

AS:ty.

11/01/2007

1 **AN ACT** *to repeal* 46.515 (1) (i) and (j), 46.515 (3) (title) and 46.515 (3) (a); *to*
2 *renumber and amend* 46.515 (3) (b) and 46.515 (8); *to amend* 46.515 (2), 46.515
3 (4) (a) 4m., 46.515 (4) (b), 46.515 (6) (a) (intro.) and 1. and 46.515 (6) (c); *to repeal*
4 *and recreate* 46.515 (7) (c); and *to create* 46.515 (7) (ag) and (ar) and 46.515 (8) (b)
5 of the statutes; **relating to:** home visitation grants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the joint legislative council’s special committee on strengthening Wisconsin families.

Under current law, the Department of Health and Family Services (DHFS) distributes grants for the prevention of child abuse and neglect under a program commonly referred to as “Family Foundations”. DHFS is required to distribute this funding to 6 rural counties, 3 urban counties, and 2 Indian tribes.

The amount of funding that each county (other than a county with a population of 500,000 or more, currently, only Milwaukee County) or Indian tribe receives is based on the number of births funded by medical assistance (MA) in that county or in the tribal reservations in proportion to the number of MA–funded births in other counties and tribes selected to participate in the program. Milwaukee County’s grant award is based on 60% of the MA–funded births in that county in proportion to the number of MA–funded births in the other counties and tribes selected to participate.

Except for Milwaukee County, the grant funds may be used for a primary intervention, home visitation program for first–time parents who are eligible for MA and to support the cost of case management. In all counties and tribes, grants may also be used to provide intervention services and flexible funds to participating families for appropriate expenses. DHFS is required to provide technical assistance and training to programs receiving a grant.

The bill draft makes the following changes to current law:

- Deletes the provision requiring funding to be distributed to 6 rural counties, 3 urban counties, and 2 Indian tribes.
- Deletes references to Milwaukee County so that Milwaukee County may use grant funds to provide home visitation and case management services.
- Requires counties and Indian tribes that receive a grant to agree to match at least 25% of the grant amount in funds or in-kind contributions.
- Provides that home visitation services may be provided to a family with a child identified as being at risk of abuse or neglect until the child reaches 3 years of age, regardless of whether the child continues to be eligible for MA.
- Requires a county or Indian tribe, when applying for a grant, to provide information on how the applicant's home visitation program incorporates practice standards and critical elements that have been developed for successful home visitation programs by a nationally recognized home visitation program model and are acceptable to DHFS.
- Requires DHFS to conduct an evaluation of available home visitation programs in the state and determine whether there are gaps in home visitation services. DHFS must then cooperate with home visitation programs to address any gaps identified.
- Requires each home visitation program to collect and report data as required by DHFS and using forms prescribed by DHFS.
- Requires each home visitation program to develop a plan for evaluation of the effectiveness of its program for approval by DHFS. The bill draft sets forth outcomes that must be tracked and measured. The evaluation must be used to improve the quality and outcomes of the home visitation program.
- Provides that training provided by DHFS to counties and Indian tribes participating in the program may not be specific to a particular home visitation model. Requires the training to include training regarding basic skills, uniform administration of screening and assessment tools, issues and challenges families face, and supervision and personnel skills for program managers. Training may also include training on data collection and reporting.
- Requires DHFS to cooperate with the child abuse and neglect prevention board to ensure that employees and managers of home visitation programs receive training and other services to develop and maintain competencies in providing home visitation services to families.

1 **SECTION 1.** 46.515 (1) (i) and (j) of the statutes are repealed.

NOTE: Repeals the definitions of “rural county” and “urban county”.

2 **SECTION 2.** 46.515 (2) of the statutes is amended to read:

3 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected by the
4 department under sub. (5) to participate in the program under this section, the department shall
5 award, from the appropriation under s. 20.435 (5) (ab), a grant annually to be used only for
6 the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is \$10,000.
7 The county or Indian tribe shall agree to match at least 25% of the grant amount annually in
8 funds or in-kind contributions. The department shall determine the amount of a grant awarded
9 to a county, ~~other than a county with a population of 500,000 or more,~~ or Indian tribe in excess
10 of the minimum amount based on the number of births that are funded by medical assistance
11 under subch. IV of ch. 49 in that county or the reservation of that Indian tribe ~~in proportion~~
12 ~~to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all~~
13 ~~of the counties and the reservations of all of the Indian tribes to which grants are awarded under~~
14 ~~this section.~~ The department shall determine the amount of a grant awarded to a county with
15 a population of 500,000 or more in excess of the minimum amount based on ~~60%~~ of the
16 number of births that are funded by medical assistance under subch. IV of ch. 49 in that county
17 ~~in proportion to the number of births that are funded by medical assistance under subch. IV~~
18 ~~of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants~~
19 ~~are awarded under this section.~~

