

**2015 Assembly Bill 667 (LRB -4095)**

An Act to repeal 48.981 (11) (d); and to create 48.981 (11) of the statutes; relating to: model procedures for investigating reports of abuse or neglect involving children with disabilities. (FE)

**2016**

01-11.	A.	Introduced by Representatives Kleefisch, Johnson, Macco, Ballweg, Berceau, Billings, E. Brooks, R. Brooks, Brostoff, Goyke, Horlacher, Jorgensen, Kahl, Kessler, Knodl, T. Larson, Murphy, Mursau, Ohnstad, Quinn, Ripp, Sanfelippo, Sinicki, Stuck, Subeck, C. Taylor, Thiesfeldt, Tittl, Young, Zepnick, Zamarripa, Spreitzer and Loudenbeck; cosponsored by Senators Cowles, L. Taylor, Harris Dodd, Carpenter, Gudex, Olsen and C. Larson. ....	477
01-11.	A.	Read first time and referred to Committee on Criminal Justice and Public Safety .....	477
01-11.	A.	Assembly Amendment 1 offered by Representative Kleefisch ( <b>LRB a1410</b> ) .....	476
01-13.	A.	Public hearing held	
01-13.	A.	Executive action taken	
01-14.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Criminal Justice and Public Safety, Ayes 13, Noes 0 .....	499
01-14.	A.	Report passage as amended recommended by Committee on Criminal Justice and Public Safety, Ayes 13, Noes 0 .....	499
01-14.	A.	Referred to committee on Rules .....	499
01-14.	A.	Placed on calendar 1-19-2016 by Committee on Rules	
01-19.	A.	Read a second time .....	515
01-19.	A.	Assembly Amendment 1 <b>adopted</b> .....	515
01-19.	A.	Ordered to a third reading .....	516
01-19.	A.	Rules suspended .....	516
01-19.	A.	Read a third time and <b>passed</b> .....	516
01-19.	A.	Ordered immediately messaged .....	516
01-19.	S.	Received from Assembly .....	616
01-22.	S.	Read first time and referred to committee on Health and Human Services .....	645
01-28.	S.	Fiscal estimate received	
02-03.	S.	Public hearing held	
02-11.	S.	Executive action taken	
02-12.	S.	Report concurrence recommended by Committee on Health and Human Services, Ayes 5, Noes 0	
02-12.	S.	Available for scheduling	
02-15.	S.	Placed on calendar 2-16-2016 pursuant to Senate Rule 18(1)	
02-16.	S.	Read a second time	
02-16.	S.	Ordered to a third reading	
02-16.	S.	Rules suspended	
02-16.	S.	Read a third time and <b>concurred in</b>	
02-16.	S.	Senator Hansen added as a cosponsor	
02-16.	S.	Ordered immediately messaged	
02-17.	A.	Received from Senate concurred in .....	708

**2015**  
**ENROLLED BILL**

15en A B-667

**ADOPTED DOCUMENTS:**

**Orig**     **Engr**         **SubAmdt**     

15 4095/1

**Amendments to above (if none, write "NONE"):** AA1

**Corrections - show date (if none, write "NONE"):** NONE

**Topic** REL CLAUSE IS AMENDED

2/22/16

**Date**

Carol A

**Enrolling Drafter**



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4095/1  
GMM:kjf

**2015 ASSEMBLY BILL 667**

January 11, 2016 – Introduced by Representatives KLEEFISCH, JOHNSON, MACCO, BALLWEG, BERCEAU, BILLINGS, E. BROOKS, R. BROOKS, BROSTOFF, GOYKE, HORLACHER, JORGENSEN, KAHL, KESSLER, KNODL, T. LARSON, MURPHY, MURSAU, OHNSTAD, QUINN, RIPP, SANFELIPPO, SINICKI, STUCK, SUBECK, C. TAYLOR, THIESFELDT, TITTL, YOUNG, ZEPNICK, ZAMARRIPA, SPREITZER and LOUDENBECK, cosponsored by Senators COWLES, L. TAYLOR, HARRIS DODD, CARPENTER, GUDEx, OLSEN and C. LARSON. Referred to Committee on Criminal Justice and Public Safety.

