



201 East Washington Avenue, Room G200  
P.O. Box 8916  
Madison, WI 53708-8916  
Telephone: 608-422-7000  
Fax: 608-261-6972

Governor Scott Walker  
Secretary Eloise Anderson

Secretary's Office

---

## Enacted State Legislation

### 2017-18 Session

**1. Act 195 Hire Heroes Program**

The Act creates a transitional jobs program administered and funded by DWD to serve veterans who are ineligible for W-2. DCF will enter into a memo of understanding with WDVA and DWD to assist with administration of the program. DCF is responsible for drug screening of Hire Heroes program applicants, and is also responsible for testing and treatment costs if applicable.

**2. Act 80 Job Access Loan Eligibility for Vehicle Repair or Purchase**

The Act adds three new eligibility criteria for Job Access Loans for vehicle repair or purchase: 1) all applicants must have a valid driver's license and 2) an applicant on probation, parole or extended supervision is required to have prior approval from his or her agent to receive the Job Access Loan and 3) applicant must have auto insurance.

**3. Act 154 Employee Fingerprinting and Background Checks**

The Act aligns state law with a federal requirement that requires background checks including fingerprinting to be performed on public employees who have access to federal tax information. The requirements apply to state and local child support staff.

**4. Act 266 Payments for Performance**

The Act requires all contracts for the administration of W-2 and FoodShare Employment and Training programs to be paid on a performance-based system, using certain performance metrics.

**5. Act 268 Child Support Compliance with Medical Assistance**

The Act requires compliance with child support determinations and obligations as an eligibility condition for receiving Medical Assistance with some exceptions. Implementation is contingent upon federal approval.

**6. Act 267 Success Contracting**

The Act allows DOA to contract with a private organization to provide social, employment or corrections services with payment conditional upon performance. DCF is required to study programs to determine if the pay for success model could be used as an alternative model for services in the programs.

**7. Act 269 Asset Restrictions for W-2 and WI Shares**

The Act specifies asset restrictions for eligibility for W-2 and Wisconsin Shares (and FoodShare) related to the value of recipient's home and vehicles with some exceptions.

**8. Act 355 Removes Read to Lead Audit**

The Act removes the requirement for the Legislative Audit Bureau to conduct an annual audit of the Read to Lead Program.

**9. Act 236 Child Care Payments in Wisconsin Shares**

The Act increases both child care rates and quality incentive payments for four and five star child care providers, funded with \$8 m in federal TANF dollars. DCF is required to distribute \$7,250,000 of the \$8 m in TANF funds in state fiscal year 2019, beginning midway through that fiscal year, to uniformly increase rates across counties. DCF is required to spend the remaining \$750,000 on quality incentive increases for four and five star providers. DCF is given authority to offer higher adjusted reimbursements of up to 15% for four star providers and up to 30% for five star providers. The annualized ongoing cost of the rate increase will be \$16 m.

**10. Act 202 Family Drug Treatment Courts**

The Act creates a family treatment drug court grant program administered by DCF. DCF will make grants available to counties or tribes to enable them to establish family drug treatment court programs. DCF is required to annually prepare a progress report and make the report available to the public, and to prepare a comprehensive report every five years to be submitted to the legislature.

No funding is attached to Act 202, however funding for family drug treatment courts is provided in Act 261.

**11. Act 261 Expansion of Opioid Prevention and Service Capacity**

The Act provides \$250,000 in GPR funding per year to DCF for grants to counties and tribes to implement and support family drug treatment courts authorized under Act 202. The Act also provides \$500,000 in TANF funding for evidence-based substance abuse prevention grants through the DCF Brighter Futures program.

**12. Act 262 Training for Substance Abuse Disorder**

The Act provides \$50,000 in GPR funding to DCF to develop and maintain online training materials for social services workers who work with cases involving substance abuse.

**13. Act 283 Child Neglect**

The Act makes changes criminal child neglect. The Act expands the definition and penalty structure of the crime of neglecting a child, and creates the crime of repeated acts of neglect of the same child.

**14. Act 47 Child Abuse Reporting**

The Act adds juvenile correctional officers to the list of mandated reporters of suspected child abuse and neglect.

**15. Act 185 Juvenile Corrections**

The Act creates a new statewide model for juvenile corrections. Lincoln Hills and Copper Lake schools will be closed no later than January 1, 2021, and new Type 1 juvenile correctional facilities and secured residential care centers for children and youth will be established. A Juvenile Corrections Study Committee is created to recommend rules for governing what services and programming are to be provided in the new secured residential care centers and recommend locations of the new Type 1 juvenile correctional facilities. A Juvenile Corrections Grant Committee is created to oversee the grants used to fund the costs of establishing or constructing the secured

residential care centers. The Secretaries of DCF and DOC serve as Co-Chairs of the Juvenile Corrections Study Committee. The Secretary of DCF serves as a member of the Juvenile Corrections Grant Committee.