NOTE: Requires a county or Indian tribe which receives a grant to agree to match at least 25% of the grant amount annually in funds or in-kind contributions. Also, this section deletes the language setting forth the formula for awarding grants above \$10,000 and, instead, requires DHFS to determine the amount of the grant in excess of \$10,000 based upon the number of births that are funded by medical assistance in that county or the reservation of the Indian tribe.

1 **SECTION 3.** 46.515 (3) (title) of the statutes is repealed.

NOTE: Repeals a provision of current law specifying how many counties and Indian tribes may be selected for grants in the 1997-99 fiscal biennium.

2 **SECTION 4.** 46.515 (3) (a) of the statutes is repealed.

NOTE: Repeals a provision of current law specifying how many counties and Indian tribes may be selected for grants in the 1997-99 fiscal biennium.

3 **SECTION 5.** 46.515 (3) (b) of the statutes is renumbered 46.515 (3) and amended to read:

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

NOTE: Repeals language relating to the limit on the number of counties and Indian tribes to be selected for grants in the 1997-99 fiscal biennium.

8 **SECTION 6.** 46.515 (4) (a) 4m. of the statutes is amended to read:

9 46.515 (4) (a) 4m. ~~Other than in a county with a population of 500,000 or more, to~~ To
10 reimburse a case management provider under s. 49.45 (25) (b) for the amount of the allowable
11 charges under the medical assistance program that is not provided by the federal government
12 for case management services provided to a medical assistance beneficiary described in s.
13 49.45 (25) (am) 9. who is a child and who is a member of a family that receives home visitation
14 program services under par. (b) 1.

NOTE: Deletes a reference to Milwaukee County.

15 **SECTION 7.** 46.515 (4) (b) of the statutes is amended to read:

16 46.515 (4) (b) *Home visitation program services.* 1. A county, ~~other than a county with~~
17 ~~a population of 500,000 or more,~~ or an Indian tribe that is selected to participate in the program

1 under this section shall select persons who are first-time parents and who are eligible for
2 medical assistance under subch. IV of ch. 49 and shall offer each of those persons an
3 opportunity to undergo an assessment through use of a risk assessment instrument to
4 determine whether the parent presents risk factors for perpetrating child abuse or neglect.
5 Persons who are selected and who agree to be assessed shall be assessed during the prenatal
6 period, if possible, or as close to the time of the child's birth as possible. The risk assessment
7 instrument shall be developed by the department and shall be based on risk assessment
8 instruments developed by the department for similar programs that are in operation. The
9 department need not promulgate as rules under ch. 227 the risk assessment instrument
10 developed under this subdivision. A person who is assessed to be at risk of abusing or
11 neglecting his or her child shall be offered home visitation program services. Home visitation
12 program services may be provided to a family with a child identified as being at risk of child
13 abuse or neglect until the identified child reaches 3 years of age regardless of whether the child
14 continues to be eligible for medical assistance under subch. IV of ch. 49. If risk factors for
15 child abuse or neglect with respect to the identified child continue to be present when the child
16 reaches 3 years of age, home visitation program services may be provided until the identified
17 child reaches 5 years of age. Home visitation program services may not be provided to a
18 person unless the person gives his or her written informed consent to receiving those services
19 or, if the person is a child, unless the child's parent, guardian or legal custodian gives his or
20 her written informed consent for the child to receive those services.

NOTE: Deletes a reference to Milwaukee County. Also, specifies that home visitation program services may be provided to a family with a child identifies as being at risk of child abuse or neglect until the identified child reaches 3 years of age regardless of whether the child continues to be eligible for MA.

21 **SECTION 8.** 46.515 (6) (a) (intro.) and 1. of the statutes are amended to read:

1 46.515 (6) (a) *Home visitation program criteria.* (intro.) The part of an application,
2 other than a renewal application, submitted by a county, ~~other than a county with a population~~
3 ~~of 500,000 or more~~, or an Indian tribe that relates to home visitation programs shall include
4 all of the following:

5 1. Information on how the applicant's home visitation program is comprehensive and
6 incorporates practice standards and critical elements that have been developed for successful
7 home visitation programs by ~~entities concerned with the prevention of child abuse and neglect~~
8 a nationally recognized home visitation program model and that are acceptable to the
9 department.

