1 for that tribal unit. For the administration of child care assistance under this
2 section, the department may require the county department or agency to do all of the
3 following:

4 ***-0307/P2.3*SECTION 1738.** 49.155 (3m) (am) of the statutes is created to read:

5 49.155 (3m) (am) If the department contracts with a county department or
6 agency under sub. (1m), the department shall allocate funds for the eligibility
7 determination function under the contract. When allocating these funds, the
8 department may consider trends in applications, a county department's or agency's
9 past eligibility determination expenditures, the respective portions of the eligibility
10 determination function to be performed by the department and the county
11 department or agency, and any other factor determined by the department.

12 ***-0307/P2.4*SECTION 1739.** 49.155 (3m) (b) 1. of the statutes is amended to
13 read:

14 49.155 (3m) (b) 1. Subject to subds. 2. and 3., the department shall, to the
15 extent practicable, allocate funds to a contract entered into under sub. (1m) for the
16 administration of the program under sub. (3) in the same proportion as the
17 geographic region's or Indian tribal unit's proportionate share of all statewide
18 ~~subsidy authorizations and eligibility redeterminations under sub. (3) (e) funding~~
19 allocated under par. (am) for eligibility determination functions during the contract
20 period or, if the department elects, in the same proportion as the geographic region's
21 or Indian tribal unit's proportionate share of all children for whom a subsidy was
22 provided under this section in the most recent 12-month period for which applicable
23 statistics are available before the start of the contract period.

24 ***-0350/4.1*SECTION 1740.** 49.159 (1) (a) (intro.) of the statutes is amended to
25 read:

1 49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145
2 except that the individual is the noncustodial parent of a dependent child is eligible
3 for services and benefits under par. (b) if the individual is subject to a child support
4 order, the individual satisfies all of the requirements related to substance abuse
5 screening, testing, and treatment under s. 49.162 that apply to the individual, and
6 any of the following applies to the custodial parent of the dependent child:

7 *-0350/4.2*SECTION 1741. 49.162 of the statutes is created to read:

8 **49.162 Substance abuse screening and testing for certain work**
9 **experience programs. (1) In this section:**

10 (a) "Administering agency" means the department or an agency with which the
11 department contracts to administer a program.

12 (b) "Controlled substance" has the meaning given in s. 961.01 (4).

13 (c) "Program" means any of the following:

14 1. Services and benefits under s. 49.159 (1) (b).

15 2. The Transform Milwaukee Jobs program or the Transitional Jobs program
16 under s. 49.163.

17 3. A work experience and job training program under s. 49.36.

18 (2) In order to participate in a program, an individual shall complete a
19 controlled substance abuse screening questionnaire. If, on the basis of answers to
20 the questionnaire, the administering agency determines that there is a reasonable
21 suspicion that an individual who is otherwise eligible for a program is abusing a
22 controlled substance, the administering agency shall require the individual to
23 undergo a test for the use of a controlled substance. If the individual refuses to
24 submit to a test, the individual is not eligible to participate in a program until the

1 individual complies with the requirement to undergo a test for the use of a controlled
2 substance.

3 (3) If an individual who undergoes a test under sub. (2) tests negative for the
4 use of a controlled substance, or tests positive for the use of a controlled substance
5 but presents evidence satisfactory to the administering agency that the individual
6 possesses a valid prescription for each controlled substance for which the individual
7 tests positive, the individual will have satisfactorily completed the substance abuse
8 testing requirements under this section.

9 (4) (a) If an individual who undergoes a test under sub. (2) tests positive for the
10 use of a controlled substance without presenting evidence of a valid prescription as
11 described in sub. (3), the administering agency shall require the individual to
12 participate in substance abuse treatment to remain eligible to participate in a
13 program. If the individual refuses to participate in substance abuse treatment, the
14 individual is not eligible to participate in a program until the individual complies
15 with the requirement to participate in substance abuse treatment.

16 (b) During the time that an individual is receiving substance abuse treatment
17 under par. (a), the administering agency shall require the individual to undergo
18 random testing for the use of a controlled substance. For the individual to remain
19 eligible for a program, the individual must cooperate with the testing and the results
20 of the tests must be negative or, if any results are positive, the individual must
21 present evidence of a valid prescription as described in sub. (3). If the results of any
22 test during treatment are positive for the use of a controlled substance and the
23 individual does not present evidence of a valid prescription for the controlled
24 substance, the individual shall have the opportunity to begin the treatment again
25 one time, as determined by the administering agency. If the individual begins the

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1 substance abuse treatment again, he or she shall remain eligible for a program as
2 long as the results of all tests for the use of a controlled substance during the
3 subsequent treatment are negative for the use of a controlled substance or, if any
4 results are positive, the individual presents evidence of a valid prescription for the
5 controlled substance.

6 (c) If an individual receiving treatment under par. (b) completes treatment and,
7 at the conclusion of the treatment, tests negative for the use of a controlled substance
8 or presents evidence of a valid prescription for any controlled substance for which the
9 individual tests positive, the individual will have satisfactorily completed the
10 substance abuse testing requirements under this section.

11 (5) The department shall manage the costs and reinvest the savings under this
12 section, and shall work with the administering agency, if different from the
13 department, to manage the costs and reinvest the savings.

14 *-0786/2.1*SECTION 1742. 49.163 (2) (a) of the statutes is amended to read:

15 49.163 (2) (a) The department shall establish a Transform Milwaukee Jobs
16 program in Milwaukee County and, if funding is available, may establish a
17 Transitional Jobs program outside of Milwaukee County. To the extent of available
18 funds, the department shall conduct the Transitional Jobs program, if established,
19 in one or more geographic areas in the state that are not in Milwaukee County. In
20 selecting the geographic area or areas in which to conduct the Transitional Jobs
21 program, the department shall give priority to those areas with relatively high rates
22 of unemployment and childhood poverty and to other areas with special needs that
23 the department determines should be given priority.

24 *-0350/4.3*SECTION 1743. 49.163 (2) (am) 7. of the statutes is created to read:

1 49.163 (2) (am) 7. Satisfy all of the requirements related to substance abuse
2 screening, testing, and treatment under s. 49.162 that apply to the individual.

3 *-0351/1.2*SECTION 1744. 49.163 (3) (a) 3. a. of the statutes is amended to
4 read:

5 49.163 (3) (a) 3. a. A wage subsidy that is equal to the an amount of wages that
6 negotiated between the department and the employer or contractor pays to the
7 individual, that is paid for hours each hour the individual actually worked, not to
8 exceed 40 hours per week at, and that is not more than the federal or state minimum
9 wage that applies to the individual.

10 *-0351/1.3*SECTION 1745. 49.163 (3) (a) 4. of the statutes is amended to read:

11 49.163 (3) (a) 4. An employer, or, subject to the approval of the department, a
12 contractor under sub. (4), that employs an individual participating in the program
13 may pay the individual an amount that exceeds any wage subsidy paid to the
14 employer or contractor by the department under subd. 3. a., except that the employer
15 or contractor must pay the individual at least minimum wage.

