



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

2 39.435 (5) The board shall ensure that grants under this section are made
3 available to students attending private or public institutions in this state who are
4 deaf or hard of hearing or visually ~~handicapped~~ impaired and who demonstrate need.
5 Grants may also be made available to such ~~handicapped~~ students attending private
6 or public institutions in other states under criteria established by the board. In
7 determining the financial need of these students special consideration shall be given
8 to their unique and unusual costs.

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

10 **39.465 Rural dentistry scholarship program. (1) DEFINITIONS.** In this
11 section:

12 (a) “Actual practice total” is the total number of months that a student upon
13 graduation practices dentistry in a dental health shortage area in this state. For
14 purposes of this paragraph, a fraction of a month is counted as one month.

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

18 (c) “Repayment liability percentage” means the percentage that results from
19 dividing the difference between a student’s required practice total and the student’s
20 actual practice total by the student’s required practice total.

21 (d) “Required practice total” means the total number of months a student upon
22 graduation is required under sub. (3) to practice dentistry in a dental health shortage
23 area in this state.

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

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

7 (3) ELIGIBILITY; AGREEMENTS. (a) A student is not eligible for a scholarship under
8 the program established under sub. (2) unless he or she is a resident of the state and
9 enters into an agreement with board in which he or she agrees upon graduation to
10 practice dentistry in a dental health shortage area in this state for a period equal to
11 18 months multiplied by the number of annual scholarships the board awards to the
12 student under the program.

13 (b) An agreement under par. (a) shall specify that if a student fails to practice
14 dentistry in a dental health shortage area in this state for the period required under
15 par. (a), he or she is liable to the state for an amount equal to the total dollar amount
16 of annual scholarships awarded to the student multiplied by the student's
17 repayment liability percentage.

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

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

25 **SECTION 393.** 40.01 (2) of the statutes is amended to read:

1 **40.01 (2) PURPOSE.** The public employee trust fund is a public trust and shall
2 be managed, administered, invested and otherwise dealt with solely for the purpose
3 of ensuring the fulfillment at the lowest possible cost of the benefit commitments to
4 participants, as set forth in this chapter, and shall not be used for any other purpose.
5 Revenues collected for and balances in the accounts of a specific benefit plan shall
6 be used only for the purposes of that benefit plan, including amounts allocated under
7 s. ~~20.515 (1) (um) or (ut) or~~ 40.04 (2), and shall not be used for the purposes of any
8 other benefit plan. Each member of the employee trust funds board shall be a trustee
9 of the fund and the fund shall be administered by the department of employee trust
10 funds. All statutes relating to the fund shall be construed liberally in furtherance
11 of the purposes set forth in this section.

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

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

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

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

21 **45.03 (15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS.** When a veteran or
22 a member of the veteran's family makes application for deferment of payment of
23 monthly installments and waiver of interest charges on veterans loans made under
24 this chapter, showing that the ability of the veteran to make payment is materially
25 and adversely affected by reason of military service, the department may, with the

1 approval of the board, defer payment of monthly installments and waive interest
2 charges on veterans loans made under this chapter for the duration of any period of
3 service in the armed forces of the United States during a national emergency or in
4 time of war or under P.L. 87-117 and 6 months from date of discharge or separation
5 and the time for payment may be extended for the same period. However, when funds
6 estimated to be received in the veterans mortgage loan repayment fund to pay debt
7 service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the
8 funds estimated to be required for the payment of the debt service, the board may
9 grant deferral of payments and interest on loans provided under s. 45.37 only when
10 so required by federal law.

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

12 45.03 (16) (c) 2. (intro.) The department shall declare immediately due and
13 payable any loan made after July 29, 1979, under a program administered by the
14 department under s. 45.40 or subch. III, if it finds that the loan was granted to an
15 ineligible person due to any of the following circumstances:

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

17 45.03 (16) (c) 3. (intro.) Loan application forms processed by the department
18 for programs administered under s. 45.40 or subch. III shall do all of the following:

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

20 45.03 (16) (c) 4. The department shall incorporate the payment acceleration
21 requirements of subd. 2. in all loan documents for programs administered by the
22 department under s. 45.40 or subch. III.

