

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-1949/2	Introduction Number SB-245
Description Applications for public assistance programs, offenses in public assistance programs, granting rule-making authority, and providing a penalty	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
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	Date
	11/19/2013

Fiscal Estimate Narratives

DCF 11/19/2013

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Assumptions Used in Arriving at Fiscal Estimate

This bill renumbers offenses related to public assistance programs from Wis Stats. 49 to the criminal code Wis Stats. 946, the statute relating to crimes against government and its administration. Other provisions in the bill relate to expanding or clarifying Department of Justice (DOJ) and District Attorney jurisdiction in prosecuting public-assistance fraud cases, codifying the expectation that a person who makes a statement in a written application for public assistance "is considered to have made an admission as to the existence, correctness, or validity of any fact stated," and authorizing public assistance program employees to give an oath to applicants.

For W-2, current policy states that all W-2 program applicants must sign the W-2 application. By signing the W-2 application an applicant "certifies under penalty of law," that the information provided in the application is correct and complete and authorizes the W-2 agency to request and receive information from other sources for verification purposes. The language on the signature page of the application states that by signing, an applicant has received the W-2 Rights and Responsibilities brochure. This document outlines in detail the consequences of making false or misleading statements and misrepresenting or withholding facts in the application. An applicant for Wisconsin Shares child care assistance, a Job Access Loan, or Refugee Cash and Medical Assistance, makes the same certification that all statements in the application are factual and may be verified by the Department.

These provisions have the potential to have a fiscal impact, for example, by creating some deterrent effect. If individuals are deterred from providing false or incorrect information on applications as a result, this may reduce instances of fraud and the amount and instances of benefit overpayments. DCF cannot address the likelihood of changes in DOJ or DA practices. However, due to program-integrity practices already in place, DCF anticipates relatively little change in the administration of its public-assistance programs.

The bill requires DCF to promulgate an administrative rule to specify the standards and procedures of an oath. If the oath provision were to be extensively utilized for all applicants, it could increase local administrative agency costs and DCF costs for legal hearings. However, if the Department crafted the rule narrowly, relying heavily on its existing processes and using the oath provision in rare instances, this could minimize costs to a level that could be absorbed within existing appropriations. Therefore, the fiscal impact cannot be determined.

Long-Range Fiscal Implications