

AS:wu:tlu:jal;

1/20/2009

1 **AN ACT** *to renumber* 48.982 (2) (a), (b), (c), (d), (e), (f), (g), and (gm) and 48.982 (3)
2 (intro.); *to amend* 20.433 (intro.) and (1) (g), 46.001, 46.23 (3) (am) 1., 48.67
3 (intro.), 48.982 (title), 48.982 (1) (b), 49.155 (1d) (a) and 253.15 (1) (a); *to repeal*
4 *and recreate* 15.205 (4); and *to create* 46.215 (1) (t), 46.22 (1) (b) 6., 48.79 (11),
5 48.79 (11) (b) and (c), 48.982 (2) (a), (b), (c), (d), (e), and (f) and 48.982 (3) (b) of
6 the statutes; **relating to:** creating a family policy board and requiring counties to
7 provide prevention resources.

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

LEGISLATIVE COUNCIL STAFF PREFATORY NOTE: This bill draft renames the child abuse and neglect prevention board as the family policy board and expands its membership and duties. Under the bill draft, the board is chaired by the governor or lieutenant governor.

The board is required to promote the coordination of resources for families to achieve several goals, including children who are healthy and ready for school and families that are economically self-sufficient and in which children are safe. The board must also establish a policy for the state agencies with membership on the board that highest priority should be given to promoting thriving families and healthy children through the provision of comprehensive, integrated resources based on community and family needs. The board is also required to make recommendations to the governor and the legislature relating to changes needed in state programs, policies, and funding levels to improve the coordination of programs that affect families; to set priorities for state agencies based on community and family needs; to consolidate funding; and to encourage communities to form local collaborative entities consisting of public and private providers to coordinate the provision of resources. The board is required to submit a report of its recommendations to the appropriate legislative standing committees and the governor by September 1 of each even-numbered year. Finally, the board must establish a system of communication between the board and local collaborative entities in order to more effectively provide resources for families, and identify reporting requirements to state agencies with membership on the board

and instances where reporting requirements could be consolidated or eliminated.

The bill draft also requires the department of children and families (DCF) to assist counties in developing programs, policies, and resources that prevent delinquency, child abuse and neglect, dependency on alcohol and other drugs, mental illness, developmental disability, mental infirmity, and other forms of mental or social maladjustment. In addition, the bill draft requires counties to provide, either directly or through community agencies and within limits of available funding, prevention resources.

1 **SECTION 1.** 15.205 (4) of the statutes is repealed and recreated to read:

2 15.205 (4) FAMILY POLICY BOARD. (a) There is created a family policy board attached
3 to the department of children and families under s. 15.03. The board shall consist of the
4 following members:

5 1. The governor or, if designated by the governor, the lieutenant governor.

6 2. The state superintendent of public instruction or the deputy state superintendent or
7 an assistant state superintendent designated by the state superintendent.

8 3. The secretary of administration or the deputy secretary or a division administrator
9 in the department of administration designated by the secretary.

10 4. The secretary of children and families or the deputy secretary or a division
11 administrator in the department of children and families designated by the secretary.

12 5. The secretary of health services or the deputy secretary or a division administrator
13 in the department of health services designated by the secretary.

14 6. The secretary of workforce development or the deputy secretary or a division
15 administrator in the department of workforce development designated by the secretary.

16 7. The secretary of corrections or the deputy secretary or a division administrator in the
17 department of corrections designated by the secretary.

1 8. The attorney general or the deputy attorney general or a division administrator in the
2 department of justice designated by the attorney general.

3 9. The executive director of the office of justice assistance.

4 10. The dean of the Cooperative Extension of the University of Wisconsin–Extension.

5 11. One majority party representative of the assembly appointed as are the members of
6 assembly standing committees.

7 12. One minority party representative of the assembly appointed as are the members
8 of assembly standing committees.

9 13. One majority party senator appointed as are the members of senate standing
10 committees.

11 14. One minority party senator appointed as are the members of senate standing
12 committees.

13 15. Thirteen public members appointed by the governor as follows:

14 a. One member who represents county government.

15 b. One member with experience and expertise in public health.

