

1999 DRAFTING REQUEST

Bill

Received: **09/9/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement**

Extra Copies: **DHFS**

Topic:

DOA:.....Fossum - Number of children in a foster home

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	malaigm 09/25/98	gilfokm 09/28/98	ismith 09/28/98	_____	lrb_docadmin 09/28/98		S&L
/2	malaigm 12/22/98	gilfokm 12/22/98	martykr 12/23/98	_____	lrb_docadmin 12/23/98		S&L
/3	malaigm 01/19/99	gilfokm 01/19/99	ismith 01/19/99	_____	lrb_docadmin 01/19/99		S&L
/4	malaigm 01/28/99	gilfokm 01/28/99	martykr 01/29/99	_____	gretskl 01/29/99		S&L

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/9/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement**

Extra Copies: **DHFS**

Topic:

DOA:.....Fossum - Number of children in a foster home

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	malaigm 09/25/98	gilfokm 09/28/98	ismith 09/28/98	_____	lrb_docadmin 09/28/98		S&L
/2	malaigm 12/22/98	gilfokm 12/22/98	martykr 12/23/98	_____	lrb_docadmin 12/23/98		S&L
/3	malaigm 01/19/99	gilfokm 01/19/99	ismith 01/19/99	_____	lrb_docadmin 01/19/99		S&L

FE Sent For:

*4-1-28-99
king*

km/29

*JF,
km/29*

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/9/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement**

Extra Copies: **DHFS**

Topic:

DOA:.....Fossum - Number of children in a foster home

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	malaigm 09/25/98	gilfokm 09/28/98	ismith 09/28/98	_____	lrh_docadmin 09/28/98		S&L
/2	malaigm 12/22/98	gilfokm 12/22/98	martykr 12/23/98	_____	lrh_docadmin 12/23/98		S&L
FE Sent For:		13-1-19-99 KMG	IS 1/19/99	IS/PT 1/19/99			<END>

1999 DRAFTING REQUEST

Bill

Received: **09/9/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement**

Extra Copies: **DHFS**

Topic:

DOA:.....Fossum - Number of children in a foster home

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	malaigm 09/25/98	gilfokm 09/28/98	ismith 09/28/98	_____	lrb_docadmin 09/28/98		S&L

FE Sent For:

12-12-22
kmg

12/23
[Signature]

12/23
[Signature]

<END>

1999 DRAFTING REQUEST

Bill

Received: 09/9/98

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-2288

By/Representing: Fossum

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Children - out-of-home placement

Extra Copies: DHFS

DAK

Topic:

DOA:.....Fossum - Number of children in a foster home

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	malaigm	1-9-28 King	9/28 js	TS/LP 9/28			

FE Sent For:

<END>

DHFS

Department of Health and Family Services
1997-99 Biennial Budget Statutory Language Request
June 29, 1998

Title: ~~Number~~ of Children in a Foster Home

AM 48.02(6)
48.62(1)(a)
938.02(6)

Current Language

Currently, s.48.02(6) limits ~~the~~ number of children in a foster home to 4, unless all of the children are siblings.

48.625(3) (OK)

Proposed Change

50.01(1)(a)1.

It is proposed that section ~~48.02(6)~~ be amended to provide that a foster home under s. 48.62(1)(a) may also provide ~~care~~ and maintenance for up to 6 children, including non-siblings and siblings, if this will ~~enable a~~ sibling group to remain together. This assumes there is no other appropriate foster home ~~available~~ which, in accepting the sibling group, will have a total of 4 or fewer children.

Effect of the Change

The change will allow up to ~~six~~ children in a foster home, if that is necessary to keep a sibling group together. For example, if a foster home already has 2 children and a sibling group of 3 comes into the system, under ~~current~~ statutes they could not be placed together in this home. As a result, 2 siblings might ~~be~~ placed in this foster home and the third sibling in another, thus breaking up a sibling group.

Rationale for the Change

Children removed from their ~~homes~~ are often experiencing significant trauma. It is important that trauma be reduced to the ~~extent~~ possible. Keeping siblings together helps reduce this trauma.