16 *-0786/2.2*SECTION 1746. 49.175 (1) (intro.) of the statutes is amended to
17 read:

18 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in ~~sub.~~ subs. (2)
19 and (3), within the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (k),
20 (kx), (L), (mc), (md), (me), and (s) and (3) (kp), the department shall allocate the
21 following amounts for the following purposes:

22 *-0786/2.3*SECTION 1747. 49.175 (1) (a) of the statutes is amended to read:

23 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
24 ~~\$82,014,000~~ \$89,796,000 in fiscal year ~~2013-14~~ 2015-16 and ~~\$72,696,000~~
25 \$88,796,000 in fiscal year ~~2014-15~~ 2016-17.

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1 *~~0786/2.4~~SECTION 1748. 49.175 (1) (b) of the statutes is amended to read:

2 49.175 (1) (b) *Wisconsin Works agency contracts; job access loans.* For contracts
3 with Wisconsin Works agencies under s. 49.143 and for job access loans under s.
4 49.147 (6), ~~\$57,586,500 in fiscal year 2013–14 and \$58,336,500~~ \$58,336,500 in each
5 fiscal year 2014–15.

6 *~~0786/2.5~~SECTION 1749. 49.175 (1) (g) of the statutes is amended to read:

7 49.175 (1) (g) *State administration of public assistance programs and*
8 *overpayment collections.* For state administration of public assistance programs and
9 the collection of public assistance overpayments, ~~\$12,697,100~~ \$14,834,100 in fiscal
10 year ~~2013–14~~ 2015–16 and ~~\$12,812,700~~ \$14,967,700 in fiscal year ~~2014–15~~ 2016–17.

11 *~~0786/2.6~~SECTION 1750. 49.175 (1) (i) of the statutes is amended to read:

12 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138
13 and for transfer to the department of administration for low-income energy or
14 weatherization assistance programs, ~~\$7,500,000~~ \$8,500,000 in fiscal year 2015–16
15 and \$8,400,000 in each fiscal year 2016–17.

16 *~~0786/2.7~~SECTION 1751. 49.175 (1) (k) of the statutes is amended to read:

17 49.175 (1) (k) *Transform Milwaukee and Transitional Jobs programs.* For
18 contract costs under the Transform Milwaukee Jobs program and the Transitional
19 Jobs program under s. 49.163, ~~\$3,750,000~~ \$6,000,000 in fiscal year ~~2013–14~~ 2015–16
20 and ~~\$5,000,000~~ \$7,000,000 in fiscal year ~~2014–15~~ 2016–17.

21 *~~0786/2.8~~SECTION 1752. 49.175 (1) (n) of the statutes is created to read:

22 49.175 (1) (n) *Fostering futures: connections count.* For funding community
23 connectors to interact with vulnerable families with young children and to connect
24 families with formal and informal community support, \$360,300 in fiscal year
25 2016–17.

1 *~~0786/2.9~~*SECTION 1753. 49.175 (1) (p) of the statutes is amended to read:

2 49.175 (1) (p) *Direct child care services.* For direct child care services under s.
3 49.155, \$271,400,200 ~~\$267,945,900~~ in fiscal year 2013-14 ~~2015-16~~ and
4 \$274,734,000 ~~\$286,777,400~~ in fiscal year 2014-15 ~~2016-17~~.

5 *~~0786/2.10~~*SECTION 1754. 49.175 (1) (q) of the statutes is amended to read:

6 49.175 (1) (q) *Child care state administration and licensing activities.* For state
7 administration of child care programs under s. 49.155 and for child care licensing
8 activities, \$29,719,000 ~~\$34,244,600~~ in fiscal year 2013-14 ~~2015-16~~ and \$31,799,500
9 ~~\$33,248,300~~ in fiscal year 2014-15 ~~2016-17~~.

10 *~~0786/2.11~~*SECTION 1755. 49.175 (1) (qm) of the statutes is amended to read:

11 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality
12 improvement activities specified in s. 49.155 (1g), \$13,095,800 ~~\$15,492,700~~ in each
13 fiscal year.

14 *~~0786/2.12~~*SECTION 1756. 49.175 (1) (r) of the statutes is amended to read:

15 49.175 (1) (r) *Children of recipients of supplemental security income.* For
16 payments made under s. 49.775 for the support of the dependent children of
17 recipients of supplemental security income, \$33,688,000 ~~\$31,338,200~~ in each fiscal
18 year.

19 *~~0786/2.13~~*SECTION 1757. 49.175 (1) (s) of the statutes is amended to read:

20 49.175 (1) (s) *Kinship care and long-term kinship care assistance.* For kinship
21 care and long-term kinship care payments under s. 48.57 (3m) (am) and (3n) (am),
22 for assessments to determine eligibility for those payments, and for agreements
23 under s. 48.57 (3t) with the governing bodies of Indian tribes for the administration
24 of the kinship care and long-term kinship care programs within the boundaries of

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1 the reservations of those tribes, ~~\$20,335,200~~ \$21,222,700 in fiscal year 2013-14
2 2015-16 and ~~\$20,774,400~~ \$21,435,000 in fiscal year 2014-15 2016-17.

3 *~~0786/2.14~~*SECTION 1758. 49.175 (1) (t) of the statutes is amended to read:

4 49.175 (1) (t) *Safety and out-of-home placement services*. For services provided
5 to ensure the safety of children who the department or a county determines may
6 remain at home if appropriate services are provided, and for services provided to
7 families with children placed in out-of-home care, ~~\$7,711,100~~ \$3,647,200 in each
8 fiscal year 2015-16 and \$5,392,700 in fiscal year 2016-17.

9 *~~0786/2.15~~*SECTION 1759. 49.175 (1) (u) of the statutes is amended to read:

10 49.175 (1) (u) *Prevention services*. For services to prevent child abuse or neglect
11 in counties having a population of 500,000 or more, ~~\$1,489,600~~ \$1,389,600 in each
12 fiscal year.

13 *~~0786/2.16~~*SECTION 1760. 49.175 (1) (z) of the statutes is amended to read:

14 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America*. For grants to the
15 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
16 improve social, academic, and employment skills of youth who are eligible to receive
17 temporary assistance for needy families under 42 USC 601 et seq., focusing on study
18 habits, intensive tutoring in math and English, and exposure to career options and
19 role models, ~~\$1,250,000 in fiscal year 2013-14~~ and ~~\$1,100,000~~ \$1,100,000 in each
20 fiscal year 2014-15. Grants provided under this paragraph may not be used by the
21 grant recipient to replace funding for programs that are being funded, when the
22 grant proceeds are received, with moneys other than those from the appropriations
23 specified in sub. (1) (intro.). ~~The total amount of the grants for fiscal year 2013-14~~
24 ~~includes \$25,000 for the greater Wisconsin Rapids Area Boys and Girls Club to fund~~
25 ~~the Cranberry Science, Technology, Engineering, and Mathematics program and, if~~

1 the program provides \$125,000 in matching funds, \$125,000 for the Green Bay Boys
2 and Girls Clubs for the BE GREAT Graduate program, to be used only for activities
3 for which federal Temporary Assistance for Needy Families block grant moneys may
4 be used.