1 AN ACT *to repeal* 48.981 (11) (d); and *to create* 48.981 (11) of the statutes;  
2 relating to: model procedures for investigating reports of abuse or neglect  
3 involving children with disabilities.

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***Analysis by the Legislative Reference Bureau***

This bill requires the Department of Children and Families, by January 1, 2017, to develop and implement a model procedure to be used in the investigation of reports of suspected or threatened abuse or neglect of a child with a disability. The bill requires the model procedure, at a minimum, to include all of the following:

1. A requirement that each county department of human services or social services, each licensed child welfare agency under contract with DCF or such a county department, or, in a county having a population of 500,000 or more, the subunit of DCF that conducts child abuse and neglect investigations (collectively, "agency"), on receipt of a report of suspected or threatened abuse or neglect, ask the reporter whether the child who is the subject of the report is a child with a disability.
2. Procedures for agencies to use to identify and address any specific categories of disabilities that a child with a disability reported to the agency may have.
3. Procedures to ensure that each agency is in compliance with the Americans with Disabilities Act. Those procedures must include reasonable modifications to the rules, policies, and practices of the agency, the removal of architectural, communication, and transportation barriers, and the provision of auxiliary aids and services as necessary to enable a person with a disability to receive the services or participate in the programs or activities provided by the agency.

**ASSEMBLY BILL 667**

4. Interviewing strategies tailored to the investigation of abuse or neglect reports involving children with disabilities that include forensic interviewing strategies for interviewing those children, including children with communication issues.

5. Information on how to access collateral information regarding a child with a disability.

6. Information on how to access specialized follow-up services for children with disabilities.

7. A requirement that agencies collaborate with local law enforcement agencies in the investigation of reports of suspected or threatened abuse or neglect of children with disabilities.

8. Plans for the training of agency staff in the implementation of the model procedure.

The bill also requires each agency, by July 1, 2017, to adopt a procedure for the investigation of reports of suspected or threatened abuse or neglect of children with disabilities, which procedure may consist of the model procedure developed by DCF.

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

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

SECTION 1. 48.981 (11) of the statutes is created to read:

48.981 (11) INVESTIGATIONS INVOLVING CHILDREN WITH DISABILITIES. (a) In this subsection, "child with a disability" means a child with a disability, as defined in s. 106.50 (1m) (g), including a child with a disability, as defined in s. 115.76 (5) (a).

(b) The department shall develop and implement a model procedure to be used in the investigation of reports of suspected or threatened abuse or neglect of a child with a disability. In developing that model procedure the department shall use an open public participation process that includes the input of representatives of law enforcement agencies and other stakeholders that the department considers appropriate. On completion of the model procedure, the department shall post the model procedure on its Internet site and distribute copies of the model procedure to

Handwritten annotations and marks on the page include:  
- Circled phrases: "model procedure to be used", "model procedure", "model procedure", "model procedure".  
- Underlines: "model procedure", "model procedure".  
- Arrows pointing to "model procedure" and "model procedure".  
- Marginal notes: "AA1 2.", "AA1 3.", "AA1 4.", "AA1 6.", "AA1 5.", "INJ AA1 2.", "plan", "plan", "plan", "plan".  
- A large 'X' mark on the left margin next to line 10.

**ASSEMBLY BILL 667**

1 all agencies that conduct abuse and neglect investigations in this state. At a  
2 minimum, the model procedure shall include all of the following:

*department shall consider including in the plan*

*AA1  
7. X*

3 1. A requirement that each agency, on receipt of a report of suspected or  
4 threatened abuse or neglect, ask the reporter whether the child who is the subject  
5 of the report is a child with a disability.