Desired Effective Date: Passage of Budget Bill
Agency: DHFS
Agency Contact: Sherwood Seigel
Phone: 267-7805



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0085/1

GMM.....|.....

King

DOA:.....Fossum - Number of children in a foster home

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

WFO:
↓
Print
Line #1

Don't
Gen. Cat.

AN ACT ..., relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, a foster home may provide care and maintenance for no more than 4 children or, if all of the children are siblings, for more than 4 children. This bill permits a foster home to provide care and maintenance for no more than 6 children, if 2 or more but not all of the children are siblings.

four

two

four

six

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, an adult family home that is licensed as a foster home may provide care and maintenance for a combined total of no more than 4 adults and children or, if all of the adults or all of the children are siblings, for more than 4 adults and children. This bill permits an adult family home that is licensed as a foster home to provide care for no more than 6 adults and children, if 2 or more but not all of the adults and children are siblings.

six

For further information see the *state and local* 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:

SECTION 1. 48.02 (6) of the statutes is amended to read:

48.02 (6) "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 children ~~unless all of the children are siblings~~ or, if 2 or more but not all of the children are siblings, for no more than 6 children or, if all of the children are siblings, for any number of children.

SECTION 2. 48.62 (1) (a) of the statutes is amended to read:

48.62 (1) (a) Any person who receives, with or without transfer of legal custody, 4 or fewer children or ~~more than 4 children if all of the children are siblings~~ if 2 or more but not all of the children are siblings, 6 or fewer children or, if all of the children are siblings, any number of children to provide care and maintenance for those children shall obtain a license to operate a foster home from the department, a county department or a licensed child welfare agency as provided in s. 48.75.

SECTION 3. 50.01 (1) (a) 1. of the statutes is amended to read:

50.01 (1) (a) 1. Care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in s. 51.01 (5); ~~or, if the residence is licensed as a foster home, care and maintenance are provided to children, the combined total of adults and children so served being no more than 4, or more adults or children if all of the adults or all of the children are siblings, no more than 6 if 2 or more but not all of the adults and children are siblings or any number if all of the adults and children are siblings;~~ or, if the residence is licensed as a treatment foster home, care and maintenance are provided to children, the combined total of adults and children so served being no more than 4.

SECTION 4. 938.02 (6) of the statutes is amended to read:

938.02 (6) "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 juveniles ~~unless all of the juveniles are siblings or, if 2 or more but not all of the juveniles are siblings, for no more than 6 juveniles or, if all of the juveniles are siblings, for any number of juveniles.~~

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0085/1
GMM:kmg:ijs
②
RMS

500

DOA:.....Fossum - Number of children in a foster home

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Necessary to enable a sibling group to remain together

1 AN ACT <sup>Sub H
Gen. Cat.</sup>; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, a foster home may provide care and maintenance for no more than four children or, if all of the children are siblings, for more than four children. This bill permits a foster home to provide care and maintenance for no more than six children, if ~~two or more but not all of the children are siblings.~~

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, an adult family home that is licensed as a foster home may provide care and maintenance for a combined total of no more than four adults and children or, if all of the adults or all of the children are siblings, for more than four adults and children. This bill permits an adult family home that is licensed as a foster home to provide care for no more than six adults and children, if ~~two or more but not all of the adults and children are siblings.~~

For further information see the *state and local* 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:

SECTION 1

if the placement
if necessary to enable a sibling group to remain together

1 SECTION 1. 48.02 (6) of the statutes is amended to read:

2 48.02 (6) "Foster home" means any facility that is operated by a person
3 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
4 no more than 4 children unless all of the children are siblings *or if 2 or more but not*
5 *all of the children are siblings, for no more than 6 children* *or, if all of the children*
6 *are siblings, for any number of children.* *if all of the children are siblings*

7 SECTION 2. 48.62 (1) (a) of the statutes is amended to read:

8 48.62 (1) (a) Any person who receives, with or without transfer of legal custody,
9 4 or fewer children or ~~more than 4 children if all of the children are siblings, if 2 or~~
10 ~~more but not all of the children are siblings.~~ *necessary to enable a sibling group to remain together*
11 6 or fewer children or, if all of the children
12 are siblings, any number of children to provide care and maintenance for those
13 children shall obtain a license to operate a foster home from the department, a county
14 department or a licensed child welfare agency as provided in s. 48.75.

