

# WI State Statute 46.56

## Integrated service programs for children with severe disabilities

(1) DEFINITIONS. In this section:

- (a) "Administering agency" means a county department designated by the county board of supervisors to administer the program.
  - (b) "Agency" means a private nonprofit organization that provides treatment services for children with severe disabilities and their families.
  - (c) "Child with severe disabilities" means an individual who has not attained 18 years of age and whose mental, physical, sensory, behavioral, emotional or developmental disabilities, or whose combination of multiple disabilities meets all of the following conditions:
    - 1. Is severe in degree.
    - 2. Has persisted for at least one year or is expected to persist for at least one year.
    - 3. Causes substantial limitations in the child's ability to function in the family, the school or the community and with the child's ability to cope with the ordinary demands of life.
    - 4. Causes the child to need services from 2 or more service systems.
  - (d) "County department" means a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, unless the context requires otherwise.
  - (e) "Intake" means the process by which the service coordination agency initially screens a child with severe disabilities and the child's family to see if a complete assessment is needed.
  - (f) "Integrated services" means treatment, education, care and support services provided, in a coordinated manner, for a child with severe disabilities and his or her family.
  - (g) "Integrated service plan" means the plan for treatment, education and support services for an eligible child with severe disabilities and the child's family under sub. (8) (h).
  - (h) "Interagency agreement" means a written document of understanding among service providers that identifies mutual responsibilities for implementing integrated services for children with severe disabilities.
  - (i) "Interdisciplinary team" means a group of professionals, assembled by the service coordinator, from various service systems who meet all of the following criteria:
    - 1. Are skilled in providing treatment, education and support services for children with severe disabilities and their families.
    - 2. Conduct comprehensive evaluations of the child with severe disabilities and the child's family's needs for treatment and support services.
    - 3. Possess skills and knowledge of the needs or dysfunction's of the specific type presented by the child being assessed.
    - 4. Are providing treatment, education or support services to the child with severe disabilities or the child's family, if the child or the child's family is receiving any treatment, education or support services.
  - (j) "Parent" means a parent who has legal custody, as defined in s. 767.001 (2), of a child, or a guardian or legal custodian of a child, as defined in s. 48.02 (8) and (11).
  - (k) "Program" means an integrated service program for children with severe disabilities.
  - (l) "Service coordination" means a case management service that coordinates multiple service providers who are serving a particular child with severe disabilities and the child's family. The term includes arrangement for assessment, development of an integrated service plan based on the assessment, advocacy for the needs of the child and the child's family, monitoring of the child's progress, facilitation of periodic reviews of the integrated service plan and coordination and maintenance of clear lines of communication among all service providers and the child and the child's family.
  - (m) "Service coordination agency" means a county department, agency, school district, cooperative educational service agency or county children with disabilities education board designated in an interagency agreement by a coordinating committee to provide intake and service coordination for one or more target groups of eligible children with severe disabilities and their families.
  - (n) "Service coordinator" means an individual who is qualified by specialized training and clinical experience with children with severe disabilities and their families and who is appointed by the service coordination agency to provide coordination of treatment, education and support services for eligible children with severe disabilities and their families.
  - (o) "Service system" means the public and private organizations that provide specialized services for children with mental, physical, sensory, behavioral, emotional or developmental disabilities or that provide child welfare, juvenile justice, educational or health care services for children.
  - (p) "Treatment services" means the individualized social, emotional, behavioral and medical services designed to bring about habilitation, rehabilitation and appropriate developmental growth of a child with severe disabilities.
- (2) ESTABLISHMENT OF PROGRAMS. If a county board of supervisors establishes a program under s. 59.53 (7), it shall appoint a coordinating committee and designate an administering agency. The program may be funded by the county or the county board of supervisors may apply for funding by the state in accordance with sub. (15).
- (3) COORDINATING COMMITTEE. (a) The coordinating committee shall have the responsibilities specified in par. (d) and shall include representatives from all of the following:
- 1. The county department responsible for child welfare and protection services.
  - 2. The county department responsible for mental health and alcohol and drug abuse services for children and families.
  - 3. The county department responsible for providing services for children who are developmentally disabled.
  - 4. The family support program under s. 46.985 if the county has a family support program.

