

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **06/13/99**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-8017**

By/Representing: **Carabell**

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

Drafter: **malaigm**

May Contact:

Alt. Drafters:

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

Extra Copies:

Pre Topic:

LFB:.....Carabell -

Topic:

Kinship care administration (LFB motion #1112, item #37)

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>
/?	malaigm 06/13/99	chanaman 06/13/99		_____			
/1			jfrantze 06/13/99	_____	ismith 06/13/99		

FE Sent For:

<END>

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/?	malaigm	clm /		KSA 6/13			

FE Sent For:

<END>

Malaise, Gordon

From: Carabell, Rachel
Sent: Saturday, June 12, 1999 3:43 PM
To: Malaise, Gordon
Subject: Kinship Care admin

Hi Gordon, I left you a voice mail message on this.

I haven't yet seen a draft on kinship care administrative costs. It was item #37 in the mega motion. We would like a nonstatutory provision which would implement this part of the motion. If there is no non-stat provision, there would be nothing for either the Senate or the Assembly to delete or the Governor to veto. The exact language in the motion states

"Require DHFS to reallocate 1.0 GPR vacant position and corresponding funding to provide increased oversight of the kinship care program. This position would provide program oversight and monitoring, technical assistance to counties in administering kinship care, serve as the liaison to DWD and the DHFS Bureau of Milwaukee Child Welfare (which administers kinship care in Milwaukee County) and develop policies and procedures related to kinship care..."

Thanks for your help.

Rachel Carabell
Legislative Fiscal Bureau
rachel.carabell@legis.state.wi.us
608.266.3847 phone
608.267.6873 fax

elimination of this provision has a significant fiscal impact, it could request additional funding under s. 13.10.

34. ~~LFB Paper #1096. Alternative A1 -- Modification. Reduce funding budgeted in DHFS for kinship care benefits by \$2,326,500 PR in 1999-00 and \$502,400 PR in 2000-01 and provide a corresponding reduction in federal TANF funds budgeted in DWD to reflect a reestimate of the cost of kinship care benefits in the next biennium.~~

35. ~~LFB Paper #1096. Alternative D1. Delete \$1,586,000 GPR and \$2,200,000 FED from base funding for kinship foster care and instead budget these funds in community aids or the DHFS Bureau of Milwaukee Child Welfare, as appropriate, and delete appropriation language regarding kinship foster care to reflect that counties, or DHFS in Milwaukee County, would make payments to foster parents related to the children in their care or providing care to teenage parents from community aids or their out-of-home care budget, rather than a separate kinship foster care allocation.~~

36. ~~LFB paper #1096. Delete all of the Governor's recommended statutory changes relating to kinship care benefits. Instead, provide \$500,000 PR in 1999-00 in DHFS and provide a corresponding increase in federal TANF funds budgeted in DWD which would be used by DHFS to supplement kinship care allocations in order to prevent the need to place eligible kinship care relatives on a waiting list if payments for kinship care exceed the amount allocated. Specify that DHFS could carry any of the unused funding from this provision to 2000-01.~~

~~Specify that a county may request supplemental funding from DHFS if payments for kinship care in that county exceed that county's allocation. Require DHFS to supplement the county's allocation if DHFS verifies the need for the supplemental allocation to eliminate kinship care waiting lists. This motion would not preclude DHFS from reobligating funds from other counties on a voluntary basis in order to address waiting lists. Specify that this same criteria applies to a request for additional funding from the DHFS Bureau of Milwaukee Child Welfare, which is responsible for making kinship care payments in Milwaukee County.~~

~~Further, if DHFS exhausts funding from the \$500,000 that would be provided under this provision, require DHFS to submit a request for supplemental funding for kinship care benefits under s. 16.515 of the statutes.~~

37. LFB Paper #1097. Require DHFS to reallocate 1.0 GPR vacant position and ^(don't know) ~~40,000 PR~~ corresponding funding to provide increased oversight of the kinship care program. This position ²⁰⁰⁰⁻⁰¹ ~~59,500 PR~~ would provide program oversight and monitoring, technical assistance to counties in administering kinship care, serve as the liaison to DWD and the DHFS Bureau of Milwaukee Child Welfare (which administers kinship care in Milwaukee County) and develop policies and procedures related to kinship care. GPR funding used to support this position could be counted towards the state's maintenance-of-effort requirement under TANF.