23 **SECTION 431.** Subchapter III of chapter 45 [precedes 45.30] of the statutes is
24 repealed.

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

1 45.42 (4) The department may execute necessary instruments, collect interest
2 and principal, compromise indebtedness, sue and be sued, post bonds, and write off
3 indebtedness that it considers uncollectible. If a loan under this section is secured
4 by a real estate mortgage, the department may exercise the rights of owners and
5 mortgagees generally and the rights and powers set forth in s. 45.32, 2017 stats. The
6 department shall pay all interest and principal repaid on the loan into the veterans
7 trust fund.

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

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

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

11 **45.48 Veterans outreach and recovery program.** (1) To be funded from
12 the appropriation under s. 20.485 (2) (qs), the department shall administer a
13 program to provide outreach, mental health services, and support to individuals who
14 reside in this state, who may have a mental health condition or substance use
15 disorder, and who meet one of the following conditions:

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

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

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

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

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

2 **45.57 Veterans homes; transfer of funding.** The department may transfer
3 all or part of the unencumbered balance of any of the appropriations under s. 20.485
4 (1) (g), (gd), (gk), or (i) to the veterans trust fund ~~or to the veterans mortgage loan~~
5 ~~repayment fund.~~ The department shall notify the joint committee on finance in
6 writing of any balance transferred under this section.

7 **SECTION 440.** 46.057 (2) of the statutes is amended to read:

8 **46.057 (2)** From the appropriation account under s. 20.410 (3) (ba), the
9 department of corrections shall transfer to the appropriation account under s. 20.435
10 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.
11 20.410 (3) (hm), the department of corrections shall transfer to the appropriation
12 account under s. 20.435 (2) (kx) ~~\$2,869,200~~ \$3,224,100 in fiscal year ~~2017-18~~
13 ~~2019-20~~ and ~~\$2,932,600~~ \$5,429,000 in fiscal year ~~2018-19~~ 2020-21, for services for
14 juveniles placed at the Mendota juvenile treatment center. The department of health
15 services may charge the department of corrections not more than the actual cost of
16 providing those services.

17 **SECTION 441.** 46.10 (16) of the statutes is amended to read:

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

1 The department may delegate to county departments under ss. 51.42 and 51.437 the
2 responsibilities vested in the department under this section for collection of patient
3 fees for services provided at the state facilities if the necessary conditions are met.

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

5 46.21 (2m) (b) 1. a. The powers and duties of the county departments under ss.
6 46.215, 51.42 and 51.437, ~~including the administration of the long-term support~~
7 ~~community options program under s. 46.27, if the county department under s. 46.215~~
8 ~~is designated as the administering agency under s. 46.27 (3) (b) 1.~~

9 **SECTION 443.** 46.21 (2m) (b) 1. b. of the statutes is repealed.

10 **SECTION 444.** 46.215 (1) (m) of the statutes is repealed.

11 **SECTION 445.** 46.22 (1) (b) 1. e. of the statutes is repealed.

12 **SECTION 446.** 46.23 (3) (bm) of the statutes is repealed.

13 **SECTION 447.** 46.269 of the statutes is amended to read:

14 **46.269 Determining financial eligibility for long-term care programs.**

15 To the extent approved by the federal government, the department or its designee
16 shall exclude any assets accumulated in a person's independence account, as defined
17 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or
18 accumulated from income or employer contributions while employed and receiving
19 ~~state-funded benefits under s. 46.27~~ or medical assistance under s. 49.472 in
20 determining financial eligibility and cost-sharing requirements, if any, for a
21 long-term care program under s. ~~46.27~~, 46.275, or 46.277, for the family care
22 program that provides the benefit defined in s. 46.2805 (4), for the Family Care
23 Partnership program, or for the self-directed services option, as defined in s. 46.2897
24 (1).

25 **SECTION 448.** 46.27 of the statutes is repealed.

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

2 46.271 (1) (c) The department may contract with an aging unit, as defined in
3 s. ~~46.27~~ 46.82 (1) (a), for administration of services under par. (a) if, by resolution,
4 the county board of supervisors of that county so requests the department.

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

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

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

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

12 46.277 (1m) (at) “Private nonprofit agency” ~~has the meaning specified in s.~~
13 ~~46.27 (1) (bm)~~ means a nonprofit corporation, as defined in s. 181.0103 (17), that
14 provides a program of all-inclusive care for the elderly under 42 USC 1395eee or
15 1396u-4.

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

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

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

3 46.277 (5) (d) 2. No county may use funds received under this section to provide
4 residential services in any community-based residential facility, as defined in s.
5 50.01 (1g), unless ~~one of the following applies:~~ ~~b.~~ The ~~the~~ department approves the
6 provision of services in a community-based residential facility that entirely consists
7 of independent apartments, each of which has an individual lockable entrance and
8 exit and individual separate kitchen, bathroom, sleeping and living areas, to
9 individuals who are eligible under this section and are physically disabled or are at
10 least 65 years of age.

11 **SECTION 455.** 46.277 (5) (d) 2. a. of the statutes is repealed.

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

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

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

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

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

2 46.278 (4) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
3 applies to county participation in a program, except that services provided in the
4 program shall substitute for care provided a person in an intermediate care facility
5 for persons with an intellectual disability or in a brain injury rehabilitation facility
6 who meets the intermediate care facility for persons with an intellectual disability
7 or brain injury rehabilitation facility level of care requirements for medical
8 assistance reimbursement to that facility rather than for care provided at a state
9 center for the developmentally disabled.

10 **SECTION 459.** 46.2803 of the statutes is repealed.

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

12 46.2805 (1) (b) A demonstration program known as the ~~Wisconsin partnership~~
13 Family Care Partnership program under a federal waiver authorized under 42 USC
14 1315 1396n.

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

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

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

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

1 **SECTION 464.** 46.2825 of the statutes is repealed.

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

3 46.283 (3) (f) Assistance to a person who is eligible for the family care benefit
4 with respect to the person's choice of whether or not to enroll in the self-directed
5 services option, as defined in s. 46.2899 (1), a care management organization for the
6 family care benefit or the Family Care Partnership program, or the program of
7 all-inclusive care for the elderly and, if so, which available long-term care program
8 or care management organization would best meet his or her needs.

9 **SECTION 466.** 46.283 (4) (e) of the statutes is repealed.

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

11 46.283 (4) (f) Perform a functional screening and a financial and cost-sharing
12 screening for any resident, ~~as specified in par. (e),~~ who requests a screening and
13 assist any resident who is eligible and chooses to enroll in a care management
14 organization or the self-directed services option to do so.

15 **SECTION 468.** 46.283 (6) (b) 7. of the statutes is repealed.

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

17 46.283 (6) (b) 9. Review the number and types of grievances and appeals
18 ~~concerning the long-term care system in the area served by~~ related to the resource
19 center, to determine if a need exists for system changes, and recommend system or
20 other changes if appropriate.

21 **SECTION 470.** 46.283 (6) (b) 10. of the statutes is repealed.

22 **SECTION 471.** 46.285 (intro.) of the statutes is renumbered 46.285 and amended
23 to read:

24 **46.285 Operation of resource center and care management**
25 **organization.** In order to meet federal requirements and assure federal financial

1 participation in funding of the family care benefit, a county, a tribe or band, a
2 long-term care district or an organization, including a private, nonprofit
3 corporation, may not directly operate both a resource center and a care management
4 organization, ~~except as follows:~~

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

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

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

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

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

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

16 b.

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

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

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

20 46.287 (2) (a) 1m. Except as provided in subd. 2., a client may contest any of
21 the following adverse benefit determinations by filing, within 90 days of the failure
22 of a care management organization to act on a contested adverse benefit
23 determination within the time frames specified by rule by the department or within
24 90 days after receipt of notice of a decision upholding the adverse benefit

1 determination, a written request for a hearing under s. 227.44 to the division of
2 hearings and appeals created under s. 15.103 (1):

3 a. Denial of functional eligibility under s. 46.286 (1) as a result of the care
4 management organization's administration of the long-term care functional screen,
5 including a change from a nursing home level of care to a non-nursing home level
6 of care.

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

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

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

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

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

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

23 i. Development of a plan of care that is unacceptable to the enrollee because the
24 plan of care requires the enrollee to live in a place that is unacceptable to the enrollee;
25 the plan of care does not provide sufficient care, treatment, or support to meet the

1 enrollee's needs and support the enrollee's identified outcomes; or the plan of care
2 requires the enrollee to accept care, treatment, or support that is unnecessarily
3 restrictive or unwanted by the enrollee.

4 j. Involuntary disenrollment from the care management organization.

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

6 46.287 (2) (b) An enrollee may contest a decision, omission or action of a care
7 management organization other than those specified in par. (a), ~~or may contest the~~
8 ~~choice of service provider. In these instances, the enrollee shall first send a written~~
9 ~~request for review by the unit of the department that monitors care management~~
10 ~~organization contracts. This unit shall review and attempt to resolve the dispute.~~
11 1m. by filing a grievance with the care management organization. If the dispute
12 grievance is not resolved to the satisfaction of the enrollee, he or she may request
13 a hearing under the procedures specified in par. (a) 1. (intro.) that the department
14 review the decision of the care management organization.

15 **SECTION 481.** 46.288 (2) (intro.) of the statutes is renumbered 46.288 (2) and
16 amended to read:

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

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

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

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

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

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

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

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

16 **47.07 Project SEARCH. (1)** The department shall allocate for each fiscal
17 year at least \$250,000 from the appropriation under s. 20.445 (1) (b) for contracts
18 entered into under this section.

19 **(2)** The department may enter into contracts to provide services to persons with
20 disabilities under the Project SEARCH program operated by the Cincinnati
21 Children’s Hospital or its successor organization.

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

23 **48.02 (14m)** “Qualifying residential family-based treatment facility” means a
24 certified residential family-based alcohol or drug abuse treatment facility that
25 meets all of the following criteria:

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

4 (b) The substance abuse treatment, parenting skills training, parent
5 education, and individual and family counseling is provided under an organizational
6 structure and treatment framework that involves understanding, recognizing, and
7 responding to the effects of all types of trauma and in accordance with recognized
8 principles of a trauma-informed approach and trauma-specific interventions to
9 address the consequences of trauma and facilitate healing.

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

11 **48.13 Jurisdiction over children alleged to be in need of protection or**
12 **services.** Except as provided in s. 48.028 (3), the court has exclusive original
13 jurisdiction over a child alleged to be in need of protection or services which can be
14 ordered by the court, and if one of the following applies:

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

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

17 (2m) ~~Whose~~ The child's parent has relinquished custody of the child under s.
18 48.195 (1);.

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

21 (3m) ~~Who~~ The child is at substantial risk of becoming the victim of abuse, as
22 defined in s. 48.02 (1) (a) or (b) to (g), including injury that is self-inflicted or inflicted
23 by another, based on reliable and credible information that another child in the home
24 has been the victim of such abuse;.

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

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

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

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

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

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

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

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

5 (11m) ~~Who~~ The child is suffering from an alcohol and other drug abuse
6 impairment, exhibited to a severe degree, for which the parent, guardian or legal
7 custodian is neglecting, refusing or unable to provide treatment; ~~or,~~

8 (13) ~~Who~~ The child has not been immunized as required by s. 252.04 and not
9 exempted under s. 252.04 (3).