5. The juvenile court administrator or another representative appointed by the judge responsible for cases heard under chs. 48 and 938.
  6. The largest school district in the county and any cooperative educational service agency, if it provides special education in the county, or any county children with disabilities education board in the county, and any other school district in the county that is willing to participate in the program, at the discretion of the administering agency.
  7. At least 2 parents of children with severe disabilities, or the number of parents of children with severe disabilities that it will take to make the parent representation equal to 25% of the coordinating committee's membership, whichever is greater.
- (b) The coordinating committee may include any of the following:
1. Representatives of the vocational rehabilitation office that provides services to the county.
  2. Representatives of a technical college district that is located in the county.
  3. Physicians specializing in care for children.
  4. Representatives of health maintenance organizations that are operating in the county.
  5. Representatives of law enforcement agencies that are located in the county.
  6. Representatives of the county health department, as defined in s. 251.01 (2).
  7. Representatives of agencies that are located in the county.
- (c) An existing committee within the county may serve as the coordinating committee if it has the membership required under par. (a) and agrees to undertake the responsibilities in par. (d).
- (d) 1. The coordinating committee shall:
- a. Prepare one or more interagency agreements in accordance with sub. (5) that all participatory organizations in the program agree to follow in creating and operating a program.
  - b. Assess how the program relates to other service coordination programs operating at the county or local level and take steps to work with the other service coordination programs and to avoid duplication of activities.
  - c. If a county applies for funding under sub. (15), assist the administering agency in developing the application required under sub. (15) (b).
  - d. Review determinations by the service coordination agency regarding eligibility, assessment, appropriate services, or funding of services at the request of any applicant, recipient, parent or participating county department, agency, school district, cooperative educational service agencies or county children with disabilities education boards. The committee shall adopt written procedures for conducting reviews.
2. The committee may do all of the following:
- a. Act as a consortium to pursue additional funding for the program through grants from the state or federal government or private foundations.
  - b. Establish target groups of children with severe disabilities and their families to be served based on disability of the child, age of the child, geographic areas within the county and other factors with the approval of the department. If a county applies for funding under sub. (15), children with severe emotional disabilities are required to be a target group.
- (4) **ROLE OF ADMINISTERING AGENCY.** The administering agency designated under sub. (2) shall do all of the following:
- (a) Oversee the development and implementation of the program and designate the staff needed for the program.
  - (b) Assist the coordinating committee in drafting and executing interagency agreements and any other operations necessary for the start-up and operation of the program.
  - (c) Distribute information about the availability and operation of the program to the general public as well as to public or private service providers who might seek to make referrals to the program.
  - (d) If the county board of supervisors decides to seek state funding under sub. (15), develop the application in cooperation with the coordinating committee.
  - (e) Undertake such other activities in compliance with another provision of the statutes, department rules and guidelines, interagency agreements and the directions of the coordinating committee as are necessary to ensure the effective and efficient operation of the program.
- (5) **INTERAGENCY AGREEMENT.** An interagency agreement shall include all of the following:
- (a) The identity of every county department, agency, school district, cooperative educational service agency or county children with disabilities education board, technical college district or other organization that will participate in the program.
  - (b) The identification of services and resources that the participating organizations will commit to the program or will seek to Obtain, including joint funding of services and funding for the qualified staff needed to support the program.
  - (c) The designation of service coordination agencies.
  - (d) The identification of any group of children with severe disabilities who will be targeted for services through the program.
  - (e) The procedures for outreach, referral, intake, assessment, case planning and service coordination that the program will use.
  - (f) The specific criteria, based on sub. (7), that will be used for deciding whether a child with severe disabilities and his or her family are eligible for services through the program.
  - (g) The procedures to be followed to obtain any required authorizations for sharing of confidential information among organizations providing treatment, education and support services to a child with severe disabilities and his or her family.
  - (h) The procedures that will be used for resolving conflicts among service providers or between clients and service providers.
  - (i) The methods that will be used to measure program effectiveness, including client satisfaction, and for revising the operation of the program in light of evaluation results.
- (6) **ROLES OF SERVICE COORDINATION AGENCY, SERVICE COORDINATOR AND INTERDISCIPLINARY TEAM.** (a)

There may be one or more service coordination agencies participating under the program. The organizations and the target groups that are to be served shall be identified in the interagency agreement under sub. (5). A service coordination agency shall:

1. Be selected based on the experience of the service coordination agency or its staff in providing services;
2. Identify a specific individual to act as service coordinator for each child with severe disabilities and the child's family to facilitate the implementation of the integrated service plan;
3. Provide or arrange for intake, assessment, case planning and service coordination under sub. (8); and
4. Act as a resource for information about other services for children with severe disabilities and their families who are not eligible for the program, if the coordinating committee determines that this service can be provided without interfering with the primary purpose of the program.

(b) The service coordinator shall have the functions specified in sub. (8) (f) to (i), (n) and (r).

(c) The interdisciplinary team shall have the functions specified under sub. (8) (f) and (h).

(7) **ELIGIBILITY OF CHILDREN AND FAMILIES.** Children with severe disabilities and their families shall be eligible for the program. The coordinating committee may establish specific additional criteria for eligibility for services and may establish certain target groups of children with severe disabilities to receive services. If target groups are established, only children with severe disabilities falling within the target groups are eligible for the program. Any eligibility criteria shall meet all of the following conditions:

(a) Be based on a community assessment that identifies areas of greatest need for integrated services for children with severe disabilities.

(b) Give priority to children with severe disabilities who are at risk of placement outside the home or who are in an institution and are not receiving integrated community-based services, or who would be able to return to community placement or their homes from an institutional placement if such services were provided.

(c) Not exclude a child with severe disabilities or that child's family from services because of lack of ability to pay.

(8) **REFERRAL, INTAKE, ASSESSMENT, CASE PLANNING AND SERVICE COORDINATION.**

(a) Referrals to the program may come from any county departments, agencies, school districts, cooperative educational service agencies, county children with disabilities education boards, technical college districts, courts assigned to exercise jurisdiction under chs. 48 and 938 or any other organization or the child with severe disabilities or his or her family may contact the administering agency or service coordination agency to request services.

(b) Upon referral, staff from the service coordination agency shall screen the referral to determine if the child with severe disabilities and the child's family appear to meet the eligibility criteria and any target groups established by the coordinating committee. If the child with severe disabilities and the child's family appear to be eligible, the staff shall gather information from the child's family and any current service providers to prepare an application for the program.

(c) Consent for release of information and participation of a child with severe disabilities and his or her family in the program and in the program evaluation must be obtained from the child's parent, or the child, if appropriate or required, or by order of a court with appropriate jurisdiction.

(d) The service coordination agency shall review the completed application and, in light of the eligibility criteria in the interagency agreement and sub. (7), determine whether the child with severe disabilities and the child's family are appropriate for services through the program. The service agency shall approve or disapprove each application within 30 days after the date on which the application was received.

(e) If the child with severe disabilities and the child's family are found to be ineligible, staff from the service coordination agency shall assist them in obtaining needed services from appropriate providers.

(f) If the child with severe disabilities and the child's family are found to be eligible for the program, the agency shall assign a service coordinator who shall assemble an interdisciplinary team to assess the child with severe disabilities and the child's family's need for treatment, education, care and support.

(g) The service coordinator shall assemble the results of all prior relevant assessments and evaluations documenting the service needs of the child with severe disabilities and the child's family, including individualized education program team evaluations under s. 115.782 or independent educational evaluations, court-ordered evaluations under s. 48.295 or 938.295, family support program evaluations, community integration program or community options program assessments, and any other available medical, psychiatric, psychological, vocational or developmental evaluations.

(h) The interdisciplinary team, the family of the child with severe disabilities and the service coordinator shall, based on existing assessments that have been assembled and any additional evaluations that they or the family find to be necessary, prepare an integrated service plan within 60 days after the date on which the application was received. The integrated service plan shall include all of the following:

1. The child's present level of functioning expressed in objective terms that will permit ongoing evaluation of the child's progress.
2. The short-term and long-term goals for treatment and support services for the child with severe disabilities and the child's family.
3. The services needed by the child with severe disabilities and the child's family, including the identity of each organization that will be responsible for providing a portion of the treatment, education and support services to be offered to the child and the child's family, and the specific services that each organization will provide.
4. Criteria for measuring the effectiveness and appropriateness of the integrated service plan so that it can be modified as needed to better meet the child's and the child's family's needs.
5. Identification of any administrative or judicial procedures under ch. 48, 51, 55, 115, 118 or 938 that may be necessary in order to fully implement the integrated service plan and the identity of the individual or organization that will be responsible for initiating those procedures, if any are required.

6. Identification of available sources of funding to support the services needed for the child with severe disabilities and his or her family and an allocation of funding responsibility among organizations where more than one organization is responsible for the child's and the child's family's treatment, education and support services.

(i) If additional evaluations are needed, the service coordination agency shall arrange for them or assist the child's family in obtaining them.