NOTE: Deletes a reference to Milwaukee County and modifies current
law relating to information that must be provided in an application by a
home visitation program.

10 **SECTION 9.** 46.515 (6) (c) of the statutes is amended to read:

11 46.515 (6) (c) *Case management benefit.* The applicant, ~~other than a county with a~~
12 ~~population of 500,000 or more~~, states in the grant application that it has elected, or, if selected,
13 that it will elect, under s. 49.45 (25) (b), to make the case management benefit under s. 49.45
14 (25) available to the category of beneficiaries under s. 49.45 (25) (am) 9. who are children and
15 who are members of families receiving home visitation program services under sub. (4) (b)
16 1.

NOTE: Deletes a reference to Milwaukee County.

17 **SECTION 10.** 46.515 (7) (ag) and (ar) of the statutes are created to read:

18 46.515 (7) (ag) The department shall conduct an evaluation of available home visitation
19 programs in the state and determine whether there are gaps in home visitation services in the
20 state. The department shall cooperate with home visitation programs to address any gaps in
21 services identified.

1 (ar) Each home visitation program shall collect and report data to the department, as
2 required by the department. The department shall require each home visitation program to
3 collect data using forms prescribed by the department.

NOTE: Requires DHFS to conduct an evaluation of available home visitation programs in the state and determine whether there are gaps in home visitation services. Requires DHFS to cooperate with home visitation programs to address any gaps identified.

Also provides that DHFS must require each home visitation program to collect data using forms prescribed by DHFS. Under the draft, each home visitation program must collect and report data to DHFS as required by DHFS.

4 **SECTION 11.** 46.515 (7) (c) of the statutes is repealed and recreated to read:

5 46.515 (7) (c) Each home visitation program shall develop a plan for evaluation of the
6 effectiveness of its program for approval by the department. The plan shall demonstrate how
7 the program will use evaluation of its program to improve the quality and outcomes of the
8 program and to ensure continued compliance with the home visitation criteria under sub. (6)

9 (a). The plan must demonstrate how the outcomes will be tracked and measured. The
10 outcomes must be related to all of the following:

11 1. Parents receiving home visitation services have knowledge of early learning and
12 child development and interact with their children in ways that enhance the children's
13 development and early learning.

14 2. Children receiving home visitation services are healthy.

15 3. Children receiving home visitation live in a safe environment.

16 4. Families receiving home visitation services access formal and informal support
17 networks.

18 5. Children receiving home visitation services achieve milestones in development and
19 early learning.

1 6. Children receiving home visitation services who have developmental delays receive
2 appropriate intervention services.

NOTE: Repeals language requiring DHFS to determine the most appropriate way to evaluate strengthened family functioning, enhanced child development, and positive parenting practices and evaluate those criteria as part of its evaluation of home visitation programs. Instead, under the draft, each home visitation program must develop a plan for evaluation of the effectiveness of its program for approval by DHFS. The plan must demonstrate how the program will use the evaluation to improve the quality and outcomes of the program and to ensure continued compliance with the home visitation criteria required to be demonstrated when applying for a grant. The plan must also demonstrate how the outcomes will be tracked and measured. The outcomes to be measured are set forth in the SECTION.

3 **SECTION 12.** 46.515 (8) of the statutes is renumbered 46.515 (8) (a) and amended to
4 read:

5 46.515 (8) (a) TECHNICAL ASSISTANCE AND TRAINING. The department shall provide
6 technical assistance and training to counties and Indian tribes that are selected to participate
7 in the program under this section. Training may not be specific to a particular home visitation
8 model. Training must include training in best practices regarding basic skills, uniform
9 administration of screening and assessment tools, issues and challenges families face, and
10 supervision and personnel skills for program managers. Training may also include training
11 on data collection and reporting.

NOTE: Specifies that training for counties and Indian tribes selected to receive home visitation grants may not be specific to a particular home visitation model. This SECTION requires the training to include training in best practices regarding basic skills, uniform administration of screening and assessment tools, issues and challenges families face, and supervision and personnel skills for program managers. The training may also include training on data collection and reporting.

12 **SECTION 13.** 46.515 (8) (b) of the statutes is created to read:

