

DEPARTMENT OF HEALTH AND SOCIAL SERVICES 205  
HSS 328

ommending a reasonable payment schedule in accordance with s. HSS 328.07 when ordered by the court;

(i) Providing individualized counseling designed to foster growth and development of the client as necessary;

(j) Informing the client of local law enforcement registration requirements applicable to the client;

(k) Monitoring the client's compliance with the conditions and rules of supervision to insure appropriate control of the client and the protection of the public;

(l) Periodically reassessing the client's needs and risks, and reevaluating the client's supervision in light of meeting those needs;

(m) Making appropriate referrals to other agencies for client services;

(n) Maintaining complete and accurate case records for each client under supervision in accordance with s. HSS 328.30 and ch. HSS 307, Wis. Adm. Code;

(o) Monitoring the client's progress where services are provided by another agency and evaluating the need for continuation of the services;

(p) Recommending interstate compact services, transfer, extension, discharge, revocation, and any other appropriate actions under this chapter or otherwise, for the necessary care and control of the client and the protection of the public consistent with the purposes and goals under this chapter, and other administrative rules;

(q) Conducting presentence investigations as requested by the court and preparing reports in accordance with ss. HSS 328.27 and 328.28;

(r) Supervising persons committed under ss. 971.14, 971.17, 975.06, Stats., who are released in accordance with the agreement between the division and the division of community services;

(s) Conducting periodic institution contacts with incarcerated offenders when necessary;

(t) Reporting child abuse cases under s. 48.09 Stats., to the appropriate authority;

(u) Reporting to a supervisor as directed on the status of all clients under supervision;

(v) Maintaining an effective and cooperative working relationship with public and private client service agencies;

(w) Reporting all violations of the criminal law by clients to a supervisor or appropriate law enforcement authority; and

(x) Preparing preparole plans in accordance with s. HSS 328.041.

(3) When probation or parole begins, an agent shall meet with a client to review or develop written rules and specific conditions of the client's supervision, or both. These rules require that the client shall:

(a) Avoid all conduct which is in violation of state statute, municipal or county ordinances or which is not in the best interest of the public welfare or his or her rehabilitation;

- (b) Report all arrests or police contacts to an agent within 72 hours;
- (c) Make every effort to accept the opportunities and counseling offered by supervision;
- (d) Inform the agent of his or her whereabouts and activities as directed;
- (e) Submit a written monthly report and any other such relevant information as may be required;
- (f) Secure advance approval from an agent for a change of residence or employment, or in the case of emergency, notify an agent of the change within 72 hours;
- (g) Obtain the advance permission of an agent and a travel permit before leaving the state;
- (h) Obtain advance permission from an agent to purchase, trade, sell, or operate a motor vehicle;
- (i) Secure advance approval from an agent to borrow money or purchase on credit;
- (j) Purchasing, possessing, owning, or carrying any firearm or any other weapon only with the advance approval of an agent consistent with applicable statutes and administrative rules;
- (k) Make himself or herself available for searches or tests ordered by the agent including but not limited to urinalysis, breathalyzer, and blood samples or search of residence or any property under his or her control;
- (l) Follow any specific rules that may be issued by an agent to achieve the goals and objectives of this chapter. The rules may be modified at any time as appropriate.

(4) Monitoring of a client by a representative of the department shall be done through one of three levels of supervision: maximum, medium, or minimum unless modified by the bureau director.

(a) *Maximum.* Maximum supervision shall require a minimum of one face to face contact with the client by a representative of the department every 14 days. Home visits shall be made at least once every 30 days unless this requirement is waived by a supervisor in writing, and collateral contacts shall be made by the agent as deemed appropriate. The client shall submit a monthly report which includes a verification of the client's residence and employment.

(b) *Medium.* Medium supervision shall require a minimum of at least one face to face contact with the client by a representative of the department every 30 days. Home visits shall be made at least once every 60 days unless this requirement is waived by a supervisor and collateral contacts by the agent shall be made as deemed appropriate. The client shall submit a verification of the client's residence and employment as required.

(c) *Minimum.* Minimum supervision shall require a minimum of one face to face contact with the client by a representative of the department every 90 days. Home visits by the agent shall be made as deemed appropriate. The client shall submit a periodic report, and shall verify his or

her residence and employment once every month. Monthly reports may be mailed rather than submitted in person if a supervisor approves.

