

WAFCA Legislative Update – Current Bills of Interest and Status (Updated 5/6/16)
[\(2015 Wisconsin Acts\)](#)

Mental Health

Bill	Description	Status	Sponsor
2015 SB 126	Equine therapy - immunity from civil liability for certain equine activities. (See also AB169)	<ul style="list-style-type: none"> • 2015 WI Act 66 • Act Memo 66 	Sen. Wanggaard (R-Racine)
2015 SB 293	Behavior health pilots - behavioral health care coordination pilot projects, psychiatric consultation reimbursement pilot project, access to information on availability of inpatient psychiatric beds, and making appropriations	<ul style="list-style-type: none"> • 2015 WI Act 153 • Act Memo 153 	Se. Vukmir (R-Brookfield)
2015 AB 367	HOPE methadone clinics – gather data on staffing ratios, the number of patients receiving behavioral health services with the medication, and average mileage an individual is traveling to come to a clinic. (Part of package of HOPE bills)	<ul style="list-style-type: none"> • 2015 WI Act 262 • Act Memo 262 	Rep. Nygren (R-Marinette)
2015 AB 659	Opioid treatment – aligns WI opioid treatment regulations with federal regulations	<ul style="list-style-type: none"> • 2015 WI Act 263 • Act Memo 263 	Rep. Nygren
2015 AB 664	Branch clinic certification - Prohibit DHS from requiring Branch Clinic Office Certification for School Therapists	<ul style="list-style-type: none"> • 2015 WI Act 294 • Act Memo 294 	Rep. Kitchens (R-Sturgeon Bay)
2015 AB 708	Peer-run Respite Centers - zoning exemption purposes to facilitate siting of these centers	Passed Assembly Failed to pass Senate	Rep. Tittl (R-Manitowoc)
2015 AB 709	Psychiatrist Earned Income Tax Deduction - encourage psychiatrists to move to Wisconsin	Passed Assembly Health Committee	Rep. Tittl
2015 AB 710	Stipends for Consumers to attend Wisconsin Mental Health Council meetings	Passed Assembly Failed to pass Senate	Rep. Tittl
2015 AB 711	MA Payment for QTTs - Require Medicaid HMOs to pay for the services of qualified treatment trainees	Passed Assembly Failed to pass Senate	Rep. Tittl
2015 AB 712	Accreditation and clinic recertification – require DHS to recognize accreditation when recertifying Outpatient Mental Health Clinics	Passed Assembly Failed to pass Senate	Rep. Tittl (R-Manitowoc)
2015 AB 713	Prior Authorization and Access to Mental Health Services under Medicaid <ol style="list-style-type: none"> allow 24 mental health therapy visits before requiring prior authorization allow 15 days of adolescent day treatment before requiring prior authorization limit the collection of information on the prior authorization form to: diagnostic criteria and symptoms, patient and mental health services provider identification, modality and frequency of treatment, and goals and discharge criteria 	Passed Assembly Failed to pass Senate	Rep. VanderMeer (R-Tomah)

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	<p>d) limit the collection of information on prior authorization forms to information within the scope of practice of the provider</p> <p>e) limit the collection of information for prior authorization renewals to measures of progress on treatment goals and to new information on the individual's condition</p> <p>f) recognize a preferred provider status for providers with a minimum of 5 years' experience as a certified MA provider, no instances of substantiated fraud in the 5 years prior to requesting preferred provider status, and 90% of PA requests approved (whether or not additional information was requested before final approval) for 3 years previous to requesting preferred provider status. Claims from these providers should be processed in a manner similar to claims that do not require PA. Denial or termination of preferred provider status may be appealed.</p> <p>g) MA health maintenance organizations providing mental health services would be required to use uniform application, provider recertification and prior authorization forms and processes. In addition, they would be required to replace a departing mental health professional on the HMO's panel with another mental health professional of similar qualifications.</p>		
2015 AB 786	Dementia reporting - report on dementia crisis unit pilot program and placement of individuals with dementia (Part of the package of ten bills forwarded by the Speaker's Task Force on Dementia and Alzheimer's)	<ul style="list-style-type: none"> • 2015 WI Act 272 • Act Memo 272 	Rep. Rohrkaste (R-Neenah)
2015 AB 787	Respite support for family caregivers - funding for respite care under the Alzheimer's Family and Caregiver Support Program and making an appropriation. (Part of the package of ten bills forwarded by the Speaker's Task Force on Dementia and Alzheimer's)	<ul style="list-style-type: none"> • 2015 WI Act 273 • Act Memo 273 	Rep. Bernier (R-Chippewa Falls)
2015 AB 788	Dementia care specialists - funding for dementia care specialists in aging and disability resource centers and making an appropriation. (Part of the package of ten bills forwarded by the Speaker's Task Force on Dementia and Alzheimer's)	Passed Assembly Failed to pass Senate	Rep. Novak (R-Dodgeville)
2015 AB 790	Dementia Training Grants - dementia training grants for mobile crisis teams and making an appropriation. (Part of the package of ten bills forwarded by the Speaker's Task Force on Dementia and Alzheimer's)	<ul style="list-style-type: none"> • 2015 WI Act 274 • Act Memo 274 	Rep. Jagler (R-Watertown)
DRAFT, not introduced	<p>Expanded School Mental Health Services—</p> <p>Bill provisions:</p> <ul style="list-style-type: none"> • create a Medicaid mental health consultation code to be paid at \$80/hour • increase payment for individual therapy provided at school \$80/hour • increase payment for family therapy provided at school to \$95/hour • fund school mental health services competitive grants at \$1.7 million annually for 5 years • For more background, see the Coalition's Proposal and Background Paper) 	Preparing for action in next legislative session.	Potential Sponsor: Rep. Rohrkaste (R-Neenah)