6 2. Procedures for agencies to use to identify and address any specific categories  
7 of disabilities that a child with a disability reported to the agency may have.

8 3. Procedures to ensure that each agency is in compliance with Part A of Title  
9 II of the Americans with Disabilities Act, 42 USC 12131 to 12134. Those procedures  
10 shall include reasonable modifications to the rules, policies, and practices of the  
11 agency, the removal of architectural, communication, and transportation barriers,  
12 and the provision of auxiliary aids and services as necessary to enable a person with  
13 a disability to receive the services or participate in the programs or activities  
14 provided by the agency.

15 4. Interviewing strategies tailored to the investigation of abuse or neglect  
16 reports involving children with disabilities that include forensic interviewing  
17 strategies for interviewing those children, including children with communication  
18 issues.

19 5. Information on how to access collateral information regarding a child with  
20 a disability.

21 6. Information on how to access specialized follow-up services for children with  
22 disabilities.

*X*

23 7. A requirement that agencies collaborate with local law enforcement agencies  
24 in the investigation of reports of suspected or threatened abuse or neglect of children  
25 with disabilities.

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ASSEMBLY BILL 667

SECTION 1

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8. Plans for the training of agency staff in the implementation of the model

procedure<sup>g</sup>  
plan

(c) Each agency that conducts abuse and neglect investigations in this state shall adopt a procedure for the investigation of reports of suspected or threatened abuse or neglect of children with disabilities. That procedure may consist of the model procedure developed under par. (b). An agency shall provide a copy of its procedure to all law enforcement agencies within the jurisdiction of the agency, as well as to any other person on request.

(d) The department shall develop and implement the model procedure under par. (b) by January 1, 2017. Each agency that conducts abuse and neglect investigations in this state shall adopt a procedure under par. (c) by July 1, 2017.

**SECTION 2.** 48.981 (11) (d) of the statutes, as created by 2015 Wisconsin Act ... (this act), is repealed.

**SECTION 3. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) ABUSE OR NEGLECT INVESTIGATIONS INVOLVING CHILDREN WITH DISABILITIES. The repeal of section 48.981 (11) (d) of the statutes takes effect on July 1, 2017.

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(END)

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State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa1410/2  
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ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 667

January 11, 2016 - Offered by Representative KLEEFISCH.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: delete "model procedures for investigating" and substitute  
3 "development and implementation of a plan for identifying and addressing areas in  
4 which there is a need for improvement in the practices used to investigate".

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5 **2.** Page 2, line 5: delete the material beginning with "model procedure" and  
6 ending with "investigation of" on line 6 and substitute "plan for identifying and  
7 addressing areas in which there is a need for improvement in the practices used to  
8 investigate".

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9 **3.** Page 2, line 7: delete "model procedure" and substitute "plan".

10 **4.** Page 2, line 9: after "agencies" insert ", the department of health services,".

11 **5.** Page 2, line 10: delete "model procedure" and substitute "plan".

1 / **6.** Page 2, line 11: delete that line and substitute “plan on its Internet site and  
2 distribute copies of the plan to”.

3 / **7.** Page 3, line 2: delete that line and substitute “minimum, the department  
4 shall consider including in the plan all of the following:”.

5 / **8.** Page 3, line 23: delete lines 23 to 25.

6 / **9.** Page 4, line 1: delete the material beginning with “model” and ending with  
7 “procedure” on line 2 and substitute “plan”.

8 / **10.** Page 4, line 3: delete lines 3 to 17 and substitute:

9 “(c) The department shall take action on the plan under par. (b) by January 1,  
10 2017. Each agency that conducts abuse and neglect investigations in this state shall  
11 adopt the plan by July 1, 2017, and shall provide a copy of the plan to all law  
12 enforcement agencies within the jurisdiction of the agency as well as to any other  
13 person on request.”

14 (END)

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