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

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

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

18 48.207 (1) (L) With a parent in a qualifying residential family-based treatment
19 facility if the child's permanency plan includes a recommendation for such a
20 placement under s. 48.38 (4) (em) before the placement is made and the parent
21 consents to the placement.

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

23 48.345 (3) (c) A foster home licensed under s. 48.62, a group home licensed
24 under s. 48.625, a foster home, group home, or similar facility regulated in another
25 state, or in the home of a guardian under s. 48.977 (2).

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

2 48.345 (3) (cm) A group home described in s. 48.625 (1m) or a similar facility
3 regulated in another state, if the child is at least 12 years of age, is a custodial parent,
4 as defined in s. 49.141 (1) (b), or an expectant mother, is receiving inadequate care,
5 and is in need of a safe and structured living arrangement.

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

7 48.345 (3) (d) A residential treatment care center for children and youth
8 operated by a child welfare agency licensed under s. 48.60, or a similar facility
9 regulated in another state.

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

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

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

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

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

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

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

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

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

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

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

1 48.48 (17) (c) 4. Is living in a foster home, group home, or residential care center
2 for children and youth, qualifying residential family-based treatment facility, or a
3 similar facility regulated in another state or in a supervised independent living
4 arrangement.

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

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

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

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

14 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
15 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
16 funds for community youth and family aids for the period beginning on July 1, 2015
17 2019, and ending on June 30, 2017 2021, as provided in this subsection to county
18 departments under ss. 46.215, 46.22, and 46.23 as follows:

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

20 48.526 (7) (a) For community youth and family aids under this section,
21 amounts not to exceed ~~\$45,572,100~~ \$45,383,600 for the last 6 months of 2015,
22 ~~\$91,150,200 2019~~, \$90,767,200 for 2016 2020, and ~~\$45,578,100~~ \$45,383,600 for the
23 first 6 months of 2017 2021.

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

1 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
2 allocate \$2,000,000 for the last 6 months of ~~2015~~ 2019, \$4,000,000 for ~~2016~~ 2020, and
3 \$2,000,000 for the first 6 months of ~~2017~~ 2021 to counties based on each of the
4 following factors weighted equally:

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

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

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

13 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
14 \$1,053,200 for the last 6 months of ~~2015~~ 2019, \$2,106,500 for ~~2016~~ 2020, and
15 \$1,053,300 for the first 6 months of ~~2017~~ 2021 to counties based on each of the factors
16 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
17 allocation under this paragraph that is less than 93 percent nor more than 115
18 percent of the amount that the county would have received under this paragraph if
19 the allocation had been distributed only on the basis of the factor specified in par. (b)
20 3.

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

22 48.526 (7) (e) For emergencies related to community youth and family aids
23 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2015~~
24 2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of ~~2017~~ 2021. A

1 county is eligible for payments under this paragraph only if it has a population of not
2 more than 45,000.

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

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

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

16 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
17 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
18 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months
19 of ~~2017~~ 2021 for alcohol and other drug abuse treatment programs.

20 **SECTION 522.** 48.53 of the statutes is repealed.

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

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

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

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

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

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

9 48.563 (2) COUNTY ALLOCATION. For children and family services under s. 48.569
10 (1) (d), the department shall distribute not more than ~~\$70,211,100~~ \$80,125,200 in
11 fiscal year ~~2017-18~~ 2019-20 and ~~\$74,308,000~~ \$101,145,500 in fiscal year ~~2018-19~~
12 2020-21.

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

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

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

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

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

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

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

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

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

1 ~~\$238~~ \$254 per month beginning on January 1, 2018, and ~~\$244 per month beginning~~
2 ~~on January 1, 2019~~ 2020, to a long-term kinship care relative who is providing care
3 and maintenance for that child if all of the following conditions are met:

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

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

25 **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) (c), 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.