14 SECTION 3. 50.01 (1) (a) 1. of the statutes is amended to read:

15 50.01 (1) (a) 1. Care and maintenance above the level of room and board but
16 not including nursing care are provided in the private residence by the care provider
17 whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the
18 adults are siblings, each of whom has a developmental disability, as defined in s.
19 51.01 (5); or, if the residence is licensed as a foster home, care and maintenance are
20 provided to children, the combined total of adults and children so served being no
21 more than 4, or ~~more adults or children if all of the adults or all of the children are~~
22 ~~siblings, no more than 6 if 2 or more but not all of the adults and children are siblings,~~
23 or any number if all of the adults and children are siblings; or, if the residence is
24 licensed as a treatment foster home, care and maintenance are provided to children,
25 the combined total of adults and children so served being no more than 4.

Necessary to enable a sibling group to remain together.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0085/3
GMM:kmg:km (3) RMR

DOA:.....Fossum - Number of children in a foster home

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 AN ACT ^{about 2000 Cat} relating to: the budget.

for no more than ^{six} children

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

four

or

Under current law, a foster home may provide care and maintenance for no more than four children or, if all of the children are siblings, for more than four children. This bill permits a foster home to provide care and maintenance for no more than ~~six~~ children, if necessary to enable a sibling group to remain together.

~~MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES~~

~~Under current law, an adult family home that is licensed as a foster home may provide care and maintenance for a combined total of no more than four adults and children or, if all of the adults or all of the children are siblings, for more than four adults and children. This bill permits an adult family home that is licensed as a foster home to provide care for no more than six adults and children, if necessary to enable a sibling group to remain together.~~

For further information see the *state and local* 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:

SECTION 1

1 SECTION 1. 48.02 (6) of the statutes is amended to read:

2 48.02 (6) "Foster home" means any facility that is operated by a person
3 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
4 no more than 4 children ~~unless all of the children are siblings or, if necessary to~~
5 enable a sibling group to remain together, for no more than 6 children ~~or, if all of the~~
6 children are siblings for any number of children.

7 SECTION 2. 48.62 (1) (a) of the statutes is amended to read:

8 48.62 (1) (a) Any person who receives, with or without transfer of legal custody,
9 4 or fewer children or ~~more than 4 children if all of the children are siblings, if~~
10 necessary to enable a sibling group to remain together, 6 or fewer children ~~or, if all~~
11 of the children are siblings, any number of children to provide care and maintenance
12 for those children shall obtain a license to operate a foster home from the
13 department, a county department or a licensed child welfare agency as provided in
14 s. 48.75.

15 SECTION 3. ~~50.01 (1) (a) 1. of the statutes is amended to read:~~

16 ~~50.01 (1) (a) 1. Care and maintenance above the level of room and board but
17 not including nursing care are provided in the private residence by the care provider
18 whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the
19 adults are siblings, each of whom has a developmental disability, as defined in s.
20 51.01 (5); or, if the residence is licensed as a foster home, care and maintenance are
21 provided to children, the combined total of adults and children so served being no
22 more than 4, or more adults or children if all of the adults or all of the children are
23 siblings, no more than 6 if necessary to enable a sibling group to remain together, or
24 any number if all of the adults and children are siblings; or, if the residence is licensed~~

1 as a treatment foster home, care and maintenance are provided to children, the
2 combined total of adults and children so served being no more than 4.

3 **SECTION 4.** 938.02 (6) of the statutes is amended to read:

4 938.02 (6) "Foster home" means any facility that is operated by a person
5 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
6 no more than 4 juveniles ~~unless all of the juveniles are siblings or, if necessary to~~
7 enable a sibling group to remain together, for no more than 6 juveniles or, if all of the
8 ~~juveniles are siblings, for any number of juveniles.~~

9

(END)

Malaise, Gordon

From: Fossum, Gretchen
Sent: Thursday, January 28, 1999 12:48 PM
To: Malaise, Gordon
Subject: Draft Changes

Please make changes to the following drafts:

~~1. LRB 0085/2 on line 20 on page 3 the dollar amount should be \$1,100,000.~~

2. LRB 0085/3: on line 2 and 14 on page 2 add at the end of the sentences "except as otherwise provided by the department by rule". Also insert this phrase, on line 6 after the word children.