Child Welfare and Adoption

Bill	Description	Status	Sponsor
<u>2015 SB 9</u>	Restraining order court jurisdiction – expands jurisdiction in matters relating to domestic abuse restraining orders and injunctions, child abuse restraining orders and injunctions, and harassment restraining orders and injunctions to allow consideration of action across state lines.	Hearing in Senate Judiciary and Public Safety	Sen. Wanggaard (R-Racine)
<u>2015 AB 39</u>	Adoption proceedings - jurisdiction and venue in adoption proceedings and investigation of suitability of a home for adoption of a child. (FE)	<ul style="list-style-type: none"> • <u>2015 WI Act 378</u> • <u>Act 378 Memo</u> • <u>DCF Num Memo 2016-04: Safe Study Requirements and Training</u> 	Legislative Council
<u>2015 AB 40</u>	Adoption preparation and post adopt support - preadoption preparation requirements and referrals to postadoption resource centers.	<ul style="list-style-type: none"> • <u>2015 WI Act 379</u> • <u>Act 379 Memo</u> 	Legislative Council
<u>2015 AB 41</u>	Readoption - readoption of a child adopted by a resident of this state under an order of a court of a foreign jurisdiction.	<ul style="list-style-type: none"> • <u>2015 WI Act 380</u> • <u>Act 380 Memo</u> 	Legislative Council
<u>2015 AB 42</u>	Adoption data and reporting - requires a statement as to whether a child has been adopted in a petition for a proceeding under the Children's Code or Juvenile Justice Code, in a petition for guardianship of a minor, in an informal disposition under the Children's Code	<ul style="list-style-type: none"> • <u>2015 WI Act 381</u> • <u>Act 381 Memo</u> 	Legislative Council
<u>2015 AB 51</u>	Family treatment court -creating family treatment court and juvenile treatment court grant programs in the department of children and families and making an appropriation.	Passed Assembly Failed to pass Senate	Legislative Council
<u>2015 AB 193</u>	Relative notification changes – expands definition of relative for notification of relatives when a child is removed from the custody of the child's parent to include a parent of a sibling of the child who has custody of the sibling.	<u>2015 Wisconsin Act 101</u>	Rep. Loudenbeck (R-Clinton)
<u>2015 SB 204</u>	Child welfare worker safety - causing or threatening bodily harm to certain child welfare and juvenile justice workers, and providing a criminal penalty.	Senate Judiciary Committee	Sen. Tiffany (R-Hazelhurst)
<u>2015 SB 308</u>	Successor guardian – permits the appointment of a successor guardian for a child in need of protection or services and eligibility of a successor guardian for subsidized guardianship payments	<ul style="list-style-type: none"> • <u>2015 WI Act 129</u> • <u>Act 129 Memo</u> DCF Memo forthcoming March ER this fall	Sen. Petrowski (R-Marathon)
<u>2015 SB 323</u>	Victim assistance - Expanding access to victim assistance (see also AB 430)	<ul style="list-style-type: none"> • <u>2015 WI Act 351</u> • <u>Act 351 Memo</u> Justice for Children package	Sen. Cowles (R-Green Bay)
<u>2015 SB 324</u>	Child neglect - Redefining child neglect (see also AB 431)	Justice for Children package Senate Judiciary Committee; available for scheduling	Sen. Cowles (R-Green Bay)

Bill	Description	Status	Sponsor
2015 SB 325	Repeated physical abuse - Penalties for repeated acts of physical abuse of the same child (see also AB 428)	Justice for Children package Senate Judiciary Committee; Passed Senate 1/12/16	Sen. Cowles (R-Green Bay)
2015 SB 326	CPS referrals to law enforcement - Requiring referral of CPS reports to law enforcement (see also AB 429)	Justice for Children package Senate Judiciary Committee; available for scheduling	Sen. Cowles (R-Green Bay)
2015 AB 339	Subsidized guardian eligibility - making foster parents eligible to enter into subsidized guardianship (see also SB 253)	2015 Wisconsin Act 143 <ul style="list-style-type: none"> Scope Statement for Admin Rule 019-16 (3/14/16) 	Rep. Kooyenga (R-Brookfield)
2015 SB 386	Medical information access by birth parents/adoptees - access by a birth parent whose parental rights have been terminated in this state to identifying information about his or her child and access to medical and genetic information about such a birth parent.	2015 Wisconsin Act 134	Sen. Olsen (R-Ripon)
2015 SB 387	Change in placement - establishes, and in some circumstances clarifies, procedures for changing the placement of a child or juvenile who is involved in the juvenile court system.	<ul style="list-style-type: none"> 2015 WI Act 373 Act Memo 373 	Sen. Darling (R – River Hills)
2015 AB 406	Prudent Parenting/14 yr old IL Planning - use of the reasonable and prudent parent standard for making decisions concerning the participation of a child placed in out-of-home care in age or developmentally appropriate activities, permanency planning for a child 14 years of age or over, providing an exemption from emergency rule procedures, and granting rule-making authority. (See also SB309)	2015 Wisconsin Act 128 <ul style="list-style-type: none"> DCF Num Memo 2016-03 Training info 	Rep. Loudonbeck (R-Clinton)
2015 AB 528	Voluntary TPR - disclaimer of parental rights by a birth parent without court appearance.	Passed Assembly Failed to pass Senate	Rep. Jacque (R-DePere)
2015 AB 667	CPS investigation for children with disabilities - model procedures for investigating reports of abuse or neglect involving children with disabilities	<ul style="list-style-type: none"> 2015 WI Act 365 Act 365 Memo 	Re. Kleefisch (R-Oconomowoc)

Justice, Corrections and Human Trafficking

Bill	Description	Status	Sponsor
2015 AB 180	PTSD - considering post-traumatic stress disorder as a mitigating factor in sentencing certain criminal offenders.	Passed Assembly Failed to pass Senate	Rep. Hesselbein (R-
2015 SB 280	Returning 17 year olds to juvenile system - the age at which a person who is alleged to have violated a criminal law, a civil law, or a municipal ordinance and who has not been charged with certain violent offenses, and has not, after previously being convicted of a crime or adjudicated delinquent, been charged with a crime or alleged in a complaint or citation to have violated a civil law or municipal ordinance, is subject to juvenile court jurisdiction. (see also AB 378)	Senate Judiciary Committee	Sen. Petrowski (R-Marathon)

Bill	Description	Status	Sponsor
2015 AB 267	Human trafficking CPS investigation - the investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution; and prohibiting prosecuting a person under the age of 18 with committing an act of prostitution. (See also SB200)	Assembly Children and Families; hearing 10/15	Rep. Billings (D-LaCrosse)
2015 AB 657	Treatment courts – increase grants for treatment and diversion programs by \$2 million.	<ul style="list-style-type: none"> • 2015 WI Act 388 • Act Memo 388 	Rep. Nygren (R-Marinette)
2015 SB 618	Human Trafficking, CPS referral and investigation - expands what constitutes a crime of child sex trafficking to include child sex trafficking under the definition of abuse in the Children’s Code, require the reporting and investigation of certain suspected child abuse cases involving prostitution or child sex trafficking, and makes changes to the information required to be in a court order or provided to a care provider when a child is placed outside the home. (See also AB 737)	<ul style="list-style-type: none"> • 2015 WI Act 367 • Act Memo 367 	Sen. Harsdorf (R-River Falls)

Operational interests

Bill	Description	Status	Sponsor
2015 SB 227	Building materials tax exemption - sales and use tax exemption for building materials that become a part of a facility for a local unit of government or nonprofit organization.	<ul style="list-style-type: none"> • 2015 WI Act 126 • Act Memo 126 	Se. Marklein (R-Spring Green)
2015 AB 553	Sales tax exemption for nonprofit - sales tax exemption for occasional sales by nonprofit organizations.	2015 WI Act 364	Rep. Born (R-Beaver Dam)
2015 AB 749	Retained earnings for nonprofit providers – <ul style="list-style-type: none"> • Clarifies that when a provider realizes a surplus of 5%, the provider gets to keep 5% (or less if the surplus is lower). Surplus over 5% is returned to a purchaser upon request. • Establishes that when a provider retains surplus, those retained earnings are to be spent on federally allowable costs at the sole discretion of the provider. • Removes the cumulative tracking requirement (10% cap) to simplify the retained earnings process and make sure that providers are not left with the uncertainty of an unknown future liability. (See also SB 617) 	Available for Committee vote – Assembly Children and Families	Rep. Kooyenga (R-Brookfield); Sen. Marklein (R-Spring Green)