

1 disabilities. Each district board shall contribute matching funds equal to 25 percent
2 of the amount awarded.

3 **SECTION 386.** 39.11 (16) of the statutes is created to read:

4 39.11 (16) When appropriate and related to the programs of the state
5 educational radio and television network, procure or publish instructional material.
6 A reasonable handling charge may be established to cover the costs of providing this
7 material.

8 **SECTION 388.** 39.36 (title) of the statutes is amended to read:

9 **39.36 (title) Repayment of stipends for teachers of the handicapped**
10 **impaired.**

11 **SECTION 392.** 39.435 (5) of the statutes is amended to read: ✓

12 39.435 (5) The board shall ensure that grants under this section are made
13 available to students attending private or public institutions in this state who are
14 deaf or hard of hearing or visually handicapped impaired and who demonstrate need. C
15 Grants may also be made available to such handicapped students attending private
16 or public institutions in other states under criteria established by the board. In
17 determining the financial need of these students special consideration shall be given
18 to their unique and unusual costs. ✓

19 ✓ **SECTION 392m.** 39.465 of the statutes is created to read:

20 **39.465 Rural dentistry scholarship program. (1) DEFINITIONS.** In this
21 section:

22 (a) "Actual practice total" is the total number of months that a student upon
23 graduation practices dentistry in a dental health shortage area in this state. For
24 purposes of this paragraph, a fraction of a month is counted as one month.

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1 (b) "Dental health shortage area" has the meaning given in s. 36.60 (1) (ad),
2 except that "dental health shortage area" does not include an area in the county of
3 Brown, Dane, Kenosha, Milwaukee, or Waukesha.

4 (c) "Repayment liability percentage" means the percentage that results from
5 dividing the difference between a student's required practice total and the student's
6 actual practice total by the student's required practice total.

7 (d) "Required practice total" means the total number of months a student upon
8 graduation is required under sub. (3) to practice dentistry in a dental health shortage
9 area in this state.

10 (e) "School" means the Marquette University School of Dentistry.

11 (2) SCHOLARSHIPS. In consultation with the department of health services, the
12 board shall establish a program for awarding to no more than 5 first-year students
13 an annual scholarship, including a stipend, equal to \$40,000 for each year of a
14 student's enrollment but not exceeding 4 years. The board shall pay the scholarships
15 from the appropriation account under s. 20.235 (1) (dg).

16 (3) ELIGIBILITY; AGREEMENTS. (a) A student is not eligible for a scholarship under
17 the program established under sub. (2) unless he or she is a resident of the state and
18 enters into an agreement with board in which he or she agrees upon graduation to
19 practice dentistry in a dental health shortage area in this state for a period equal to
20 18 months multiplied by the number of annual scholarships the board awards to the
21 student under the program.

22 (b) An agreement under par. (a) shall specify that if a student fails to practice
23 dentistry in a dental health shortage area in this state for the period required under
24 par. (a), he or she is liable to the state for an amount equal to the total dollar amount

1 of annual scholarships awarded to the student multiplied by the student's
2 repayment liability percentage.

3 (4) GEOGRAPHIC DIVERSITY. In cooperation with the school, the board shall make
4 every effort to ensure that students who are awarded scholarships under the
5 program established under sub. (2) practice dentistry upon graduation in
6 geographically diverse dental health shortage areas in this state.

7 (5) ADMINISTRATIVE GRANTS. The board shall make grants from the
8 appropriation account under s. 20.235 (1) (dr) to the school to defray the school's
9 administrative costs related to the program established under sub. (2). ✓

10 SECTION 393. 40.01 (2) of the statutes is amended to read: ✓

11 40.01 (2) PURPOSE. The public employee trust fund is a public trust and shall
12 be managed, administered, invested and otherwise dealt with solely for the purpose
13 of ensuring the fulfillment at the lowest possible cost of the benefit commitments to
14 participants, as set forth in this chapter, and shall not be used for any other purpose.
15 Revenues collected for and balances in the accounts of a specific benefit plan shall
16 be used only for the purposes of that benefit plan, including amounts allocated under
17 s. 20.515 (1) (um) or (ut) or 40.04 (2), and shall not be used for the purposes of any
18 other benefit plan. Each member of the employee trust funds board shall be a trustee
19 of the fund and the fund shall be administered by the department of employee trust
20 funds. All statutes relating to the fund shall be construed liberally in furtherance
21 of the purposes set forth in this section. ✓

Revised/Notation
error

22 SECTION 400. 40.03 (2) (x) 1. of the statutes is amended to read:

23 40.03 (2) (x) 1. May enter into a memorandum of understanding with the
24 commissioner of the opportunity schools and partnership program under subch. IX
25 X of ch. 115 to include the commissioner and individuals employed at schools

Memorandum

1 transferred to the program as participating employees and eligible for health care
 2 coverage under s. 40.51 (7). For purposes of s. 40.21 (1), a memorandum of
 3 understanding under this subdivision shall be considered a resolution adopted by a
 4 governing body. The secretary may not enter into the memorandum of
 5 understanding under this subdivision if the memorandum of understanding would
 6 result in the violation s. 40.015.

7 **SECTION 406.** 40.04 (2) (a) of the statutes is amended to read:

8 40.04 (2) (a) An administrative account shall be maintained within the fund
 9 from which administrative costs of the department shall be paid, except charges for
 10 services performed by the investment board, ~~costs of medical and vocational~~
 11 ~~evaluations used in determinations of eligibility for benefits under ss. 40.61, 40.63~~
 12 ~~and 40.65 and costs of contracting for insurance data collection and analysis services~~
 13 ~~under s. 40.03 (6) (j).~~

14 **SECTION 407.** 40.04 (2) (e) of the statutes is repealed.

15 **SECTION 427.** 45.03 (15) of the statutes is amended to read:

16 45.03 (15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS. When a veteran or
 17 a member of the veteran's family makes application for deferment of payment of
 18 monthly installments and waiver of interest charges on veterans loans made under
 19 this chapter, showing that the ability of the veteran to make payment is materially
 20 and adversely affected by reason of military service, the department may, with the
 21 approval of the board, defer payment of monthly installments and waive interest
 22 charges on veterans loans made under this chapter for the duration of any period of
 23 service in the armed forces of the United States during a national emergency or in
 24 time of war or under P.L. 87-117 and 6 months from date of discharge or separation
 25 and the time for payment may be extended for the same period. However, when funds

1 estimated to be received in the veterans mortgage loan repayment fund to pay debt
2 service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the
3 funds estimated to be required for the payment of the debt service, the board may
4 grant deferral of payments and interest on loans provided under s. 45.37 only when
5 so required by federal law.