(j) The proposed integrated service plan shall be submitted to any service providers who would be included in the integrated service plan and the court assigned to exercise jurisdiction under chs. 48 and 938 if participation in the program has been court ordered under s. 48.345 (6m) or 938.34 (6m).

(k) Upon written approval of the integrated service plan by the proposed service providers and the child's family, unless the child's involvement in the program is through court order under s. 48.355 or 938.355, in which case approval of the court may be substituted for that of the family, the integrated service plan shall be implemented by the service coordination agency and the service providers designated to provide services under the integrated service plan.

(l) In providing integrated services under this section, the service coordination agency and the designated service providers shall include in the integrated service plan all individuals who are active in the care of the child with severe disabilities, including members of the child's family, foster parents, treatment foster parents and other individuals who by close and continued association with the child have come to occupy significant roles in the care and treatment of the child with severe disabilities.

(m) Each service provider designated to provide services under the integrated service plan shall identify a specific staff person who shall serve as the ongoing member of a treatment team to ensure continuity and communication while services are being provided to the child with severe disabilities and his or her family under the integrated service plan. The service coordinator shall coordinate the operations of the treatment team.

(n) The service coordinator shall advocate for the child with severe disabilities and the child's family and ensure that they are provided the opportunity to participate in assessment, planning and ongoing review of services to the fullest extent possible.

(o) Services under this section shall be provided in the community in the least restrictive and least intrusive setting and manner which meets the best interests of the child with severe disabilities.

(p) An integrated service plan shall not be used to place or accomplish the placement of a child with severe disabilities outside his or her home. Any out-of-home placements may occur only under the statutory provisions specifically controlling such placements or admissions.

(q) An integrated service plan may not modify an individualized education program created for a child with severe disabilities under ch. 115. The integrated service plan shall coordinate any educational services that are being provided to the child with severe disabilities with any treatment and support services that are being provided to the child with severe disabilities and that child's family.

(r) The service coordinator shall, when necessary and at least every 6 months, assemble the treatment team, the family of the child with severe disabilities, the child with severe disabilities, where appropriate, and any counsel, guardian ad litem or other person advocating for the interests of the child with severe disabilities or the child's family to review the integrated service plan, progress toward the goals of the integrated service plan, establish new goals, request the inclusion of new participating organizations, or otherwise modify the integrated service plan to better meet the needs of the child with severe disabilities and the child's family. Decisions to amend the integrated service plan must be approved by the service coordinator, the treatment team, the family and, where the integrated service plan is being provided under a court order, by the court.

(s) Services under the integrated service plan may be terminated by the agreement of all participants that the goals of treatment and support have been met and that an integrated service plan is no longer needed, by order of the court if services are being provided under court order, by withdrawal of the family of the child with severe disabilities unless participation is court ordered, or by the service coordination agency upon a recommendation from the service coordinator and the treatment team, that further services are not in the child's best interests, or that the child with severe disabilities and child's family no longer meet the eligibility criteria for the program.

(9) IMMEDIATE CARE. Individual county departments, agencies and other service providers may provide immediate services as necessary and appropriate to children with severe disabilities who have been referred for participation in the program while assessment and planning take place.

(10) RELATION TO FAMILY SUPPORT PROGRAM. In any county that has a family support program under s. 46.985, the integrated service program shall coordinate its activities with the family support program. The administering agency for the family support program may act as a service coordination agency for the integrated service program and the family support program advisory committee may act as the coordinating committee if the requirements of this section are met and the department gives its approval.

(11) INFORMAL CONFLICT MANAGEMENT. The department, administering agency, service coordination agencies and service coordinators shall establish and use informal means for conflict management, including consultation, mediation and independent assessment, whenever possible.

(12) ADMINISTRATIVE APPEALS. Decisions by the service coordination agency regarding eligibility, denial, termination, reduction or appropriateness of services may be appealed to the coordinating committee by a child with severe disabilities who is a service applicant or recipient or the parent or guardian or guardian ad litem of the applicant or recipient. Decisions of the coordinating committee may be appealed to the department under ch. 227.

(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES. Nothing in this section shall limit, modify or expand the rights, remedies or procedures established in federal or state law for individuals or families receiving services provided by individual organizations that are participating in the integrated service plan.

(14) DUTIES OF DEPARTMENT.

(a) In order to support the development of a comprehensive system of coordinated care for children with severe disabilities and their families, the department shall establish a statewide advisory committee with representatives of county departments, the department of public instruction, educational agencies, professionals experienced in the provision of services to children with severe disabilities, families with children with severe disabilities, advocates for such families and their children, the subunit of the department of workforce development that administers vocational rehabilitation, the technical college system, health care providers, courts assigned to exercise jurisdiction under chs. 48 and 938, child welfare officials, and other appropriate persons as selected by the department. The department may use an existing committee for this purpose if it has representatives from the listed groups and is willing to perform the required functions. This committee shall monitor the development of programs throughout the state and support communication and mutual assistance among operating programs as well as those that are being developed.

(b) The department shall provide, either directly or through purchase of services, the following support services to the counties that elect to participate in the program:

1. Consultation in the areas of developing individual integrated service plans, finding appropriate resources, and establishing and maintaining local programs.
2. Mediation to assist in the management of conflict among service providers or funding organizations or between service recipients and organizations.
3. Assessment resources for cases where no local evaluation resource is available or sufficient to enable development of an effective integrated service plan. These may be provided directly through state-operated programs or by referral to private service providers.

(c) The department shall evaluate the programs funded under this section. All organizations participating in the program shall cooperate with the evaluation. The evaluation shall include information about all of the following:

1. The number of days that children with severe disabilities served in the programs spent in out-of-home placement compared to other children with severe disabilities in the target group.
2. Whether or not the program's goals under sub. (15) (e) have been met and the program's plan for allocating funding from institutional services to community-based services for children with severe disabilities has been implemented.
3. A comparison between any changes in problem behaviors of participants before and after participation in the program.
4. A comparison between school attendance and performance of participants before and after participation in the program.
5. A comparison between recidivism rates of participants who have a history of delinquency.
6. Parent and child satisfaction with the program.
7. Types of services provided to children with severe disabilities and their families in the program through the integrated service plan and the cost of these services.
8. Fulfillment of the terms of the interagency agreements developed by the coordinating committee. (d) Notwithstanding sub.

(1)

(c) (intro.), if the state is funding the program in a particular county under sub. (15), the department may permit the county to serve any individual who has severe disabilities and who has not attained 22 years of age if the individual's mental, physical, sensory, behavioral, emotional or developmental disabilities or whose combination of multiple disabilities meets the requirements specified in sub. (1) (c) 1. to 4.

(15) FUNDING.

(a) From the appropriation under s. 20.435 (7) (co), the department shall make available funds to implement programs. The funds may be used to pay for the intake, assessment, case planning and service coordination provided under sub. (8) and for expanding the capacity of the county to provide community-based care and treatment for children with severe disabilities.

(b) In order to apply for funds under this section the county board of supervisors shall do all of the following:

1. Establish a coordinating committee and designate an administering agency under sub. (2).
2. Establish children with severe emotional disturbances to be the priority target group served by the program.
3. Submit a plan to the department for implementation of the integrated service program in accordance with the requirements of this section.
4. Submit a description of the existing services in the county for children with severe disabilities, an assessment of any gaps in services, and a plan for using the funds under this program or from other funding sources to develop or expand any needed community-based services such as in-home treatment, treatment foster care, day treatment, respite care or crisis services.

(c) In order to obtain funds under this section, matching funds equal to 20% of the requested funding shall be provided by the participating county departments and school districts. All of the participating county departments and school districts shall participate in providing the match, which may be cash or in-kind. The department shall determine what may be used as in-kind match.

(d) In order to apply for funding, at least one school district, cooperative educational service agency or county children with disabilities education board serving children with severe disabilities in the county must participate in the program.

(e) During the first year of funding under this section, the coordinating committee and the administering agency shall develop and submit to the department, for its approval, a set of goals for diverting children with severe disabilities from placements outside the home and a plan for allocating funding from institutional services to community-based services for children with severe disabilities. The coordinating committee and the administering agency shall also ensure that any funds saved, during the course of the program, as a result of the reduced use of institutional care by the target population will be allocated to community-based services for the target population.

(f) Funds allocated under this subsection may not be used to replace any other state and federal funds or any county funds that are being used to fund services for children with severe disabilities. History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164.  
Unofficial text from 99–00 Wis. Stats. database. See printed 99–00 Statutes and 2001 Wis. Acts for official text under s. 35.18 (2) stats. Report errors to the Revisor of Statutes at (608)266–2011, FAX: (608)264–6978, email [bruce.munson@legis.state.wi.us](mailto:bruce.munson@legis.state.wi.us)