5 *~~0786/2.17~~*SECTION 1761. 49.175 (3) of the statutes is created to read:

6 49.175 (3) LIMIT ON CERTAIN FUNDS. Moneys from the appropriation account
7 under s. 20.437 (3) (kp) for the allocations specified in sub. (1) shall be limited to
8 \$4,730,300 and may be expended only for obligations incurred between October 1,
9 2015, and September 30, 2016.

10 *~~0132/2.2~~*SECTION 1762. 49.195 (title) of the statutes is amended to read:

11 49.195 (title) **Recovery of aid to families with dependent children and,**
12 **Wisconsin works Works benefits, and overpayments of emergency**
13 **assistance.**

14 *~~0132/2.3~~*SECTION 1763. 49.195 (3) of the statutes is amended to read:

15 49.195 (3) A county, tribal governing body, Wisconsin works Works agency, or
16 the department shall determine whether an overpayment has been made under s.
17 ~~49.19~~ 49.138, 49.148, 49.155 ~~or~~, 49.157, ~~or 49.19~~ and, if so, the amount of the
18 overpayment. The county, tribal governing body, Wisconsin works Works agency, or
19 department shall provide notice of the overpayment to the liable person. The
20 department shall give that person an opportunity for a review following the
21 procedure specified under s. 49.152, if the person received the overpayment under
22 s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96, the
23 department shall promptly recover all overpayments made under s. ~~49.19~~ 49.138,
24 49.148, 49.155 ~~or~~, 49.157, ~~or 49.19~~ that have not already been received under s.
25 49.138 (5), 49.161, or 49.19 (17) or received as a setoff under s. 71.93 and shall

1 promulgate rules establishing policies and procedures to administer this subsection.
2 The rules shall include notification procedures similar to those established for child
3 support collections.

4 ***-0416/P1.2*SECTION 1764.** 49.26 (1) (gm) 1. d. of the statutes is created to
5 read:

6 49.26 (1) (gm) 1. d. A child whose Wisconsin Works group includes a participant
7 under s. 49.147 (3), (4), or (5) who has been unable to participate in activities required
8 under s. 49.147 (3), (4), or (5) due to the child's school-related problems.

9 ***-0407/P3.51*SECTION 1765.** 49.275 of the statutes is amended to read:

10 **49.275 Cooperation with federal government.** The department may
11 cooperate with the federal government in carrying out federal acts concerning public
12 assistance under this subchapter ~~and~~, child welfare under ch. 48, and
13 community-based juvenile delinquency-related services under ch. 938 and in other
14 matters of mutual concern ~~under this subchapter~~ pertaining to public welfare ~~and~~
15 under ch. 48 pertaining to, child welfare, and juvenile delinquency under this
16 subchapter and chs. 48 and 938.

17 ***-0407/P3.52*SECTION 1766.** 49.32 (1) (a) of the statutes is amended to read:

18 49.32 (1) (a) Except as provided in s. 49.345 (14) (b) and (c), the department
19 shall establish a uniform system of fees for services ~~provided or purchased~~ under this
20 subchapter and ch. 48, and community-based juvenile delinquency-related services
21 under ch. 938, purchased or provided by the department, or by a county department
22 under s. 46.215, 46.22, or 46.23, except as provided in s. 49.22 (6) and except when,
23 as determined by the department, a fee is administratively unfeasible or would
24 significantly prevent accomplishing the purpose of the service. A county department
25 under s. 46.215, 46.22, or 46.23 shall apply the fees that it collects under this program

1 to cover the cost of those services. The department shall report to the joint committee
2 on finance no later than March 1 of each year on the number of children placed for
3 adoption by the department during the previous year and the costs to the state for
4 services relating to such adoptions.

5 ***-0407/P3.53*SECTION 1767.** 49.32 (1) (b) of the statutes is amended to read:

6 49.32 (1) (b) Except as provided in s. 49.345 (14) (b) and (c), any person
7 receiving services purchased or provided ~~or purchased~~ under par. (a) or the spouse
8 of the person and, in the case of a minor, the parents of the person, and, in the case
9 of a foreign child described in s. 48.839 (1) who became dependent on public funds
10 for his or her primary support before an order granting his or her adoption, the
11 resident of this state appointed guardian of the child by a foreign court who brought
12 the child into this state for the purpose of adoption, shall be liable for the services in
13 the amount of the fee established under par. (a).

14 ***-0407/P3.54*SECTION 1768.** 49.32 (2) (b) of the statutes is amended to read:

15 49.32 (2) (b) The department may make social services payments and
16 payments for community-based juvenile delinquency-related services directly to
17 recipients, vendors, or providers in accordance with law and rules of the department
18 on behalf of the counties ~~which~~ that have contracts to have ~~such~~ those payments
19 made on their behalf.

20 ***-0407/P3.55*SECTION 1769.** 49.325 (1) (a) of the statutes is amended to read:

21 49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall
22 submit its final budget for services purchased or directly provided ~~or purchased~~
23 under this subchapter or ch. 48 and for community-based juvenile
24 delinquency-related services purchased or directly provided under ch. 938 to the
25 department by December 31 annually.

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1 *~~0407/P3.56~~*SECTION 1770. 49.325 (2) of the statutes is amended to read:

2 49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed
3 budget for services purchased or directly provided ~~or purchased~~ under this
4 subchapter or ch. 48 and for community-based juvenile delinquency-related
5 services purchased or directly provided under ch. 938 to the county executive or
6 county administrator or the county board, the county departments listed in sub. (1)
7 shall assess needs and inventory resources and services, using an open public
8 participation process.

9 *~~0407/P3.57~~*SECTION 1771. 49.325 (2g) (a) of the statutes is amended to read:

10 49.325 (2g) (a) The department shall annually submit to the county board of
11 supervisors in a county with a single-county department or the county boards of
12 supervisors in counties with a multicounty department a proposed written contract
13 containing the allocation of funds for services purchased or directly provided ~~or~~
14 ~~purchased~~ under this subchapter or ch. 48, for community-based juvenile
15 delinquency-related services purchased or directly provided under ch. 938, and for
16 such administrative requirements as necessary. The contract as approved may
17 contain conditions of participation consistent with federal and state law. The
18 contract may also include provisions necessary to ensure uniform cost accounting of
19 services. Any changes to the proposed contract shall be mutually agreed upon. The
20 county board of supervisors in a county with a single-county department or the
21 county boards of supervisors in counties with a multicounty department shall
22 approve the contract before January 1 of the year in which it takes effect unless the
23 department grants an extension. The county board of supervisors in a county with
24 a single-county department or the county boards of supervisors in counties with a

1 multicounty department may designate an agent to approve addenda to any contract
2 after the contract has been approved.