6 ✓ **SECTION 428.** 45.03 (16) (c) 2. (intro.) of the statutes is amended to read:

7 45.03 (16) (c) 2. (intro.) The department shall declare immediately due and
8 payable any loan made after July 29, 1979, under a program administered by the
9 department under s. 45.40 or subch. III, if it finds that the loan was granted to an
10 ineligible person due to any of the following circumstances:

11 ✓ **SECTION 429.** 45.03 (16) (c) 3. (intro.) of the statutes is amended to read:

12 45.03 (16) (c) 3. (intro.) Loan application forms processed by the department
13 for programs administered under s. 45.40 or subch. III shall do all of the following:

14 ✓ **SECTION 430.** 45.03 (16) (c) 4. of the statutes is amended to read:

15 45.03 (16) (c) 4. The department shall incorporate the payment acceleration
16 requirements of subd. 2. in all loan documents for programs administered by the
17 department under s. 45.40 or subch. III.

18 ✓ **SECTION 431.** Subchapter III of chapter 45 [precedes 45.30] of the statutes is
19 repealed.

20 ✓ **SECTION 432.** 45.42 (4) of the statutes is amended to read:

21 45.42 (4) The department may execute necessary instruments, collect interest
22 and principal, compromise indebtedness, sue and be sued, post bonds, and write off
23 indebtedness that it considers uncollectible. If a loan under this section is secured
24 by a real estate mortgage, the department may exercise the rights of owners and
25 mortgagees generally and the rights and powers set forth in s. 45.32, 2017 stats. The

1 department shall pay all interest and principal repaid on the loan into the veterans
2 trust fund.

3 ✓ **SECTION 433.** 45.42 (8) (a) of the statutes is repealed.

4 ✓ **SECTION 434.** 45.42 (8) (b) of the statutes is renumbered 45.42 (8).

5 ✓ **SECTION 435.** 45.48 of the statutes is created to read:

6 **45.48 Veterans outreach and recovery program.** (1) To be funded from
7 the appropriation under s. 20.485 (2) (qs), the department shall administer a
8 program to provide outreach, mental health services, and support to individuals who
9 reside in this state, who may have a mental health condition or substance use
10 disorder, and who meet one of the following conditions:

11 (a) Are serving in the national guard of any state or a reserve component of the
12 U.S. armed forces.

13 (b) Served on active duty in the U.S. armed forces, forces incorporated as part
14 of the U.S. armed forces, a reserve component of the U.S. armed forces, or the
15 national guard of any state and were discharged under conditions other than
16 dishonorable.

17 (2) The eligibility requirements under s. 45.02 do not apply to an individual
18 receiving services under sub. (1).

19 (3) The department may provide payments to facilitate the provision of services
20 under sub. (1).

21 ✓ **SECTION 436.** 45.57 of the statutes is amended to read:

22 **45.57 Veterans homes; transfer of funding.** The department may transfer
23 all or part of the unencumbered balance of any of the appropriations under s. 20.485
24 (1) (g), (gd), (gk), or (i) to the veterans trust fund or to the veterans mortgage loan

1 repayment fund. The department shall notify the joint committee on finance in
2 writing of any balance transferred under this section. ✓

3 ✓ SECTION 440. 46.057 (2) of the statutes is amended to read:

4 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
5 department of corrections shall transfer to the appropriation account under s. 20.435
6 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.
7 20.410 (3) (hm), the department of corrections shall transfer to the appropriation
8 account under s. 20.435 (2) (kx) \$2,869,200 \$3,224,100 in fiscal year 2017-18
9 2019-20 and \$2,932,600 \$5,429,000 in fiscal year 2018-19 2020-21, for services for
10 juveniles placed at the Mendota juvenile treatment center. The department of health
11 services may charge the department of corrections not more than the actual cost of
12 providing those services. ✓

13 ✓ SECTION 441. 46.10 (16) of the statutes is amended to read:

14 46.10 (16) The department shall delegate to county departments under ss.
15 51.42 and 51.437 or the local providers of care and services meeting the standards
16 established by the department under s. 46.036, the responsibilities vested in the
17 department under this section for collection of patient fees for services other than
18 those provided at state facilities, those provided to children that are reimbursed
19 under a waiver under s. ~~46.27(11)~~, 46.275, 46.278, or 46.2785, or those provided
20 under the disabled children's long-term support program if the county departments
21 or providers meet the conditions that the department determines are appropriate.
22 The department may delegate to county departments under ss. 51.42 and 51.437 the
23 responsibilities vested in the department under this section for collection of patient
24 fees for services provided at the state facilities if the necessary conditions are met.

25 ✓ SECTION 442. 46.21 (2m) (b) 1. a. of the statutes is amended to read:

1 46.21 (2m) (b) 1. a. The powers and duties of the county departments under ss.
2 46.215, 51.42 and 51.437, including the administration of the long-term support
3 community options program under s. 46.27, if the county department under s. 46.215
4 is designated as the administering agency under s. 46.27 (3) (b) 1.

5 ✓ SECTION 443. 46.21 (2m) (b) 1. b. of the statutes is repealed.

6 ✓ SECTION 444. 46.215 (1) (m) of the statutes is repealed.

7 ✓ SECTION 445. 46.22 (1) (b) 1. e. of the statutes is repealed.

8 ✓ SECTION 446. 46.23 (3) (bm) of the statutes is repealed.

9 ✓ SECTION 447. 46.269 of the statutes is amended to read:

10 **46.269 Determining financial eligibility for long-term care programs.**

11 To the extent approved by the federal government, the department or its designee
12 shall exclude any assets accumulated in a person's independence account, as defined
13 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or
14 accumulated from income or employer contributions while employed and receiving
15 ~~state-funded benefits under s. 46.27~~ or medical assistance under s. 49.472 in
16 determining financial eligibility and cost-sharing requirements, if any, for a
17 long-term care program under s. ~~46.27~~, 46.275, or 46.277, for the family care
18 program that provides the benefit defined in s. 46.2805 (4), for the Family Care
19 Partnership program, or for the self-directed services option, as defined in s. 46.2897
20 (1). ✓

21 ✓ SECTION 448. 46.27 of the statutes is repealed.

22 ✓ SECTION 449. 46.271 (1) (c) of the statutes is amended to read:

23 46.271 (1) (c) The department may contract with an aging unit, as defined in
24 s. ~~46.27~~ 46.82 (1) (a), for administration of services under par. (a) if, by resolution,
25 the county board of supervisors of that county so requests the department.

1 ✓ **SECTION 450.** 46.275 (3) (e) of the statutes is repealed.

2 ✓ **SECTION 451.** 46.275 (5) (b) 7. of the statutes is amended to read:

3 46.275 (5) (b) 7. Provide services in any community-based residential facility
4 unless the county or department uses as a service contract the approved model
5 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
6 of the provisions of the approved model contract.

