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CERTIFICATE

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Gerald Whitburn, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to attempts at informal resolution of inmate complaints at the Wisconsin Resource Center were duly approved and adopted by this Department on June 10, 1991.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 10th day of June, 1991.



SEAL:

\_\_\_\_\_  
Gerald Whitburn, Secretary  
Department of Health and Social Services

8-191

PROPOSED ORDER OF THE  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
CREATING A RULE

To create HSS 97.07(5), relating to attempts at informal resolution of inmate complaints at the Wisconsin Resource Center.

Analysis Prepared by the Department of Health and Social Services

The Wisconsin Resource Center (WRC) near Oshkosh is a correctional institution for adults administered by the Department. Inmates with behavior problems are transferred there from other correctional institutions for evaluation and mental health and other specialized programming and are then returned to their institutions of origin. On January 1, 1991, ch. HSS 97, relating to procedures for resolution of inmate complaints at WRC, went into effect. Chapter HSS 97 is modelled on ch. HSS 310, complaint procedures for inmates of correctional institutions administered by the Department of Corrections, because of the movement of inmates from and back to other correctional institutions. However, a step in processing complaints at the institution level included as s. DOC 310.07(5) in the Department of Corrections rules, which requires the inmate complaint investigator (ICI) to try to informally resolve a complaint, was inadvertently left out of ch. HSS 97. This order adds that step to ch. HSS 97.

The Department's authority to adopt this rule is found in s. 46.056(1), Stats., as amended by 1989 Wisconsin Act 31 and renumbered by 1989 Wisconsin Act 107, and by s. 227.11(2), Stats. The rule interprets s. 46.056(1), Stats., as amended by 1989 Wisconsin Act 31 and renumbered by 1989 Wisconsin Act 107.

SECTION 1. HSS 97.07(5) is created to read:

HSS 97.07(5) The ICI shall attempt to informally resolve the complaint at the institution level. If resolution attempts are successful, the ICI shall record the results in writing and have the complainant sign the report indicating the complainant's acceptance of the resolution. This resolution shall then be forwarded to the director for a decision under s. HSS 97.08.

The rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2), Stats.

Wisconsin Department of Health and  
Social Services

Date: June 10, 1991

By: 

Gerald Whitburn  
Secretary

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