

State of Wisconsin



2021 Senate Bill 418

Date of enactment: **March 4, 2022**
Date of publication*: **March 5, 2022**

2021 WISCONSIN ACT 148

AN ACT *to amend* 48.47 (8) (intro.); and *to create* 48.47 (8) (d) of the statutes; **relating to:** annual reports to and hearings by the legislative standing committees on child abuse and neglect.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Public Disclosure and Oversight of Child Abuse and Neglect Incidents.

Background

Current law requires the Department of Children and Families (DCF) to prepare and submit to the governor and legislature an annual report, currently titled the Wisconsin Child Abuse and Neglect Report (CAN Report), that includes the following information:

1. The status of child abuse and neglect programs and unborn child abuse programs.
2. The number of adoptions under the special needs adoption program granted in the preceding calendar year and the costs to the state for services relating to those adoptions.
3. The number of children during the preceding calendar year who entered out-of-home care under the placement and care responsibility of a county department or DCF under the Children's Code or the Juvenile Justice Code after finalization of an adoption or guardianship.

Current law also requires that DCF prepare summary reports on certain information related to child abuse or neglect incidents of death, serious injury, or egregious abuse or neglect (critical incidents). Among other requirements, DCF must send the summary reports to the appropriate legislative standing committees. Those committees must review the summary reports, conduct public hearings on the reports no less often than annually, and submit recommendations to DCF regarding the reports.

The Bill

The bill requires DCF's CAN Report to include certain information about DCF's summary reports on critical inci-

dents. Specifically, the bill requires that the CAN Report include all of the following information: (1) aggregated information from DCF's summary reports; (2) trends identified by DCF in the summary reports; (3) trends identified by DCF based on its in-depth practice reviews of certain critical incidents; and (4) changes in policies or practices that have been made to address any issues raised in DCF's review of critical incidents in the summary reports. In addition, the bill requires the appropriate legislative standing committees to conduct a hearing at least annually on the CAN Report.

SECTION 1. 48.47 (8) (intro.) of the statutes is amended to read:

48.47 (8) ANNUAL REPORTS. (intro.) Annually, ~~the department shall~~ prepare and transmit to the governor, and to the legislature under s. 13.172 (2), a report on all of the following, which shall be the subject of a public hearing, conducted no less often than annually, by the appropriate standing committees of the legislature:

SECTION 2. 48.47 (8) (d) of the statutes is created to read:

48.47 (8) (d) A summary of information in the summary reports required under s. 48.981 (7) (cr) 3. b., including all of the following:

1. Aggregated information from the summary reports transmitted to the governor and appropriate standing committees of the legislature in the preceding calendar year.
2. Trends identified by the department in the summary reports transmitted to the governor and appropriate

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

standing committees of the legislature in the preceding calendar year.

3. Trends identified by the department based on in-depth practice reviews conducted by the department of incidents for which it received information under s. 48.981 (7) (cr) 2.

4. Changes in policies or practices that have been made to address any issues raised in the department's review of the incidents in the summary reports in the preceding calendar year and recommendations for any further changes in policies, practices, rules, or statutes that may be needed to address those issues.

NOTE: These SECTIONS specify the aggregated information, trends, and changes in policies or practices related to summary reports of critical incidents, which DCF must include in the CAN Report that it submits to the governor and the legislature, and requires the appropriate legislative standing committees to conduct a hearing, at least annually, on DCF's CAN Report.

SECTION 3. Effective date.

(1) This act takes effect on the first January 1 after publication.

NOTE: This SECTION specifies that the bill draft takes effect on the first January 1 after the bill draft is enacted and published.