3 *-0407/P3.58*SECTION 1772. 49.325 (2g) (b) of the statutes is amended to read:

4 49.325 (2g) (b) The department may not approve contracts for amounts in
5 excess of available revenues. The county board of supervisors in a county with a
6 single-county department or the county boards of supervisors in counties with a
7 multicounty department may appropriate funds for community-based juvenile
8 delinquency-related services. Actual expenditure of county funds shall be reported
9 in compliance with procedures developed by the department.

10 *-0407/P3.59*SECTION 1773. 49.325 (2g) (c) of the statutes is amended to read:

11 49.325 (2g) (c) The joint committee on finance may require the department to
12 submit contracts between county departments under ss. 46.215, 46.22, and 46.23
13 and providers of services under this subchapter or ch. 48 or of community-based
14 juvenile delinquency-related services under ch. 938 to the committee for review and
15 approval.

16 *-0407/P3.60*SECTION 1774. 49.325 (2r) (a) 1. of the statutes is amended to
17 read:

18 49.325 (2r) (a) 1. For services under this subchapter or ch. 48 or
19 community-based juvenile delinquency-related services under ch. 938 that
20 duplicate or are inconsistent with services being purchased or provided or purchased
21 by the department or other county departments receiving grants-in-aid or
22 reimbursement from the department.

23 *-0407/P3.61*SECTION 1775. 49.325 (2r) (a) 2. of the statutes is amended to

24 read:

1 49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or
2 regulations, in which case the department may also arrange for the provision of
3 services under this subchapter or ch. 48 or community-based juvenile
4 delinquency-related services under ch. 938 by an alternate agency. The department
5 may not arrange for the provision of those services by an alternate agency unless the
6 joint committee on finance or a review body designated by the committee reviews and
7 approves the department's determination.

8 *-0407/P3.62*SECTION 1776. 49.34 (1) of the statutes is amended to read:

9 49.34 (1) All services under this subchapter and ch. 48 and all
10 community-based juvenile delinquency-related services under ch. 938 purchased
11 by the department or by a county department under s. 46.215, 46.22, or 46.23 shall
12 be authorized and contracted for under the standards established under this section.
13 The department may require the county departments to submit the contracts to the
14 department for review and approval. For purchases of \$10,000 or less the
15 requirement for a written contract may be waived by the department. No contract
16 is required for care provided by foster homes that are required to be licensed under
17 s. 48.62. When the department directly contracts for services, ~~it~~ the department
18 shall follow the procedures in this section in addition to meeting purchasing
19 requirements established in s. 16.75.

20 *-0407/P3.63*SECTION 1777. 49.34 (2) of the statutes is amended to read:

21 49.34 (2) All services purchased under this subchapter and ch. 48 and all
22 community-based juvenile delinquency-related services purchased under ch. 938
23 shall meet standards established by the department and other requirements
24 specified by the purchaser in the contract. Based on these standards the department
25 shall establish standards for cost accounting and management information systems

1 that shall monitor the utilization of the services, and document the specific services
2 in meeting the service plan for the client and the objective of the service.

3 *~~0407/P3.64~~*SECTION 1778. 49.34 (3) (f) of the statutes is repealed.

4 *~~0407/P3.65~~*SECTION 1779. 49.345 (1) of the statutes is amended to read:

5 49.345 (1) Liability and the collection and enforcement of such liability for the
6 care, maintenance, services, and supplies specified in this section are governed
7 exclusively by this section, except in cases of child support ordered by a court under
8 s. 48.355 (2) (b) 4., 48.357 (5m) (a), ~~or 48.363 (2), 938.183 (4), 938.355 (2) (b) 4.,~~
9 938.357 (5m) (a), or 938.363 (2) or ch. 767.

10 *~~0407/P3.66~~*SECTION 1780. 49.345 (2) of the statutes is amended to read:

11 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including ~~but~~
12 ~~not limited to~~ a person placed under s. 48.345 (3) ~~or~~, 48.357 (1) or (2m), 938.183,
13 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance,
14 services, and supplies provided by any institution in this state, in which the state is
15 chargeable with all or part of the person's care, maintenance, services, and supplies,
16 and the person's property and estate, including the homestead, and the spouse of the
17 person, and the spouse's property and estate, including the homestead, and, in the
18 case of a minor child, the parents of the person, and their property and estates,
19 including their homestead, and, in the case of a foreign child described in s. 48.839
20 (1) who became dependent on public funds for his or her primary support before an
21 order granting his or her adoption, the resident of this state appointed guardian of
22 the child by a foreign court who brought the child into this state for the purpose of
23 adoption, and his or her property and estate, including his or her homestead, shall
24 be liable for the cost of the care, maintenance, services, and supplies in accordance
25 with the fee schedule established by the department under s. 49.32 (1). If a spouse,

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1 widow, or minor, or an incapacitated person may be lawfully dependent upon the
2 property for his or her support, the court shall release all or such part of the property
3 and estate from the charges that may be necessary to provide for the person. The
4 department shall make every reasonable effort to notify the liable persons as soon
5 as possible after the beginning of the maintenance, but the notice or the receipt
6 thereof of the notice is not a condition of liability.

7 ***-0407/P3.67*SECTION 1781.** 49.345 (8) (g) of the statutes is amended to read:

8 49.345 (8) (g) Pay quarterly from the appropriation under s. 20.437 (1) (gg) the
9 collection moneys due county departments under ss. 46.215, 46.22, and 46.23.
10 Payments shall be made as soon after the close of each quarter as is practicable.

11 ***-0407/P3.68*SECTION 1782.** 49.345 (14) (b) of the statutes is amended to read:

12 49.345 (14) (b) Except as provided in par. (c), and subject to par. (cm), liability
13 of a parent specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the
14 parent's minor child who has been placed by a court order under s. 48.355 ~~or~~, 48.357,
15 938.183, 938.355, or 938.357 in a residential, nonmedical facility such as a group
16 home, foster home, subsidized guardianship home, or residential care center for
17 children and youth shall be determined by the court by using the percentage
18 standard established by the department under s. 49.22 (9) and by applying the
19 percentage standard in the manner established by the department under par. (g).

20 ***-0347/P2.3*SECTION 1783.** 49.345 (14) (e) 1. of the statutes is amended to
21 read:

22 49.345 (14) (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or
23 48.363 (2) for support determined under this subsection constitutes an assignment
24 of all commissions, earnings, salaries, wages, pension benefits, income continuation
25 insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits

1 under ch. 102 or 108, and other money due or to be due in the future to the county
2 department under s. 46.22 or 46.23 in the county where the order was entered or to
3 the department, depending upon the placement of the child as specified by rules
4 promulgated under subd. 5. The assignment shall be for an amount sufficient to
5 ensure payment under the order.

