



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0753/1
CMH:kjf

2017 ASSEMBLY BILL 625

1 **AN ACT** *to create* 47.05 of the statutes; **relating to:** competitive integrated
2 employment of persons with a disability and granting rule-making authority.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 47.05 of the statutes is created to read:
4 **47.05 Employment First initiative. (1)** In this section:
5 (a) “Agency” has the meaning given in s. 13.172 (1).
6 (b) “Competitive integrated employment” has the meaning given in 29 USC 705
7 (5).
8 (c) “Working age” means an age that is at least 16 and includes the age at which
9 a child with a disability becomes eligible for transition services under subch. V of ch.
10 115.

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1 (2) All publicly funded programs that provide services and supports to working
2 age persons with disabilities, when supporting the participation of persons with
3 disabilities in activities outside their homes, shall prioritize the competitive
4 integrated employment of persons with disabilities.

5 (3) The department shall, with assistance from the department of health
6 services and the department of public instruction, lead a collaboration among all
7 agencies that administer programs that provide services and supports to working
8 age persons with disabilities to promote the competitive integrated employment of
9 those persons while ensuring the self-determination and informed choice of the
10 individual.

11 (4) (a) The department of workforce development, the department of health
12 services, and the department of public instruction shall collaborate and, with the
13 input of stakeholders including the Wisconsin Rehabilitation Council as established
14 under 34 CFR 361.16, jointly develop a plan establishing specific performance
15 improvement targets and describing specific methods used to coordinate efforts to
16 ensure that programs, policies, and procedures support competitive integrated
17 employment as described under sub. (2). The departments shall update the plan at
18 least biennially.

19 (b) 1. The department of workforce development, the department of health
20 services, and the department of public instruction shall each report on the progress,
21 outcomes, and achievements that each department has made in increasing
22 participation in competitive integrated employment in accordance with the plan
23 under par. (a), including information collected over the most recent period for which
24 data are available. The departments shall make the reports required under this
25 subdivision at least annually.

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1 2. The department of workforce development, the department of health
2 services, and the department of public instruction shall include all of the following
3 in the reports under subd. 1.:

4 a. A statement regarding the targets established in the plan under par. (a).

5 b. Steps taken by the departments, individually and collectively, to achieve the
6 targets established in the plan under par. (a).

7 c. The number of working age persons with disabilities who received publicly
8 funded services through each department during the most recent period for which
9 data are available and the number of those persons identified who are employed in
10 competitive integrated employment during that period.

11 d. The percentage change that the numbers under subd. 2. c. represent as
12 compared to the numbers from the previous period.

13 e. To the extent available through the departments' data systems, data on the
14 average number of hours worked and wages earned by persons described in subd. 2.

15 c. who are employed in competitive integrated employment.

16 f. Information appropriate to each department related to progress in achieving
17 the targets established under par. (a).

18 g. Identified barriers to achieving the goals and objectives established under
19 this section and strategies and policy changes in accordance with this section for each
20 department, acting individually and collectively, to overcome or mitigate those
21 barriers.

22 h. A statement or analysis specifically detailing the impact that the
23 collaboration under sub. (3) has had on each department's progress, outcomes, and
24 achievements in increasing participation in competitive integrated employment.

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1 3. In addition to reporting data under subd. 2. c. to e. on a statewide basis, the
2 departments shall also report the data by region, county, or other geographic
3 subdivision if data are already available on any such basis through the departments'
4 data systems.

5 (c) 1. The department of workforce development, the department of health
6 services, and the department of public instruction shall do one or more of the
7 following with respect to the reports described in par. (b):

8 a. Prominently publish or otherwise provide access to the reports on each
9 department's Internet site.

10 b. Publish the reports through a single, state-maintained Internet site.

11 2. The department of workforce development, the department of health
12 services, and the department of public instruction shall, in conjunction with the
13 reports under subd. 1., also prominently publish or otherwise provide access to the
14 current plan developed under par. (a).

15 **(5)** The department of workforce development, the department of health
16 services, and the department of public instruction shall share information with other
17 agencies on their progress in supporting competitive integrated employment under
18 sub. (2). The department of workforce development, the department of health
19 services, and the department of public instruction shall share with other agencies
20 the number of working age persons with disabilities employed in competitive
21 integrated employment through programs administered by that department.

22 **(6)** The department of workforce development, the department of health
23 services, and the department of public instruction may each promulgate rules to
24 implement this section. A department may not promulgate rules in implementing
25 this section that limit access to or choice of allowable services, including

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1 prevocational services provided in accordance with 42 CFR parts 440 and 441, in the
2 family care program under ss. 46.2805 to 46.2895, the Family Care Partnership
3 program, and the self-directed services option, as defined in s. 46.2899 (1).

4 (7) Nothing in this section shall be construed to limit access to or choice of
5 allowable services, including prevocational services provided in accordance with 42
6 CFR parts 440 and 441, in the family care program under ss. 46.2805 to 46.2895, the
7 Family Care Partnership program, and the self-directed services option, as defined
8 in s. 46.2899 (1).

9 **SECTION 2. Nonstatutory provisions.**

10 (1) By the date the department of health services makes its initial report under
11 section 47.05 (4) (b) of the statutes, the department of health services shall submit
12 a report to the governor and the chief clerk of each house of the legislature for
13 distribution to the appropriate standing committees under section 13.172 (3) of the
14 statutes on the feasibility, including a cost estimate, of conducting an independent
15 study regarding the impact that the Employment First initiative under section 47.05
16 of the statutes and the corresponding prioritization of competitive integrated
17 employment has had on the expansion or reduction in access to allowable services,
18 the quality of life, levels of community integration, and overall satisfaction of persons
19 with disabilities in this state.

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(END)