(d) *Reassessment.* At any time, but no more than 6 months since the last reassessment, the agent shall determine whether the client shall be placed in a level of supervision consistent with the needs and risks of the client. The determination shall be based only upon the agent's assessment of the appropriate supervision necessary to provide for the proper care and control of the client and the protection of the public subject to the written approval of a supervisor.

(5) If a client fails to comply with the written conditions or rules of the his or her supervision, the following may result: modification of conditions or rules of supervision, extension, or revocation.

**History:** Cr. Register, December, 1981, No. 312, eff. 1-1-82.

**HSS 328.041 Parole planning.** The plan should be prepared by the inmate and institution staff. After the inmate and institution have prepared a proposed parole plan, the agent should investigate the plan, comment as to its appropriateness, and suggest modifications if necessary. The results of the investigation should be reported to the institution promptly.

**History:** Cr. Register, December, 1981, No. 312, eff. 1-1-82.

**HSS 328.05 Funds, property, and loans.** (1) An agent may assist in the management of the financial resources of a client. When an agent manages money under this section, the agent shall specify the reason the client's money is being managed and the facts. This may be done only through a bank account in the client's name administered by the division in accordance with this section if:

(a) The client requests it; or

(b) The agent believes that management is necessary to control the client's funds and to teach mature money management so that the client may develop skills for a more successful re-assimilation into the community upon discharge; or

(c) Reimbursement is necessary for the cost of purchased services provided to the client by the department; or

(d) The agent believes that management is necessary to ensure compliance with the client's existing financial obligations.

(2) For the purposes of this section, "financial resources" of a client means any special benefits the client is eligible for, e.g., benefits from the social security or veteran's administration or railroad retirement fund, any income earned by the client, any money in a savings or checking account controlled by the client, any unearned income given to the client, e.g., from family or friends, and any income the client receives through inheritances, grants, or income tax refund.

(3) An agent may require the client to provide financial information to assist in the management of the client's financial resources, including but not limited to:

(a) The amount and source of all the gross annual earned and unearned income of the client;

(b) The names of the people in the client's household dependent upon the income under par. (a);

(c) The names and addresses of all third party payors to, or on behalf of, the client such as insurance companies or medical assistance programs, and relevant policyholders and account claim numbers;

(d) The work-related expenses of the client;

(e) Any outstanding court obligations or judgments against the client;

(f) The social security number of the client, and any other claim numbers for special benefits for which the client may be eligible; and

(g) Federal or state income tax returns.

(4) All financial resources of a client managed by an agent shall be deposited directly into the client's account upon receipt.

(5) An agent shall maintain a personal receipt book, provided by the division, containing sequentially numbered receipt forms. If an agent receives money (cash, a check, or money order) on behalf of a client from anyone, the agent shall immediately issue that person a receipt indicating the date the money was received, the name of the person, the name of the client and the amount of money received. No temporary receipts shall be issued and all receipts voided shall be marked "VOID" and retained in proper sequence in the receipt book. Checks or money orders paid to the order of the agent may be accepted by the agent and shall be restrictedly endorsed to the order of the department. If the agent receives cash on behalf of a client, it shall be converted to a money order payable to the department within one working day of its receipt. Any employe of the bureau who is assigned a receipt book shall comply with this subsection.

(6) An agent shall transmit all collections received on behalf of clients to the division cashier for deposit into the client's account at the close of the work week within which it was collected. Any employe of the bureau who is assigned a receipt book shall comply with this subsection.

(7) An agent shall maintain a personal remittance sheet book and sequentially numbered remittance sheet forms. When an agent transmits collections received on behalf of clients to the division cashier, a remittance sheet stating the issued receipt numbers, the dates the money was received, the names of the clients who are to have the money credited to an account, and the amount of money credited to each client's account, shall accompany the collections. All voided receipts shall be recorded on the remittance sheet. The agent shall not submit personal checks drawn on his or her account. Any employe of the bureau who is assigned a receipt book shall maintain remittance sheets and shall comply with this subsection.

(8) An agent's supervisor shall audit the agent's management of a client's financial resources semiannually, at the termination or upon transfer of his or her employment as an agent (or bureau employe), and when a receipt book is filled.

(9) An agent shall file a disbursement order with the division cashier drawn on the client's savings account when payments towards the client's bills are due or when the client, with the agent's permission, wishes