6 ***-0407/P3.69*SECTION 1784.** 49.345 (14) (e) 1. of the statutes, as affected by
7 2015 Wisconsin Act (this act), is amended to read:

8 49.345 (14) (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or
9 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a), or 938.363 (2) for support
10 determined under this subsection constitutes an assignment of all commissions,
11 earnings, salaries, wages, pension benefits, income continuation insurance benefits
12 under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108,
13 and other money due or to be due in the future to the county department under s.
14 46.215, 46.22, or 46.23 in the county where the order was entered or to the
15 department, depending upon the placement of the child as specified by rules
16 promulgated under subd. 5. The assignment shall be for an amount sufficient to
17 ensure payment under the order.

****NOTE: This is reconciled s. 49.345 (14) (e) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0347/P1 and LRB-0407/P2.

18 ***-0407/P3.70*SECTION 1785.** 49.345 (14) (g) of the statutes is amended to read:

19 49.345 (14) (g) For purposes of determining child support under par. (b), the
20 department shall promulgate rules related to the application of the standard
21 established by the department under s. 49.22 (9) to a child support obligation for the
22 care and maintenance of a child who is placed by a court order under s. 48.355 or,
23 48.357, 938.183, 938.355, or 938.357 in a residential, nonmedical facility. The rules

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1 shall take into account the needs of any person, including dependent children other
2 than the child, whom either parent is legally obligated to support.

3 *~~0407/P3.71~~*SECTION 1786. 49.345 (16) of the statutes is amended to read:

4 49.345 (16) The department shall delegate to county departments under ss.
5 46.215, 46.22, and 46.23 or the local providers of care and services meeting the
6 standards established by the department under s. 49.34 the responsibilities vested
7 in the department under this section for collection of fees for services other than
8 those provided at state facilities, if the county departments or providers meet the
9 conditions that the department determines are appropriate. The department may
10 delegate to county departments under ss. 46.215, 46.22, and 46.23 the
11 responsibilities vested in the department under this section for collection of fees for
12 services provided at the state facilities if the necessary conditions are met.

13 *~~0407/P3.72~~*SECTION 1787. 49.35 (1) (a) of the statutes is amended to read:

14 49.35 (1) (a) The department shall supervise the administration of programs
15 under this subchapter and ch. 48 and of community-based juvenile
16 delinquency-related programs under ch. 938. The department shall submit to the
17 federal authorities state plans for the administration of programs under this
18 subchapter and ch. 48 and of community-based juvenile delinquency-related
19 programs under ch. 938 in such form and containing such information as the federal
20 authorities require, and shall comply with all requirements prescribed to ensure
21 their correctness.

22 *~~0407/P3.73~~*SECTION 1788. 49.35 (1) (b) of the statutes is amended to read:

23 49.35 (1) (b) All records of the department and all county records relating to
24 programs under this subchapter and ch. 48, community-based juvenile
25 delinquency-related programs under ch. 938, and aid under s. 49.18, 1971 stats., s.

1 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973,
2 shall be open to inspection at all reasonable hours by authorized representatives of
3 the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county
4 records relating to the administration of the services and public assistance specified
5 in this paragraph shall be open to inspection at all reasonable hours by authorized
6 representatives of the department.

7 ***-0407/P3.74*SECTION 1789.** 49.35 (2) of the statutes is amended to read:

8 49.35 (2) The county administration of all laws relating to programs under this
9 subchapter and ch. 48 and to community-based juvenile delinquency-related
10 programs under ch. 938 shall be vested in the officers and agencies designated in the
11 statutes.

12 ***-0350/4.4*SECTION 1790.** 49.36 (3) (a) of the statutes is amended to read:

13 49.36 (3) (a) Except as provided in par. (f) and subject to sub. (3m), a person
14 ordered to register under s. 767.55 (2) (am) shall participate in a work experience
15 program if services are available.

16 ***-0350/4.5*SECTION 1791.** 49.36 (3m) of the statutes is created to read:

17 49.36 (3m) A person is not eligible to participate in a program under this
18 section unless the person satisfies all of the requirements related to substance abuse
19 screening, testing, and treatment under s. 49.162 that apply to the individual.

20 ***-0971/P5.515*SECTION 1792.** 49.43 (9m) of the statutes is created to read:

21 49.43 (9m) "Primary care shortage area" means an area that is in a primary
22 care health professional shortage area as determined by the federal department of
23 health and human services under 42 CFR part 5, appendix A, excluding a state or
24 federal prison.

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1 *~~0407/P3.75~~**SECTION 1793.** 49.45 (6m) (br) 1. of the statutes is amended to
2 read:

3 49.45 **(6m)** (br) 1. Notwithstanding s. ~~20.410 (3) (ed), 20.435 or (7) (b) or 20.437~~
4 (1) (cj) or (2) (dz), the department shall reduce allocations of funds to counties in the
5 amount of the disallowance from the appropriation account under s. 20.435 (7) (b),
6 or the department shall direct the department of children and families to reduce
7 allocations of funds to counties or Wisconsin Works agencies in the amount of the
8 disallowance from the appropriation account under s. 20.437 (1) (cj) or (2) (dz) or
9 ~~direct the department of corrections to reduce allocations of funds to counties in the~~
10 ~~amount of the disallowance from the appropriation account under s. 20.410 (3) (ed),~~
11 in accordance with s. 16.544 to the extent applicable.

12 *~~1461/P2.180~~**SECTION 1794.** 49.45 (6v) of the statutes, as affected by 2015
13 Wisconsin Act (this act), is repealed.

14 *~~1461/P2.181~~**SECTION 1795.** 49.45 (6v) (c) of the statutes is amended to read:
15 49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds
16 by recipients of medical assistance in facilities is less than estimates for that
17 utilization reflected in the intentions of the joint committee on finance, legislature
18 and governor, as expressed by them in the budget determinations, the department
19 shall include a proposal to transfer moneys from the appropriation under s. 20.435
20 (4) (b) to the appropriation under s. 20.435 ~~(7) (4)~~ (bd) for the purpose of increasing
21 funding for the community options program under s. 46.27. The amount proposed
22 for transfer may not reduce the balance in the appropriation account under s. 20.435
23 (4) (b) below an amount necessary to ensure that that appropriation account will end
24 the current fiscal year or the current fiscal biennium with a positive balance. The
25 secretary shall transfer the amount identified under the proposal.

1 *~~0971/P5.516~~*SECTION 1796. 49.45 (8r) of the statutes is amended to read:

2 49.45 (8r) PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. The rate
3 of payment for obstetric and gynecological care provided in primary care shortage
4 areas, ~~as defined in s. 36.60 (1) (em)~~, or provided to recipients of medical assistance
5 who reside in primary care shortage areas, that is equal to 125% of the rates paid
6 under this section to primary care physicians in primary care shortage areas, shall
7 be paid to all certified primary care providers who provide obstetric or gynecological
8 care to those recipients.

9 *~~1235/5.1~~*SECTION 1797. 49.45 (23) (c) of the statutes is repealed.

10 *~~1235/5.2~~*SECTION 1798. 49.45 (23) (g) of the statutes is created to read:

11 49.45 (23) (g) 1. The department shall submit to the secretary of the federal
12 department of health and human services an amendment to the waiver requested
13 under par. (a) that authorizes the department to do all of the following with respect
14 to the childless adults demonstration project under this subsection:

15 a. Impose monthly premiums as determined by the department.

16 b. Impose higher premiums for enrollees who engage in behaviors that increase
17 their health risks, as determined by the department.

18 c. Require a health risk assessment for all enrollees.

19 d. Limit an enrollee's eligibility under the demonstration project to no more
20 than 48 months. The department shall specify the eligibility formula in the waiver
21 amendment.

22 e. Require, as a condition of eligibility, that an applicant or enrollee submit to
23 a drug screening assessment and, if indicated, a drug test, as specified by the
24 department in the waiver amendment.

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1 2. If the secretary of the federal department of health and human services
2 approves the amendment to the waiver under par. (a), in whole or in part, the
3 department shall implement the changes to the demonstration project under this
4 subsection specified in subd. 1. a. to e. that are approved by the secretary, consistent
5 with the approval.

6 *~~1343/P2.1~~SECTION 1799. 49.45 (24k) of the statutes is created to read:

7 49.45 (24k) DENTAL REIMBURSEMENT PILOT PROJECT. (a) Subject to approval of
8 the federal department of health and human services under par. (b), the department,
9 as a pilot project, shall distribute moneys in each fiscal year to increase the
10 reimbursement rate under Medical Assistance for pediatric dental care and adult
11 emergency dental services, as defined by the department, that are provided in
12 Brown, Polk, and Racine counties.

13 (b) The department shall request any waiver from and submit any
14 amendments to the state Medical Assistance plan to the federal department of health
15 and human services necessary for the reimbursement rate increase pilot project
16 under par. (a). If any necessary waiver request or state plan amendment request is
17 approved, the department shall implement par. (a) beginning on the effective date
18 of the waiver or plan amendment.

19 *~~0381/P3.1~~SECTION 1800. 49.45 (30x) of the statutes is created to read:

20 49.45 (30x) LICENSED MIDWIFE SERVICES. (a) *Provider reimbursement.*
21 Beginning January 1, 2016, services under s. 49.46 (2) (b) 12t. provided to an
22 individual are reimbursable under the Medical Assistance program if an
23 amendment to the state medical assistance plan approved by the federal department
24 of health and human services permits reimbursement under s. 49.46 (2) (b) 12t.

1 (b) *Plan amendment.* The department shall submit to the federal department
2 of health and human services an amendment to the state medical assistance plan to
3 permit the application of par. (a). The department may not pay reimbursement
4 under par. (a) unless the amendment to the state plan allowing reimbursement
5 under s. 49.46 (2) (b) 12t. is approved and in effect.

6 ***-1021/P1.3*SECTION 1801.** 49.45 (39) (bm) of the statutes is created to read:

7 49.45 (39) (bm) *Excess state share.* Any portion of the state share under this
8 subsection in excess of \$42,200,000 in fiscal year 2015–16 and in excess of
9 \$41,700,000 in fiscal year 2016–17 and each fiscal year thereafter shall be deposited
10 in the Medical Assistance trust fund.

11 ***-1257/P2.1*SECTION 1802.** 49.45 (39m) of the statutes is created to read:

12 49.45 (39m) STATE PLAN AMENDMENT FOR PHARMACIST REIMBURSEMENT. The
13 department shall submit to the federal department of health and human services an
14 amendment to the state Medical Assistance plan to permit Medical Assistance
15 reimbursement to pharmacists who meet the training requirements specified by the
16 department to administer vaccines, as determined by the department, to a person 6
17 to 18 years of age. The department shall provide Medical Assistance reimbursement
18 under this subsection if the federal department of health and human services
19 approves the amendment to the state Medical Assistance plan. A pharmacist or
20 pharmacy shall enroll in the federal Vaccines for Children Program under 42 USC
21 1396s to be eligible for Medical Assistance reimbursement under this subsection.

22 ***-0596/P4.12*SECTION 1803.** 49.45 (41) (b) of the statutes is amended to read:

23 49.45 (41) (b) If a county elects to become certified as a provider of mental
24 health crisis intervention services, the county may provide mental health crisis
25 intervention services under this subsection in the county to medical assistance

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1 recipients through the medical assistance program. A county that elects to provide
2 the services shall pay the amount of the allowable charges for the services under the
3 medical assistance program that is not provided by the federal government. ~~From~~
4 ~~the appropriation account under s. 20.435 (5) (bL), the~~ The department shall
5 reimburse the county under this subsection only for the amount of the allowable
6 charges for those services under the medical assistance program that is provided by
7 the federal government.

8 *~~1150/1.2~~*SECTION 1804. 49.452 of the statutes is created to read:

9 **49.452 Counting promissory notes as assets for certain Medical**
10 **Assistance programs.** (1) In this section, "promissory note" means a written,
11 unconditional agreement, given in return for goods, money loaned, or services
12 rendered, under which one party promises to pay another party a specified sum of
13 money at a specified time or on demand.

14 (2) If an individual's assets are counted when determining or redetermining
15 the individual's financial eligibility for Medical Assistance, the department shall
16 include a promissory note as a countable asset if all of the following apply:

17 (a) The individual applying for or receiving benefits under Medical Assistance
18 or his or her spouse provided the goods, money loaned, or services rendered for the
19 promissory note.

20 (b) The promissory note was entered into or purchased on or after the effective
21 date of this paragraph [LRB inserts date].

22 (c) The promissory note is negotiable, assignable, and enforceable and does not
23 contain any terms making it unmarketable.

24 (3) A promissory note is presumed to be negotiable and its asset value is the
25 outstanding principal balance at the time the individual applies for Medical

1 Assistance or at the time the individual's eligibility for Medical Assistance is
2 redetermined, unless the individual shows by credible evidence from a
3 knowledgeable source that the note is nonnegotiable or has a different current
4 market value, which will then be considered the asset value.

5 ***-1150/1.3*SECTION 1805.** 49.453 (4c) (am) of the statutes is created to read:

6 49.453 (4c) (am) Notwithstanding par. (a), for purposes of sub. (2), the purchase
7 of or entering into a promissory note by an individual or his or her spouse on or after
8 the effective date of this paragraph [LRB inserts date], is a transfer of assets for
9 less than fair market value unless all of the following apply:

10 1. The promissory note satisfies the requirements under par. (a) 1. to 3.

