

State of Wisconsin



2017 Assembly Bill 625

Date of enactment: **March 28, 2018**

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2017 WISCONSIN ACT 178

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

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

SECTION 1. 47.05 of the statutes is created to read:

47.05 Employment First initiative. (1) In this section:

(a) "Agency" has the meaning given in s. 13.172 (1).

(b) "Competitive integrated employment" has the meaning given in 29 USC 705 (5).

(c) "Working age" means an age that is at least 16 and includes the age at which a child with a disability becomes eligible for transition services under subch. V of ch. 115.

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

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

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

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

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

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

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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

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

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

e. To the extent available through the departments' data systems, data on the average number of hours worked and wages earned by persons described in subd. 2. c. who are employed in competitive integrated employment.

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

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

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

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

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

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

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

2. The department of workforce development, the department of health services, and the department of public instruction shall, in conjunction with the reports under

subd. 1., also prominently publish or otherwise provide access to the current plan developed under par. (a).

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

(6) The department of workforce development, the department of health services, and the department of public instruction may each promulgate rules to implement this section. A department may not promulgate rules in implementing this section that limit access to or choice of allowable services, including prevocational services provided in accordance with 42 CFR parts 440 and 441, in the family care program under ss. 46.2805 to 46.2895, the Family Care Partnership program, and the self-directed services option, as defined in s. 46.2899 (1).

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

SECTION 2. Nonstatutory provisions.

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