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## State of Misconsin 2017 - 2018 LEGISLATURE

1n7-21

LRB-0753/PA/

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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AN ACT to create 47.05 of the statutes; relating to:/competitive integrated

employment of persons with a disability and granting rule-making authority.

## 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 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.

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:

1	<b>SECTION 1.</b> 47.05 of the statutes is created to read:
2	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  $29\,\mathrm{USC}\,705$  (5).
- (c) "Working age" means an age that is at least 16 and not more than 65 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.
- (4) (a) The department of workforce development, the department of health services, and the department of public instruction shall collaborate and jointly develop a plan establishing specific performance improvement targets and describing specific methods used to coordinate efforts to ensure that programs,

the targets established under par. (a).

1	policies, and procedures support competitive integrated employment as described
2	under sub. (2). The departments shall update the plan at least biennially.
3	(b) 1. The department of workforce development, the department of health
4	services, and the department of public instruction shall each report on the progress,
5	outcomes, and achievements that each department has made in increasing
6	participation in competitive integrated employment in accordance with the plan
7	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 anually.
9	2. The department of workforce development, the department of health
10	services, and the department of public instruction shall include all of the following
11	in the reports under subd. 1.:
12	a. A statement regarding the targets established in the plan under par. (a).
13	b. Steps taken by the departments, individually and collectively, to achieve the
14	targets established in the plan under par. (a).
15	c. The number of working age persons with disabilities who received publicly
16	funded services through each department during the most recent period for which
17	data are available and the number of those persons identified who are employed in
18	competitive integrated employment during that period.
19	d. The percentage change that the numbers under subd. 2. c. represent as
20	compared to the numbers from the previous period.
21	e. To the extent available through the departments' data systems, data on the
22	average number of hours worked and wages earned by persons described in subd. 2.
23	c. who are employed in competitive integrated employment.
24	f. Information appropriate to each department related to progress in achieving

	g. Ide	entified	l barriers to	achie	eving th	ie goals ai	nd ol	ojectiv	es established	under
this	sectio	n and	strategies	and	policy	changes	for	each	department,	acting
indiv	viduall <sub>e</sub>	y and o	collectively,	to ove	ercome	or mitigat	e th	ose ba	rriers.	

- (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.
- (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

- 1 CFR part 441, in the family care program under ss. 46.2805 to 46.2895, the Family
- 2 Care Partnership program, and the self-directed services option, as defined in s.

3 46.2899 (1).

4

(END)



## State of Misconsin 2017 - 2018 LEGISLATURE

In 8-16-17 TODAY if poss. LRB-0753/PF MED&TJD:amn

P6

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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employment of persons with a disability and granting rule-making authority.

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- 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.

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

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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 $29\mathrm{USC}705$
5	(5).
6	(c) "Working age" means an age that is at least 16 and not more than 65 and
7	includes the age at which a child with a disability becomes eligible for transition
8	services under subch. V of ch. 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.  Swith the input of stakeholders
18	(4) (a) The department of workforce development, the department of health
19	services, and the department of public instruction shall collaborate and jointly
20	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).
  - 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

2	the targets established under par. (a).
3	g. Identified barriers to achieving the goals and objectives established under
5 4	this section and strategies and policy changes for each department, acting
5 5	individually and collectively, to overcome or mitigate those barriers.

- (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.
- 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).
- 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.
- The department of workforce development, the department of health services, and the department of public instruction may each promulgate rules to implement this section.



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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 and CFR part 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).

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(END)

#### 2017-2018 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

#### INSERT 4-5

	h.	A	statement	or	analysis	specifically	detailing	the	impact	that	the
colla	abora	tio	n under sub	. (3)	has had	on each depa	rtment's p	rogre	ess, outco	omes,	and
achi	even	ent	ts in increas	sing	participa	tion in comp	etitive inte	egrat	ed emplo	oymen	ıt.

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.

#### INSERT 5-5

#### SECTION 1. 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 s. 13.172 (3) on the feasibility, including a cost estimate, of conducting a 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 quality of life, levels of community integration, and overall satisfaction of persons with disabilities in this state.