11 2. The promissory note is negotiable, assignable, and enforceable and does not
12 contain any terms making it unmarketable.

13 ***-1150/1.4*SECTION 1806.** 49.453 (4c) (b) of the statutes is renumbered 49.453

14 (4c) (b) 1. and amended to read:

15 49.453 (4c) (b) 1. The value of a promissory note, purchased before the effective
16 date of this subdivision [LRB inserts date], a loan, or a mortgage that does not
17 satisfy the requirements under par. (a) 1. to 3. is the outstanding balance due on the
18 date that the individual applies for medical assistance for nursing facility services
19 or other long-term care services described in sub. (2).

20 ***-1150/1.5*SECTION 1807.** 49.453 (4c) (b) 2. of the statutes is created to read:

21 49.453 (4c) (b) 2. The value of a promissory note purchased or entered into on
22 or after the effective date of this subdivision [LRB inserts date], that does not
23 satisfy the requirements under par. (am) 1. and 2. is the outstanding balance due on
24 the date that the individual applies for Medical Assistance for nursing facility
25 services or other long-term care services described in sub. (2) or on the date that the

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1 individual's eligibility for Medical Assistance for nursing facility services or other
2 long-term care services described in sub. (2) is redetermined.

3 ***-0381/P3.2*SECTION 1808.** 49.46 (2) (b) 12t. of the statutes is created to read:
4 49.46 (2) (b) 12t. Subject to the limitations under s. 49.45 (30x), licensed
5 midwife services provided by a certified professional midwife licensed under s.
6 440.982.

7 ***-1230/P1.1*SECTION 1809.** 49.46 (2) (b) 14m. of the statutes is created to read:
8 49.46 (2) (b) 14m. Subject to par. (bt), substance abuse treatment services
9 provided by a medically monitored treatment service or a transitional residential
10 treatment service.

11 ***-1230/P1.2*SECTION 1810.** 49.46 (2) (bt) of the statutes is created to read:
12 49.46 (2) (bt) 1. For the purposes of par. (b) 14m., a “medically monitored
13 treatment service” is a 24-hour, community-based service providing observation,
14 monitoring, and treatment by a multidisciplinary team under supervision of a
15 physician, with a minimum of 12 hours of counseling provided per week for each
16 patient.

17 2. For the purposes of par. (b) 14m., a “transitional residential treatment
18 service” is a clinically supervised, peer-supported, therapeutic environment with
19 clinical involvement providing substance abuse treatment in the form of counseling
20 for 3 to 11 hours provided per week for each patient.

21 3. If approval by the federal department of health and human services of a state
22 plan amendment or waiver request is necessary for federal reimbursement of the
23 services under par. (b) 14m., the department is not required to pay for services
24 described in par. (b) 14m. if the department does not receive the necessary approval.

1 ***-1009/P1.1*SECTION 1811.** 49.471 (8) (d) 1. a. of the statutes is amended to
2 read:

3 49.471 (8) (d) 1. a. A pregnant woman, except as provided in ~~pars.~~ par. (cr) 1.
4 c. and ~~(fm)~~ 4.

5 ***-1009/P1.2*SECTION 1812.** 49.471 (8) (f) of the statutes is repealed.

6 ***-1009/P1.3*SECTION 1813.** 49.471 (8) (fm) of the statutes is repealed.

7 ***-1009/P1.4*SECTION 1814.** 49.471 (8) (g) of the statutes is repealed.

8 ***-1461/P2.182*SECTION 1815.** 49.472 (5) of the statutes is amended to read:

9 49.472 (5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s.
10 20.435 ~~(7)~~ (4) (bd), the department may pay all or a portion of the monthly premium
11 calculated under sub. (4) (a) for an individual who is a participant in the community
12 options program under s. 46.27 (11).

13 ***-1461/P2.183*SECTION 1816.** 49.475 (1) (e) 2. of the statutes is amended to
14 read:

15 49.475 (1) (e) 2. An enrollee of the family care program, as defined in s. 46.2805
16 (4m).

17 ***-1461/P2.184*SECTION 1817.** 49.496 (1) (bk) 2. of the statutes is repealed.

18 ***-1152/P1.1*SECTION 1818.** 49.682 (title) of the statutes is amended to read:
19 **49.682 (title) Recovery from estates; disease aids and funeral expenses.**

20 ***-1152/P1.2*SECTION 1819.** 49.682 (1) (a) of the statutes is amended to read:

21 49.682 (1) (a) “Client” means a person who receives or received aid under s.
22 49.68, 49.683, or 49.685 or a person on whose behalf funeral, burial, or cemetery
23 expenses aid was provided under s. 49.785.

24 ***-1152/P1.3*SECTION 1820.** 49.682 (1) (d) of the statutes is amended to read:

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1 49.682 (1) (d) “Nonclient surviving spouse” means any person who was married
2 to a client while the client was receiving or when the client received services or aid
3 for which the cost may be recovered under sub. (2) (a) or (am) and who survived the
4 client.

5 ***-1152/P1.4*SECTION 1821.** 49.682 (2) (am) of the statutes is created to read:

6 49.682 (2) (am) The department shall file a claim against the estate of a client,
7 and against the estate of a nonclient surviving spouse, for the amount of aid under
8 s. 49.785 paid to or on behalf of the client.

9 ***-1152/P1.5*SECTION 1822.** 49.682 (2) (bm) 1. of the statutes is amended to
10 read:

11 49.682 (2) (bm) 1. Property that is subject to the department’s claim under par.
12 (a) or (am) in the estate of a client or in the estate of a nonclient surviving spouse is
13 all property of a decedent that is included in the estate.

14 ***-1152/P1.6*SECTION 1823.** 49.682 (2) (bm) 2. of the statutes is amended to
15 read:

16 49.682 (2) (bm) 2. There is a presumption, consistent with s. 766.31, which may
17 be rebutted, that all property in the estate of the nonclient surviving spouse was
18 marital property held with the client and that 100 percent of the property in the
19 estate of the nonclient surviving spouse is subject to the department’s claim under
20 par. (a) or (am).

21 ***-1152/P1.7*SECTION 1824.** 49.682 (2) (c) (intro.) of the statutes is amended
22 to read:

23 49.682 (2) (c) (intro.) The court shall reduce the amount of a claim under par.
24 (a) or (am) by up to the amount specified in s. 861.33 (2) if necessary to allow the

1 decedent's heirs or the beneficiaries of the decedent's will to retain the following
2 personal property:

3 ***-1152/P1.8*SECTION 1825.** 49.682 (3) of the statutes is amended to read:

4 49.682 (3) The department shall administer the program under this section
5 and may contract with an entity to administer all or a portion of the program,
6 including gathering and providing the department with information needed to
7 recover payment of aid provided under s. 49.68, 49.683, ~~or 49.685,~~ or 49.785. All
8 funds received under this subsection, net of any amount claimed under s. 49.849 (5),
9 shall be remitted for deposit in the general fund.