16 c. One member with experience in special education.

17 d. One member with experience in child day care.

18 e. One member who represents private business.

19 f. One member who represents organized labor.

20 g. One member who represents intergenerational aging groups.

21 h. One member who represents youth.

22 i. One member who represents nonprofit service organizations.

23 j. One member with experience and expertise in child and family mental health.

24 k. One member who represents human services.

- 1 l. One member who represents consumers of family services.
- 2 m. One member who represents juvenile or family court judges.
- 3 (b) Members appointed under par. (a) 15. shall be appointed for 3-year terms.
- 4 (c) The family policy board shall meet at least quarterly.
- 5 (d) The governor or lieutenant governor shall serve as chairperson of the family policy
- 6 board.

NOTE: SECTION 1 replaces the child abuse and neglect prevention board with the family policy board and specifies the membership of the board. The bill draft requires the board to meet at least quarterly and requires the governor or lieutenant governor to serve as the chairperson of the board.

COMMENT: This SECTION requires that public members be appointed to the family policy board for 3-year terms. Under WLC: 0346/1, the 3-year terms were staggered. This bill draft does not contain a requirement for staggered 3-year terms.

7 **SECTION 2.** 20.433 (intro.) and (1) (g) of the statutes are amended to read:

8 **20.433 ~~Child abuse and neglect prevention~~ Family policy board.** (intro.) There is

9 appropriated to the ~~child abuse and neglect prevention~~ family policy board for the following

10 program:

11 **(1) (g) *General program operations.*** From all moneys received under s. 69.22 (1m),

12 the amounts in the schedule to be used for the expenses of the ~~child abuse and neglect~~

13 ~~prevention~~ family policy board under s. 48.982 (2) and (3), for statewide projects under s.

14 48.982 (5), for the general program operations of the family resource center grant program

15 under s. 48.982 (6), and for technical assistance to organizations under s. 48.982 (4) and (6).

NOTE: SECTION 2 changes references to the child abuse and neglect prevention board to instead reference the family policy board.

16 **SECTION 3.** 46.001 of the statutes is amended to read:

1 **46.001 Purposes of chapter.** The purposes of this chapter are to conserve human
2 resources in Wisconsin; to prevent delinquency, child abuse and neglect, dependency, mental
3 illness, developmental disability, mental infirmity, and other forms of mental or social
4 maladjustment by a continuous attack on causes; to provide effective aid and services to all
5 persons in need of that aid and those services and to assist those persons to achieve or regain
6 self-dependence at the earliest possible date; to avoid duplication and waste of effort and
7 money on the part of public and private agencies; and to coordinate and integrate a social
8 welfare program.

NOTE: SECTION 3 amends the current statutory section setting forth the
purposes of ch. 46, relating to social services. This section provides that
one of the purposes of the chapter is to prevent dependency, mental
illness, developmental disability, mental infirmity and other forms of
social maladjustment by a continuous attack on causes. The bill draft
adds as a purpose prevention of delinquency, child abuse and neglect,
and other forms of mental maladjustment.

9 **SECTION 4.** 46.215 (1) (t) of the statutes is created to read:

10 46.215 (1) (t) Within the limits of available state and federal funds and of county funds
11 appropriated to match state funds, to provide, either directly or through community agencies,
12 programs and resources designed to prevent delinquency, child abuse and neglect,
13 dependency on alcohol and other drugs, mental illness, developmental disability, mental
14 infirmity, and other forms of mental or social maladjustment and to promote positive youth
15 development and effective parenting skills.

16 **SECTION 5.** 46.22 (1) (b) 6. of the statutes is created to read:

17 46.22 (1) (b) 6. Within the limits of available state and federal funds and of county funds
18 appropriated to match state funds, a county department of social services shall provide, either
19 directly or through community agencies, programs and resources designed to prevent
20 delinquency, child abuse and neglect, dependency on alcohol and other drugs, mental illness,

1 developmental disability, mental infirmity, and other forms of mental or social maladjustment
2 and to promote positive youth development and effective parenting skills.