If you have any questions, please contact me at 266-2288.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0085/β
GMM:kmg:ijs

(2)
RMR

DOA:.....Fossum – Number of children in a foster home

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

or, if the department of health and family services (DHFS) promulgates rules permitting a different number of children, for the number of children permitted under those rules

1 AN ACT <sup>Don't
even call.</sup> relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, a foster home may provide care and maintenance for no more than four children or, if all of the children are siblings, for more than four children. This bill permits a foster home to provide care and maintenance for no more than four children or, if necessary to enable a sibling group to remain together, for no more than six children.

For further information see the *state and local* 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:

2 SECTION 1. 48.02 (6) of the statutes is amended to read:
3 48.02 (6) "Foster home" means any facility that is operated by a person
4 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for

or, if the department promulgates rules permitting a different number of children, for the number of children permitted under those rules

1 no more than 4 children unless all of the children are siblings or, if necessary to
2 enable a sibling group to remain together, for no more than 6 children.

3 SECTION 2. 48.62 (1) (a) of the statutes is amended to read:

4 48.62 (1) (a) Any person who receives, with or without transfer of legal custody,
5 4 or fewer children or ~~more than 4 children if all of the children are siblings, if~~
6 necessary to enable a sibling group to remain together, 6 or fewer children, to provide
7 care and maintenance for those children shall obtain a license to operate a foster
8 home from the department, a county department or a licensed child welfare agency
9 as provided in s. 48.75.

10 SECTION 3. 938.02 (6) of the statutes is amended to read:

11 938.02 (6) "Foster home" means any facility that is operated by a person
12 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
13 no more than 4 juveniles ~~unless all of the juveniles are siblings or, if necessary to~~
14 enable a sibling group to remain together, for no more than 6 juveniles.

15 (END)

or, if the department of health and family services promulgates rules permitting a different number of ~~children~~ juveniles, the number for the number of juveniles permitted under those rules

or, if the department promulgates rules permitting a different number of children, the number of children permitted under those rules,



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0085/4
GMM:kmg:km

DOA:.....Fossum - Number of children in a foster home

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, a foster home may provide care and maintenance for no more than four children or, if all of the children are siblings, for more than four children. This bill permits a foster home to provide care and maintenance for no more than four children or, if necessary to enable a sibling group to remain together, for no more than six children or, if the department of health and family services (DHFS) promulgates rules permitting a different number of children, for the number of children permitted under those rules.

For further information see the *state and local* 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:

2 **SECTION 1.** 48.02 (6) of the statutes is amended to read:

3 48.02 (6) "Foster home" means any facility that is operated by a person

4 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for

1 no more than 4 children ~~unless all of the children are siblings or, if necessary to~~
2 enable a sibling group to remain together, for no more than 6 children or, if the
3 department promulgates rules permitting a different number of children, for the
4 number of children permitted under those rules.

5 SECTION 2. 48.62 (1) (a) of the statutes is amended to read:

6 48.62 (1) (a) Any person who receives, with or without transfer of legal custody,
7 4 or fewer children or ~~more than 4 children if all of the children are siblings, if~~
8 necessary to enable a sibling group to remain together, 6 or fewer children or, if the
9 department promulgates rules permitting a different number of children, the
10 number of children permitted under those rules, to provide care and maintenance for
11 those children shall obtain a license to operate a foster home from the department,
12 a county department or a licensed child welfare agency as provided in s. 48.75.

13 SECTION 3. 938.02 (6) of the statutes is amended to read:

14 938.02 (6) "Foster home" means any facility that is operated by a person
15 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
16 no more than 4 juveniles ~~unless all of the juveniles are siblings or, if necessary to~~
17 enable a sibling group to remain together, for no more than 6 juveniles or, if the
18 department of health and family services promulgates rules permitting a different
19 number of juveniles, for the number of juveniles permitted under those rules.

20 (END)