

**2017 Assembly Bill 625 (LRB -0753)**

An Act to create 47.05 of the statutes; relating to: competitive integrated employment of persons with a disability and granting rule-making authority. (FE)

**2017**

11-09.	A.	Introduced by Representatives <b>Edming, Anderson, Rohrkaste, Sargent, Steffen, Berceau, Katsma, Kolste, E. Brooks, Krug, Genrich, Loudenbeck, Spiros, Crowley, Riemer, Macco, Vruwink, Pope, Considine, Petryk, Ripp, Fields, Sinicki, Mursau, Knodl, Allen, Horlacher, Weatherston, Petersen, R. Brooks, Jacque, Kooyenga, Shankland and Spreitzer</b> ; cosponsored by Senators <b>Tiffany, Feyen, Johnson, Hansen, Miller, Ringhand, Olsen, Petrowski, Cowles, Moulton, Darling, Marklein, Risser and Testin.</b> ....	536
11-09.	A.	Read first time and referred to Committee on Workforce Development .....	537
11-14.	A.	Fiscal estimate received .....	
11-17.	A.	Representative Nygren added as a coauthor .....	570
12-04.	A.	Fiscal estimate received .....	
12-27.	A.	Representative Subeck added as a coauthor .....	609

**2018**

01-10.	A.	Representative Jagler added as a coauthor .....	628
01-10.	A.	Fiscal estimate received .....	
01-10.	A.	Public hearing held .....	
01-16.	A.	Executive action taken .....	
01-24.	A.	Report passage recommended by Committee on Workforce Development, Ayes 14, Noes 0 .....	679
01-24.	A.	Referred to committee on Rules .....	679
02-15.	A.	Made a special order of business at 1:21 PM on 2-20-2018 pursuant to Assembly Resolution 26 .....	767
02-20.	A.	Read a second time .....	799
02-20.	A.	Ordered to a third reading .....	799
02-20.	A.	Rules suspended .....	799
02-20.	A.	Read a third time and <b>passed</b> .....	799
02-20.	A.	Representative Barca added as a coauthor .....	800
02-20.	A.	Ordered immediately messaged .....	800
02-21.	S.	Received from Assembly .....	784
03-12.	S.	Read first time and referred to committee on Senate Organization .....	819
03-12.	S.	Available for scheduling .....	
03-15.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2 .....	832
03-15.	S.	Placed on calendar 3-20-2018 pursuant to Senate Rule 18(1) .....	833
03-20.	S.	Senate Amendment 1 offered by Senators Vinehout, Carpenter, Erpenbach, Risser, Ringhand, Miller, Shilling, Bewley, Hansen, Larson, Schachtner and Johnson ( <b>LRB a2416</b> ) .....	
03-20.	S.	Read a second time .....	
03-20.	S.	Senate Amendment 1 rejected, Ayes 18, Noes 14 .....	
03-20.	S.	Ordered to a third reading .....	
03-20.	S.	Rules suspended .....	
03-20.	S.	Read a third time and <b>concurred in</b> .....	
03-20.	S.	Ordered immediately messaged .....	
03-21.	A.	Received from Senate concurred in .....	891



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2017 ENROLLED BILL

**Adopted Documents**

Original       Engrossed       Substitute Amdt      17 \_\_\_\_\_ / \_\_\_\_\_

Amendments:  None or  Listed below.

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Corrections:  None or  Listed by date below.

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Topic:  Same as relating clause or  other, indicated below.

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3/26/18

Date

Enrolling Drafter



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0753/1  
MED&TJD:amn

## 2017 ASSEMBLY BILL 625

November 9, 2017 - Introduced by Representatives EDMING, ANDERSON, ROHRKASTE, SARGENT, STEFFEN, BERCEAU, KATZMA, KOLSTE, E. BROOKS, KRUG, GENRICH, LOUDENBECK, SPIROS, CROWLEY, RIEMER, MACCO, VRUWINK, POPE, CONSIDINE, PETRYK, RIPP, FIELDS, SINICKI, MURSAU, KNODL, ALLEN, HORLACHER, WEATHERSTON, PETERSEN, R. BROOKS, JACQUE, KOYENGA, SHANKLAND and SPREITZER, cosponsored by Senators TIFFANY, FEYEN, JOHNSON, HANSEN, MILLER, RINGHAND, OLSEN, PETROWSKI, COWLES, MOULTON, DARLING, MARKLEIN, RISSER and TESTIN. Referred to Committee on Workforce Development.

- 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.

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### *Analysis by the Legislative Reference Bureau*

This bill establishes a number of requirements for certain state agencies to promote competitive integrated employment, as defined under federal law. The requirements in the bill include all of the following:

1. A requirement that publicly funded programs that provide services and supports to working age persons with disabilities, when enabling the participation of persons with disabilities in activities outside their homes, prioritize competitive integrated employment.
2. A requirement that the Department of Workforce Development, with assistance from the departments of Public Instruction and Health Services, lead a collaboration among all state agencies that administer programs that provide services and supports to working age persons with disabilities.
3. A requirement that the three departments described above 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. The departments must update the plan biennially. The departments must also annually report on the progress, outcomes, and achievements made in increasing participation in competitive integrated employment in accordance with the plan described above. The departments must either publish or provide access to the plan and reports on their Internet sites or through a single, state-maintained Internet site.

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

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

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

2           **47.05 Employment First initiative. (1)** In this section:

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

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

6           (c) "Working age" means an age that is at least 16 and includes the age at which  
7 a child with a disability becomes eligible for transition services under subch. V of ch.  
8 115.

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

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

19           **(4) (a)** The department of workforce development, the department of health  
20 services, and the department of public instruction shall collaborate and, with the  
21 input of stakeholders including the Wisconsin Rehabilitation Council as established

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1 under 34 CFR 361.16, jointly develop a plan establishing specific performance  
2 improvement targets and describing specific methods used to coordinate efforts to  
3 ensure that programs, policies, and procedures support competitive integrated  
4 employment as described under sub. (2). The departments shall update the plan at  
5 least biennially.

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

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

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

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

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

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

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

3 c. who are employed in competitive integrated employment.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 2. Nonstatutory provisions.**

22 (1) By the date the department of health services makes its initial report under  
23 section 47.05 (4) (b) of the statutes, the department of health services shall submit  
24 a report to the governor and the chief clerk of each house of the legislature for  
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**ASSEMBLY BILL 625****SECTION 2**

1 distribution to the appropriate standing committees under section 13.172 (3) of the  
2 statutes on the feasibility, including a cost estimate, of conducting an independent  
3 study regarding the impact that the Employment First initiative under section 47.05  
4 of the statutes and the corresponding prioritization of competitive integrated  
5 employment has had on the expansion or reduction in access to allowable services,  
6 the quality of life, levels of community integration, and overall satisfaction of persons  
7 with disabilities in this state.

8 (END)