NOTE: SECTIONS 4 and 5 require county departments of social services to provide, within the limits of available funding, programs and resources designed to prevent delinquency, child abuse and neglect, dependency, mental illness, developmental disability, mental infirmity, and other forms of mental or social maladjustment, and to promote positive youth development and effective parenting skills.

3 **SECTION 6.** 46.23 (3) (am) 1. of the statutes is amended to read:

4 46.23 (3) (am) 1. The county department of human services shall prepare a local plan
5 for the delivery of human services which includes an inventory of all existing resources,
6 identifies needed new resources and services and contains a plan for meeting the health,
7 mental health and social needs of individuals and families. The plan shall be based on an
8 annual need survey of the prevalence and incidence of the various disabilities within the
9 geographic boundaries of the county department of human services. The plan shall also
10 include the establishment of long-range goals and intermediate-range plans, detailing for
11 preventing dependency on alcohol and other drugs, mental illness, developmental disability,
12 mental infirmity, child abuse and neglect, delinquency, and other forms of mental or social
13 maladjustment by addressing the causes of these maladjustments. The plan shall detail
14 priorities and estimated costs and ~~providing~~ provide for coordination and availability of local
15 services and continuity of care resources.

NOTE: Current law requires each county department of human services to prepare a local plan for the delivery of human services which includes an inventory of all existing resources, identifies needed new resources and services and contains a plan for meeting the health, mental health and social needs of individuals and families. The plan must provide for coordination and availability of local resources. SECTION 6 also requires the plan to establish goals for preventing dependency on alcohol and other drugs, mental illness, developmental disability, mental infirmity, child abuse and neglect, delinquency, and other forms of mental or social

maladjustment by addressing the causes of these mental or social maladjustments.

1 **SECTION 7.** 48.67 (intro.) of the statutes is amended to read:

2 **48.67 Rules governing child welfare agencies, day care centers, foster homes,**
3 **treatment foster homes, group homes, shelter care facilities, and county departments.**

4 (intro.) The department shall promulgate rules establishing minimum requirements for the
5 issuance of licenses to, and establishing standards for the operation of, child welfare agencies,
6 day care centers, foster homes, treatment foster homes, group homes, shelter care facilities,
7 and county departments. Those rules shall be designed to protect and promote the health,
8 safety, and welfare of the children in the care of all licensees. The department shall consult
9 with the department of commerce, the department of public instruction, and the ~~child abuse~~
10 ~~and neglect prevention~~ family policy board before promulgating those rules. Those rules shall
11 include rules that require all of the following:

NOTE: Requires DCF to consult with the family policy board, instead of the child abuse and neglect prevention board, before promulgating rules relating to licensing and establishing standards for child welfare agencies, day care centers, foster homes, group homes, shelter care facilities, and county departments.

12 **SECTION 8.** 48.79 (11) of the statutes is created to read:

13 48.79 (11) In this subsection, “prevention programs” means those programs that enable
14 children and families to develop competencies and skills, confront stressful life conditions,
15 and increase their self-reliance before the onset of problems in order to reduce the incidence
16 of child abuse and neglect, delinquency, dependency on alcohol and other drugs, mental
17 illness, developmental disability, mental infirmity, and other forms of mental or social
18 maladjustment.

19 **SECTION 9.** 48.79 (11) (b) and (c) of the statutes are created to read:

1 48.79 (11) (b) To maintain prevention programs that it considers to be proper.

2 (c) To assist counties in developing programs, policies, and resources that prevent
3 delinquency, child abuse and neglect, dependency on alcohol and other drugs, mental illness,
4 developmental disability, mental infirmity, and other forms of mental or social maladjustment.

NOTE: Current s. 48.79 sets forth the powers and authority of DCF.
 SECTIONS 8 and 9 create requirements that DCF maintain prevention
 programs that it considers to be proper and assist counties in developing
 prevention programs, policies, and resources.

5 **SECTION 10.** 48.982 (title) of the statutes is amended to read:

6 **48.982 (title) ~~Child abuse and neglect prevention~~ Family policy board.**

7 **SECTION 11.** 48.982 (1) (b) of the statutes is amended to read:

8 48.982 (1) (b) “Board” means the ~~child abuse and neglect prevention~~ family policy
9 board.

