

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget 266-5468** Drafter: **eshea**
 By: **Bork** Secondary Drafters:
 Date: **10/31/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
elisabeth.shea@legis.wisconsin.gov
Elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

DOA:.....Bork, BB0054 -

Topic:

Appropriation for subsidized guardianships, interim caretakers, and successor guardians

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/13/2018	ccarmich 11/15/2018			
/P1			dwalker 11/15/2018		

FE Sent For: **<END>**

-0700 ES

Shea, Elisabeth

From: Hanaman, Cathlene
Sent: Wednesday, October 31, 2018 9:03 AM
To: Shea, Elisabeth; Wheeler, Elizabeth
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Bork, Matthew - DOA
Sent: Tuesday, October 30, 2018 4:00 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Moving Subsidized Guardianship funding to DMCPS Appropriations

Tracking Code: BB0054

SBO Team: GGCF

SBO Analyst: Bork, Matthew
Phone: 266-2288
E-mail: Matthew.Bork@wisconsin.gov

Agency Acronym: 437

Agency Number: 437

Priority: High

Intent:

48.623(3)(a)

Please modify the appropriation language to move payments for subsidized guardianships and interim caretakers and successor guardians from 20.437(1)(dd) and 20.437(1)(pd) to the Milwaukee child welfare appropriations 20.437(1)(cx) and 20.437(1)(mx).

Attachments: False

Please send completed drafts to SBOSatlanguage@spmail.enterprise.wistate.us



@wilrb

Publications

legislative action

retweet old pubs when relevant

leg. statistics, infographic

history - prepare in advance \$5 - each come up w/one

1/wk at least

retweets - follow certain other agencies

presentations

new acct at inauguration (day before)

(X) Come up with ideas for tweets

2nd wk Dec - next mtg

Morning, not Tues - let Lauren know



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0700/2 P1
EHS
cdctake

DOA:.....Bork, BB0054 - Appropriation for subsidized guardianships,
interim caretakers, and successor guardians

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

In 4/13
Due 4/16

5a ✓

1 AN ACT ^φ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, a county department of human services or social services (county department) or DCF in a county having a population of 750,000 or more must provide monthly subsidized guardianship payments to the guardian of a child who has been adjudged to be in need of protection or services if certain conditions have been met, and to an interim caretaker or successor guardian upon the death or incapacity of the guardian. This bill changes the appropriations from which DCF must make monthly subsidized guardianships payments. ✓

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

2 [✓]SECTION 1. 20.437 (1) (cx) of the statutes is amended to read:

3 20.437 (1) (cx) *Child welfare services; aids.* The amounts in the schedule for
4 providing services to children and families under s. 48.48 (17) in a county having a

1 population of 750,000 or more, for the cost of subsidized guardianship payments
 2 under s. 48.623 (1) or (6), and, to the extent that a demonstration project authorized
 3 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
 4 in that county, for services for children and families under s. 48.563 (4) in other
 5 counties having a population of less than 750,000.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 2.** 20.437 (1) (dd) of the statutes is amended to read:

7 20.437 (1) (dd) *State out-of-home care, ~~guardianship~~, and adoption services.*

8 The amounts in the schedule for foster care, institutional child care, and subsidized
 9 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
 10 49.19 (10) (d), ~~for the cost of subsidized guardianship payments under s. 48.623 (1)~~
 11 ~~or (6)~~, for the cost of placements of children 18 years of age or over in residential care
 12 centers for children and youth under voluntary agreements under s. 48.366 (3) or
 13 under orders that terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or
 14 48.365 (5) (b) 4., for the cost of the foster care monitoring system, for the cost of
 15 services to children with special needs who are under the guardianship of the
 16 department to prepare those children for adoption, and for the cost of postadoption
 17 services to children with special needs.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 3.** 20.437 (1) (mx) of the statutes is amended to read:

19 20.437 (1) (mx) *Federal aid; Milwaukee child welfare services aids.* All federal
 20 moneys received for providing services to children and families under s. 48.48 (17),

1 to carry out the purposes for which received and for the cost of subsidized
 2 guardianship payments under s. 48.623 (1) or (6).

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 4.** 20.437 (1) (pd) of the statutes is amended to read:

4 20.437 (1) (pd) *Federal aid; state out-of-home care, ~~guardianship~~, and*
 5 *adoption services.* All federal moneys received for meeting the costs of providing
 6 foster care, institutional child care, and subsidized adoptions under ss. 48.48 (12)
 7 and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of subsidized
 8 guardianship payments under s. 48.623 (1) or (6), the cost of placements of children
 9 18 years of age or over in residential care centers for children and youth under
 10 voluntary agreements under s. 48.366 (3) or under orders that terminate as provided
 11 in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., the cost of services to
 12 children with special needs who are under the guardianship of the department to
 13 prepare those children for adoption, and the cost of postadoption services to children
 14 with special needs. Disbursements for foster care under s. 49.32 (2) and for the
 15 purposes described under s. 48.627 may be made from this appropriation.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 5.** 48.623 (3) (a) of the statutes is amended to read:

17 48.623 (3) (a) Except as provided in this paragraph, the county department
 18 shall provide the monthly payments under sub. (1) or (6). The county department
 19 shall provide those payments from moneys received under s. 48.48 (8p) or 48.569 (1)
 20 (d). In a county having a population of 750,000 or more or in the circumstances

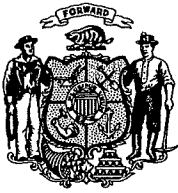
1 specified in s. 48.43 (7) (a) or 48.485 (1), the department shall provide the monthly
2 payments under sub. (1) or (6). The department shall provide those payments from
3 the appropriations under s. 20.437 (1) (~~dd~~[✓]) (~~cx~~[✓]) and (~~pd~~[✓]) (~~mx~~[✓]).

History: 2011 a. 32 ss. 1332n, 1332q to 1332u, 1332w; Stats. 2011 s. 48.623; 2013 a. 20; 2015 a. 55, 129, 143; 2017 a. 365 s. 110.

Cross-reference: See also ch. DCF 55, Wis. adm. code.

4

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0700/P1
EHS:cdc&ahe

DOA:.....Bork, BB0054 - Appropriation for subsidized guardianships,
interim caretakers, and successor guardians

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, in a county having a population of 750,000 or more, and in other counties under certain circumstances, DCF must provide monthly subsidized guardianship payments to the guardian of a child who has been adjudged to be in need of protection or services, and to an interim caretaker or successor guardian upon the death or incapacity of the guardian. This bill changes the appropriations from which DCF must make monthly subsidized guardianships payments.

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

2 **SECTION 1.** 20.437 (1) (cx) of the statutes is amended to read:

3 20.437 (1) (cx) *Child welfare services; aids.* The amounts in the schedule for
4 providing services to children and families under s. 48.48 (17) in a county having a

1 population of 750,000 or more, for the cost of subsidized guardianship payments
2 under s. 48.623 (1) or (6), and, to the extent that a demonstration project authorized
3 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
4 in that county, for services for children and families under s. 48.563 (4) in other
5 counties having a population of less than 750,000.

6 SECTION 2. 20.437 (1) (dd) of the statutes is amended to read:

7 20.437 (1) (dd) *State out-of-home care, guardianship, and adoption services.*

8 The amounts in the schedule for foster care, institutional child care, and subsidized
9 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
10 49.19 (10) (d), ~~for the cost of subsidized guardianship payments under s. 48.623 (1)~~
11 ~~or (6)~~, for the cost of placements of children 18 years of age or over in residential care
12 centers for children and youth under voluntary agreements under s. 48.366 (3) or
13 under orders that terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or
14 48.365 (5) (b) 4., for the cost of the foster care monitoring system, for the cost of
15 services to children with special needs who are under the guardianship of the
16 department to prepare those children for adoption, and for the cost of postadoption
17 services to children with special needs.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 SECTION 3. 20.437 (1) (mx) of the statutes is amended to read:

19 20.437 (1) (mx) *Federal aid; Milwaukee child welfare services aids.* All federal
20 moneys received for providing services to children and families under s. 48.48 (17),
21 to carry out the purposes for which received and for the cost of subsidized
22 guardianship payments under s. 48.623 (1) or (6).

23 SECTION 4. 20.437 (1) (pd) of the statutes is amended to read:

