



State of Wisconsin
2005 - 2006 LEGISLATURE

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**SENATE AMENDMENT 40,
TO 2005 ASSEMBLY BILL 100**

June 29, 2005 – Offered by Senators MILLER, LASSA and TAYLOR.

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

2 **1.** Page 161, line 17: increase the dollar amount for fiscal year 2006–07 by
3 \$155,000 to increase funding for the purpose for which the appropriation is made.

4 **2.** Page 170, line 13: increase the dollar amount for fiscal year 2006–07 by
5 \$1,096,100 to increase funding for the purposes for which the appropriation is made.

6 **3.** Page 291, line 21: after that line insert:

7 “**SECTION 322g.** 20.435 (5) (ab) of the statutes, as affected by 2005 Wisconsin
8 Act (this act), is amended to read:

9 20.435 (5) (ab) *Child abuse and neglect prevention and universal home*
10 *visitation grants.* The amounts in the schedule for child abuse and neglect
11 prevention grants under s. 46.515 and for universal home visitation grants under s.
12 46.516.”.

13 **4.** Page 448, line 14: after that line insert:

1 **“SECTION 887g.** 46.515 (1) (i) of the statutes is repealed.

2 **SECTION 888g.** 46.515 (1) (j) of the statutes is repealed.”.

3 **5.** Page 449, line 8: after that line insert:

4 **“SECTION 890g.** 46.515 (2) of the statutes, as affected by 2005 Wisconsin Act
5 (this act), is amended to read:

6 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
7 by the department under sub. (5) to participate in the program under this section,
8 the department shall award, from the appropriation under s. 20.435 (5) (ab), a grant
9 annually to be used only for the purposes specified in sub. (4) (a) and (am). The
10 minimum amount of a grant is \$10,000. The department shall determine the amount
11 of a grant awarded to a county, ~~other than a county with a population of 500,000 or~~
12 ~~more,~~ or Indian tribe in excess of the minimum amount based on the number of births
13 that are funded by medical assistance under subch. IV of ch. 49 in that county or the
14 reservation of that Indian tribe ~~in proportion to the number of births that are funded~~
15 ~~by medical assistance under subch. IV of ch. 49 in all of the counties and the~~
16 ~~reservations of all of the Indian tribes to which grants are awarded under this~~
17 ~~section. The department shall determine the amount of a grant awarded to a county~~
18 ~~with a population of 500,000 or more in excess of the minimum amount based on 60%~~
19 ~~of the number of births that are funded by medical assistance under subch. IV of ch.~~
20 ~~49 in that county in proportion to the number of births that are funded by medical~~
21 ~~assistance under subch. IV of ch. 49 in all of the counties and the reservations of all~~
22 ~~of the Indian tribes to which grants are awarded under this section.~~

23 **SECTION 891g.** 46.515 (3) (title) of the statutes is repealed.

24 **SECTION 892g.** 46.515 (3) (a) of the statutes is repealed.

1 **SECTION 893g.** 46.515 (3) (b) of the statutes is renumbered 46.515 (3) and
2 amended to read:

3 46.515 **(3)** JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes
4 may submit a joint application to the department. ~~Each county or Indian tribe in a~~
5 ~~joint application shall be counted as a separate county or Indian tribe for the purpose~~
6 ~~of limiting the number of counties and Indian tribes selected in each state fiscal~~
7 ~~biennium.~~

8 **SECTION 894g.** 46.516 of the statutes is created to read:

9 **46.516 Universal home visitation services. (1) DEFINITIONS.** In this
10 section:

11 (a) “County department” means a county department of human services or
12 social services under s. 46.215, 46.22, or 46.23.

13 (b) “Indian tribe” means a federally recognized American Indian tribe or band
14 in this state.

15 (c) “Local health department” has the meaning given in s. 250.01 (4).

16 (d) “Local partnership” means any combination of 2 or more county
17 departments, local health departments, Indian tribes, and private nonprofit
18 agencies that have agreed to implement jointly a program of universal home
19 visitation services under this section.