10 ***-1152/P1.9*SECTION 1826.** 49.682 (4) (a) of the statutes is amended to read:

11 49.682 (4) (a) The department may recover amounts under this section for the
12 provision of aid provided under s. 49.68, 49.683, or 49.685 paid on and after
13 September 1, 1995, and for the provision of aid provided under s. 49.785 paid on or
14 after the effective date of this paragraph [LRB inserts date].

15 ***-1152/P1.10*SECTION 1827.** 49.682 (4) (b) of the statutes is amended to read:

16 49.682 (4) (b) The department may file a claim under sub. (2) (a) only with
17 respect to a client who dies after September 1, 1995. The department may file a claim
18 under sub. (2) (am) only with respect to a client who dies after the effective date of
19 this paragraph [LRB inserts date].

20 ***-1152/P1.11*SECTION 1828.** 49.682 (5) of the statutes is amended to read:

21 49.682 (5) The department shall promulgate rules establishing standards for
22 determining whether the application of this section with respect to a claim under
23 sub. (1) (a) would work an undue hardship in individual cases. If the department
24 determines that the application of this section with respect to a claim under sub. (1)

SECTION 1828

1 (a) would work an undue hardship in a particular case, the department shall waive
2 application of this section in that case.

3 *-1073/P1.1*SECTION 1829. 49.688 (2) (a) 6. of the statutes is created to read:

4 49.688 (2) (a) 6. The person applies for and, if eligible, enrolls in Medicare
5 under Part D of Title XVIII of the federal Social Security Act, 42 USC 1395w-101 to
6 1395w-153, if the secretary of the federal department of health and human services
7 approves the condition on eligibility under this subdivision.

8 *-1073/P1.2*SECTION 1830. 49.688 (2) (b) of the statutes is amended to read:

9 49.688 (2) (b) A person to whom par. (a) 1. to 3. ~~and, 5., and 6.~~ applies, but whose
10 annual household income, as determined by the department, exceeds 240% of the
11 federal poverty line for a family the size of the persons' eligible family, is eligible to
12 purchase a prescription drug at the amounts specified in sub. (5) (a) 4. only during
13 the remaining amount of any 12-month period in which the person has first paid the
14 annual deductible specified in sub. (3) (b) 2. a. in purchasing prescription drugs at
15 the retail price and has then paid the annual deductible specified in sub. (3) (b) 2. b.

16 *-1059/9.62*SECTION 1831. 49.78 (5) of the statutes is amended to read:

17 49.78 (5) PERSONNEL EXAMINATIONS. Statewide examinations to ascertain
18 qualifications of applicants in any county department administering aid to families
19 with dependent children shall be given by the ~~administrator of the division~~ director
20 of the bureau of merit recruitment and selection in the ~~office of state employment~~
21 relations department of administration. The ~~office of state employment relations~~
22 department of administration shall be reimbursed for actual expenditures incurred
23 in the performance of its functions under this section from the appropriations
24 available to the department of children and families for administrative
25 expenditures.

1 ***-1152/P1.12*SECTION 1832.** 49.785 (1m) (d) of the statutes is created to read:

2 49.785 (1m) (d) If the recipient, or the recipient's spouse or another person,
3 owns a life insurance policy insuring the recipient's life and the face value of the
4 policy is more than \$3,000, any amount that the department would be obligated to
5 pay under sub. (1) shall be reduced by one dollar for every dollar by which the face
6 value of the policy exceeds \$3,000.

7 ***-1152/P1.13*SECTION 1833.** 49.785 (2) of the statutes is created to read:

8 49.785 (2) The department shall pursue recovery of any amounts paid under
9 sub. (1) from the estate of the recipient and from the estate of any surviving spouse
10 of the recipient as provided in s. 49.682.

11 ***-1174/P5.1*SECTION 1834.** 49.79 (9) (d) of the statutes is created to read:

12 49.79 (9) (d) 1. The department shall request from the secretary of the federal
13 department of agriculture a waiver to permit the department to screen and, if
14 indicated, test, as specified by the department in the waiver request, participants in
15 an employment and training program under this subsection for illegal use of a
16 controlled substance without presenting evidence of a valid prescription.

17 2. If a waiver under subd. 1. is granted and in effect, the department shall
18 screen and, if indicated, test, in a manner approved in the waiver granted by the
19 secretary of the federal department of agriculture, participants in an employment
20 and training program under this subsection for illegal use of a controlled substance
21 without presenting evidence of a valid prescription.

22 ***-1152/P1.14*SECTION 1835.** 49.849 (1) (c) of the statutes is amended to read:

23 49.849 (1) (c) "Nonrecipient surviving spouse" means any person who was
24 married to a recipient while the recipient was receiving or when the recipient
25 received public assistance and who survived the recipient.

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1 ***-1152/P1.15*SECTION 1836.** 49.849 (1) (e) of the statutes is amended to read:

2 49.849 (1) (e) "Public assistance" means any services provided as a benefit
3 under a long-term care program, as defined in s. 49.496 (1) (bk), medical assistance
4 under subch. IV, long-term community support services funded under s. 46.27 (7),
5 or aid under s. 49.68, 49.683, ~~or 49.685~~, or 49.785.

6 ***-1152/P1.16*SECTION 1837.** 49.849 (2) (a) (intro.) of the statutes is amended
7 to read:

8 49.849 (2) (a) (intro.) Subject to par. (b), the department may collect from the
9 property of a decedent by affidavit under sub. (3) (b) or by lien under sub. (4) (a) an
10 amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), the
11 long-term community support services under s. 46.27 that is recoverable under s.
12 46.27 (7g) (c) 1., or the aid under s. 49.68, 49.683, ~~or 49.685~~, or 49.785 that is
13 recoverable under s. 49.682 (2) (a) or (am), and that was paid on behalf of the
14 decedent or the decedent's spouse, if all of the following conditions are satisfied:

15 ***-1152/P1.17*SECTION 1838.** 49.849 (2) (a) 1. of the statutes is amended to
16 read:

17 49.849 (2) (a) 1. The decedent died after September 30, 1991, or for the recovery
18 of aid under s. 49.785 the decedent died after the effective date of this subdivision
19 [LRB inserts date].

20 ***-1152/P1.18*SECTION 1839.** 49.849 (2) (a) 2. of the statutes is amended to
21 read:

22 49.849 (2) (a) 2. The decedent is not survived by a spouse, a child who is under
23 age 21, or a child who is disabled, as defined in s. 49.468 (1) (a) 1. This subdivision
24 does not apply for the recovery of aid under s. 49.785.

25 ***-1152/P1.19*SECTION 1840.** 49.849 (3) (b) of the statutes is amended to read: