

1           49.147 (4) (a) *Administration*. A Wisconsin Works agency shall administer a  
2 community service job program as part of its administration of Wisconsin Works to  
3 improve the employability of an individual who is not otherwise able to obtain  
4 employment, as determined by the Wisconsin Works agency, by providing work  
5 experience and training, if necessary, to assist the individual to move promptly into  
6 unsubsidized public or private employment or a ~~trial employment match program job~~  
7 subsidized employment placement. In determining an appropriate placement for a  
8 participant, a Wisconsin Works agency shall give placement under this subsection  
9 priority over placements under sub. (5). Community service jobs shall be limited to  
10 projects that the department determines would serve a useful public purpose or  
11 projects the cost of which is partially or wholly offset by revenue generated from such  
12 projects. After each 6 months of an individual's participation under this subsection  
13 and at the conclusion of each assignment under this subsection, a Wisconsin Works  
14 agency shall reassess the individual's employability.

15           **SECTION 620.** 49.147 (4) (as) of the statutes is amended to read:

16           49.147 (4) (as) *Required hours*. Except as provided in pars. (at) and (av) and  
17 ~~sub. (5m), a Wisconsin Works agency shall require a participant placed in a~~  
18 ~~community service job program to work in a community service job for the number~~  
19 ~~of hours determined by the Wisconsin Works agency to be appropriate for the~~  
20 ~~participant at the time of application or review and may require a participant to~~  
21 ~~participate in education or training activities for not more than 10 hours per week,~~  
22 ~~except that the Wisconsin Works agency may not require a participant under this~~  
23 ~~subsection to spend more than 40 hours per week in combined activities under this~~  
24 ~~subsection.~~

25           **SECTION 621.** 49.147 (4) (b) of the statutes is amended to read:

1           49.147 (4) (b) *Time-limited participation*. An individual may participate in a  
2 community service job for a maximum of 6 months, with an opportunity for a  
3 3-month extension under circumstances approved by the department. An  
4 individual may participate in more than one community service job, but may not  
5 exceed a total of 24 months of participation under this subsection. The months need  
6 not be consecutive. The department or, with the approval of the department, the  
7 Wisconsin Works agency may grant an extension to the 24-month limit on a  
8 case-by-case basis if the Wisconsin Works agency determines that the individual  
9 has made all appropriate efforts to find unsubsidized employment and has been  
10 unable to find unsubsidized employment because local labor market conditions  
11 preclude a reasonable employment opportunity in unsubsidized employment for that  
12 participant, as determined by a Wisconsin Works agency and approved by the  
13 department, and if the Wisconsin Works agency determines, and the department  
14 agrees, that no trial employment match program job opportunities are available in  
15 the specified local labor market.

16           **SECTION 622.** 49.147 (5) (a) 3. of the statutes is amended to read:

17           49.147 (5) (a) 3. The Wisconsin Works agency determines that the individual  
18 is incapable of performing a trial employment match program job subsidized  
19 employment placement or community service job.

20           **SECTION 623.** 49.147 (5) (b) 1. (intro.) of the statutes is renumbered 49.147 (5)

21 (b) (intro.).

22           **SECTION 624.** 49.147 (5) (b) 1. a. to d. of the statutes are renumbered 49.147 (5)

23 (b) 1m. to 4m.

24           **SECTION 625.** 49.147 (5) (b) 2. of the statutes is repealed.

25           **SECTION 626.** 49.147 (5) (bs) of the statutes is amended to read:

1           49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),  
2 a Wisconsin Works agency may require a participant placed in a transitional  
3 placement to participate in education or training activities for not more than 12  
4 hours per week and to engage in activities under par. (b) 1., but may not require a  
5 participant under this subsection to spend more than 40 hours per week in combined  
6 activities under this subsection.

7           **SECTION 627.** 49.147 (5m) (a) 4. of the statutes is amended to read:

8           49.147 (5m) (a) 4. The participant is employed or engages in work under a  
9 community service job or transitional placement for 25 hours per week in addition  
10 to participation under this subsection.

11           **SECTION 628.** 49.148 (1) (a) of the statutes is amended to read:

12           49.148 (1) (a) ~~*Trial employment match program jobs*~~ *Subsidized employment*  
13 *placement.* For a participant in a ~~trial employment match program job~~ subsidized  
14 employment placement, the amount established in the contract between the  
15 Wisconsin Works agency and the ~~trial employment match program job~~ subsidized  
16 employment placement employer, but not less than minimum wage for every hour  
17 actually worked in the ~~trial employment match program job~~ subsidized employment  
18 placement, not to exceed 40 hours the maximum number of allowable hours per  
19 week, as negotiated between the Wisconsin Works agency and the employer, paid by  
20 the employer. Hours spent participating in education and training activities under  
21 s. 49.147 (3) (am) shall be included in determining the number of hours actually  
22 worked.

23           **SECTION 629.** 49.148 (1) (c) of the statutes is amended to read:

24           49.148 (1) (c) *Transitional placements.* For a participant in a transitional  
25 placement under s. 49.147 (5) or in a transitional placement and in technical college

1 education under s. 49.147 (5m), a monthly grant of \$608. For every hour that the  
2 participant fails to participate in any required activity without good cause, including  
3 any activity under s. 49.147 (5) (b) ~~1. a. to d. 1m. to 4m.~~, the grant amount shall be  
4 reduced by \$5. Good cause shall be determined by the financial and employment  
5 planner in accordance with rules promulgated by the department. Good cause shall  
6 include required court appearances for a victim of domestic abuse.

7 **SECTION 630.** 49.148 (1m) (a) 1. of the statutes is amended to read:

8 49.148 (1m) (a) 1. A custodial parent of a child ~~8-12~~ weeks old or less who meets  
9 the eligibility requirements under s. 49.145 (2) and (3), unless another adult member  
10 of the custodial parent's Wisconsin Works group is participating in, or is eligible to  
11 participate in, a Wisconsin Works employment position or is employed in  
12 unsubsidized employment, as defined in s. 49.147 (1).

13 **SECTION 631.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

14 49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n)  
15 and 49.147 (3) (c), and (4) (b), ~~and (5) (b) 2.~~, all of the following apply:

16 **SECTION 632.** 49.148 (2) of the statutes is created to read:

17 ~~49.148 (2) INTERNET SERVICE PROVIDER SUBSCRIPTIONS.~~ A person who meets the  
18 eligibility requirements under s. 49.145 (2) and (3) may apply to the department for  
19 a monthly amount sufficient to pay the cost of an Internet service provider  
20 subscription or \$57, whichever is lower. An application submitted under this  
21 subsection shall include documentation of the Internet service provider and the  
22 monthly cost of the subscription. If the department determines that an applicant is  
23 eligible, the department shall coordinate with a Wisconsin Works agency to make  
24 payments on behalf of the person to the appropriate Internet service provider. The  
25 department may promulgate rules to administer this subsection.

1           **SECTION 633.** 49.155 (6) (b) of the statutes is amended to read:

2           49.155 (6) (b) The department shall set maximum payment rates for Level I  
3 certified family child care providers certified under s. 48.651 (1) (a) for services  
4 provided to eligible individuals under this section. The maximum rates set under  
5 this paragraph may not exceed ~~75 percent~~ of the rates established under par. (a).

6           **SECTION 634.** 49.155 (6) (c) of the statutes is amended to read:

7           49.155 (6) (c) The department shall set maximum payment rates for Level II  
8 certified family child care providers for services provided to eligible individuals  
9 under this section. The maximum rates set under this paragraph may not exceed 50  
10 percent of the rates established under par. (a).

11           **SECTION 635.** 49.155 (7) (a) 1. of the statutes is amended to read:

12           49.155 (7) (a) 1. ~~If a child care provider is convicted of a serious crime, as defined~~  
13 ~~in s. 48.686 (1) (c), or if a caregiver specified in s. 48.686 (1) (ag) 1. a. or a nonclient~~  
14 ~~resident, as defined in s. 48.686 (1) (bm), of the person subject to a background check~~  
15 ~~under s. 48.686 (2) who operates, works at, or resides at a child care provider is~~  
16 ~~convicted or adjudicated delinquent for committing a serious crime on or after his or~~  
17 ~~her 10th birthday, as defined in s. 48.686 (1) (c), or if the department provides written~~  
18 ~~notice under s. 48.686 (4p) that the child care provider, caregiver, or nonclient~~  
19 ~~resident person is ineligible for certification, employment, or residence to operate,~~  
20 ~~work at, or reside~~ at the child care provider, the department or the county  
21 department under s. 46.215, 46.22, or 46.23 shall refuse to allow payment to the child  
22 care provider for any child care provided under this section beginning on the date of  
23 the conviction or delinquency adjudication.

24           **SECTION 636.** 49.155 (7) (a) 2. of the statutes is amended to read:

1           49.155 (7) (a) 2. ~~If a child care provider is the subject of a pending criminal~~  
2 ~~charge alleging that the person has committed a serious crime, as defined in s. 48.686~~  
3 ~~(1) (c), or if a caregiver specified in s. 48.686 (1) (ag) 1. or a nonclient resident, as~~  
4 ~~defined in s. 48.686 (1) (bm), of the person subject to a background check under s.~~  
5 ~~48.686 (2) who operates, works at, or resides at a child care provider is the subject~~  
6 ~~of a pending criminal charge or delinquency petition alleging that the person has~~  
7 ~~committed a serious crime on or after his or her 10th birthday, as defined in s. 48.686~~  
8 ~~(1) (c), the department or the county department under s. 46.215, 46.22, or 46.23 shall~~  
9 ~~immediately suspend~~ refuse to allow ~~payment to the child care provider for any child~~  
10 ~~care provided under this section until the department obtains information regarding~~  
11 ~~the final disposition of the charge or delinquency petition indicating that the person~~  
12 ~~is not ineligible to receive such a payment~~ operate, work at, or reside at the child care  
13 provider.

14           **SECTION 637.** 49.155 (7) (b) of the statutes is repealed and recreated to read:

15           49.155 (7) (b) 1. If a person subject to a background check under s. 48.686 (2)  
16 who operates, works at, or resides at a child care provider has been convicted or  
17 adjudicated delinquent for committing an offense that is not a serious crime, as  
18 defined in s. 48.686 (1) (c), but the department determines under s. 48.686 (5m) that  
19 the offense substantially relates to the care of children or the department determines  
20 that the offense substantially relates to the operation of a business, the department  
21 or the county department under s. 46.215, 46.22, or 46.23 may refuse to allow  
22 payment to the child care provider for child care provided under this section.

23           2. If a person subject to a background check under s. 48.686 (2) who operates,  
24 works at, or resides at a child care provider is the subject of a pending criminal charge  
25 or delinquency petition for committing an offense that is not a serious crime, as

1 defined in s. 48.686 (1) (c), but the department determines under s. 48.686 (5m) that  
2 the offense substantially relates to the care of children or the department determines  
3 that the offense substantially relates to the operation of a business, the department  
4 or the county department under s. 46.215, 46.22, or 46.23 may refuse to allow  
5 payment to the child care provider for child care provided under this section.

6 **SECTION 638.** 49.159 (1) (a) (intro.) of the statutes is amended to read:

7 49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145  
8 except that the individual is the noncustodial parent of a dependent child is eligible  
9 for services and benefits under par. (b) if the individual is subject to a child support  
10 order, ~~the individual satisfies all of the requirements related to substance abuse~~  
11 ~~screening, testing, and treatment under s. 49.162 that apply to the individual,~~ and  
12 any of the following applies to the custodial parent of the dependent child:

13 **SECTION 639.** 49.161 (1) (title) of the statutes is amended to read:

14 49.161 (1) (title) ~~TRIAL EMPLOYMENT MATCH PROGRAM JOBS~~ SUBSIDIZED  
15 EMPLOYMENT PLACEMENT OVERPAYMENTS.

16 **SECTION 640.** 49.162 of the statutes is repealed.

17 **SECTION 641.** 49.163 (2) (am) 7. of the statutes is repealed.

18 **SECTION 642.** 49.164 of the statutes is created to read:

19 **49.164 Transform Milwaukee Jobs for Childless Adults.** The department  
20 shall establish a program identical to the Transform Milwaukee Jobs program under  
21 s. 49.163 except that a participant is not required to meet the eligibility criterion  
22 under s. 49.163 (2) (am) 2.

23 **SECTION 643.** 49.175 (1) (intro.) of the statutes is amended to read:

24 49.175 (1) ALLOCATION OF FUNDS. (intro.) In this section, with respect to any  
25 of the following that fund a contract for services, "allocation" means the amount

1 under the contract that the department is obligated to pay. Except as provided in  
2 subs. sub. (2) and (3), within the limits of the appropriations under s. 20.437 (2) (a),  
3 (cm), (dz), (k), (kx), (L), (mc), (md), (me), and (s) and (3) (kp), the department shall  
4 allocate the following amounts for the following purposes:

5 **SECTION 644.** 49.175 (1) (a), (b), (c), (f), (g), (i), (k), (m), (n), (o), (p), (q), (qm), (r),  
6 (s), (t), (u), (w), (y), (z) and (zh) of the statutes are amended to read:

7 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
8 ~~\$42,500,000~~ \$41,156,900 in fiscal year ~~2017-18~~ 2019-20 and ~~\$44,625,000~~  
9 \$41,157,200 in fiscal year ~~2018-19~~ 2020-21.

10 (b) *Wisconsin Works agency contracts; job access loans.* For contracts with  
11 Wisconsin Works agencies under s. 49.143 and for job access loans under s. 49.147  
12 (6), ~~\$52,000,000~~ \$51,528,300 in fiscal year ~~2017-18~~ 2019-20 and ~~\$54,600,000~~  
13 \$51,528,300 in fiscal year ~~2018-19~~ 2020-21.

14 (c) *Case management incentive payments.* For supplement payments to  
15 individuals under s. 49.255, ~~\$2,700,000~~ in fiscal year ~~2017-18~~ 2019-20 and  
16 ~~\$2,700,000~~ in fiscal year ~~2018-19~~ 2020-21.

17 (f) *Homeless case management services grants.* For grants to shelter facilities  
18 under s. 16.3085, ~~\$500,000~~ \$1,000,000 in each fiscal year. All moneys allocated  
19 under this paragraph shall be credited to the appropriation account under s. 20.505  
20 (7) (kg).

21 (g) *State administration of public assistance programs and overpayment*  
22 *collections.* For state administration of public assistance programs and the collection  
23 of public assistance overpayments, ~~\$15,987,000~~ \$16,461,200 in fiscal year ~~2017-18~~  
24 2019-20 and ~~\$15,902,900~~ \$16,608,300 in fiscal year ~~2018-19~~ 2020-21.

1 (i) *Emergency assistance.* For emergency assistance under s. 49.138 and for  
2 transfer to the department of administration for low-income energy or  
3 weatherization assistance programs, ~~\$7,000,000~~ \$6,000,000 in each fiscal year.

4 (k) *Transform Milwaukee and Transitional Jobs programs.* For contract costs  
5 under the Transform Milwaukee Jobs program and the Transitional Jobs program  
6 under s. 49.163, ~~\$7,000,000~~ \$8,000,000 in fiscal year ~~2017-18~~ 2019-20 and  
7 ~~\$8,000,000~~ \$9,000,000 in fiscal year ~~2018-19~~ 2020-21.

8 (m) *Children first.* For services under the work experience program for  
9 noncustodial parents under s. 49.36, ~~\$1,140,000~~ \$2,280,000 in each fiscal year.

10 (n) *Fostering futures: connections count.* For funding community connectors to  
11 interact with vulnerable families with young children and to connect families with  
12 formal and informal community support, ~~\$360,300 in fiscal year 2017-18 and~~  
13 ~~\$560,300 in fiscal year 2018-19~~ \$560,300 in each fiscal year.

14 (o) *Evidence-based substance abuse prevention grants.* For grants awarded  
15 under s. 48.545 (2) (c), \$500,000 in each fiscal year ~~2018-19~~.

16 (p) *Direct child care services.* For direct child care services under s. 49.155,  
17 ~~\$289,215,200 or 49.257, \$367,967,800~~ in fiscal year ~~2017-18~~ 2019-20 and  
18 ~~\$318,369,200~~ \$376,852,600 in fiscal year ~~2018-19~~ 2020-21.

19 (q) *Child care state administration and licensing activities.* For state  
20 administration of child care programs under s. 49.155 and for child care licensing  
21 activities, ~~\$36,189,400~~ \$39,722,100 in fiscal year ~~2017-18~~ 2019-20 and ~~\$36,030,000~~  
22 \$40,215,200 in fiscal year ~~2018-19~~ 2020-21.

23 (qm) *Quality care for quality kids.* For the child care quality improvement  
24 activities specified in s. ss. 49.155 (1g) and 49.257, ~~\$15,652,700~~ \$16,532,900 in each  
25 fiscal year ~~2019-20~~ and \$16,683,700 in fiscal year 2020-21.

1 (r) *Children of recipients of supplemental security income.* For payments made  
2 under s. 49.775 for the support of the dependent children of recipients of  
3 supplemental security income, ~~\$26,938,000~~ \$25,013,300 in each fiscal year.

4 (s) *Kinship care and long-term kinship care assistance.* For kinship care and  
5 long-term kinship care payments under s. 48.57 (3m) (am) and (3n) (am), for  
6 assessments to determine eligibility for those payments, and for agreements under  
7 s. 48.57 (3t) with the governing bodies of Indian tribes for the administration of the  
8 kinship care and long-term kinship care programs within the boundaries of the  
9 reservations of those tribes, ~~\$22,012,100~~ \$26,847,200 in fiscal year ~~2017-18~~ 2019-20  
10 and ~~\$22,741,200~~ \$28,448,100 in fiscal year ~~2018-19~~ 2020-21.

11 (t) *Safety and out-of-home placement services.* For services provided to ensure  
12 the safety of children who the department or a county determines may remain at  
13 home if appropriate services are provided, and for services provided to families with  
14 children placed in out-of-home care, ~~\$6,282,500~~ \$9,300,900 in fiscal year ~~2017-18~~  
15 2019-20 and ~~\$7,314,300~~ \$10,191,900 in fiscal year ~~2018-19~~ 2020-21. To receive  
16 funding under this paragraph, a county shall match a percentage of the amount  
17 received that is equal to the percentage the county is required to match for a  
18 distribution under s. 48.563 (2) as specified by the schedule established by the  
19 department under s. 48.569 (1) (d).

20 (u) *Prevention services.* For services to prevent child abuse or neglect,  
21 ~~\$5,289,600 in each fiscal year~~ \$6,302,100 in fiscal year 2019-20 and \$7,464,600 in  
22 fiscal year 2020-21.

23 (w) *Wisconsin Community Services grants.* For a grant to Wisconsin  
24 Community Services for the community building workshop facilitator training to  
25 provide services that are targeted to individuals in the city of Milwaukee who are

1 eligible for funds under the federal Temporary Assistance for Needy Families block  
2 grant program under 42 USC 601 et seq., \$400,000 in each fiscal year, and for a grant  
3 to the We Got This program in the city of Milwaukee, \$25,000 in each fiscal year.

4 (y) *Offender reentry demonstration project.* For the offender reentry  
5 demonstration project under s. 49.37 (1), ~~\$187,500 in fiscal year 2017-18 and~~  
6 ~~\$250,000 in fiscal year 2018-19~~ \$825,000 in each fiscal year.

7 (z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin  
8 Chapter of the Boys and Girls Clubs of America to fund programs that improve social,  
9 academic, and employment skills of youth who are eligible to receive temporary  
10 assistance for needy families under 42 USC 601 et seq., focusing on study habits,  
11 intensive tutoring in math and English, and exposure to career options and role  
12 models, ~~\$1,275,000~~ \$2,675,000 in each fiscal year. Grants provided under this  
13 paragraph may not be used by the grant recipient to replace funding for programs  
14 that are being funded, when the grant proceeds are received, with moneys other than  
15 those from the appropriations specified in sub. (1) (intro.). The total amount of the  
16 grants includes funds for ~~the Green Bay Boys and Girls Clubs for the BE GREAT:~~

17 Graduate program in the amount of matching funds that the program provides, up  
18 to ~~\$75,000~~ \$1,400,000 in each fiscal year, to be used only for activities for which  
19 federal Temporary Assistance for Needy Families block grant moneys may be used.

20 ~~The total amount of the grants also includes funds to be equally distributed among~~  
21 ~~the Milwaukee, Oshkosh, and Appleton Boys and Girls Clubs for the BE GREAT:~~

22 Graduate program in the amount of matching funds that the program provides, up  
23 to ~~\$100,000~~ in each fiscal year, to be used only for activities for which federal  
24 Temporary Assistance for Needy Families block grant moneys may be used.

1           (zh) *Earned income tax credit supplement.* For the transfer of moneys from the  
2 appropriation account under s. 20.437 (2) (md) to the appropriation account under  
3 s. 20.835 (2) (kf) for the earned income tax credit, ~~\$69,700,000 in each fiscal year~~  
4 \$85,700,000 in fiscal year 2019-20 and \$86,700,000 in fiscal year 2020-21.

5           **SECTION 645.** 49.175 (2) (a) of the statutes is amended to read:

6           49.175 (2) (a) The department may ~~not~~ reallocate funds that are allocated  
7 under a paragraph under sub. (1) for any purpose specified in a paragraph under sub.  
8 (1) ~~unless the department first notifies the joint committee on finance in writing of~~  
9 ~~the proposed reallocation. If the cochairpersons of the committee do not notify the~~  
10 ~~department within 14 working days after the date of the department's notification~~  
11 ~~that the committee has scheduled a meeting to review the proposed reallocation, the~~  
12 ~~department may make the proposed reallocation. If, within 14 working days after~~  
13 ~~the date of the department's notification, the cochairpersons of the committee notify~~  
14 ~~the department that the committee has scheduled a meeting to review the proposed~~  
15 ~~reallocation, the department may make the proposed reallocation only upon~~  
16 ~~approval of the committee~~ if the secretary of administration approves the  
17 reallocation.

18           **SECTION 646.** 49.175 (2) (c) of the statutes is amended to read:

19           49.175 (2) (c) If the amounts of federal block grant moneys that are required  
20 to be credited to the appropriation accounts under s. 20.437 (2) (mc) and (md) are less  
21 than the amounts appropriated under s. 20.437 (2) (mc) and (md), the department  
22 shall submit a plan to the ~~joint committee on finance~~ secretary of administration for  
23 reducing the amounts of moneys allocated under sub. (1). ~~If the cochairpersons of~~  
24 ~~the committee do not notify the department within 14 working days after the date~~  
25 ~~the department submits the plan that the committee has scheduled a meeting to~~

1 review the proposed reduction plan, If the secretary of administration approves the  
2 plan, the amounts of moneys required to be allocated under sub. (1) may be reduced  
3 as proposed by the department and the department shall allocate the moneys as  
4 specified in the plan. If, within 14 working days after the date the department  
5 submits the plan, the cochairpersons of the committee notify the department that the  
6 committee has scheduled a meeting to review the proposed reduction plan, the  
7 department may allocate the moneys as specified in the plan only upon approval of  
8 the committee.

9 SECTION 647. 49.175 (3) of the statutes is repealed.

10 SECTION 648. 49.257 of the statutes is created to read:

11 **49.257 Milwaukee child care grant program.** (1) In this section, “child  
12 care provider” has the meaning given in s. 49.155 (1) (ag).

13 (2) From the allocation under s. 49.175 (1) (p), the department may award  
14 grants to child care providers to support access to high-quality child care for families  
15 that reside in a geographic area with high-poverty levels, as identified by the  
16 department, in the city of Milwaukee. A grant under this section may be used for  
17 start-up costs, ongoing operational costs, including subsidy payments for eligible  
18 families, and quality improvement activities. A child care provider that is awarded  
19 a grant under this subsection shall contribute matching funds equal to 25 percent  
20 of the amount awarded. The matching contribution may be in the form of money or  
21 in-kind goods or services.

22 (3) From the allocation under s. 49.175 (1) (qm), the department may award  
23 grants to any of the following to improve overall child care quality in the geographic  
24 area identified under sub. (2):

25 (a) Child care providers and employees of child care providers.

1 (b) Educational institutions for the purpose of educating employees of child  
2 care providers.

3 **SECTION 649.** 49.36 (3) (a) of the statutes is amended to read:

4 49.36 (3) (a) Except as provided in par. (f) and ~~subject to sub. (3m)~~, a person  
5 ordered to register under s. 767.55 (2) (am) shall participate in a work experience  
6 program if services are available.

7 **SECTION 650.** 49.36 (3m) of the statutes is repealed.

8 **SECTION 651.** 49.45 (2) (a) 23. of the statutes is amended to read:

9 49.45 (2) (a) 23. Promulgate rules that define “supportive services”, “personal  
10 services” and “nursing services” provided in a certified residential care apartment  
11 complex, as defined under s. 50.01 (6d), for purposes of reimbursement under ss.  
12 ~~46.27 (11) (e) 7. and s. 46.277 (5) (e).~~

13 **SECTION 652.** 49.45 (2p) of the statutes is repealed.

14 **SECTION 653.** 49.45 (2t) of the statutes is repealed.

15 **SECTION 654.** 49.45 (3) (a) of the statutes is amended to read:

16 49.45 (3) (a) Reimbursement shall be made to each county department under  
17 ss. 46.215, 46.22, and 46.23 for any administrative services performed in the Medical  
18 Assistance program on the basis of s. 49.78 (8). ~~For purposes of reimbursement~~  
19 ~~under this paragraph, assessments completed under s. 46.27 (6) (a) are~~  
20 ~~administrative services performed in the Medical Assistance program.~~

21 **SECTION 655.** 49.45 (3) (e) 11. of the statutes is amended to read:

22 49.45 (3) (e) 11. The department shall use a portion of the moneys collected  
23 under s. 50.38 (2) (a) to pay for services provided by eligible hospitals, as defined in  
24 s. 50.38 (1), other than critical access hospitals, under the Medical Assistance  
25 Program under this subchapter, including services reimbursed on a fee-for-service

1 basis and services provided under a managed care system. For state fiscal year  
2 2008-09, total payments required under this subdivision, including both the federal  
3 and state share of Medical Assistance, shall equal the amount collected under s.  
4 50.38 (2) (a) for fiscal year 2008-09 divided by 57.75 percent. For each state fiscal  
5 year after state fiscal year 2008-09, total payments required under this subdivision,  
6 including both the federal and state share of Medical Assistance, shall equal the  
7 amount collected under s. 50.38 (2) (a) for the fiscal year divided by ~~61.68~~ 53.69  
8 percent.

9 **SECTION 656.** 49.45 (3) (e) 12. of the statutes is amended to read:

10 49.45 (3) (e) 12. The department shall use a portion of the moneys collected  
11 under s. 50.38 (2) (b) to pay for services provided by critical access hospitals under  
12 the Medical Assistance Program under this subchapter, including services  
13 reimbursed on a fee-for-service basis and services provided under a managed care  
14 system. For each state fiscal year, total payments required under this subdivision,  
15 including both the federal and state share of Medical Assistance, shall equal the  
16 amount collected under s. 50.38 (2) (b) for the fiscal year divided by ~~61.68~~ 53.69  
17 percent.

18 **SECTION 657.** 49.45 (3m) (a) (intro.) of the statutes is amended to read:

19 49.45 (3m) (a) (intro.) Subject to par. (c) and notwithstanding sub. (3) (e), from  
20 the appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department  
21 shall pay to hospitals that serve a disproportionate share of low-income patients an  
22 amount equal to the sum of \$27,500,000 \$29,000,000 ~~\$27,500,000~~ \$55,300,000 ~~\$29,000,000~~ \$50,500,000, as the state share of payments,  
23 and the matching federal share of payments. The department may make a payment  
24 to a hospital under this subsection under the calculation method described in par. (b)  
25 if the hospital meets all of the following criteria:

1           **SECTION 658.** 49.45 (3m) (b) 3. a. of the statutes is amended to read:

2           49.45 (3m) (b) 3. a. No single hospital receives more than \$4,600,000  
3           \$9,200,000, except that a hospital that is a free-standing pediatric teaching hospital  
4           located in Wisconsin that has a percentage calculated under subd. 1. a. greater than  
5           50 percent may receive up to \$12,000,000 each fiscal year.

6           **SECTION 659.** 49.45 (3p) (a) of the statutes is amended to read:

7           49.45 (3p) (a) Subject to par. (c) and notwithstanding sub. (3) (e), from the  
8           appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department  
9           shall pay to hospitals that would are not eligible for payments under sub. (3m) but  
10          that meet the criteria under sub. (3m) (a) except that the hospitals do not provide  
11          obstetric services 1. and 2. and that, in the most recent year for which information  
12          is available, charged at least 6 percent of overall charges for services to the Medical  
13          Assistance program for services provided to Medical Assistance recipients an  
14          amount equal to the sum of ~~\$250,000~~ \$500,000, as the state share of payments, and  
15          the matching federal share of payments. The department may make a payment to  
16          a hospital under this subsection under a calculation method determined by the  
17          department that provides a fee-for-service supplemental payment that increases as  
18          the ~~hospital's percentage of inpatient days for Medical Assistance recipients at the~~  
19          ~~hospital~~ the total amount of the hospital's overall charges for services that are  
20          charges to the Medical Assistance program increases.

21          **SECTION 660.** 49.45 (5) (a) of the statutes is amended to read:

22          49.45 (5) (a) Any person whose application for medical assistance is denied or  
23          is not acted upon promptly or who believes that the payments made in the person's  
24          behalf have not been properly determined or that his or her eligibility has not been  
25          properly determined may file an appeal with the department pursuant to par. (b).

1 Review is unavailable if the decision or failure to act arose more than 45 days before  
2 submission of the petition for a hearing, except as provided in par. (ag) or (ar).

3 **SECTION 661.** 49.45 (5) (ag) of the statutes is created to read:

4 49.45 (5) (ag) A person shall request a hearing within 90 days of the date of  
5 receipt of a notice from a care management organization or managed care  
6 organization upholding its adverse benefit determination relating to any of the  
7 following or within 90 days of the date the care management organization or  
8 managed care organization failed to act on the contested matter within the time  
9 specified by the department:

10 1. Denial or limited authorization of a requested services, including a  
11 determination based on the type or level of service, requirement for medical  
12 necessity, appropriateness, setting, or effectiveness of a covered benefit.

13 2. Reduction, suspension, or termination of a previously authorized service,  
14 unless the service was only authorized for a limited amount or duration and that  
15 amount or duration has been completed.

16 3. Denial, in whole or in part, of payment for a service.

17 4. Failure to provide services in a timely manner.

18 5. Failure of a care management organization or managed care organization  
19 to act within the time frames provided in 42 CFR 438.408 (b) (1) and (2) regarding  
20 the standard resolution of grievances and appeals.

21 6. Denial of an enrollee's request to dispute financial liability, including  
22 copayments, premiums, deductibles, coinsurance, other cost sharing, and other  
23 member financial liabilities.

1           7. Denial of an enrollee, who is a resident of a rural area with only one care  
2 management organization or managed care organization, to obtain services outside  
3 the organization's network of contracted providers.

4           **SECTION 662.** 49.45 (5) (ar) of the statutes is created to read:

5           49.45 (5) (ar) If a federal regulation specifies a different time limit to request  
6 a hearing than par. (a) or (ag), the time limit in the federal regulation shall apply.

7           **SECTION 663.** 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

8           49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the  
9 department shall give the applicant or recipient reasonable notice and opportunity  
10 for a fair hearing. The department may make such additional investigation as it  
11 considers necessary. Notice of the hearing shall be given to the applicant or recipient  
12 and, if a county department under s. 46.215, 46.22, or 46.23 is responsible for making  
13 the medical assistance determination, to the county clerk of the county. The county  
14 may be represented at such hearing. The department shall render its decision as  
15 soon as possible after the hearing and shall send a certified copy of its decision to the  
16 applicant or recipient, to the county clerk, and to any county officer charged with  
17 administration of the Medical Assistance program. The decision of the department  
18 shall have the same effect as an order of a county officer charged with the  
19 administration of the Medical Assistance program. The decision shall be final, but  
20 may be revoked or modified as altered conditions may require. The department shall  
21 deny a petition for a hearing or shall refuse to grant relief if:

22           **SECTION 664.** 49.45 (5) (b) 1. d. of the statutes is created to read:

23           49.45 (5) (b) 1. d. The issue is an adverse benefit determination described in  
24 par. (ag) 1. to 7. made by a care management organization or managed care

1 organization and the person requesting the hearing has not exhausted the internal  
2 appeal procedure with the organization.

3 **SECTION 665.** 49.45 (6m) (c) 5. of the statutes is amended to read:

4 49.45 (6m) (c) 5. Admit only patients assessed or who waive or are exempt from  
5 the requirement of assessment under s. 46.27 (6) (a) or, if required under s. 50.035  
6 (4n) or 50.04 (2h), who have been referred to a resource center.

7 **SECTION 666.** 49.45 (6m) (L) of the statutes is amended to read:

8 49.45 (6m) (L) For purposes of ~~ss. 46.27 (11) (e) 7. and s. 46.277 (5) (e)~~, the  
9 department shall, by July 1 annually, determine the statewide medical assistance  
10 daily cost of nursing home care and submit the determination to the department of  
11 administration for review. The department of administration shall approve the  
12 determination before payment may be made under s. ~~46.27 (11) (e) 7. or 46.277 (5)~~  
13 (e).

14 **SECTION 667.** 49.45 (6xm) of the statutes is created to read:

15 49.45 (6xm) PEDIATRIC INPATIENT SUPPLEMENT. (a) From the appropriations  
16 under s. 20.435 (4) (b), (o), and (w), the department shall, using a method determined  
17 by the department, distribute a total sum of \$2,000,000 each state fiscal year to  
18 hospitals that meet all of the following criteria:

19 1. The hospital is an acute care hospital located in this state.

20 2. During the hospital's fiscal year, the inpatient days in the hospital's acute  
21 care pediatric units and intensive care pediatric units totaled more than 12,000 days,  
22 not including neonatal intensive care units. For purposes of this subsection, the  
23 hospital's fiscal year is the hospital's fiscal year that ended in the 2nd calendar year  
24 preceding the beginning of the state fiscal year.

1 (b) Notwithstanding par. (a), from the appropriations under s. 20.435 (4) (b),  
2 (o), and (w), the department may, using a method determined by the department,  
3 distribute an additional total sum of \$10,000,000 in each state fiscal year to hospitals  
4 that are free-standing pediatric teaching hospitals located in Wisconsin that have  
5 a percentage calculated under s. 49.45 (3m) (b) 1. a. greater than 45 percent.

6 **SECTION 668.** 49.45 (19) (title) of the statutes is amended to read:

7 49.45 (19) (title) ASSIGNING ESTABLISHING PATERNITY AND ASSIGNING MEDICAL  
8 SUPPORT RIGHTS.

9 **SECTION 669.** 49.45 (19) (a) of the statutes is amended to read:

10 49.45 (19) (a) As Except as provided in par. (c), as a condition of eligibility for  
11 medical assistance, a person shall, notwithstanding other provisions of the statutes,  
12 be deemed to have assigned to the state, by applying for or receiving medical  
13 assistance, any rights to medical support or other payment of medical expenses from  
14 any other person, including rights to unpaid amounts accrued at the time of  
15 application for medical assistance as well as any rights to support accruing during  
16 the time for which medical assistance is paid.

17 **SECTION 670.** 49.45 (19) (am) of the statutes is created to read:

18 49.45 (19) (am) As a condition of eligibility for medical assistance, a person  
19 shall cooperate in good faith with efforts directed at establishing the paternity of a  
20 nonmarital child and obtaining support payments or any other payments or property  
21 to which the person and the dependent child or children may have rights. This  
22 cooperation shall be in accordance with federal law and regulations applying to  
23 paternity establishment and collection of support payments and may not be required  
24 if the person has good cause for refusing to cooperate, as determined by the  
25 department in accordance with federal law and regulations.

1           **SECTION 671.** 49.45 (19) (c) of the statutes is amended to read:

2           49.45 (19) (c) ~~If the mother of a child was enrolled in a health maintenance~~  
3 ~~organization or other prepaid health care plan under medical assistance at the time~~  
4 ~~of the child's birth, The state may not seek recovery of birth expenses that may be~~  
5 ~~recovered by the state under this subsection are the birth expenses incurred by the~~  
6 ~~health maintenance organization or other prepaid health care plan.~~

7           **SECTION 672.** 49.45 (23) (g) of the statutes is repealed.

8           **SECTION 673.** 49.45 (23) of the statutes, as affected by 2019 Wisconsin Act ...  
9 (this act), is repealed.

10          **SECTION 674.** 49.45 (23b) of the statutes is repealed.

11          **SECTION 675.** 49.45 (24k) of the statutes is repealed.

12          **SECTION 676.** 49.45 (24L) of the statutes is created to read:

13          49.45 (24L) CRITICAL ACCESS REIMBURSEMENT PAYMENTS TO DENTAL PROVIDERS. (a)  
14 Based on the criteria in pars. (b) and (c), the department shall increase  
15 reimbursements to dental providers that meet quality of care standards, as  
16 established by the department.

17          (b) In order to be eligible for enhanced reimbursement under this subsection,  
18 the provider must meet one of the following qualifications:

19           1. For a nonprofit or public provider, 50 percent or more of the individuals  
20 served by the provider are individuals who are without dental insurance or are  
21 enrolled in the Medical Assistance program.

22           2. For a for-profit provider, 5 percent or more of the individuals served by the  
23 provider are enrolled in the Medical Assistance program.

24           (c) For dental services rendered on or after January 1, 2020, by a qualified  
25 nonprofit critical access dental provider, the department shall increase

1 reimbursement by 50 percent above the reimbursement rate that would otherwise  
2 be paid to that provider. For dental services rendered on or after January 1, 2020,  
3 by a qualified for-profit critical access dental provider, the department shall increase  
4 reimbursement by 30 percent above the reimbursement rate that would otherwise  
5 be paid to that provider. For dental providers rendering services to individuals in  
6 managed care under the Medical Assistance program, for services rendered on or  
7 after January 1, 2020, the department shall increase reimbursement to pay an  
8 additional amount on the basis of the rate that would have been paid to the dental  
9 provider had the individual not been enrolled in managed care.

10 (d) If a provider has more than one service location, the thresholds described  
11 under par. (b) apply to each location, and payment for each service location would be  
12 determined separately.

13 **SECTION 677.** 49.45 (29w) (b) 1. b. of the statutes is amended to read:

14 49.45 (29w) (b) 1. b. "Telehealth" is means a service provided from a remote  
15 location using a combination of interactive video, audio, and externally acquired  
16 images through a networking environment between an individual or a provider at  
17 ~~an originating site and a provider at a remote location with the service being of~~  
18 sufficient audio and visual fidelity and clarity as to be functionally equivalent to  
19 face-to-face contact; or, in circumstances determined by the department, an  
20 asynchronous transmission of digital clinical information through a secure  
21 electronic communications system from one provider to another provider.  
22 "Telehealth" does not include telephone conversations or Internet-based  
23 communications between providers or between providers and individuals.

24 **SECTION 678.** 49.45 (29y) (d) of the statutes is repealed.

25 **SECTION 679.** 49.45 (30y) of the statutes is created to read:

1           49.45 (30y) CERTIFIED DOULA SERVICES; PILOT PROJECT. (a) In this subsection,  
2 “certified doula” means an individual who has received certification from a doula  
3 certifying organization recognized by the department.

4           (b) For purposes of this subsection, services provided by certified doulas include  
5 continuous emotional and physical support during labor and birth of a child and  
6 intermittent services during the prenatal and postpartum periods.

7           (c) Subject to par. (d), the department shall reimburse under the Medical  
8 Assistance program benefits as provided under this subsection for pregnant women  
9 enrolled in the Medical Assistance program who reside in the counties of Brown,  
10 Dane, Milwaukee, Rock, or Sheboygan, or another county as determined by the  
11 department.

12           (d) The department shall request from the secretary of the federal department  
13 of health and human services any approval necessary to allow reimbursement under  
14 the Medical Assistance program for services provided by a certified doula. The  
15 department may not pay reimbursement unless federal approval is not required or  
16 any required federal approval allowing reimbursement under s. 49.46 (2) (b) 12p. is  
17 approved and in effect.

18           **SECTION 680.** 49.45 (41) of the statutes is amended to read:

19           49.45 (41) ~~MENTAL HEALTH CRISIS~~ CRISIS INTERVENTION SERVICES. (a) In this  
20 subsection, “~~mental health crisis intervention services~~” means crisis intervention  
21 services for the treatment of mental illness, intellectual disability, substance abuse,  
22 and dementia that are provided by a ~~mental health~~ crisis intervention program  
23 operated by, or under contract with, a county, if the county is certified as a medical  
24 assistance provider.

1 (b) If a county elects to become certified as a provider of mental health crisis  
2 intervention services, the county may provide mental health crisis intervention  
3 services under this subsection in the county to medical assistance recipients through  
4 the medical assistance program. A county that elects to provide the services shall  
5 pay the amount of the allowable charges for the services under the medical  
6 assistance program that is not provided by the federal government. The department  
7 shall reimburse the county under this subsection only for the amount of the allowable  
8 charges for those services under the medical assistance program that is provided by  
9 the federal government.

10 **SECTION 681.** 49.45 (41) (c) of the statutes is created to read:

11 49.45 (41) (c) Notwithstanding par. (b), if a county elects to deliver crisis  
12 intervention services under the Medical Assistance program on a regional basis  
13 according to criteria established by the department, all of the following apply:

14 1. After January 1, 2020, the department shall require the county to annually  
15 contribute for the crisis intervention services an amount equal to 75 percent of the  
16 county's expenditures for crisis intervention services under this subsection in  
17 calendar year 2017, as determined by the department.

18 2. The department shall reimburse the provider of crisis intervention services  
19 in the county the amount of allowable charges for those services under the Medical  
20 Assistance program, including both the federal share and nonfederal share of those  
21 charges, that exceeds the amount of the county contribution required under subd. 1.

22 3. If a county submits a certified cost report under s. 49.45 (52) (b) to claim  
23 federal medical assistance funds, the claim based on certified costs made by a county  
24 for amounts under subd. 2. may not include any part of the nonfederal share of the  
25 amount under subd. 2.

1           **SECTION 682.** 49.45 (47) (b) of the statutes is amended to read:

2           49.45 (47) (b) No person may receive reimbursement under ~~s. 46.27(11)~~ for the  
3 provision of services to clients in an adult day care center unless the adult day care  
4 center is certified by the department under sub. (2) (a) 11. as a provider of medical  
5 assistance.

6           **SECTION 683.** 49.45 (47) (dm) of the statutes is created to read:

7           49.45 (47) (dm) Every 24 months, on a schedule determined by the department,  
8 an adult day care center shall submit through an online system prescribed by the  
9 department a report in the form and containing the information that the department  
10 requires, including payment of any fee due under par. (c). If a complete report is not  
11 timely filed, the department shall issue a warning to the operator of the adult day  
12 care center. The department may revoke an adult day care center's certification for  
13 failure to timely and completely report within 60 days after the report date  
14 established under the schedule determined by the department.

15           **SECTION 684.** 49.45 (60) of the statutes is repealed.

16           **SECTION 685.** 49.46 (1) (a) 1m. of the statutes is amended to read:

17           ~~49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the~~  
18 ~~standard of need under s. 49.19 (11) and whose pregnancy is medically verified.~~  
19 ~~Eligibility continues to the last day of the month in which the 60th day or, if approved~~  
20 ~~by the federal government, the 365th day after the last day of the pregnancy falls.~~

21           **SECTION 686.** 49.46 (1) (a) 14. of the statutes is amended to read:

22           49.46 (1) (a) 14. Any person who would meet the financial and other eligibility  
23 requirements for home or community-based services under s. ~~46.27(11)~~, 46.277, or  
24 46.2785 but for the fact that the person engages in substantial gainful activity under  
25 42 USC 1382c (a) (3), if a waiver under s. 49.45 (38) is in effect or federal law permits

1 federal financial participation for medical assistance coverage of the person and if  
2 funding is available for the person under s. ~~46.27 (11)~~, 46.277, or 46.2785.

3 **SECTION 687.** 49.46 (1) (em) of the statutes is amended to read:

4 49.46 (1) (em) To the extent approved by the federal government, for the  
5 purposes of determining financial eligibility and any cost-sharing requirements of  
6 an individual under par. (a) 6m., 14., or 14m., (d) 2., or (e), the department or its  
7 designee shall exclude any assets accumulated in a person's independence account,  
8 as defined in s. 49.472 (1) (c), and any income or assets from retirement benefits  
9 earned or accumulated from income or employer contributions while employed and  
10 receiving ~~state-funded benefits under s. 46.27~~ or medical assistance under s. 49.472.

11 **SECTION 688.** 49.46 (1) (j) of the statutes is amended to read:

12 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)  
13 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and  
14 to the last day of the month in which the 60th day or, if approved by the federal  
15 government, the 365th day after the last day of the pregnancy falls without regard  
16 to any change in the individual's family income.

17 **SECTION 689.** 49.46 (2) (b) 8. of the statutes is amended to read:

18 49.46 (2) (b) 8. Home or community-based services, if provided under s. ~~46.27~~  
19 ~~(11)~~, 46.275, 46.277, 46.278, 46.2785, 46.99, or under the family care benefit if a  
20 waiver is in effect under s. 46.281 (1d), or under the disabled children's long-term  
21 support program, as defined in s. 46.011 (1g).

22 **SECTION 690.** 49.46 (2) (b) 12p. of the statutes is created to read:

23 49.46 (2) (b) 12p. Subject to the limitations under s. 49.45 (30y), services  
24 provided by a certified doula.

25 **SECTION 691.** 49.46 (2) (b) 15. of the statutes is amended to read:

1           49.46 (2) (b) 15. ~~Mental health crisis~~ Crisis intervention services under s. 49.45  
2 (41).

3           **SECTION 692.** 49.46 (2) (b) 21. of the statutes is created to read:

4           49.46 (2) (b) 21. Subject to par. (bv), nonmedical services that contribute to the  
5 determinants of health.

6           **SECTION 693.** 49.46 (2) (bv) of the statutes is created to read:

7           49.46 (2) (bv) The department shall determine those services under par. (b) 21.  
8 that contribute to the determinants of health. The department shall seek any  
9 necessary state plan amendment or request any waiver of federal Medicaid law to  
10 implement this paragraph. The department is not required to provided the services  
11 under this paragraph as a benefit under the Medical Assistance program if the  
12 federal department of health and human services does not provide federal financial  
13 participation for the services under this paragraph.

14           **SECTION 694.** 49.463 of the statutes is repealed.

15           **SECTION 695.** 49.47 (4) (ag) 2. of the statutes is amended to read:

16           49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified  
17 ~~Eligibility continues to the last day of the month in which the 60th day or, if approved~~  
18 ~~by the federal government, the 365th day~~ after the last day of the pregnancy falls.

19           **SECTION 696.** 49.47 (4) (as) 1. of the statutes is amended to read:

20           49.47 (4) (as) 1. The person would meet the financial and other eligibility  
21 requirements for home or community-based services under s. ~~46.27(11)~~, 46.277, or  
22 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (1d)  
23 but for the fact that the person engages in substantial gainful activity under 42 USC  
24 1382c (a) (3).

25           **SECTION 697.** 49.47 (4) (as) 3. of the statutes is amended to read:

1           49.47 (4) (as) 3. Funding is available for the person under s. 46.27 (11), 46.277,  
2           or 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (1d).

3           **SECTION 698.** 49.47 (4) (b) (intro.) of the statutes is amended to read:

4           49.47 (4) (b) (intro.) Eligibility exists if the applicant's property, subject to the  
5           exclusion of any amounts under the Long-Term Care Partnership Program  
6           established under s. 49.45 (31), any amounts in an independence account, as defined  
7           in s. 49.472 (1) (c), or any retirement assets that accrued from employment while the  
8           applicant was eligible for the community options program under s. 46.27 (11), 2017  
9           stats., or any other Medical Assistance program, including deferred compensation  
10          or the value of retirement accounts in the Wisconsin Retirement System or under the  
11          federal Social Security Act, does not exceed the following:

12          **SECTION 699.** 49.471 (1) (cr) of the statutes is created to read:

13          49.471 (1) (cr) "Enhanced federal medical assistance percentage" means a  
14          federal medical assistance percentage described under 42 USC 1396d (y) or (z).

15          **SECTION 700.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

16          49.471 (4) (a) 4. b. The individual's family income does not exceed 100 133  
17          ~~percent of the poverty line before application of the 5 percent income disregard under~~  
18          ~~42 CFR 435.603 (d).~~

19          **SECTION 701.** 49.471 (4) (a) 8. of the statutes is created to read:

20          49.471 (4) (a) 8. An individual who meets all of the following criteria:

21          a. The individual is an adult under the age of 65.

22          b. The adult has a family income that does not exceed 133 percent of the poverty  
23          line, except as provided in sub. (4g).

24          c. The adult is not otherwise eligible for the Medical Assistance program under  
25          this subchapter or the Medicare program under 42 USC 1395 et seq.

1           **SECTION 702.** 49.471 (4g) of the statutes is created to read:

2           49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. For  
3 services provided to individuals described under sub. (4) (a) 8., the department shall  
4 comply with all federal requirements to qualify for the highest available enhanced  
5 federal medical assistance percentage. The department shall submit any  
6 amendment to the state medical assistance plan, request for a waiver of federal  
7 Medicaid law, or other approval request required by the federal government to  
8 provide services to the individuals described under sub. (4) (a) 8. and qualify for the  
9 highest available enhanced federal medical assistance percentage.

10          **SECTION 703.** 49.471 (6) (b) of the statutes is amended to read:

11          49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits  
12 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the  
13 pregnancy and to the last day of the month in which the 60th day or, if approved by  
14 the federal government, the 365th day after the last day of the pregnancy falls  
15 without regard to any change in the woman's family income.

16          **SECTION 704.** 49.471 (6) (L) of the statutes is created to read:

17          49.471 (6) (L) The department shall request from the federal department of  
18 health and human services approval of a state plan amendment, a waiver of federal  
19 Medicaid law, or approval of a demonstration project to maintain eligibility for  
20 post-partum women to the last day of the month in which the 365th day after the  
21 last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag)  
22 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

23          **SECTION 705.** 49.471 (7) (b) 1. of the statutes is amended to read:

24          49.471 (7) (b) 1. A pregnant woman whose family income exceeds 300 percent  
25 of the poverty line may become eligible for coverage under this section if the

1 difference between the pregnant woman's family income and the applicable income  
2 limit under sub. (4) (a) is obligated or expended for any member of the pregnant  
3 woman's family for medical care or any other type of remedial care recognized under  
4 state law or for personal health insurance premiums or for both. Eligibility obtained  
5 under this subdivision continues without regard to any change in family income for  
6 the balance of the pregnancy and to the last day of the month in which the 60th day  
7 or, if approved by the federal government, the 365th day after the last day of the  
8 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this  
9 subdivision extends to all pregnant women in the pregnant woman's family.

10 **SECTION 706.** 49.472 (3) (b) of the statutes is amended to read:

11 49.472 (3) (b) The individual's assets do not exceed \$15,000. In determining  
12 assets, the department may not include assets that are excluded from the resource  
13 calculation under 42 USC 1382b (a), assets accumulated in an independence  
14 account, and, to the extent approved by the federal government, assets from  
15 retirement benefits accumulated from income or employer contributions while  
16 employed and receiving medical assistance under this section or state-funded  
17 benefits under s. 46.27, 2017 stats. The department may exclude, in whole or in part,  
18 the value of a vehicle used by the individual for transportation to paid employment.

19 **SECTION 707.** 49.472 (3) (f) of the statutes is amended to read:

20 49.472 (3) (f) The individual maintains premium payments under sub. (4) (am)  
21 and, if applicable and to the extent approved by the federal government, premium  
22 payments calculated by the department in accordance with sub. (4) (bm), unless the  
23 individual is exempted from premium payments under sub. (4) (dm) ~~or (5).~~

24 **SECTION 708.** 49.472 (4) (am) of the statutes is amended to read:

1           49.472 (4) (am) To the extent approved by the federal government and except  
2 as provided in pars. (dm) and (em) ~~and sub. (5)~~, an individual who receives medical  
3 assistance under this section shall pay a monthly premium of \$25 to the department.

4           **SECTION 709.** 49.472 (5) of the statutes is repealed.

5           **SECTION 710.** 49.485 of the statutes is renumbered 20.9315 (19) and amended  
6 to read:

7           20.9315 (19) ~~Whoever knowingly presents or causes to be presented to any~~  
8 ~~officer, employee, or agent of this state a false claim for medical assistance shall~~  
9 ~~forfeit not less than \$5,000 nor more than \$10,000, plus 3 times the amount of the~~  
10 ~~damages that were sustained by the state or would have been sustained by the state,~~  
11 ~~whichever is greater, as a result of the false claim. The attorney general may bring~~  
12 an action on behalf of the state to recover any forfeiture incurred under this section.

13           **SECTION 711.** 49.686 (3) (d) of the statutes is amended to read:

14           49.686 (3) (d) Has applied for coverage under and has been denied eligibility  
15 for medical assistance within 12 months prior to application for reimbursement  
16 under sub. (2). This paragraph does not apply to an individual who is eligible for  
17 ~~benefits under the demonstration project for childless adults under s. 49.45 (23)~~  
18 BadgerCare Plus under s. 49.471 (4) (a) 8. or to an individual who is eligible for  
19 benefits under BadgerCare Plus under s. 49.471 (11).

20           **SECTION 712.** 49.79 (1) (bg) of the statutes is repealed.

21           **SECTION 713.** 49.79 (1) (em) of the statutes is repealed.

22           **SECTION 714.** 49.79 (6m) of the statutes is repealed.

23           **SECTION 715.** 49.79 (6q) of the statutes is repealed.

24           **SECTION 716.** 49.79 (6t) of the statutes is repealed.

25           **SECTION 717.** 49.79 (6u) of the statutes is repealed.

1           **SECTION 718.** 49.79 (9) (a) 1g. of the statutes is amended to read:

2           49.79 (9) (a) 1g. Except as provided in subds. 2. and 3., ~~beginning October 1,~~  
3           ~~2019,~~ the department shall require, to the extent allowed by the federal government,  
4           ~~all~~ able-bodied adults without dependents in this state to participate in the  
5           employment and training program under this subsection, except for able-bodied  
6           adults without dependents who are employed, as determined by the department.  
7           The department may require ~~other~~ able individuals who are 18 to 60 years of age, or  
8           a subset of those individuals to the extent allowed by the federal government, who  
9           are not participants in a Wisconsin Works employment position to participate in the  
10          employment and training program under this subsection.

11          **SECTION 719.** 49.79 (9) (d) of the statutes is repealed.

12          **SECTION 720.** 49.79 (9) (f) of the statutes is repealed.

13          **SECTION 721.** 49.791 of the statutes is repealed.

14          **SECTION 722.** 49.849 (1) (e) of the statutes is amended to read:

15          49.849 (1) (e) "Public assistance" means any services provided as a benefit  
16          under a long-term care program, as defined in s. 49.496 (1) (bk), medical assistance  
17          ~~under subch. IV, long-term community support services funded under s. 46.27 (7),~~  
18          or aid under s. 49.68, 49.683, 49.685, or 49.785.

19          **SECTION 723.** 49.849 (2) (a) (intro.) of the statutes is amended to read:

20          49.849 (2) (a) (intro.) Subject to par. (b), the department may collect from the  
21          property of a decedent by affidavit under sub. (3) (b) or by lien under sub. (4) (a) an  
22          amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), the  
23          long-term community support services under s. 46.27, 2017 stats., that is  
24          recoverable under s. 46.27 (7g) (c) 1., 2017 stats., or the aid under s. 49.68, 49.683,  
25          49.685, or 49.785 that is recoverable under s. 49.682 (2) (a) or (am), and that was paid

1 on behalf of the decedent or the decedent's spouse, if all of the following conditions  
2 are satisfied:

3 **SECTION 724.** 49.849 (6) (a) of the statutes is renumbered 49.849 (6).

4 **SECTION 725.** 49.849 (6) (b) of the statutes is repealed.

5 **SECTION 726.** 49.855 (3) of the statutes is amended to read:

6 49.855 (3) Receipt of a certification by the department of revenue shall  
7 constitute a lien, equal to the amount certified, on any state tax refunds or credits  
8 owed to the obligor. The lien shall be foreclosed by the department of revenue as a  
9 setoff under s. 71.93 (3), ~~(6), and (7)~~. When the department of revenue determines  
10 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the  
11 obligor that the state intends to reduce any state tax refund or credit due the obligor  
12 by the amount the obligor is delinquent under the support, maintenance, or receiving  
13 and disbursing fee order or obligation, by the outstanding amount for past support,  
14 or medical expenses, ~~or birth expenses~~ under the court order, or by the amount due  
15 under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20  
16 days the obligor may request a hearing before the circuit court rendering the order  
17 ~~under which the obligation arose. Within 10 days after receiving a request for~~  
18 hearing under this subsection, the court shall set the matter for hearing. Pending  
19 further order by the court or a circuit court commissioner, the department of children  
20 and families or its designee, whichever is appropriate, is prohibited from disbursing  
21 the obligor's state tax refund or credit. A circuit court commissioner may conduct the  
22 hearing. The sole issues at that hearing shall be whether the obligor owes the  
23 amount certified and, if not and it is a support or maintenance order, whether the  
24 money withheld from a tax refund or credit shall be paid to the obligor or held for  
25 future support or maintenance, except that the obligor's ability to pay shall also be

1 an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d)  
2 ~~1. or 767.89 (3) (e) 1. regarding birth expenses~~ and the order specifies that the court  
3 found that the obligor's income was at or below the poverty line established under  
4 42 USC 9902 (2).

5 **SECTION 727.** 49.855 (4m) (b) of the statutes is amended to read:

6 49.855 (4m) (b) The department of revenue may provide a certification that it  
7 receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon  
8 receipt of the certification, the department of administration shall determine  
9 whether the obligor is a vendor or is receiving any other payments from this state,  
10 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.  
11 45.40 (1m), this chapter, or ch. 46, 108, or 301. If the department of administration  
12 determines that the obligor is a vendor or is receiving payments from this state,  
13 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.  
14 45.40 (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount  
15 certified from those payments and shall notify the obligor that the state intends to  
16 reduce any payments due the obligor by the amount the obligor is delinquent under  
17 the support, maintenance, or receiving and disbursing fee order or obligation, by the  
18 outstanding amount for past support, or medical expenses, ~~or birth expenses~~ under  
19 the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The  
20 notice shall provide that within 20 days after receipt of the notice the obligor may  
21 request a hearing before the circuit court rendering the order under which the  
22 obligation arose. An obligor may, within 20 days after receiving notice, request a  
23 hearing under this paragraph. Within 10 days after receiving a request for hearing  
24 under this paragraph, the court shall set the matter for hearing. A circuit court  
25 commissioner may conduct the hearing. Pending further order by the court or circuit

1 court commissioner, the department of children and families or its designee,  
2 whichever is appropriate, may not disburse the payments withheld from the obligor.  
3 The sole issues at the hearing are whether the obligor owes the amount certified and,  
4 if not and it is a support or maintenance order, whether the money withheld shall be  
5 paid to the obligor or held for future support or maintenance, except that the obligor's  
6 ability to pay is also an issue at the hearing if the obligation relates to an order under  
7 ~~s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1.~~ regarding birth expenses and the order specifies  
8 that the court found that the obligor's income was at or below the poverty line  
9 established under 42 USC 9902 (2).

10 **SECTION 728.** 50.03 (3) (b) (intro.) of the statutes is amended to read:

11 50.03 (3) (b) (intro.) The application for a license and, except as otherwise  
12 provided in this subchapter, the report of a licensee shall be in writing upon forms  
13 provided by the department and shall contain such information as the department  
14 requires, including the name, address and type and extent of interest of each of the  
15 following persons:

16 **SECTION 729.** 50.03 (4) (c) 1. of the statutes is amended to read:

17 50.03 (4) (c) 1. A community-based residential facility license is valid until it  
18 is revoked or suspended under this section. Every 24 months, on a schedule  
19 determined by the department, a community-based residential facility licensee  
20 shall submit through an online system prescribed by the department a biennial  
21 report in the form and containing the information that the department requires,  
22 including payment of ~~the fees required~~ any fee due under s. 50.037 (2) (a). If a  
23 complete biennial report is not timely filed, the department shall issue a warning to  
24 the licensee. The department may revoke a community-based residential facility

1 license for failure to timely and completely report within 60 days after the report date  
2 established under the schedule determined by the department.

3 **SECTION 730.** 50.033 (2m) of the statutes is amended to read:

4 50.033 (2m) REPORTING. Every 24 months, on a schedule determined by the  
5 department, a licensed adult family home shall submit through an online system  
6 prescribed by the department a biennial report in the form and containing the  
7 information that the department requires, including payment of ~~the~~ any ~~fee required~~  
8 due under sub. (2). If a complete biennial report is not timely filed, the department  
9 shall issue a warning to the licensee. The department may revoke the license for  
10 failure to timely and completely report within 60 days after the report date  
11 established under the schedule determined by the department.

12 **SECTION 731.** 50.034 (1) (a) of the statutes is amended to read:

13 50.034 (1) (a) No person may operate a residential care apartment complex that  
14 provides living space for residents who are clients under s. ~~46.27 (11) or 46.277~~ and  
15 publicly funded services as a home health agency or under contract with a county  
16 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 that is a home health  
17 agency unless the residential care apartment complex is certified by the department  
18 under this section. The department may charge a fee, in an amount determined by  
19 the department, for certification under this paragraph. The amount of any fee  
20 charged by the department for certification of a residential care apartment complex  
21 need not be promulgated as a rule under ch. 227.

22 **SECTION 732.** 50.034 (2m) of the statutes is created to read:

23 50.034 (2m) REPORTING. Every 24 months, on a schedule determined by the  
24 department, a residential care apartment complex shall submit through an online  
25 system prescribed by the department a report in the form and containing the

1 information that the department requires, including payment of any fee required  
2 under sub. (1). If a complete report is not timely filed, the department shall issue a  
3 warning to the operator of the residential care apartment complex. The department  
4 may revoke a residential care apartment complex's certification or registration for  
5 failure to timely and completely report within 60 days after the report date  
6 established under the schedule determined by the department.

7 **SECTION 733.** 50.034 (3) (a) 1. of the statutes is repealed.

8 **SECTION 734.** 50.034 (5m) of the statutes is amended to read:

9 50.034 (5m) PROVISION OF INFORMATION REQUIRED. ~~Subject to sub. (5p), when~~  
10 When a residential care apartment complex first provides written material  
11 regarding the residential care apartment complex to a prospective resident, the  
12 residential care apartment complex shall also provide the prospective resident  
13 information specified by the department concerning the services of a resource center  
14 under s. 46.283, the family care benefit under s. 46.286, and the availability of a  
15 functional screening and a financial and cost-sharing screening to determine the  
16 prospective resident's eligibility for the family care benefit under s. 46.286 (1).

17 **SECTION 735.** 50.034 (5n) (intro.) of the statutes is amended to read:

18 50.034 (5n) REQUIRED REFERRAL. (intro.) ~~Subject to sub. (5p), when~~ When a  
19 residential care apartment complex first provides written material regarding the  
20 residential care apartment complex to a prospective resident who is at least 65 years  
21 of age or has developmental disability or a physical disability and whose disability  
22 or condition is expected to last at least 90 days, the residential care apartment  
23 complex shall refer the prospective resident to a resource center under s. 46.283,  
24 unless any of the following applies:

25 **SECTION 736.** 50.034 (5p) of the statutes is repealed.

1           **SECTION 737.** 50.034 (6) of the statutes is amended to read:

2           50.034 **(6)** FUNDING. Funding for supportive, personal or nursing services that  
3 a person who resides in a residential care apartment complex receives, other than  
4 private or 3rd-party funding, may be provided only under s. ~~46.27 (11)(e) 7. or 46.277~~  
5 (5) (e), except if the provider of the services is a certified medical assistance provider  
6 under s. 49.45 or if the funding is provided as a family care benefit under ss. 46.2805  
7 to 46.2895.

8           **SECTION 738.** 50.035 (4m) of the statutes is amended to read:

9           50.035 **(4m)** PROVISION OF INFORMATION REQUIRED. ~~Subject to sub. (4p), when~~  
10 When a community-based residential facility first provides written material  
11 regarding the community-based residential facility to a prospective resident, the  
12 community-based residential facility shall also provide the prospective resident  
13 information specified by the department concerning the services of a resource center  
14 under s. 46.283, the family care benefit under s. 46.286, and the availability of a  
15 functional screening and a financial and cost-sharing screening to determine the  
16 prospective resident's eligibility for the family care benefit under s. 46.286 (1).

17           **SECTION 739.** 50.035 (4n) (intro.) of the statutes is amended to read:

18           50.035 **(4n)** REQUIRED REFERRAL. (intro.) When a community-based residential  
19 facility first provides written information regarding the community-based  
20 residential facility to a prospective resident who is at least 65 years of age or has  
21 developmental disability or a physical disability and whose disability or condition is  
22 expected to last at least 90 days, the community-based residential facility shall refer  
23 the individual to a resource center under s. 46.283 ~~or, if the secretary has not certified~~  
24 ~~under s. 46.281 (3) that a resource center is available in the area of the~~  
25 ~~community-based residential facility to serve individuals in an eligibility group to~~

1 which the prospective resident belongs, to the county department that administers  
2 a program under ~~ss. 46.27 or 46.277~~, unless any of the following applies:

3 **SECTION 740.** 50.035 (4p) of the statutes is repealed.

4 **SECTION 741.** 50.04 (2g) (a) of the statutes is amended to read:

5 50.04 (2g) (a) ~~Subject to sub. (2i), a~~ A nursing home shall, within the time  
6 period after inquiry by a prospective resident that is prescribed by the department  
7 by rule, inform the prospective resident of the services of a resource center under s.  
8 46.283, the family care benefit under s. 46.286, and the availability of a functional  
9 screening and a financial and cost-sharing screening to determine the prospective  
10 resident's eligibility for the family care benefit under s. 46.286 (1).

11 **SECTION 742.** 50.04 (2h) (a) (intro.) of the statutes is amended to read:

12 50.04 (2h) (a) (intro.) ~~Subject to sub. (2i), a~~ A nursing home shall, within the  
13 time period prescribed by the department by rule, refer to a resource center under  
14 s. 46.283 a person who is seeking admission, who is at least 65 years of age or has  
15 developmental disability or physical disability and whose disability or condition is  
16 expected to last at least 90 days, unless any of the following applies:

17 **SECTION 743.** 50.04 (2i) of the statutes is repealed.

18 **SECTION 744.** 50.04 (2m) of the statutes is repealed.

19 **SECTION 745.** 50.06 (7) of the statutes is amended to read:

20 50.06 (7) An individual who consents to an admission under this section may  
21 request that ~~an assessment be conducted for the incapacitated individual under the~~  
22 ~~long-term support community options program under s. 46.27 (6) or, if the secretary~~  
23 ~~has certified under s. 46.281 (3) that a resource center is available for the individual,~~  
24 a functional screening and a financial and cost-sharing screening to determine  
25 eligibility for the family care benefit under s. 46.286 (1). If admission is sought on

1 behalf of the incapacitated individual or if the incapacitated individual is about to  
2 be admitted on a private pay basis, the individual who consents to the admission may  
3 waive the requirement for a financial and cost-sharing screening under s. 46.283 (4)  
4 (g), unless the incapacitated individual is expected to become eligible for medical  
5 assistance within 6 months.

6 **SECTION 746.** 51.03 (7) of the statutes is created to read:

7 51.03 (7) From the appropriation under s. 20.435 (5) (dg), the department shall  
8 award grants to regional crisis stabilization facilities for adults. The department  
9 shall establish criteria for a regional crisis stabilization facility to receive a grant  
10 under this subsection.

11 **SECTION 747.** 51.06 (8) (b) 6. of the statutes is amended to read:

12 51.06 (8) (b) 6. The extent of Medical Assistance provided to relocated or  
13 diverted individuals that is in addition to Medical Assistance provided to the  
14 individuals under s. 46.27 (11), 46.275, 46.277, or 46.278, as a family care benefit  
15 under ss. 46.2805 to 46.2895, or under any other home-based or community-based  
16 program for which the department has received a waiver under 42 USC 1396n (c).

17 ~~**SECTION 748.** 51.42 (3) (ar) 3. of the statutes is amended to read:~~

18 51.42 (3) (ar) 3. Plan for and establish a community developmental disabilities  
19 program to deliver the services required under s. 51.437 if, under s. 51.437 (4g) (b),  
20 the county board of supervisors in a county with a single-county department of  
21 community programs or the county boards of supervisors in counties with a  
22 multicounty department of community programs transfer the powers and duties of  
23 the county department under s. 51.437 to the county department of community  
24 programs. The county board of supervisors in a county with a single-county  
25 department of community programs and the county boards of supervisors in counties

1 with a multicounty department of community programs may designate the county  
2 department of community programs to which these powers and duties have been  
3 transferred as the administrative agency of ~~the long-term support community~~  
4 ~~options program under s. 46.27 (3) (b) 1. and 5.~~ and the community integration  
5 programs under ss. 46.275, 46.277 and 46.278.

6 **SECTION 749.** 51.421 (1) of the statutes is amended to read:

7 51.421 (1) PURPOSE. In order to provide the least restrictive and most  
8 appropriate care and treatment for persons with serious and persistent mental  
9 illness, community support programs should be available in all parts of the state.  
10 In order to integrate community support programs with other long-term care  
11 programs, community support programs shall be coordinated, to the greatest extent  
12 possible, ~~with the community options program under s. 46.27,~~ with the protective  
13 services system in a county, with the medical assistance program under subch. IV of  
14 ch. 49 and with other care and treatment programs for persons with serious and  
15 persistent mental illness.

16 **SECTION 750.** 51.422 (1) of the statutes is amended to read:

17 ~~51.422 (1) PROGRAM CREATION. The department shall create 2 or 3 new, regional~~  
18 ~~comprehensive opioid treatment programs, and in the 2017-19 fiscal biennium,~~  
19 ~~shall create 2 or 3 additional regional comprehensive opioid and methamphetamine~~  
20 ~~treatment programs, to provide treatment for opioid and opiate addiction and~~  
21 ~~methamphetamine addiction in underserved, high-need areas. The department~~  
22 ~~shall obtain and review proposals for opioid and methamphetamine treatment~~  
23 ~~programs in accordance with its request-for-proposal procedures. A program under~~  
24 ~~this section may not offer methadone treatment.~~

25 **SECTION 751.** 51.422 (2) of the statutes is amended to read:

1           51.422 (2) PROGRAM COMPONENTS. An opioid or methamphetamine treatment  
2 program created under this section shall offer an assessment to individuals in need  
3 of service to determine what type of treatment is needed. The program shall  
4 transition individuals to a certified residential program, if that level of treatment is  
5 necessary. The program shall provide counseling, medication-assisted treatment,  
6 including both long-acting opioid antagonist and partial-agonist medications that  
7 have been approved by the federal food and drug administration ~~if~~ for treating opioid  
8 addiction, and abstinence-based treatment. The program shall transition  
9 individuals who have completed treatment to county-based or private  
10 post-treatment care.

11           **SECTION 752.** 51.441 of the statutes is created to read:

12           **51.441 Comprehensive mental health consultation program.** The  
13 department shall convene a statewide group of interested persons, including at least  
14 one representative of the Medical College of Wisconsin, to develop a concept paper,  
15 business plan, and standards for a comprehensive mental health consultation  
16 program that incorporates general psychiatry, geriatric psychiatry, addiction  
17 medicine and psychiatry, a perinatal psychiatry consultation program, and the child  
18 psychiatry consultation program under s. 51.442.

19           **SECTION 753.** 54.21 (2) (g) of the statutes is amended to read:

20           54.21 (2) (g) The current and likely future effect of the proposed transfer of  
21 assets on the ward's eligibility for public benefits, including medical assistance ~~or a~~  
22 ~~benefit under s. 46.27.~~

23           **SECTION 754.** 54.34 (1) (k) of the statutes is amended to read:

24           54.34 (1) (k) Whether the proposed ward is a recipient of a public benefit,  
25 including medical assistance ~~or a benefit under s. 46.27.~~

1           **SECTION 755.** 59.17 (2) (b) 7. of the statutes is repealed.

2           **SECTION 756.** 59.40 (4) of the statutes is amended to read:

3           59.40 (4) CLERK OF CIRCUIT COURT; DEBT COLLECTOR CONTRACT. If authorized by  
4 the board under s. 59.52 (28), the clerk of circuit court may contract with a debt  
5 collector, as defined in s. 427.103 (3), or enter into an agreement with the department  
6 of revenue under s. 71.93 (8) for the collection of debt. Any contract entered into with  
7 a debt collector shall provide that the debt collector shall be paid from the proceeds  
8 recovered by the debt collector. Any contract entered into with the department shall  
9 provide that the department shall charge a collection fee, as provided under s. 71.93  
10 (8) ~~(b) 1.~~ (am). The net proceeds received by the clerk of circuit court after the  
11 payment to the debt collector shall be considered the amount of debt collected for  
12 purposes of distribution to the state and county under sub. (2) (m).

13           **SECTION 757.** 59.52 (6) (a) of the statutes is amended to read:

14           59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.  
15 75 and acquire, lease or rent property, real and personal, for public uses or purposes  
16 of any nature, including without limitation acquisitions for county buildings,  
17 airports, parks, recreation, highways, dam sites in parks, parkways and  
18 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits  
19 for operation under s. 59.70 (24), equipment for clearing and draining land and  
20 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and  
21 transfer of real property to the state for new collegiate institutions or research  
22 facilities, and for transfer to the state for state parks and for the uses and purposes  
23 specified in s. 23.09 (2) (d). ~~The power of condemnation may not be used to acquire~~  
24 ~~property for the purpose of establishing or extending a recreational trail; a bicycle~~

1 way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a  
2 pedestrian way, as defined in s. 346.02 (8) (a).

3 **SECTION 758.** 59.54 (25) (a) (intro.) of the statutes is amended to read:

4 59.54 (25) (a) (intro.) The board may enact and enforce an ordinance to prohibit  
5 the possession of more than 25 grams of marijuana, as defined in s. 961.01 (14),  
6 subject to par. (c) and the exceptions in s. 961.41 (3g) (intro.), and provide a forfeiture  
7 for a violation of the ordinance; except that if. Any ordinance enacted under this  
8 paragraph shall provide a person who is prosecuted under it with the defenses that  
9 the person has under s. 961.436 to prosecutions under s. 961.41 (1) (h), (1m) (h), or  
10 (3g) (e). If a complaint is issued regarding an allegation of alleging possession of more  
11 than 25 grams of marijuana, or possession of any amount of marijuana following a  
12 conviction in this state for possession of more than 25 grams of marijuana, the  
13 subject of the complaint may not be prosecuted under this subsection for the same  
14 action that is the subject of the complaint unless all of the following occur:

15 **SECTION 759.** 59.54 (25) (c) of the statutes is created to read:

16 59.54 (25) (c) A person may not be prosecuted under an ordinance enacted  
17 under par. (a) if, under s. 968.072 (2) or (4) (b), the person would not be subject to  
18 prosecution under s. 961.41 (3g) (e).

