

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/12/2000

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:

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**Pre Topic:**

DOA:.....Fossum -

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**Topic:**

Foster parent insurance deductible

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**Instructions:**

See Attached

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**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 09/12/2000	jdye 09/14/2000					State
/1			martykr 09/14/2000		lrb_docadmin 09/14/2000		

FE Sent For:

<END>

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*E-mailed*

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<END>

# DHFS

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*Department of Health and Family Services*  
**2001-2003 Biennial Budget Statutory Language Request**  
July 14, 2000

Title: Foster Parent Insurance Deductible

## **Current Language**

Before a license may be issued to a foster home, treatment foster home or family-operated group home, the applicant must obtain liability insurance covering negligence by children placed in the home that results in bodily injury or property damage. The Department pays claims to the extent that they are not covered by any other insurance. If an applicant for a license is unable to obtain the required insurance, a waiver is granted and the Department acts as the insurer for property loss or damage caused by foster children. Payments are made to licensees from a GPR appropriation in the Division of Children and Family Services that was created for this purpose. Title IV-E funds can also be claimed to pay the cost of claims. Section 48.627 (3)(h) requires the Department to apply a \$200 deductible in paying claims from the foster, treatment foster and family-operated group home parent insurance and liability appropriation under s. 20.435 (3)(cf).

## **Proposed Change**

Change the deductible amount under s. 48.627 (3)(h) to \$100.

## **Effect of the Change**

Foster parents who take difficult children often experience loss of or damage to property as a result of actions of the child. As a result of the deductible, many foster parents must pay \$200 out of their own pockets to pay for replacement or repair of property. Based on past experience, there will be approximately 55 paid claims each year. Reducing the deductible from \$200 to \$100 would cost \$5,500, all funds (\$3,100 GPR and \$2,400 Fed) each year. The program can absorb this increase.

## **Rationale for the Change**

Changing the deductible will provide some financial relief and demonstrate support for foster parents.

**Desired Effective Date:** Passage of budget bill  
**Agency:** DHFS  
**Agency Contact:** Jason Witt  
**Phone:** 266-9364



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0261/3  
GMM.....  
jld

SOON

DOA:.....Fossum - Foster parent insurance deductible

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

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

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**  
**CHILDREN**

Under current law, the department of health and family services (DHFS) is required to pay claims not payable by other insurance for bodily injury or property damage sustained by a foster, treatment foster, or family-operated group home parent (parent) or a member of the parent's family as a result of an act of a child placed in the parent's care. Current law also permits DHFS to pay claims not covered by other insurance for acts or omissions of a parent that result in bodily injury to a child placed in the parent's care or that form the basis for a civil action for damages against the parent and for bodily injury or property damage caused by an act or omission of a child who is placed in the parent's care for which the parent becomes legally liable. Currently, the amount of those claims that DHFS may approve in a fiscal year is subject to a \$200 deductible. This bill lowers that deductible amount to \$100.

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:*



## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Thursday, September 14, 2000 12:32 PM  
**To:** Witt, Jason  
**Cc:** Malaise, Gordon  
**Subject:** 01-0261/1



01-0261/1

*Mike Barman*

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-4048)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0261/1  
GMM:jld:km

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