38. LFB Paper #1098. Alternative 2. ~~Modify~~ the Governor's recommendations to provide \$4,559,200 PR in 1999-00 and \$6,838,800 PR in 2000-01 and specify that the monthly SSI caretaker supplement payment for the first child in the home would be \$250, rather than \$150.



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 1, 1999

Joint Committee on Finance

Paper #1097

TANF

Kinship Care Administration (DHFS -- Children and Family Services)

[LFB 1999-01 Budget Summary: Page #313, #5, Page 691, #22]

CURRENT LAW

The Department of Health and Family Services (DHFS) reimburses counties (other than Milwaukee County) for kinship care payments counties make to eligible relatives. In Milwaukee County, DHFS makes these payments directly to eligible relatives.

Any kinship care applicant whose application is not acted on promptly or whose application is denied on the grounds that the eligibility criteria are not met (other than eligibility criteria regarding criminal background information), or a kinship care recipient whose kinship care payment is discontinued on one of these grounds, may petition DHFS for a review of that action or failure to act. The Department of Administration's (DOA) Division of Hearings and Appeals presides over all appeals of kinship care applications and continuations.

GOVERNOR

Provide \$60,000 PR annually in DHFS and corresponding increase in federal temporary assistance to needy families (TANF) block grant funds budgeted in the Department of Workforce Development to reflect the annual costs incurred by DHFS as a result of kinship care appeals heard by the Division of Hearings and Appeals.

DISCUSSION POINTS

Hearings and Appeals

1. 1997 Wisconsin Act 27 (the 1997-99 biennial budget act) established the right of kinship care applicants and recipients to appeal lack of action on a kinship care application or denial

of kinship care benefits, but provided no funding to support DHFS costs for the administrative hearings held on those appeals.

2. In calendar year 1998, the Division of Hearings and Appeals received 91 kinship care appeals and charged DHFS \$33,600 to support its costs for these cases. Based on calendar year 1998 actual charges, the Committee could provide \$33,600 annually, rather than \$60,000, as recommended by the Governor.

3. However, if the Committee modifies provisions relating to the program eligibility, the number of appeals may increase over the 1998 level. Therefore, the Committee may want to approve the Governor's recommendation to provide \$60,000 annually to support DOA's charges.

DHFS Oversight

4. A December, 1998, Legislative Audit Bureau report on kinship care suggests that DHFS oversight of the program has been minimal and identifies several concerns regarding the Department's administration of the program. Specifically, the report indicates that, while agencies began opening kinship care cases in April, 1997, DHFS has not yet adequately identified the management information required for kinship care and did not collect or compile any statewide information on program caseload or waiting lists until September, 1998. The report indicates that DHFS first provided written instruction to local agencies with regard to reporting management information in May, 1998.

5. In response to the Audit Bureau report, DHFS Secretary LEEAN indicated that the level of oversight required for kinship care as suggested by the Audit Bureau is inconsistent with the initial intent of the program. Secretary LEEAN's letter indicates however, that DHFS is committed to providing the state-level direction and monitoring that is necessary and consistent with the program's design.

6. Currently, approximately 20% of one individual's staff time in the Division of Children and Family Services is spent providing state-level direction and oversight of the kinship care program. Since kinship care is a \$20 million annual program administered in all counties, the Committee could consider increasing state oversight of the program to address the concerns raised in the Audit Bureau report.