## Edits to LRB 0753/P6 for P7 Draft

- 1. **Page 2, line 20** after "input of stakeholders" add "including the Wisconsin Rehabilitation Council as established under 34 CFR 361.16"
- 2. **Page 5, line 8** after "Nothing in this section" insert "nor in the implementing regulations issued by the departments"
- 3. Page 5, line 18 add the word "independent" before the word study





## State of Misconsin 2017 - 2018 **LEGISLATURE**

MED&TJD:amn

In: 9/22

Today fossible PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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- 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.
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5	(5).
6	(c) "Working age" means an age that is at least 16 and not more than 65 and
7	includes the age at which a child with a disability becomes eligible for transition
8	services under subch. V of ch. 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. (including the Wisconsin Rehabilitation Quincil as established
18	(4) (a) The department of workforce development, the department of health
19	services, and the department of public instruction shall collaborate and, with the
20	input of stakeholders, 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.
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- 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).
- b. Steps taken by the departments, individually and collectively, to achieve the targets established in the plan under par. (a).
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- 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.

1	f. Information appropriate to each department related to progress in achieving
2	the targets established under par. (a).
3	g. Identified barriers to achieving the goals and objectives established under
4	this section and strategies and policy changes for each department, acting
5	individually and collectively, to overcome or mitigate those barriers.
6	h. A statement or analysis specifically detailing the impact that the
7	collaboration under sub. (3) has had on each department's progress, outcomes, and
8	achievements in increasing participation in competitive integrated employment.
9	3. In addition to reporting data under subd. 2. c. to e. on a statewide basis, the
10	departments shall also report the data by region, county, or other geographic
11	subdivision if data are already available on any such basis through the departments
12	data systems.
13	(c) 1. The department of workforce development, the department of health
14	services, and the department of public instruction shall do one or more of the
15	following with respect to the reports described in par. (b):
16	a. Prominently publish or otherwise provide access to the reports on each
17	department's Internet site.
18	b. Publish the reports through a single, state-maintained Internet site.
19	2. The department of workforce development, the department of health
20	services, and the department of public instruction shall, in conjunction with the
21	reports under subd. 1., also prominently publish or otherwise provide access to the
22	current plan developed under par. (a).
23	(5) The department of workforce development, the department of health
24	services, and the department of public instruction shall share information with other

agencies on their progress in supporting competitive integrated employment under

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	2017 - 2018 Legislature  A department may not promulgate rules that limit access MED&TJD:amn  A department may not promulgate rules that limit access MED&TJD:amn  SECTION 1
	A department may not promutation of Prevocational Services SECTION 1 to or choice of allowable services, including Prevocational Services SECTION 1 to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  to or choice of allowable services, including Prevocational Services SECTION 1  provided in accordance with 42 CFR parts 4400 and 4411, in the family care Program  provided in accordance with 42 CFR parts 4400 and 4411, in the family care Program, and the self-  under 55. 46.2805 to 46.2895; the Family Care Partnership Program, and the self-
(	provided in accordance with 72012 parts of Care Partnership program, and the self-
1	sub. (2). The department of workforce development, the department of health diverted
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2	services, and the department of public instruction shall share with other agencies
3	the number of working age persons with disabilities employed in competitive as
4	integrated employment through programs administered by that department.
5	(6) The department of workforce development, the department of health (46.28(40))
6	services, and the department of public instruction may each promulgate rules to
(1)	implement this section.
8	(7) Nothing in this section shall be construed to limit access to or choice of
9	allowable services, including prevocational services provided in accordance with $42$
10	CFR parts $440$ and $441$ , in the family care program under ss. $46.2805$ to $46.2895$ , the
11	Family Care Partnership program, and the self-directed services option, as defined
12	in s. 46.2899 (1). an independent
13	in s. 46.2899 (1).  SECTION 2. Nonstatutory provisions.
14	(1) By the date the department of health services makes its initial report under
15	section 47.05 (4) (b) of the statutes, the department of health services shall submit
16	a report to the governor and the chief clerk of each house of the legislature for
17	distribution to the appropriate standing committees under section 13.172 (3) of the
18	statutes on the feasibility, including a cost estimate, of conducting a study regarding
19	the impact that the Employment First initiative under section 47.05 of the statutes
20	and the corresponding prioritization of competitive integrated employment has had
21	on the quality of life, levels of community integration, and overall satisfaction of
22	persons with disabilities in this state.

(END)

#### Dodge, Tamara

From:

Longsine, Tyler

Sent:

Friday, September 22, 2017 1:38 PM

To:

Dodge, Tamara

Subject:

RE: LRB 0753 P7 Draft

Tami,

Awesome! If it would be possible to rush the P8 draft that would be great.

#### Tyler Longsine

Research Assistant
Office of Representative James W. Edming
Wisconsin's 87<sup>th</sup> Assembly District
(608) 266-7506
Tyler.Longsine@legis.wisconsin.gov

From: Dodge, Tamara

Sent: Friday, September 22, 2017 1:37 PM

To: Longsine, Tyler < Tyler.Longsine@legis.wisconsin.gov>

Subject: RE: LRB 0753 P7 Draft

Tyler,

I understand the concern and I agree that adding the language you suggested would help clarify (at the very least, it wouldn't hurt). So, I can quick make that change for you.

Tami

#### Tamara J. Dodge

Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov

From: Longsine, Tyler

Sent: Friday, September 22, 2017 1:29 PM

To: Dodge, Tamara < Tamara. Dodge@legis.wisconsin.gov >

Subject: LRB 0753 P7 Draft

Tami,

Thank you for the quick turn around on the P7 Draft. After reviewing the draft some we have a concern about the new language in Section 1, (6) relating to the promulgation of rules. The concern is that the language would restrict the departments overall rulemaking authority which

is not our intention. Could we add language to make it clear that the limits to the rulemaking authority is only in regards to this bill like below?

"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 <u>in implementing this section</u> 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)."

Please let me know if my suggestion works.

Warm regards,

# Tyler Longsine Research Assistant Office of Representative James W. Edming Wisconsin's 87<sup>th</sup> Assembly District (608) 266-7506

Tyler.Longsine@legis.wisconsin.gov



## State of Misconsin 2017 - 2018 LEGISLATURE



In:9/22

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(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

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reports under subd. 1., also prominently publish or otherwise provide access to the

- (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 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. 46.2895 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

1	study regarding the impact that the Employment First initiative under section 47.05
2	of the statutes and the corresponding prioritization of competitive integrated
3	employment has had on the quality of life, levels of community integration, and
4	overall satisfaction of persons with disabilities in this state.

(END)

#### **Longsine, Tyler**

From:

Lisa Pugh < Pugh@TheArc.org>

Sent:

Friday, September 29, 2017 4:35 PM

To:

Lincoln Burr; Longsine, Tyler

Cc:

Lisa Pugh

Subject:

**RE: EFI Recommendations** 

Hi -

Here are some thoughts on the proposed edits below.

Tyler - please let us know what you and the drafter think. I did seek input from the team I am working with on this bill and we are hoping for some middle ground. I pushed as far as I could.

Linc - will your group need to see another draft before submitting a letter/statement of support? Should we expect more changes? It seems like these concepts are not deal breakers - am I right?

Thank you and have a good weekend.

Lisa

Page 2 line 6 - no problem changing working age (taking off reference to age 65)

Page 2 line 17 - I think this edit is too wordy and the reference to the specific role of guardian will be problematic for some in our group. For purposes of compromise could we say something like, "while ensuring the self-determination and informed choice of the individual"?

Page 2 Line 20 - The inclusion of reference to a specific trade organization does not seem typical for WI statute. It also complicates things as there would then be other groups that would like to be identified as required stakeholders. Originally we had not mentioned any required stakeholders, leaving the term generic. The Rehab Council was added as they are the only statutorily required council that has a charge to oversee employment policy for people with disabilities and their membership is cross-agency. If the Rehab Council addition here is problematic for RFW members, I would rather take out the reference altogether than start listing any specific stakeholders. The Rehab Council does include family members, consumers and CRPs as required members. I do strongly support the reference to Rehab Council as I believe it puts the Departments' plans and process into a public forum that currently is not required anywhere (we had wanted a report to the Legislature, but DHS pushed back to have it excluded.) I hope we can agree to keep Rehab Council as the only named stakeholder.

Page 4 - line 8 - Could we instead make a cross-reference here and say something like "policy changes must comply with 47.05(7) of this bill"? This section 47.05(7) applies to the entire bill right now - meaning that no provision can compromise choice of allowable services in the way we have define them. I believe we have adequately protected provision of allowable pre-voc. If there is a need for further assurance, a cross-reference could accomplish that. We should keep in mind that DHS (Curtis) very clearly said they do not want this bill limiting their broader authority.

Page 6 - line 3 - The edit here is very difficult to understand. I do think we all have an interest in understanding the implications across a variety of services - either expansion of or reduction in use in some services - and we should not limit that study to prevocational. Prevocational services is a very

limited part of this bill which is focused on increased state agency collaboration. Could we instead agree to add something like: ... the impact the Employment First initiative has had on.... "the expansion of or reduction in access to allowable services."



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From: Lincoln Burr [mailto:lburr@rfw.org]
Sent: Friday, September 29, 2017 11:43 AM

To: Longsine, Tyler < Tyler. Longsine@legis.wisconsin.gov>

Cc: Lisa Pugh < Pugh@TheArc.org>
Subject: FW: EFI Recommendations

Good Morning,

My public policy committee is mostly satisfied with the bill as it stands. They did request that you consider a few more language changes prior to endorsement. Please provide feedback.

Thanks,

Linc



## State of Misconsin 2017 - 2018 LEGISLATURE

LRB-0753(P8) MED&TJD:amn

In: 10/10

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAY

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Regen,

AN ACT to create 47.05 of the statutes; relating to: competitive integrated

employment of persons with a disability and granting rule-making authority.

## 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.

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:

1	<b>Section 1.</b> 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 $29\mathrm{USC}705$
5	(5).
<u>6</u>	(c) "Working age" means an age that is at least 16 and not more than 65 and
7	includes the age at which a child with a disability becomes eligible for transition
8	services under subch. V of ch. 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 individual
18	(4) (a) The department of workforce development, the department of health
19	services, and the department of public instruction shall collaborate and, with the
20	input of stakeholders including the Wisconsin Rehabilitation Council as established
21	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).
- 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.

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). in accordance with this Section
6	g. Identified barriers to achieving the goals and objectives established under
	this section and strategies and policy changes for each department, acting
8	individually and collectively, to overcome or mitigate those barriers.
9	h. A statement or analysis specifically detailing the impact that the
10	collaboration under sub. (3) has had on each department's progress, outcomes, and
11	achievements in increasing participation in competitive integrated employment.
12	3. In addition to reporting data under subd. 2. c. to e. on a statewide basis, the
13	departments shall also report the data by region, county, or other geographic
14	subdivision if data are already available on any such basis through the departments'
15	data systems.
16	(c) 1. The department of workforce development, the department of health
17	services, and the department of public instruction shall do one or more of the
18	following with respect to the reports described in par. (b):
19	a. Prominently publish or otherwise provide access to the reports on each
20	department's Internet site.
21	b. Publish the reports through a single, state-maintained Internet site.
22	2. The department of workforce development, the department of health
23	services, and the department of public instruction shall, in conjunction with the
24	reports under subd. 1., also prominently publish or otherwise provide access to the

current plan developed under par. (a).

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- (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).
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the expansion or reduction in access to allowable

SECTION 2

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 quality of life, levels of community integration, and overall satisfaction of persons with disabilities in this state.

5

(END)



2

## State of Misconsin 2017 - 2018 LEGISLATURE

LRB-0753/P9 / MED&TJD:amn

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



AN ACT to create 47.05 of the statutes; relating to: competitive integrated

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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.

(END)

### Parisi, Lori

From:

Longsine, Tyler

Sent:

Wednesday, October 18, 2017 4:39 PM

To:

LRB.Legal

Subject:

Draft Review: LRB -0753/1

Please Jacket LRB -0753/1 for the ASSEMBLY.