***The following Acts were recommended by the Speaker's Task Force on Foster Care***

**16. Act 254 Child Abuse and Neglect Prevention Grants**

The Act provides \$500,000 TANF funding annually for child abuse and neglect prevention grants available to counties, nonprofits and tribes. Grant recipients must match funds equal to 9.89% of the grant amount. DCF is required to submit a report about the effectiveness of the program by June 30, 2021, and every other odd-numbered year to the legislature.

**17. Act 260 Grants for Foster Parent Education and Support**

The Act provides \$400,000 GPR funding annually for foster parent education and support grants available to counties, nonprofits and tribes. DCF is required to submit a report about the effectiveness of the program to the legislature by June 30, 2021.

**18. Act 257 Foster Home Licensing**

The Act allows for the transfer of a foster home license to a county, DCF or other child welfare agency if the child welfare agency is no longer licensed because the license was revoked, suspended, surrendered or the contract was terminated. The Act also allows for a county to license a foster home in another county as a non-child specific home if both counties agree.

**19. Act 253 Parent's Right to Counsel in CHIPS Proceedings**

The Act appropriates \$739,600 in GPR funding to the Office of the State Public Defender to administer a five county pilot program allowing for the appointment of legal counsel for parents in CHIPS proceedings. The program will begin by July 1, 2018, and will sunset on June 30, 2021. The Office of the State Public Defender and DCF are each required to submit a report to the Legislature by January 1, 2021, about the cost of the program and program data.

**20. Act 256 Involuntary Termination of Parental Rights**

The Act removes the proof that there is a substantial likelihood that a parent will not meet the conditions for return of a child within the nine month period following a termination of parental rights hearing. If a child has been placed in out-of-home care under a CHIPS order for less than 15 of the past 22 months, the court must find that the parents will not meet the conditions for safe return by the time they reach 15 of the last 22 months.

**21. Act 258 Appellate Procedure for TPR**

The Act modifies the appeals process for termination of parental rights. The appeal notice and petition for review must include the signature of the person on whose behalf the appeal is filed. The Act expands the authority of the court to allow an extension of time to file the notice. The appeal must specify the reasons for the appeal.

**22. Act 251 Notice to Schools and School Districts and Transfer of Pupil Records**

The Act makes changes for schools relating to a child in OHC. The school district will receive notice of permanency plan review for a child in OHC and have the opportunity to submit written testimony to the court. The written notification to the school by the child welfare agency regarding placement of a child in OHC care is sent to the school district and school district of

origin. The transfer of school records timeline is changed from 5 days to the next day when a child in OHC changes schools, and notification to the school must include the name and contact information of the caseworker.

**23. Act 252 Limited Release of Mental Health Information**

The Act allows for limited sharing of a child's mental health treatment record to an OHC provider and child welfare agency without the parent's permission if the health care provider reasonably believes it is necessary for the proper care of the child, including for the diagnosis, treatment plan or medication management plan.

**24. Act 259 Defining Routine Dental Care**

The Act defines routine dental care which may be provided without a parent's consent when a child is placed in OHC. Routine dental care is defined as diagnostic and preventative services, treatment including restoring teeth, tooth extractions and use of nitrous oxide.

**25. Act 255 Court Appointed Special Advocates (CASA)**

The Act increases funding to the DOJ-administered CASA program to \$250,000 GPR per fiscal year. CASA programs train and supervise volunteers appointed by the court to advocate for the best interests of a child who is placed in OHC.

**2018 Legislative Council Study Committees**

**1. Study Committee on Minor Guardianship**

Rep. Steineke, Chair

Sen. Johnson, Vice-Chair

SCOPE: The Study Committee is directed to examine ch. 54, Stats., concerning guardianship of minors and adults, and recommend legislation that creates procedures specific to guardianship of a minor. The committee may consider whether any new provisions should apply to guardianship of a minor's person, estate, or both.

**2. Study Committee on Child Placement and Support**

Rep. R. Brooks, Chair

Sen. Taylor, Vice-Chair

SCOPE: The Study Committee is directed to review the standards under current law for determining periods of physical placement and child support obligations. The committee may consider alternatives to current law concerning physical placements, including rebuttable presumption that equal placement is in the child's best interest. The committee may also consider whether the current standard for determining child support adequately and equitably provides for the support of children and alternative models for determining child support obligations.

**3. Biennial Appointment of Chair and Vice Chair of the Special Committee on State-Tribal Relations**

Rep. Mursau, Chair

Sen. Vinehout, Vice-Chair

SCOPE: The committee is directed to study issues relating to American Indians and the American Indian tribes and bands in this state and develop specific recommendations and legislative proposals relating to these issues [s. 13.83(3), Stats.]