19 **SECTION 760.** 59.54 (25m) of the statutes is amended to read:

20 59.54 (25m) DRUG PARAPHERNALIA. The board may enact an ordinance to  
21 prohibit conduct that is the same as that prohibited by s. 961.573 (1) or (2), 961.574  
22 (1) or (2), or 961.575 (1) or (2) and provide a forfeiture for violation of the ordinance.  
23 Any ordinance enacted under this subsection shall provide a person prosecuted  
24 under it with the defenses that the person has under s. 961.5755 to prosecutions  
25 under s. 961.573 (1), 961.574 (1), or 961.575 (1). A person may not be prosecuted

1 under an ordinance enacted under this subsection if, under s. 968.072 (3) or (4) (b),  
2 the person would not be subject to prosecution under s. 961.573 (1), 961.574 (1), or  
3 961.575 (1). The board may enforce an ordinance enacted under this subsection in  
4 any municipality within the county.

5 **SECTION 761.** 59.796 of the statutes is repealed.

6 **SECTION 762.** 60.782 (2) (d) of the statutes is amended to read:

7 60.782 (2) (d) Lease or acquire, including by condemnation, any real property  
8 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)  
9 or 30.275 (4). ~~The power of condemnation may not used to acquire property for the~~  
10 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~  
11 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~  
12 ~~defined in s. 346.02 (8) (a).~~

13 **SECTION 763.** 61.34 (3) (a) of the statutes is renumbered 61.34 (3) and amended  
14 to read:

15 61.34 (3) ACQUISITION AND DISPOSAL OF PROPERTY. ~~Except as provided in par. (b),~~  
16 ~~the~~ The village board may acquire property, real or personal, within or outside the  
17 village, for parks, libraries, recreation, beautification, streets, water systems,  
18 sewage or waste disposal, harbors, improvement of watercourses, public grounds,  
19 vehicle parking areas, and for any other public purpose; may acquire real property  
20 within or contiguous to the village, by means other than condemnation, for industrial  
21 sites; may improve and beautify the same; may construct, own, lease and maintain  
22 buildings on such property for instruction, recreation, amusement and other public  
23 purposes; and may sell and convey such property. Condemnation shall be as  
24 provided by ch. 32.

25 **SECTION 764.** 61.34 (3) (b) of the statutes is repealed.

1           **SECTION 765.** 62.22 (1) (a) of the statutes is renumbered 62.22 (1) and amended  
2 to read:

3           **62.22 (1) PURPOSES.** ~~Except as provided in par. (b), the~~ The governing body of  
4 any city may by gift, purchase or condemnation acquire property, real or personal,  
5 within or outside the city, for parks, recreation, water systems, sewage or waste  
6 disposal, airports or approaches thereto, cemeteries, vehicle parking areas, and for  
7 any other public purpose; may acquire real property within or contiguous to the city,  
8 by means other than condemnation, for industrial sites; may improve and beautify  
9 the same; may construct, own, lease and maintain buildings on such property for  
10 public purposes; and may sell and convey such property. The power of condemnation  
11 for any such purpose shall be as provided by ch. 32.

12           **SECTION 766.** 62.22 (1) (b) of the statutes is repealed.

13           **SECTION 767.** 62.23 (17) (a) (intro.) of the statutes is amended to read:

14           **62.23 (17) (a) (intro.)** ~~Except as provided in par. (am), cities~~ Cities may acquire  
15 by gift, lease, purchase, or condemnation any lands within its corporate limits for  
16 establishing, laying out, widening, enlarging, extending, and maintaining memorial  
17 grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public  
18 buildings, and reservations in and about and along and leading to any or all of the  
19 same or any lands adjoining or near to such city for use, sublease, or sale for any of  
20 the following purposes:

21           **SECTION 768.** 62.23 (17) (am) of the statutes is repealed.

22           **SECTION 769.** 62.53 of the statutes is repealed.

23           **SECTION 770.** 63.23 (1) of the statutes is amended to read:

24           **63.23 (1)** The city service commission shall classify all offices and positions in  
25 the city service, excepting those subject to the exemptions of s. 63.27 ~~and those~~

1 subject to an exclusion under s. 119.33 (2) (e) 1. or 119.9002 (5) (a), according to the  
2 duties and responsibilities of each position. Classification shall be so arranged that  
3 all positions ~~which~~ that in the judgment of the commission are substantially the  
4 same with respect to authority, responsibility, and character of work are included in  
5 the same class. From time to time the commission may reclassify positions upon a  
6 proper showing that the position belongs to a different class.

7 **SECTION 771.** 66.0107 (1) (bm) of the statutes is amended to read:

8 66.0107 (1) (bm) Enact and enforce an ordinance to prohibit the possession of  
9 more than 25 grams of marijuana, as defined in s. 961.01 (14), subject to the  
10 exceptions in s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the  
11 ordinance; ~~except that if.~~ Any ordinance enacted under this paragraph shall provide  
12 a person who is prosecuted under it with the defenses that the person has under s.  
13 961.436 to prosecutions under s. 961.41 (1) (h), (1m) (h), or (3g) (e). ~~If a complaint~~  
14 ~~is issued regarding an allegation of alleging~~ possession of more than 25 grams of  
15 marijuana, ~~or possession of any amount of marijuana following a conviction in this~~  
16 state for possession of more than 25 grams of marijuana, the subject of the complaint  
17 may not be prosecuted under this paragraph for the same action that is the subject  
18 of the complaint unless the charges are dismissed or the district attorney declines  
19 to prosecute the case.

20 **SECTION 772.** 66.0107 (1) (bp) of the statutes is amended to read:

21 66.0107 (1) (bp) Enact and enforce an ordinance to prohibit conduct that is the  
22 same as that prohibited by s. 961.573 (1) or (2), 961.574 (1) or (2), or 961.575 (1) or  
23 (2) and provide a forfeiture for violation of the ordinance. Any ordinance enacted  
24 under this paragraph shall provide a person prosecuted under it with the defenses  
25 that the person has under s. 961.5755 to prosecutions under s. 961.573 (1), 961.574

1 (1), or 961.575 (1). A person may not be prosecuted under an ordinance enacted  
2 under this paragraph if, under s. 968.072 (3) or (4) (b), the person would not be subject  
3 to prosecution under s. 961.573 (1), 961.574 (1), or 961.575 (1).

4 **SECTION 773.** 66.0129 (5) of the statutes is amended to read:

5 66.0129 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all  
6 contracts exceeding \$1,000 for the construction, maintenance or repair of hospital  
7 facilities to the lowest responsible bidder after advertising for bids by the publication  
8 of a class 2 notice under ch. 985. ~~Section~~ Sections 66.0901 ~~applies~~ and 66.0903 apply  
9 to bids and contracts under this subsection.

10 **SECTION 774.** 66.0134 of the statutes is repealed.

11 **SECTION 775.** 66.0137 (4) of the statutes is amended to read:

12 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or  
13 a village provides health care benefits under its home rule power, or if a town  
14 provides health care benefits, to its officers and employees on a self-insured basis,  
15 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),  
16 632.728, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853,  
17 632.855, 632.867, 632.87 (4) to (6), 632.885, 632.89, 632.895 (9) (8) to (17), 632.896,  
18 and 767.513 (4).

19 **SECTION 776.** 66.0301 (1) (a) of the statutes is amended to read:

20 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section,  
21 “municipality” means the state or any department or agency thereof, or any city,  
22 village, town, county, or school district, ~~the opportunity schools and partnership~~  
23 ~~programs under subch. IX of ch. 115 and subch. II of ch. 119, the superintendent of~~  
24 ~~schools opportunity schools and partnership program under s. 119.33, or any public~~  
25 library system, public inland lake protection and rehabilitation district, sanitary

1 district, farm drainage district, metropolitan sewerage district, sewer utility district,  
2 solid waste management system created under s. 59.70 (2), local exposition district  
3 created under subch. II of ch. 229, local professional baseball park district created  
4 under subch. III of ch. 229, local professional football stadium district created under  
5 subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229,  
6 long-term care district under s. 46.2895, water utility district, mosquito control  
7 district, municipal electric company, county or city transit commission, commission  
8 created by contract under this section, taxation district, regional planning  
9 commission, housing authority created under s. 66.1201, redevelopment authority  
10 created under s. 66.1333, community development authority created under s.  
11 66.1335, or city-county health department.

12 **SECTION 777.** 66.0408 (2) (d) of the statutes is repealed.

13 **SECTION 778.** 66.0414 of the statutes is created to read:

14 **66.0414 Cultivation of tetrahydrocannabinols.** No village, town, city, or  
15 county may enact or enforce an ordinance or a resolution that prohibits cultivating  
16 tetrahydrocannabinols or cannabis if the cultivation is by one of the following:

17 (1) A dispensary, as defined in s. 94.57 (1) (a).

18 (2) A person who is cultivating tetrahydrocannabinols for medication with  
19 tetrahydrocannabinols, as defined in s. 146.44 (1) (c), if the amount of cannabis does  
20 not exceed the maximum authorized amount, as defined in s. 961.01 (14c).

21 (3) An entity that is cultivating cannabis for distribution as permitted under  
22 policies determined under s. 94.57 (2) and rules promulgated under s. 94.57 (9).

23 **SECTION 779.** 66.0422 (1) (e) of the statutes is created to read:

1           66.0422 (1) (e) "Underserved area" means an area of this state in which  
2 households or businesses lack access to broadband service of at least 25 megabits per  
3 second download speed and 3 megabits per second upload speed.

4           **SECTION 780.** 66.0422 (1) (f) of the statutes is created to read:

5           66.0422 (1) (f) "Unserved area" means an area of this state in which households  
6 or businesses lack access to broadband service of at least 10 megabits per second  
7 download speed and one megabit per second upload speed.

8           **SECTION 781.** 66.0422 (2) (c) of the statutes is amended to read:

9           66.0422 (2) (c) No less than 30 days before the public hearing, the local  
10 government prepares and makes available for public inspection a report estimating  
11 the total costs of, and revenues derived from, constructing, owning, or operating the  
12 facility and including a cost-benefit analysis of the facility for a period of at least 3  
13 years. ~~The~~ If the facility is other than a broadband facility that is intended to serve  
14 an underserved or unserved area, the costs that are subject to this paragraph include  
15 personnel costs and costs of acquiring, installing, maintaining, repairing, or  
16 operating any plant or equipment, and include an appropriate allocated portion of  
17 costs of personnel, plant, or equipment that are used to provide jointly both  
18 telecommunications services and other services.

19           **SECTION 782.** 66.0422 (3d) (intro.) of the statutes is amended to read:

20           66.0422 (3d) (intro.) Subsection (2) does not apply to a facility for providing  
21 broadband service to an area within the boundaries of a local government if the local  
22 government asks, in writing, each person that provides broadband service within the  
23 boundaries of the local government whether the person currently provides  
24 broadband service to the area and, if the area is not an underserved or unserved area,  
25 whether the person intends to provide broadband service to the area within 9