NOTE: SECTION 11 changes a reference to the child abuse and neglect
 prevention board to instead reference the family policy board.

10 **SECTION 12.** 48.982 (2) (a), (b), (c), (d), (e), (f), (g), and (gm) of the statutes are
11 renumbered 48.982 (2) (g), (h), (i), (j), (k), (L), (m), and (n), respectively.

NOTE: SECTION 12 renumbers the duties of the child abuse and neglect
 prevention board and includes them in the duties of the family policy
 board.

12 **SECTION 13.** 48.982 (2) (a), (b), (c), (d), (e), and (f) of the statutes are created to read:

13 48.982 (2) (a) Establish a system of communication between the board and
14 communities’ local collaborative entities in order to more effectively provide resources for
15 families.

16 (b) Promote the coordination of resources for families to achieve the following:

17 1. Children who are healthy.

18 2. Children who are ready for and who succeed in school.

1 3. Youth who engage in positive behaviors and avoid risky behaviors.

2 4. Families that are economically self-sufficient and in which children are safe.

3 5. Communities that promote healthy and safe children and families.

4 (c) Establish a policy for the agencies with membership on the board that highest
5 priority should be given to promoting thriving families and healthy children through the
6 provision of comprehensive, integrated resources based on community and family needs.

7 (d) Make recommendations to the governor and the legislature relating to changes
8 needed in state programs, policies, and funding levels to do all of the following:

9 1. Improve the coordination among state agencies of programs that affect families.

10 2. Set priorities for state agencies based on community and family needs.

11 3. Consolidate funding for programs and services that affect families.

12 4. Encourage communities to form local collaborative entities consisting of public and
13 private providers of resources to families, children, and youth for the purpose of coordinating
14 resources; decreasing duplication of resources; and streamlining the delivery of resources to
15 families by establishing single points of referral for resources and providing integrated
16 resources for families.

17 (e) Submit a report of recommendations under par. (d) to the appropriate standing
18 committees of the legislature under s. 13.172 (3) and to the governor by September 1 of each
19 even-numbered year.

20 (f) Identify requirements for counties to report information or data to any of the state
21 agencies with membership on the board and instances where such reporting requirements
22 could be consolidated or eliminated.

NOTE: SECTION 13 sets forth the duties of the family policy board as created by the bill draft. These duties are in addition to the current duties of the child abuse and neglect prevention board.

1 **SECTION 14.** 48.982 (3) (intro.) of the statutes is renumbered 48.982 (3) (a).

2 **SECTION 15.** 48.982 (3) (b) of the statutes is created to read:

3 48.982 (3) (b) Each state agency with membership on the board shall designate agency
4 staff to conduct the functions of the board.

NOTE: SECTION 15 requires each state agency with membership on the family policy board to designate agency staff to conduct the functions of the board.

5 **SECTION 16.** 49.155 (1d) (a) of the statutes is amended to read:

6 49.155 (1d) (a) The department shall promulgate rules establishing standards for the
7 certification of child care providers under s. 48.651. The department shall consult with the
8 ~~child abuse and neglect prevention~~ family policy board before promulgating those rules. In
9 establishing the requirements for certification under this paragraph of a child care provider,
10 the department shall include a requirement that all providers and all employees and volunteers
11 of a provider who provide care and supervision for children receive, before the date on which
12 the provider is certified or the employment or volunteer work commences, whichever is
13 applicable, training in the most current medically accepted methods of preventing sudden
14 infant death syndrome, if the provider, employee, or volunteer provides care and supervision
15 for children under one year of age, and the training relating to shaken baby syndrome and
16 impacted babies required under s. 253.15 (4), if the provider, employee, or volunteer provides
17 care and supervision for children under 5 years of age. In establishing the requirements for
18 certification as a Level II certified family day care provider, the department may not include
19 any other requirement for training for providers.

NOTE: Requires DCF to consult with the family policy board, instead of the child abuse and neglect prevention board, before promulgating rules relating to certification of child care providers.

20 **SECTION 17.** 253.15 (1) (a) of the statutes is amended to read:

