

ENROLLED ORDINANCE 164-79

REPEAL AND RECREATE SECTION 18-153 BY ADDING ADVERSE DETERMINATIONS OF THE AGING AND DISABILITY RESOURCE CENTER AND MANAGED CARE ORGANIZATIONS TO THE LIST OF EXCLUSIONS TO COUNTY APPEAL PROCESS

WHEREAS, Section 18-153 lists those official decisions by county officials that are not subject to the county review process enacted by the Waukesha County Board, and

WHEREAS, the matters listed in Section 18-153 are subject to other review processes dictated by state law or regulations, and

WHEREAS, the State-County contract with the Aging and Disability Resource Center of Waukesha County (ADRC) dictates a review process of direct appeal to the State Fair Hearing process for adverse decisions by the ADRC or Managed Care Operations under contract with the ADRC.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that:

Section 1. Section 18-153 of the Waukesha County Code of Ordinances is repealed and recreated to read as follows:

This article shall not apply to reviews of:

1. Denials of foster home licenses, or permits for installation, modification or moving of sanitary systems;
2. Any ordinance, resolution or adopted motion or other legislative enactment of the Waukesha county board or veto of the same by the Waukesha county executive;
3. Any action subject to administrative or judicial review procedures under Wisconsin Statutes, excepting chapter 68;
4. The denial of a tort or contract claim for money which is filed with the county clerk pursuant to statutory procedures for the filing of such claims;
5. The suspension, removal or disciplining or nonrenewal of a contract of a municipal employee or officer;
6. Judgments and orders of a court;
7. Determinations made during labor negotiations;
8. Any action subject to administrative review procedures under any other county ordinance or resolution;
9. Any adverse determination of the Aging and Disability Resource Center of Waukesha County or a managed care organization serving people in Waukesha County; and,
10. Any action or determination of a county authority which does not involve a constitutionally protected right of a specific person or persons to due process in connection with the action or determination.

Section 2. This ordinance shall be effective upon approval and publication.

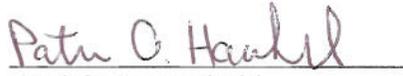
Section 3. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Waukesha, Wisconsin, as an addition or amendment thereto and shall be appropriately renumbered to conform to the numbering system contained therein.

Section 4. Any code section or part of a section in conflict with this ordinance is hereby repealed and declared null and void and of no effect.

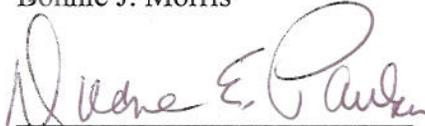
REPEAL AND RECREATE SECTION 18-153 BY ADDING ADVERSE DETERMINATIONS OF THE AGING AND DISABILITY RESOURCE CENTER AND MANAGED CARE ORGANIZATIONS TO THE LIST OF EXCLUSIONS TO COUNTY APPEAL PROCESS

Presented by:
Executive Committee

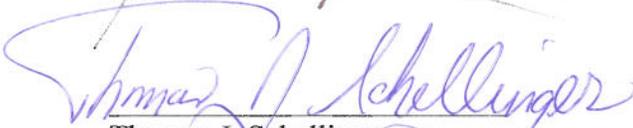

James T. Dwyer, Chair

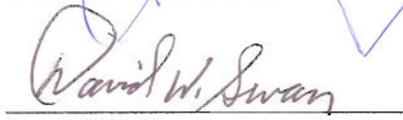

Patricia A. Haukohl


Bonnie J. Morris

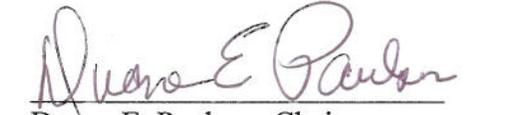

Duane E. Paulson

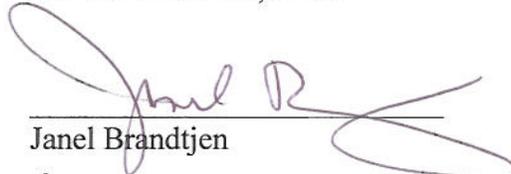

Fritz Ruf


Thomas J. Schellinger

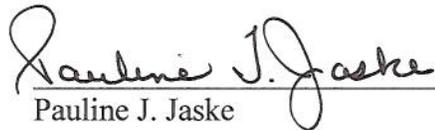

David W. Swan

Approved by:
Health & Human Services Committee

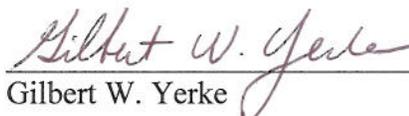

Duane E. Paulson, Chair

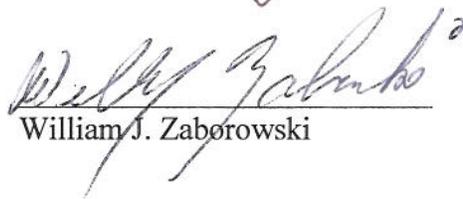

Janel Brandtjen


Kathleen M. Cummings


Pauline J. Jaske

absent
James Jeskewitz


Gilbert W. Yerke


William J. Zaborowski

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 2-26-2010, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X
Vetoed: _____

Date: 3-1-10, 
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/23/10

(ORD) NUMBER-1640074

1 D. FALSTAD.....AYE
 3 R. HUTTON.....AYE
 5 J. JESKEWITZ.....AYE
 7 P. HAUKOHL.....AYE
 9 J. HEINRICH.....AYE
 11 F. RUF.....AYE
 13 P. DECKER.....AYE
 15 P. MEYERS.....AYE
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 J. PLEDL.....
 25 G. YERKE.....AYE

2 T. ROLFS.....
 4 J. DWYER.....AYE
 6 J. BRANDTJEN.....AYE
 8 T. SCHELLINGER....AYE
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 B. MORRIS.....AYE
 16 D. PAULSON.....AYE
 18 K. CUMMINGS.....AYE
 20 P. JASKE.....AYE
 22 P. GUNDRUM.....AYE
 24 W. KOLB.....AYE

TOTAL AYES-23

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-23