



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1158/3
EAW&EHS:amn

2017 ASSEMBLY BILL 5

January 12, 2017 - Introduced by Representative OTT, by request of Department of Children and Families. Referred to Committee on Judiciary.

1 **AN ACT** *to repeal* 49.155 (6g) (am) and 49.155 (6g) (b); and *to amend* 49.155 (6)
2 (cm) and 49.155 (6g) (a) 4. of the statutes; **relating to:** maximum child care
3 subsidy rates for part-time child care and the authorized amount of child care
4 under Wisconsin Shares (suggested as remedial legislation by the Department
5 of Children and Families).

Analysis by the Legislative Reference Bureau

This bill makes various changes to the requirements for the administration of Wisconsin Shares. Wisconsin Shares is a part of the Wisconsin Works (W-2) program under current law, which is administered by the Department of Children and Families and which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under Wisconsin Shares, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19 may receive a child care subsidy if the individual needs child care services to participate in various educational or work activities and satisfies other eligibility criteria.

Current law requires DCF to establish maximum payment rates for licensed child care services provided through Wisconsin Shares. Current law states that child care provider payment rates for after-school child care must be set lower than payment rates for full-time child care. This bill eliminates the requirement for DCF to establish a lower rate for after-school child care and instead allows DCF to apply a lower rate to part-time child care, regardless of whether that part-time care occurs after school.

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Under current law, DCF may not authorize more than 12 hours of child care per day per child for which an individual may receive a Wisconsin Shares subsidy. This bill eliminates requirements under current law that DCF reduce the maximum authorized amount of child care hours if the subsidy payment is based on the authorized hours of care and the child's actual attendance is less than 60 percent of the authorized hours of child care over any six-week period and that DCF notify both the parent and the child care provider of any such reduction in authorized hours.

Also under current law, if DCF reduces the authorized hours of child care per day from more than 12 to 12 or less hours because a parent fails to provide written documentation of work or transportation requirements that exceed 12 hours in a day, DCF must provide written notice to the parent and the child care provider four weeks before actually reducing the child's authorized hours. This bill removes the requirement to provide notice to the child care provider and the four weeks' notice time frame when providing the notice to the parent.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 49.155 (6) (cm) of the statutes is amended to read:

2 49.155 **(6)** (cm) The department shall may modify child care provider payment
3 rates established under pars. (a) to (c) so that payment rates are lower for providers
4 of ~~after-school~~ part-time child care.

5 **SECTION 2.** 49.155 (6g) (a) 4. of the statutes is amended to read:

6 49.155 **(6g)** (a) 4. If the authorized hours of child care per day for a child will
7 be reduced from more than 12 to 12 or less because the child's parent does not provide
8 the written documentation required under subd. 3., the department shall provide to
9 the child's parent who is receiving the subsidy under this section ~~and to the child's~~
10 ~~child care provider 4 weeks' notice of the reduction in authorized hours before~~
11 ~~actually reducing the child's authorized hours~~ notice of this action.

12 **SECTION 3.** 49.155 (6g) (am) of the statutes is repealed.