7 ✓ **SECTION 452.** 46.277 (1m) (at) of the statutes is amended to read:

8 46.277 (1m) (at) “Private nonprofit agency” ~~has the meaning specified in s.~~
9 ~~46.27 (1) (bm) means a nonprofit corporation, as defined in s. 181.0103 (17), that~~
10 ~~provides a program of all-inclusive care for the elderly under 42 USC 1395eee or~~
11 ~~1396u-4.~~

12 ✓ **SECTION 453.** 46.277 (3) (a) of the statutes is amended to read:

13 46.277 (3) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
14 ~~applies~~ to county participation in this program, except that services provided in the
15 program shall substitute for care provided a person in a skilled nursing facility or
16 intermediate care facility who meets the level of care requirements for medical
17 assistance reimbursement to that facility rather than for care provided at a state
18 center for the developmentally disabled. The number of persons who receive services
19 provided by the program under this paragraph may not exceed the number of
20 nursing home beds, other than beds specified in sub. (5g) (b), that are delicensed as
21 part of a plan submitted by the facility and approved by the department.

22 ✓ **SECTION 454.** 46.277 (5) (d) 2. (intro.) and b. of the statutes are consolidated,
23 renumbered 46.277 (5) (d) 2. and amended to read:

24 46.277 (5) (d) 2. No county may use funds received under this section to provide
25 residential services in any community-based residential facility, as defined in s.

1 50.01 (1g), unless one of the following applies: ~~b.~~ The the department approves the
2 provision of services in a community-based residential facility that entirely consists
3 of independent apartments, each of which has an individual lockable entrance and
4 exit and individual separate kitchen, bathroom, sleeping and living areas, to
5 individuals who are eligible under this section and are physically disabled or are at
6 least 65 years of age.

7 ✓ SECTION 455. 46.277 (5) (d) 2. a. of the statutes is repealed.

8 ✓ SECTION 456. 46.277 (5) (d) 3. of the statutes is amended to read:

9 46.277 (5) (d) 3. If subd. 2. ~~a. or b.~~ applies, no county may use funds received
10 under this section to pay for services provided to a person who resides or intends to
11 reside in a community-based residential facility and who is initially applying for the
12 services, if the projected cost of services for the person, plus the cost of services for
13 existing participants, would cause the county to exceed the limitation under sub. (3)
14 (c). The department may grant an exception to the requirement under this
15 subdivision, under the conditions specified by rule, to avoid hardship to the person.

16 ✓ SECTION 457. 46.277 (5) (f) of the statutes is amended to read:

17 46.277 (5) (f) No county or private nonprofit agency may use funds received
18 under this subsection to provide services in any community-based residential
19 facility unless the county or agency uses as a service contract the approved model
20 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
21 of the provisions of the approved model contract.

22 ✓ SECTION 458. 46.278 (4) (a) of the statutes is amended to read:

23 46.278 (4) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
24 applies to county participation in a program, except that services provided in the
25 program shall substitute for care provided a person in an intermediate care facility

1 for persons with an intellectual disability or in a brain injury rehabilitation facility
2 who meets the intermediate care facility for persons with an intellectual disability
3 or brain injury rehabilitation facility level of care requirements for medical
4 assistance reimbursement to that facility rather than for care provided at a state
5 center for the developmentally disabled.

6 ✓ **SECTION 459.** 46.2803 of the statutes is repealed.

7 ✓ **SECTION 460.** 46.2805 (1) (b) of the statutes is amended to read:

8 46.2805 (1) (b) A demonstration program known as the Wisconsin partnership
9 Family Care Partnership program under a federal waiver authorized under 42 USC
10 ~~1315~~ 1396n.

11 ✓ **SECTION 461.** 46.281 (1d) of the statutes is amended to read:

12 46.281 (1d) WAIVER REQUEST. The department shall request from the secretary
13 of the federal department of health and human services any waivers of federal
14 medicaid laws necessary to permit the use of federal moneys to provide the family
15 care benefit and the self-directed services option to recipients of medical assistance.
16 The department shall implement any waiver that is approved and that is consistent
17 with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the
18 department may implement operation of resource centers, care management
19 organizations, and the family care benefit.

20 ✓ **SECTION 462.** 46.281 (1n) (d) of the statutes is repealed.

21 ✓ **SECTION 463.** 46.281 (3) of the statutes is repealed.

22 ✓ **SECTION 464.** 46.2825 of the statutes is repealed.

23 ✓ **SECTION 465.** 46.283 (3) (f) of the statutes is amended to read:

24 46.283 (3) (f) Assistance to a person who is eligible for the family care benefit
25 with respect to the person's choice of whether or not to enroll in the self-directed

1 services option, as defined in s. 46.2899 (1), a care management organization for the
2 family care benefit or the Family Care Partnership program, or the program of
3 all-inclusive care for the elderly and, if so, which available long-term care program
4 or care management organization would best meet his or her needs.

5 ✓ SECTION 466. 46.283 (4) (e) of the statutes is repealed.

6 ✓ SECTION 467. 46.283 (4) (f) of the statutes is amended to read:

7 46.283 (4) (f) Perform a functional screening and a financial and cost-sharing
8 screening for any resident, ~~as specified in par. (e),~~ who requests a screening and
9 assist any resident who is eligible and chooses to enroll in a care management
10 organization or the self-directed services option to do so.

11 ✓ SECTION 468. 46.283 (6) (b) 7. of the statutes is repealed.

12 ✓ SECTION 469. 46.283 (6) (b) 9. of the statutes is amended to read:

13 46.283 (6) (b) 9. Review the number and types of grievances and appeals
14 concerning the long-term care system in the area served by related to the resource
15 center, to determine if a need exists for system changes, and recommend system or
16 other changes if appropriate.

17 ✓ SECTION 470. 46.283 (6) (b) 10. of the statutes is repealed.

18 ✓ SECTION 471. 46.285 (intro.) of the statutes is renumbered 46.285 and amended
19 to read:

20 **46.285 Operation of resource center and care management**
21 **organization.** In order to meet federal requirements and assure federal financial
22 participation in funding of the family care benefit, a county, a tribe or band, a
23 long-term care district or an organization, including a private, nonprofit
24 corporation, may not directly operate both a resource center and a care management
25 organization, ~~except as follows:~~

1 ✓ **SECTION 472.** 46.285 (1) of the statutes is repealed.

2 ✓ **SECTION 473.** 46.285 (2) of the statutes is repealed.

3 ✓ **SECTION 474.** 46.286 (3) (b) 2. a. of the statutes is repealed.

4 ✓ **SECTION 475.** 46.287 (2) (a) 1. (intro.) of the statutes is amended to read:

5 46.287 (2) (a) 1. (intro.) Except as provided in subd. 2., a client may contest any
6 of the following applicable matters by filing, within 45 days of the failure of a resource
7 center or ~~care management organization~~ county to act on the contested matter
8 within the time frames specified by rule by the department or within 45 days after
9 receipt of notice of a decision in a contested matter, a written request for a hearing
10 under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1):

11 ✓ **SECTION 476.** 46.287 (2) (a) 1. d. of the statutes is renumbered 46.287 (2) (a) 1m.

12 b.

13 ✓ **SECTION 477.** 46.287 (2) (a) 1. e. of the statutes is repealed.

14 ✓ **SECTION 478.** 46.287 (2) (a) 1. f. of the statutes is repealed.

15 ✓ **SECTION 479.** 46.287 (2) (a) 1m. of the statutes is created to read:

16 46.287 (2) (a) 1m. Except as provided in subd. 2., a client may contest any of
17 the following adverse benefit determinations by filing, within 90 days of the failure
18 of a care management organization to act on a contested adverse benefit
19 determination within the time frames specified by rule by the department or within
20 90 days after receipt of notice of a decision upholding the adverse benefit
21 determination, a written request for a hearing under s. 227.44 to the division of
22 hearings and appeals created under s. 15.103 (1):

23 a. Denial of functional eligibility under s. 46.286 (1) as a result of the care
24 management organization's administration of the long-term care functional screen,

1 including a change from a nursing home level of care to a non-nursing home level
2 of care.

3 c. Denial or limited authorization of a requested service, including
4 determinations based on type or level of service, requirements or medical necessity,
5 appropriateness, setting, or effectiveness of a covered benefit.

6 d. Reduction, suspension, or termination of a previously authorized service,
7 unless the service was only authorized for a limited amount or duration and that
8 amount or duration has been completed.

9 e. Denial, in whole or in part, of payment for a service.

10 f. The failure of a care management organization to act within the time frames
11 provided in 42 CFR 438.408 (b) (1) and (2) regarding the standard resolution of
12 grievances and appeals.

13 g. Denial of an enrollee's request to dispute financial liability, including
14 copayments, premiums, deductibles, coinsurance, other cost sharing, and other
15 member financial liabilities.

16 h. Denial of an enrollee, who is a resident of a rural area with only one care
17 management organization, to obtain services outside the care management
18 organization's network of contracted providers.

19 ✓ i. Development of a plan of care that is unacceptable to the enrollee because the
20 plan of care requires the enrollee to live in a place that is unacceptable to the enrollee;
21 the plan of care does not provide sufficient care, treatment, or support to meet the
22 enrollee's needs and support the enrollee's identified outcomes; or the plan of care
23 requires the enrollee to accept care, treatment, or support that is unnecessarily
24 restrictive or unwanted by the enrollee.

25 ✓ j. Involuntary disenrollment from the care management organization.

1 ✓ **SECTION 480.** 46.287 (2) (b) of the statutes is amended to read:

2 46.287 (2) (b) An enrollee may contest a decision, omission or action of a care
3 management organization other than those specified in par. (a), ~~or may contest the~~
4 ~~choice of service provider. In these instances, the enrollee shall first send a written~~
5 ~~request for review by the unit of the department that monitors care management~~
6 ~~organization contracts. This unit shall review and attempt to resolve the dispute.~~
7 1m. by filing a grievance with the care management organization. If the dispute
8 grievance is not resolved to the satisfaction of the enrollee, he or she may request
9 ~~a hearing under the procedures specified in par. (a) 1. (intro.)~~ that the department
10 review the decision of the care management organization. ✓

11 ✓ **SECTION 481.** 46.288 (2) (intro.) of the statutes is renumbered 46.288 (2) and
12 amended to read:

13 46.288 (2) Criteria and procedures for determining functional eligibility under
14 s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost sharing under
15 s. 46.286 (2) (a). ~~The rules for determining functional eligibility under s. 46.286 (1)~~
16 ~~(a) 1m. shall be substantially similar to eligibility criteria for receipt of the long-term~~
17 ~~support community options program under s. 46.27. Rules under this subsection~~
18 ~~shall include definitions of the following terms applicable to s. 46.286:~~

19 ✓ **SECTION 482.** 46.288 (2) (d) to (j) of the statutes are repealed.

20 ✓ **SECTION 483.** 46.2896 (1) (a) of the statutes is amended to read:

21 46.2896 (1) (a) “Long-term care program” means the long-term care program
22 under s. ~~46.27, 46.275, 46.277, 46.278, or 46.2785~~; the family care program providing
23 the benefit under s. 46.286; the Family Care Partnership program; or the long-term
24 care program defined in s. 46.2899 (1).

25 ✓ **SECTION 484.** 46.536 of the statutes is amended to read:

1 **46.536 Mobile crisis team Crisis program enhancement grants.** From
2 the appropriation under s. 20.435 (5) (cf), the department shall award grants in the
3 total amount of \$250,000 in each fiscal biennium to counties or regions comprised of
4 multiple counties to establish certified or enhance crisis programs that create mental
5 health ~~mobile crisis teams~~ to serve individuals having mental health crises in rural
6 areas. The department shall award a grant under this section in an amount equal
7 to one-half the amount of money the county or region provides to establish certified
8 or enhance crisis programs that create mobile crisis teams. ✓

9 ✓ **SECTION 485.** 46.82 (3) (a) 13. of the statutes is repealed. ✓

10 ✓ **SECTION 488.** 47.07 of the statutes is created to read:

11 **47.07 Project SEARCH.** (1) The department shall allocate for each fiscal
12 year at least \$250,000 from the appropriation under s. 20.445 (1) (b) for contracts
13 entered into under this section.

14 (2) The department may enter into contracts to provide services to persons with
15 disabilities under the Project SEARCH program operated by the Cincinnati
16 Children's Hospital or its successor organization. ✓

17 ✓ **SECTION 491.** 48.02 (14m) of the statutes is created to read:

18 **48.02 (14m)** "Qualifying residential family-based treatment facility" means a
19 certified residential family-based alcohol or drug abuse treatment facility that
20 meets all of the following criteria:

21 (a) The treatment facility provides, as part of the treatment for substance
22 abuse, parenting skills training, parent education, and individual and family
23 counseling.

24 (b) The substance abuse treatment, parenting skills training, parent
25 education, and individual and family counseling is provided under an organizational

1 structure and treatment framework that involves understanding, recognizing, and
2 responding to the effects of all types of trauma and in accordance with recognized
3 principles of a trauma-informed approach and trauma-specific interventions to
4 address the consequences of trauma and facilitate healing.

5 ✓ **SECTION 492.** 48.13 of the statutes is amended to read:

6 **48.13 Jurisdiction over children alleged to be in need of protection or**
7 **services.** Except as provided in s. 48.028 (3), the court has exclusive original
8 jurisdiction over a child alleged to be in need of protection or services which can be
9 ordered by the court, and if one of the following applies:

10 (1) ~~Who~~ The child is without a parent or guardian;.

11 (2) ~~Who~~ The child has been abandoned;.

12 (2m) ~~Whose~~ The child's parent has relinquished custody of the child under s.
13 48.195 (1);.

14 (3) ~~Who~~ The child has been the victim of abuse, as defined in s. 48.02 (1) (a) or
15 (b) to (g), including injury that is self-inflicted or inflicted by another;.

16 (3m) ~~Who~~ The child is at substantial risk of becoming the victim of abuse, as
17 defined in s. 48.02 (1) (a) or (b) to (g), including injury that is self-inflicted or inflicted
18 by another, based on reliable and credible information that another child in the home
19 has been the victim of such abuse;.

20 (4) ~~Whose~~ The child's parent or guardian signs the petition requesting
21 jurisdiction under this subsection and is unable or needs assistance to care for or
22 provide necessary special treatment or care for the child;.

23 (4m) ~~Whose~~ The child's guardian is unable or needs assistance to care for or
24 provide necessary special treatment or care for the child, but is unwilling or unable
25 to sign the petition requesting jurisdiction under this subsection;.

1 (5) ~~Who~~ The child has been placed for care or adoption in violation of law;.

2 (8) ~~Who~~ The child is receiving inadequate care during the period of time a
3 parent is missing, incarcerated, hospitalized or institutionalized;.

4 (9) ~~Who~~ The child is at least age 12, signs the petition requesting jurisdiction
5 under this subsection and is in need of special treatment or care which the parent,
6 guardian or legal custodian is unwilling, neglecting, unable or needs assistance to
7 provide;.

8 (10) ~~Whose~~ The child's parent, guardian or legal custodian neglects, refuses or
9 is unable for reasons other than poverty to provide necessary care, food, clothing,
10 medical or dental care or shelter so as to seriously endanger the physical health of
11 the child;.

12 (10m) ~~Whose~~ The child's parent, guardian or legal custodian is at substantial
13 risk of neglecting, refusing or being unable for reasons other than poverty to provide
14 necessary care, food, clothing, medical or dental care or shelter so as to endanger
15 seriously the physical health of the child, based on reliable and credible information
16 that the child's parent, guardian or legal custodian has neglected, refused or been
17 unable for reasons other than poverty to provide necessary care, food, clothing,
18 medical or dental care or shelter so as to endanger seriously the physical health of
19 another child in the home;.

20 ✓ (11) ~~Who~~ The child is suffering emotional damage for which the parent,
21 guardian or legal custodian has neglected, refused or been unable and is neglecting,
22 refusing or unable, for reasons other than poverty, to obtain necessary treatment or
23 to take necessary steps to ameliorate the symptoms;.

1 (11m) Who The child is suffering from an alcohol and other drug abuse
2 impairment, exhibited to a severe degree, for which the parent, guardian or legal
3 custodian is neglecting, refusing or unable to provide treatment; or,

4 (13) Who The child has not been immunized as required by s. 252.04 and not
5 exempted under s. 252.04 (3). ✓

6 **SECTION 493.** 48.13 (14) of the statutes is created to read:

7 48.13 (14) The child's parent is residing in a qualifying residential
8 family-based treatment facility or will be residing at such a facility at the time of a
9 child's placement with the parent in the facility, signs the petition requesting
10 jurisdiction under this subsection, and, with the department's consent, requests that
11 the child reside with him or her at the qualifying residential family-based treatment
12 facility. ✓

13 ✓ **SECTION 494.** 48.207 (1) (L) of the statutes is created to read:

14 48.207 (1) (L) With a parent in a qualifying residential family-based treatment
15 facility if the child's permanency plan includes a recommendation for such a
16 placement under s. 48.38 (4) (em) before the placement is made and the parent
17 consents to the placement.

18 ✓ **SECTION 495.** 48.345 (3) (c) of the statutes is amended to read:

19 48.345 (3) (c) A foster home licensed under s. 48.62, a group home licensed
20 under s. 48.625, a foster home, group home, or similar facility regulated in another
21 state, or in the home of a guardian under s. 48.977 (2).

22 ✓ **SECTION 496.** 48.345 (3) (cm) of the statutes is amended to read:

23 48.345 (3) (cm) A group home described in s. 48.625 (1m) or a similar facility
24 regulated in another state, if the child is at least 12 years of age, is a custodial parent,

1 as defined in s. 49.141 (1) (b), or an expectant mother, is receiving inadequate care,
2 and is in need of a safe and structured living arrangement.

3 ✓ **SECTION 497.** 48.345 (3) (d) of the statutes is amended to read:

4 48.345 (3) (d) A residential ~~treatment~~ care center for children and youth
5 operated by a child welfare agency licensed under s. 48.60, or a similar facility
6 regulated in another state.

7 ✓ **SECTION 498.** 48.345 (3) (e) of the statutes is created to read:

8 48.345 (3) (e) With a parent in a qualifying residential family-based treatment
9 facility, or a similar facility regulated in another state, if the child's permanency plan
10 includes a recommendation for such a placement under s. 48.38 (4) (em) before the
11 placement is made.

12 ✓ **SECTION 499.** 48.38 (2) (intro.) of the statutes is amended to read:

13 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
14 for each child living in a foster home, group home, residential care center for children
15 and youth, juvenile detention facility, shelter care facility, qualifying residential
16 family-based treatment facility with a parent, or supervised independent living
17 arrangement, the agency that placed the child or arranged the placement or the
18 agency assigned primary responsibility for providing services to the child under s.
19 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following
20 conditions exists, and, for each child living in the home of a guardian or a relative
21 other than a parent, that agency shall prepare a written permanency plan, if any of
22 the conditions specified in pars. (a) to (e) exists:

23 ✓ **SECTION 500.** 48.38 (2) (d) of the statutes is amended to read:

1 48.38 (2) (d) The child was placed under a voluntary agreement between the
2 agency and the child's parent under s. 48.63 (1) (a) or (bm) or (5) (b) or under a
3 voluntary transition-to-independent-living agreement under s. 48.366 (3).

4 ✓ **SECTION 501.** 48.38 (4) (em) of the statutes is created to read:

5 48.38 (4) (em) A recommendation regarding placement with a parent in a
6 qualifying residential family-based treatment facility. ✓

7 ✓ **SECTION 507.** 48.48 (17) (a) 3. of the statutes is amended to read:

8 48.48 (17) (a) 3. Provide appropriate protection and services for children and
9 the expectant mothers of unborn children in its care, including providing services for
10 those children and their families and for those expectant mothers in their own
11 homes, placing the those children in licensed foster homes or group homes in this
12 state or similar facilities regulated in another state within a reasonable proximity
13 to the agency with legal custody, placing ~~the~~ those children in the homes of guardians
14 under s. 48.977 (2), placing those children in a qualifying residential family-based
15 treatment facility with a parent or in similar facilities regulated in another state, or
16 contracting for services for those children by licensed child welfare agencies in this
17 state or a similar child welfare agency regulated in another state, except that the
18 department may not purchase the educational component of private day treatment
19 programs unless the department, the school board, as defined in s. 115.001 (7), and
20 the state superintendent of public instruction all determine that an appropriate
21 public education program is not available. Disputes between the department and the
22 school district shall be resolved by the state superintendent of public instruction.

23 ✓ **SECTION 508.** 48.48 (17) (c) 4. of the statutes is amended to read:

24 48.48 (17) (c) 4. Is living in a foster home, group home, ~~or~~ residential care center
25 for children and youth, qualifying residential family-based treatment facility, or a

1 similar facility regulated in another state or in a supervised independent living
2 arrangement.

3 ✓ **SECTION 509.** 48.481 (3) of the statutes is repealed.

4 ✓ **SECTION 511.** 48.487 (1m) of the statutes is amended to read:

5 48.487 (1m) TRIBAL FAMILY SERVICES GRANTS. From the appropriation account
6 under s. 20.437 (1) (bd) (js), the department may distribute tribal family services
7 grants to the elected governing bodies of the Indian tribes in this state. An elected
8 governing body that receives a grant under this subsection may expend the grant
9 moneys received for any of the purposes specified in subs. (2), (3) (b), (4m) (b), (5) (b),
10 (6), and (7) as determined by that body.

11 ✓ **SECTION 512.** 48.526 (7) (intro.) of the statutes is amended to read:

12 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
13 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
14 funds for community youth and family aids for the period beginning on July 1, 2015
15 2019, and ending on June 30, 2017 2021, as provided in this subsection to county
16 departments under ss. 46.215, 46.22, and 46.23 as follows:

17 ✓ **SECTION 513m.** 48.526 (7) (a) of the statutes is amended to read:

18 48.526 (7) (a) For community youth and family aids under this section,
19 amounts not to exceed ~~\$45,572,100~~ \$45,383,600 for the last 6 months of 2015,
20 ~~\$91,150,200~~ 2019, ~~\$90,767,200~~ for 2016 2020, and ~~\$45,578,100~~ \$45,383,600 for the
21 ✓ first 6 months of 2017 2021. ✓

22 ✓ **SECTION 514.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

23 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
24 allocate \$2,000,000 for the last 6 months of ~~2015~~ 2019, \$4,000,000 for ~~2016~~ 2020, and

1 \$2,000,000 for the first 6 months of ~~2017~~ 2021 to counties based on each of the
2 following factors weighted equally:

3 ✓ **SECTION 515.** 48.526 (7) (bm) of the statutes is amended to read:

4 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
5 allocate \$6,250,000 for the last 6 months of ~~2015~~ 2019, \$12,500,000 for ~~2016~~ 2020,
6 and \$6,250,000 for the first 6 months of ~~2017~~ 2021 to counties based on each county's
7 proportion of the number of juveniles statewide who are placed in a juvenile
8 correctional facility or a secured residential care center for children and youth during
9 the most recent 3-year period for which that information is available.

10 ✓ **SECTION 516.** 48.526 (7) (c) of the statutes is amended to read:

11 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
12 \$1,053,200 for the last 6 months of ~~2015~~ 2019, \$2,106,500 for ~~2016~~ 2020, and
13 \$1,053,300 for the first 6 months of ~~2017~~ 2021 to counties based on each of the factors
14 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
15 allocation under this paragraph that is less than 93 percent nor more than 115
16 percent of the amount that the county would have received under this paragraph if
17 the allocation had been distributed only on the basis of the factor specified in par. (b)
18 3.

19 ✓ **SECTION 517.** 48.526 (7) (e) of the statutes is amended to read:

20 48.526 (7) (e) For emergencies related to community youth and family aids
21 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2015~~
22 2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of ~~2017~~ 2021. A
23 county is eligible for payments under this paragraph only if it has a population of not
24 more than 45,000.

25 ✓ **SECTION 518.** 48.526 (7) (h) of the statutes is amended to read:

1 48.526 (7) (h) For counties that are purchasing community supervision
2 services under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2017~~ 2019,
3 \$2,124,800 in ~~2018~~ 2020, and \$1,062,400 in the first 6 months of ~~2019~~ 2021 for the
4 provision of community supervision services for juveniles from that county. In
5 distributing funds to counties under this paragraph, the department shall distribute
6 to each county the full amount of the charges for the services purchased by that
7 county, except that if the amounts available under this paragraph are insufficient to
8 distribute that full amount, the department shall distribute those available amounts
9 to each county that purchases community supervision services based on the ratio
10 that the charges to that county for those services bear to the total charges to all
11 counties that purchase those services. ✓

12 ✓ **SECTION 519.** 48.526 (8) of the statutes is amended to read:

13 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
14 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
15 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months
16 ✓ of ~~2017~~ 2021 for alcohol and other drug abuse treatment programs. ✓

17 ✓ **SECTION 522.** 48.53 of the statutes is repealed.

18 **SECTION 522m.** 48.561 (3) (a) of the statutes is amended to read:

19 48.561 (3) (a) A county having a population of 750,000 or more shall contribute
20 the greater of \$58,893,500 or the amount in the schedule for the appropriation under
21 s. 20.437 (1) (cx) in each state fiscal year for the provision of child welfare services
22 in that county by the department. That contribution shall be made as follows: ✓

23 1. Through a reduction of \$37,209,200 from the amounts distributed to that
24 county under ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

1 2. Through a reduction of \$1,583,000 from the amount distributed to that
2 county under s. 46.40 (2m) (a) in each state fiscal year.

3 3. Through a deduction of \$20,101,300 the remainder of the payment after the
4 county's contribution under subds. 1. and 2. from any state payment due that county
5 under s. 79.035, 79.04, or 79.08 as provided in par. (b). ✓

6 ✓ **SECTION 523.** 48.563 (2) of the statutes is amended to read:

7 48.563 (2) COUNTY ALLOCATION. For children and family services under s. 48.569
8 (1) (d), the department shall distribute not more than \$70,211,100 ~~✓~~ ✓ \$80,125,200 ~~✓~~ in ✓
9 fiscal year 2017-18 ~~✓~~ ✓ 2019-20 ~~✓~~ and \$74,308,000 ~~✓~~ ✓ \$101,145,500 ~~✓~~ in fiscal year 2018-19 ✓
10 ✓ ✓ 2020-21. ✓

11 ✓ **SECTION 524.** 48.57 (1) (c) of the statutes is amended to read:

12 48.57 (1) (c) To provide appropriate protection and services for children and the
13 expectant mothers of unborn children in its care, including providing services for
14 those children and their families and for those expectant mothers in their own
15 homes, placing those children in licensed foster homes or group homes in this state
16 or similar facilities regulated in another state within a reasonable proximity to the
17 agency with legal custody, placing those children in the homes of guardians under
18 s. 48.977 (2), placing those children in a qualifying residential family-based
19 treatment facility, or in a similar facility regulated in another state, or contracting
20 for services for those children by licensed child welfare agencies in this state or a
21 child welfare agency regulated in another state, except that the county department
22 may not purchase the educational component of private day treatment programs
23 unless the county department, the school board, as defined in s. 115.001 (7), and the
24 state superintendent of public instruction all determine that an appropriate public

1 education program is not available. Disputes between the county department and
2 the school district shall be resolved by the state superintendent of public instruction.

3 ✓ **SECTION 525.** 48.57 (3) (a) 4. of the statutes is amended to read:

4 48.57 (3) (a) 4. Is living in a foster home, group home, residential care center
5 for children and youth, or subsidized guardianship home, qualifying residential
6 family-based treatment facility, or a similar facility regulated in another state or in
7 a supervised independent living arrangement. ✓

8 ✓ **SECTION 526m.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

9 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
10 (me), and (s), the department shall reimburse counties having populations of less
11 than 750,000 for payments made under this subsection and shall make payments
12 under this subsection in a county having a population of 750,000 or more. Subject
13 to par. (ap), a county department and, in a county having a population of 750,000 or
14 more, the department shall make payments in the amount of \$238 \$254 per month
15 beginning on January 1, 2018, and ~~\$244 per month beginning on January 1, 2019~~
16 2020, to a kinship care relative who is providing care and maintenance for a child if
17 all of the following conditions are met: ✓

18 ✓ **SECTION 527m.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

19 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
20 (me), and (s), the department shall reimburse counties having populations of less
21 than 750,000 for payments made under this subsection and shall make payments
22 under this subsection in a county having a population of 750,000 or more. Subject
23 to par. (ap), a county department and, in a county having a population of 750,000 or
24 more, the department shall make monthly payments for each child in the amount of
25 \$238 \$254 per month beginning on January 1, 2018, and ~~\$244 per month beginning~~

1 on January 1, 2019 2020, to a long-term kinship care relative who is providing care
2 and maintenance for that child if all of the following conditions are met:

3 ✓ **SECTION 528m.** 48.62 (4) of the statutes is amended to read:

4 48.62 (4) Monthly payments in foster care shall be provided according to the
5 rates specified in this subsection. Beginning on January 1, 2018 2020, the rates are
6 \$238 \$254 for care and maintenance provided for a child of any age by a foster home
7 that is certified to provide level one care, as defined in the rules promulgated under
8 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
9 to provide care at a level of care that is higher than level one care, \$394 \$420 for a
10 child under 5 years of age; \$431 \$460 for a child 5 to 11 years of age; \$490 \$522 for
11 a child 12 to 14 years of age; and \$511 \$545 for a child 15 years of age or over.
12 ~~Beginning on January 1, 2019, the rates are \$244 for care and maintenance provided~~
13 ~~for a child of any age by a foster home that is certified to provide level one care, as~~
14 ~~defined in the rules promulgated under sub. (8) (a) and, for care and maintenance~~
15 ~~provided by a foster home that is certified to provide care at a level of care that is~~
16 ~~higher than level one care, \$404 for a child under 5 years of age; \$442 for a child 5~~
17 ~~to 11 years of age; \$502 for a child 12 to 14 years of age; and \$524 for a child 15 years~~
18 ~~of age or over. In addition to these grants for basic maintenance, the department,~~
19 ~~county department, or licensed child welfare agency shall make supplemental~~
20 ~~payments for foster care to a foster home that is receiving an age-related rate under~~
21 ~~this subsection that are commensurate with the level of care that the foster home is~~
22 ~~certified to provide and the needs of the child who is placed in the foster home~~
23 ~~according to the rules promulgated by the department under sub. (8) (c).~~ ✓

24 ✓ **SECTION 529.** 48.623 (3) (a) of the statutes is amended to read:

1 48.623 (3) (a) Except as provided in this paragraph, the county department
2 shall provide the monthly payments under sub. (1) or (6). The county department
3 shall provide those payments from moneys received under s. 48.48 (8p) or 48.569 (1)
4 (d). In a county having a population of 750,000 or more or in the circumstances
5 specified in s. 48.43 (7) (a) or 48.485 (1), the department shall provide the monthly
6 payments under sub. (1) or (6). The department shall provide those payments from
7 the appropriations under s. 20.437 (1) (~~dd~~) (cx) and (~~pd~~) (mx).

8 **SECTION 530.** 48.63 (1) (bm) of the statutes is created to read:

9 48.63 (1) (bm) Acting under a voluntary agreement, a child's parent, the
10 department, or a county department may place the child in a qualifying residential
11 family-based treatment facility with a parent, if such a placement is recommended
12 in the child's permanency plan under s. 48.38(4) (em) before the placement is made. ✓
13 A placement under this paragraph may not exceed 180 days from the date on which
14 the child was removed from the home under the voluntary agreement. ✓

15 **SECTION 531.** 48.63 (1) (c) of the statutes is amended to read:

16 48.63 (1) (c) Voluntary agreements may be made only under par. (a) ~~or~~, (b), or
17 (bm) or sub. (5) (b), shall be in writing, shall state whether the child has been adopted,
18 and shall specifically state that the agreement may be terminated at any time by the
19 parent, guardian, or Indian custodian or by the child if the child's consent to the
20 agreement is required. In the case of an Indian child who is placed under par. (a) ~~or~~,
21 (b), or (bm) by the voluntary agreement of the Indian child's parent or Indian
22 custodian, the voluntary consent of the parent or Indian custodian to the placement
23 shall be given as provided in s. 48.028 (5) (a). The child's consent to an agreement
24 under par. (a) ~~or~~, (b), or (bm) is required whenever the child is 12 years of age or older.

25 **SECTION 532.** 48.645 (1) (a) of the statutes is amended to read:

1 48.645 (1) (a) The child is living in a foster home licensed under s. 48.62 if a
2 license is required under that section, in a foster home located within the boundaries
3 of a reservation in this state and licensed by the tribal governing body of the
4 reservation, in a group home licensed under s. 48.625, in a subsidized guardianship
5 home under s. 48.623, in a residential care center for children and youth licensed
6 under s. 48.60, with a parent in a qualifying residential family-based treatment
7 facility, or in a supervised independent living arrangement and has been placed in
8 that home, center, or arrangement by a county department under s. 46.215, 46.22,
9 or 46.23, by the department, or by a governing body of an Indian tribe in this state
10 ✓ under an agreement with a county department under s. 46.215, 46.22, or 46.23. ✓

11 ✓ **SECTION 532c.** 48.645 (2) (a) 2. of the statutes is amended to read:

12 48.645 (2) (a) 2. A county or, in a county having a population of 750,000 or more,
13 the department, on behalf of a child in the legal custody of a county department under
14 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child
15 who was removed from the home of a relative as a result of a judicial determination
16 that continuance in the home of a relative would be contrary to the child's welfare
17 for any reason when the child is placed in a licensed residential care center for
18 children and youth or a qualifying residential family-based treatment center by the ✓
19 county department or the department. Reimbursement shall be made by the state
20 as provided in subd. 1.

21 ✓ **SECTION 532d.** 48.645 (2) (a) 3. of the statutes is amended to read:

22 48.645 (2) (a) 3. A county or, in a county having a population of 750,000 or more,
23 the department, when the child is placed in a licensed foster home, group home, or
24 residential care center for children and youth, or a qualifying residential
25 family-based treatment facility, in a subsidized guardianship home, or in a ✓

1 supervised independent living arrangement by a licensed child welfare agency or by
2 a governing body of an Indian tribe in this state or by its designee, if the child is in
3 the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
4 department under s. 48.48 (17) or if the child was removed from the home of a relative
5 as a result of a judicial determination that continuance in the home of the relative
6 would be contrary to the child's welfare for any reason and the placement is made
7 under an agreement with the county department or the department.

8 ✓ **SECTION 532e.** 48.645 (2) (a) 4. of the statutes is amended to read:

9 48.645 (2) (a) 4. A licensed foster home, group home, ~~or~~ residential care center
10 for children and youth, or a qualifying residential family-based treatment facility
11 or a subsidized guardianship home when the child is in the custody or guardianship
12 of the state, when the child is a ward of a tribal court in this state and the placement
13 is made under an agreement between the department and the governing body of the
14 Indian tribe of the tribal court, or when the child was part of the state's direct service
15 case load and was removed from the home of a relative as a result of a judicial
16 determination that continuance in the home of a relative would be contrary to the
17 child's welfare for any reason and the child is placed by the department. ✓

18 ✓ **SECTION 534.** 48.651 (3) (a) of the statutes is amended to read:

19 48.651 (3) (a) ~~If a child care provider certified under sub. (1) is convicted of a~~
20 ~~serious crime, as defined in s. 48.686 (1) (c), or if a caregiver specified in s. 48.686 (1)~~
21 ~~(ag) 1. or a nonclient resident, as defined in s. 48.686 (1) (bm), of the person subject~~
22 ~~to a background check under s. 48.686 (2) who operates, works at, or resides at a child~~
23 ~~care provider certified under sub. (1) is convicted or adjudicated delinquent for~~
24 ~~committing a serious crime, as defined in s. 48.686 (1) (c), ~~on or after his or her 10th~~~~
25 ~~birthday, or if the department provides written notice of a decision under s. 48.686~~

1 (4p) that the ~~child care provider, caregiver, or nonclient resident person~~ is ineligible
2 for certification, employment, or residence to operate, work at, or reside at the child
3 care provider, the department in a county having a population of 750,000 or more,
4 a county department, or an agency contracted with under sub. (2) shall revoke the
5 certification of the child care provider immediately upon providing written notice of
6 revocation and the grounds for revocation and an explanation of the process for
7 appealing the revocation.

8 ✓ **SECTION 535.** 48.651 (3) (b) of the statutes is amended to read:

9 48.651 (3) (b) If a ~~child care provider certified under sub. (1) is the subject of~~
10 ~~a pending criminal charge alleging that the person has committed a serious crime,~~
11 ~~as defined in s. 48.686 (1) (e), or if a caregiver specified in s. 48.686 (1) (ag) 1. or a~~
12 ~~nonclient resident, as defined in s. 48.686 (1) (bm), of the person subject to a~~
13 ~~background check under s. 48.686 (2) who operates, works at, or resides at a child~~
14 ~~care provider certified under sub. (1) is the subject of a pending criminal charge or~~
15 ~~delinquency petition alleging that the person has committed a serious crime on or~~
16 ~~after his or her 10th birthday, the department in a county having a population of~~
17 ~~750,000 or more, a county department, or an agency contracted with under sub. (2)~~
18 ~~shall immediately suspend the certification of the child care provider until the~~
19 ~~department, county department, or agency obtains information regarding the final~~
20 ~~disposition of the charge or delinquency petition indicating that the person is not~~
21 ~~ineligible to be certified under sub. (1) operate, work at, or reside at the child care~~
22 ~~provider.~~

23 ✓ **SECTION 536.** 48.685 (1) (ao) of the statutes is created to read:

24 48.685 (1) (ao) "Congregate care facility" means a group home, shelter care
25 facility, or residential care center for children and youth.

1 ✓ **SECTION 537.** 48.685 (1) (ap) of the statutes is created to read:

2 48.685 (1) (ap) "Congregate care worker" means an adult who works in a
3 congregate care facility. "Congregate care worker" includes a person who has or is
4 seeking a license to operate a congregate care facility and does not include an unpaid
5 volunteer.

6 ✓ **SECTION 538.** 48.685 (1) (c) 2. of the statutes is amended to read:

7 48.685 (1) (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19
8 (2), (4), (5), or (6), 940.22 (2) or (3), 940.225 (1), (2), or (3), 940.285 (2), 940.29, 940.295,
9 942.09 (2), 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05,
10 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2) (a) or (am),
11 948.12, 948.13, 948.21 (2), 948.215, 948.30, or 948.53.

12 ✓ **SECTION 539.** 48.685 (2) (am) 5. of the statutes is amended to read:

13 48.685 (2) (am) 5. Information maintained by the department of health services
14 under this section and under ss. 48.623 (6) (am) 2. and (bm) 5., 48.75 (1m), and 48.979
15 (1) (b) regarding any denial to the person of a license, or continuation or renewal of
16 a license to operate an entity, or of payments under s. 48.623 (6) for operating an
17 entity, for a reason specified in sub. (4m) (a) 1. to 5. and regarding any denial to the
18 person of employment at, a contract with, or permission to reside at an entity or of
19 permission to reside with a caregiver specified in sub. (1) (ag) 1. am. for a reason
20 specified in sub. (4m) (b) 1. to 5. If the information obtained under this subdivision
21 indicates that the person has been denied a license, or continuation or renewal of a
22 license, payments, employment, a contract, or permission to reside as described in
23 this subdivision, the department, a county department, or a child welfare agency
24 need not obtain the information specified in subds. 1. to 4., and the department need
25 not obtain a fingerprint-based background check under par. (ba).