7. If the Committee supports additional DHFS oversight of the kinship care program, it could authorize 1.0 PR position, beginning in 1999-00, and provide \$40,700 PR in 1999-00 and \$54,300 PR in 2000-01 to fund the position. This position could provide program oversight and monitoring, technical assistance to counties in administering kinship care, serve as the liaison to the Department of Workforce Development and the Bureau of Milwaukee Child Welfare (which administers kinship care in Milwaukee County) and develop and procedures related to kinship care.

8. Alternatively, if the Committee determines that the current level of oversight for the program is sufficient, it could provide no additional staff for oversight activities. This would be consistent with the DHFS 1999-01 biennial budget submission and the Governor's

recommendations.

ALTERNATIVES TO BASE

A. Hearings and Appeals Costs

1. Adopt the Governor's recommendation to provide \$60,000 PR annually in DHFS and a corresponding amount in federal TANF budgeted in DWD to fund costs charged to DHFS by the DOA Division of Hearings and Appeals for administrative hearings on kinship care cases.

<u>Alternative A1</u>	<u>FED</u>	<u>PR</u>	<u>TOTAL</u>
1999-01 FUNDING (Change to Base)	\$120,000	\$120,000	\$240,000
[Change to Bill]	\$0	\$0	\$0

2. Provide \$33,600 PR annually in DHFS and a corresponding amount in federal TANF budgeted in DWD to fund costs charged to DHFS by the DOA Division of Hearings and Appeals for administrative hearings on kinship care cases.

<u>Alternative A2</u>	<u>FED</u>	<u>PR</u>	<u>TOTAL</u>
1999-01 FUNDING (Change to Base)	\$67,200	\$67,200	\$134,400
[Change to Bill]	-\$52,800	-\$52,800	-\$105,600

3. Maintain current law.

<u>Alternative A3</u>	<u>FED</u>	<u>PR</u>	<u>TOTAL</u>
1999-01 FUNDING (Change to Base)	\$0	\$0	\$0
[Change to Bill]	-\$120,000	-\$120,000	-\$240,000

B. DHFS Staff

1. Provide \$40,700 PR in 1999-00 and \$54,300 PR in 2000-01 and corresponding increase in federal TANF budgeted in DWD and authorize 1.0 PR position, beginning October, 1999, to increase program oversight of the kinship care program.

<u>Alternative B1</u>	<u>FED</u>	<u>PR</u>	<u>TOTAL</u>
1999-01 FUNDING (Change to Base)	\$95,000	\$95,000	\$190,000
[Change to Bill]	\$95,000	\$95,000	\$190,000
2000-01 POSITIONS (Change to Base)	0.00	1.00	1.00
[Change to Bill]	0.00	1.00	1.00

2. **Maintain current law.**

Prepared by: Rachel Carabell



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0685/2
GMM.....
cmt

LFB:.....Carabell - Kinship care administration (LFB motion #1112, item #37)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

At the locations indicated, amend the bill as follows:

1. Page 1408, line 15: after that line insert:

~~“(9a)”~~ KINSHIP CARE ADMINISTRATION. The department of health and family services shall reallocate a previously authorized 1.0 GPR FTE position on October 1, 1999, to provide increased oversight of the kinship care program under section 48.57 (3m) to (3t) of the statutes. The 1.0 GPR FTE position shall provide program oversight and monitoring, serve as a liaison to the department of workforce development and the bureau of Milwaukee child welfare services in the department of health and family services and develop policies and procedures relating to the kinship care program. If the position reallocation required under this subsection requires a transfer of moneys between appropriations, the department of health and

Handwritten notes: "11g" with an arrow pointing to line 15, and "letter 'g'" with an arrow pointing to the word "KINSHIP".

Handwritten note: "non-rate"

1 family services shall request the joint committee on finance to approve that
2 transfer.".

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0685/1
GMM:cmh:ksh

LFB:.....Carabell – Kinship care administration (LFB motion #1112, item #37)

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10 kinship care program. If the position reallocation required under this subsection
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2 transfer.”.

3 (END)