

2019 DRAFTING REQUEST**Assembly Amendment (AA-AB56)**

For: **Legislative Fiscal Bureau** Drafter: **eshea**
 By: **Hannah** Secondary Drafters:
 Date: **5/1/2019** May Contact:

Same as LRB:

Submit via email: **YES**
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Pre Topic:

LFB:.....Hannah, Y2J -

Topic:

W-2 controlled substance screening, testing, and treatment eligibility requirements

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 5/1/2019	aernstr 5/7/2019			
/P1			mbarman 5/7/2019		

FE Sent For: **<END>**

anticipated decrease in child care use by parents with infants. [See "Economic Support and TANF-Funded Programs -- Wisconsin Shares Child Care Subsidy Program."]

[Bill Section: 630]

9. WISCONSIN WORKS ADMINISTRATIVE CONTRACTS

FED	- \$6,143,400
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Governor: Reduce funding for W-2 contracts by \$3,071,700 annually to reflect estimates of funding that will be needed to support these contracts in the 2019-21 biennium, based on current law. The W-2 contracts fund the costs of subsidized employment placements, work support services, education and training, and agency administration.

[Bill Section: 644]

10. CONTROLLED SUBSTANCE SCREENING, TESTING, AND TREATMENT ELIGIBILITY REQUIREMENTS

GPR	- \$500,000
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Governor: Repeal controlled substance screening, testing, and treatment as a condition of eligibility for W-2 placements and other work experience programs. Reduce funding by \$250,000 annually by repealing an appropriation that is intended to fund drug testing and treatment costs.

2015 Act 55 established substance abuse screening, testing, and treatment as an eligibility requirement for three work experience programs administered by DCF: (a) W-2 services for non-custodial parents, including the W-2 trial employment and match program (TEMP) and stipends; (b) the Transform Milwaukee and Transitional Jobs programs; and (c) Children First. Under current law, all new participants in these programs are required to be screened for the abuse of a controlled substance, by answering a questionnaire or another method specified by rule. Based on the answers to the questionnaire, if DCF (or the agency with which DCF has contracted to administer a work program) determines that there is a reasonable suspicion that a participant who is otherwise eligible for a work program is abusing a controlled substance, the participant must undergo a test for the use of a controlled substance in order to remain eligible. If the test is negative for the use of a controlled substance, the applicant remains eligible to participate in the work programs. If the applicant refuses to submit to a test, the applicant is not eligible until the applicant complies with the requirement to undergo a test for the use of a controlled substance. If the test is positive for use of a controlled substance without a valid prescription, then the applicant must participate in substance abuse treatment to remain eligible. While undergoing treatment, a participant must submit to random testing for the use of a controlled substance, and the test results must be negative, or positive with evidence of a valid prescription, in order for the participant to remain eligible. If any test results are positive and the participant does not have a valid prescription, the participant can restart treatment once and remain eligible, as long as all subsequent test results are negative or positive with a valid prescription. An additional failed test results in the participant becoming ineligible for 12 months.

DCF is required to pay all costs of substance abuse treatment not otherwise covered by medical assistance, private insurance, or another type of coverage. DCF is provided base funding

of \$250,000 GPR to fund drug screening, testing, and treatment costs.

Pursuant to 2017 Act 59, the drug abuse screening, testing, and treatment requirements also apply to TEMP, community service job (CSJ), and transitional placements for custodial parents. Such requirements apply to all adult members of an applicant's W-2 group whose income or assets are included in determining the individual's eligibility for W-2 employment position. As a result, an individual is not eligible for a W-2 employment position unless that individual and all adult group members satisfy the screening, testing, and treatment eligibility requirements.

The screening and testing eligibility requirements do not apply if an individual is: (a) a custodial parent of a child younger than eight weeks old; (b) a woman who is in a pregnancy that is medically verified and that is shown by medical documentation to be at risk; (c) a participant in a W-2 employment position who moves to unsubsidized employment and receives case management services; or (d) a dependent child. Unlike the requirements for work experience programs under Act 55, if an applicant for a W-2 employment position, or any of the applicant's group members fails to satisfy the screening, testing, or treatment eligibility requirements, the applicant remains partially eligible for monthly grants under a CSJ or transitional placement. The applicant remains partially eligible for twelve months or, if earlier, the date on which the applicant becomes eligible for full participation in a W-2 employment position (such as by complying with controlled substance screening, testing, and treatment eligibility requirements). DCF is required to pay the monthly grant to a protective payee. The protective payee must hold the money and use it exclusively for the benefit of the applicant's dependent children. DCF reduces the amount to reflect that the monthly grant is to be used exclusively for the dependent children.

The bill would repeal the substance abuse screening, testing, and treatment provisions enacted in Act 55 and Act 59. As a result, substance abuse screening, testing, and treatment would no longer be eligibility requirements for W-2 placements and other work experience programs.

[Bill Sections: 220, 638, 640, 641, 649, 650, and 1343]

11. TRANSFORM MILWAUKEE AND TRANSITIONAL JOBS

FED	\$1,000,000
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Governor: Increase funding for the Transform Milwaukee and Transitional Jobs Programs by \$1,000,000 in 2020-21 to expand the program to four additional rural counties. Under the bill, the total funding that would be budgeted for these programs would be \$8,000,000 in 2019-20 and \$9,000,000 in 2020-21.

The program offers subsidized work to low-income individuals by reimbursing employers for costs of employing program participants. The Transitional Jobs program currently operates in the following geographic regions: (a) the Urban Southwest Region (Beloit); (b) the Rural Northeast Region (Forest, Langlade, Menominee, and Florence counties); (c) the Rural Central Region (Adams, Clark, Jackson, and Juneau counties), (d) the Urban Southeast Region (Racine County); and (e) the Rural Northwest Region (Ashland, Bayfield, Iron, Sawyer, Rusk, and Taylor counties).

[Bill Section: 644]



LFB:.....Hannah, Y2J - W-2 controlled substance screening, testing, and treatment eligibility requirements

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 56**

1/15/11

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 396, line 1: delete that line.

3 **2.** Page 525, line 6: delete lines 6 to 12.

4 **3.** Page 525, line 16: delete lines 16 and 17.

5 **4.** Page 532, line 3: delete lines 3 to 7.

6 **5.** Page 781, line 24: delete that line.

7 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0102/P1
EHS:amn

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