20 (e) “Organization” means a county department, local health department,
21 Indian tribe, private nonprofit agency, or local partnership.

22 (f) “Private nonprofit agency” means a nonstock corporation organized under
23 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

24 **(2) AWARDING OF GRANTS.** From the appropriation account under s. 20.435 (5)
25 (ab), the department shall award grants to applying organizations for the provision

1 of the home visitation services specified in sub. (3) (a). The department shall
2 determine the amount of a grant awarded to an organization based on the number
3 of first-time births in the community served by the organization. The department
4 shall provide competitive application procedures for selecting organizations to
5 receive grants under this subsection and shall establish a method for ranking
6 applicants based on the quality of their applications. The department shall require
7 a grant recipient to provide matching funds or in-kind contributions as determined
8 by the department and shall ensure that a grant recipient does not use any grant
9 moneys awarded to supplant any other moneys used by the grant recipient at the
10 time of the awarding of the grant to provide home visitation services.

11 **(3) PURPOSES OF GRANTS.** (a) *Universal home visitation services.* An
12 organization that receives a grant under sub. (2) shall use the grant moneys awarded
13 to provide a one-time visit to all first-time parents in the community served by the
14 organization for the purposes of providing those parents with basic information
15 regarding infant health and nutrition, the care, safety, and development of infants,
16 and emergency services for infants; identifying the needs of those parents; and
17 providing those parents with referrals to programs, services, and other resources
18 that may meet those needs. An organization may visit a first-time parent only if the
19 parent or, if the parent is a child, his or her parent, guardian, or legal custodian
20 consents to the visit. No person who is required or permitted to report suspected or
21 threatened abuse or neglect under s. 48.981 (2) may make or threaten to make such
22 a report based on a refusal of a person to receive a home visit under this paragraph.

23 (b) *Start-up costs and capacity building.* In the first year in which a grant
24 under sub. (2) is awarded to an organization, the organization may use a portion of
25 the grant to pay for start-up costs and capacity building related to the provision of

1 home visitation services by the organization. The department shall determine the
2 maximum amount of a grant that an organization may use to pay for those start-up
3 costs and that capacity building.

4 (4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person
5 may use or disclose any information concerning an individual who is offered home
6 visitation services under sub. (3) (a), including an individual who declines to receive
7 those services, or concerning an individual who is provided with a referral under sub.
8 (3) (a), including an individual who declines the referral, unless disclosure of the
9 information is required or permitted under s. 48.981 (2), the use or disclosure of the
10 information is connected to the administration of the program under this section, or
11 the individual has given his or her written informed consent to the use or disclosure
12 of the information.

13 (b) *Explanation of confidentiality requirements.* An organization that receives
14 a grant under sub. (2) shall provide or shall designate an individual or entity to
15 provide an explanation of the confidentiality requirements under par. (a) to each
16 individual who is offered home visitation services under sub. (3) (a) by the
17 organization.

18 (5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a
19 person who is providing home visitation services under sub. (3) (a) determines that
20 he or she is required or permitted to make a report under s. 48.981 (2) about a child
21 in a family to which the person is providing those services, the person shall, prior to
22 making the report under s. 48.981 (2), make a reasonable effort to notify the child's
23 parent that a report under s. 48.981 (2) will be made and to encourage the parent to
24 contact a county department under s. 46.22 or 46.23 or, in a county having a
25 population of 500,000 or more, the department to request assistance. The

1 notification requirements under this subsection do not affect the reporting
2 requirements under s. 48.981 (2).

3 **(6)** INFORMATIONAL MATERIALS. Any informational materials about the home
4 visitation services provided under sub. (3) (a) that are distributed to a person who
5 is offered or who is receiving those services shall state the sources of funding for the
6 services.”.

7 **6.** Page 1044, line 5: after that line insert:

8 “(4qw) HOME VISITATION SERVICES. The treatment of sections 20.435 (5) (ab) (by
9 SECTION 322g), 46.515 (1) (i) and (j), (2) (by SECTION 890g), (3) (title), (a), and (b), and
10 46.516 of the statutes takes effect on January 1, 2007.”.

11 **(END)**