

STATE OF WISCONSIN

At 18

SENATE CHAIR
BRIAN BURKE

317-E Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: 266-8535



ASSEMBLY CHAIR
JOHN GARD

308-E Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: 266-2343

JOINT COMMITTEE ON FINANCE

Mr. Darrell Bazzell, Secretary
Department of Natural Resources
101 South Webster Street
Madison, WI 53707-7921

Dear Secretary Bazzell:

We are writing to inform you that the members of the Joint Committee on Finance have reviewed your requests, dated June 29, 2001, regarding the following eight proposed land purchases:

- 100 acres in Waushara County from John and Catherine Frye for \$252,000;
- 171 acres in Dane County from Dennis and Leona Midthun for \$557,460;
- 555.45 acres in Calumet County from the Ploechelman and Albers Trust for \$959,200;
- 100.95 acres in Waukesha County from Ilya Nelson for \$569,913;
- 147.28 acres in Pepin County from Elwyn and Lu An Fae Hubbard for \$280,000;
- 209.41 acres in Polk County from Jerome Anderson for \$288,000;
- 216 acres in St. Croix County from James and Mary Ann Johnson for \$378,000; and
- 120.08 acres in Winnebago County from Penny Reno and Merikay Warnke for \$252,000.

A meeting will be scheduled to further discuss the 171 acre land purchase from Dennis and Leona Midthun and the 100.95 acre land purchase from Ilya Nelson. Therefore, those requests are not approved at this time. The other six requests are approved.

Sincerely,

Handwritten signature of Brian Burke in black ink.

BRIAN BURKE
Senate Chair

Handwritten signature of John Gard in black ink.

JOHN GARD
Assembly Chair

BB:JG:dh

cc: Members, Joint Committee on Finance
Vicky LaBelle, Department of Administration

Approved at 9-5-01 13.10 Meeting

MO# AH2 ABCDEF

Sept 5, 2001

GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
GOSS Lassq	Y	N	A

13.10 Meeting

Agenda Items

VIII - XIII

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI Robson	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
ROSENZWEIG	Y	N	A

AYE 16 NO 0 ABS

all items approved 16-0

E. Kettle Moraine State Forest -- Southern Unit

1. Approve the DNR request to expend up to \$569,913 from the land acquisition subprogram of the Warren Knowles-Gaylord Nelson Stewardship 2000 program to purchase 100.95 acres from Ilya Nelson for the Southern Unit of the Kettle Moraine State Forest in Waukesha County.

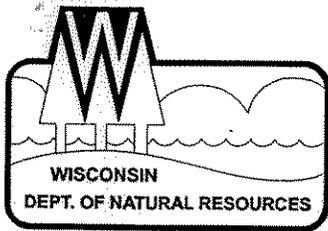
2. In addition to Alternative 1, provide up to \$2,630 for closing costs associated with the purchase of 100.95 acres from the Ilya Nelson Estate.

3. Deny the request.

F. Ice Age Trail -- Dane County

1. Approve the DNR request, as corrected, to expend up to \$394,460 from the land acquisition subprogram of the Warren Knowles-Gaylord Nelson Stewardship 2000 program and \$163,000 in federal funds (for a total of \$557,460) to purchase 171 acres from Dennis and Leona Midthun for the Ice Age Trail in Dane County.

2. In addition to Alternative 1, provide up to \$2,850 for closing costs associated with the purchase of 171 acres of land from Dennis and Leona Midthun.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

JUN 29 2001

IN REPLY REFER TO: P-1767

Honorable Brian Burke
Member State Senate
Room 317E
CAPITOL

Honorable John Gard
Member State Assembly
Room 308E
CAPITOL

Dear Senator Burke and Representative Gard:

The Department is notifying you as co-chairs of the Joint Committee on Finance of a proposed 171.0 acre land purchase from Dennis and Leona Midthun for \$557,460. This notice is pursuant to s. 23.0915(4), Stats., which requires the Department to notify the Joint Committee on Finance of all Stewardship projects more than \$250,000 in cost. The Natural Resources Board approved the purchase at the June meeting. The land is required for scenic protection and public recreation.

The file number is P-1767 and the land is located in Dane County. Attached please find a memo and maps describing this transaction.

I certify that this request for consideration meets all applicable state and federal statutes, rules, regulations, and guidelines. This certification is based upon a thorough and complete analysis of this request.

If you do not notify the Department within 14 working days after this notification that the Committee has scheduled a meeting to review the proposed transaction, the Department will proceed with the approval process. If the Committee has no objections, the Department will forward the proposal to the Governor for his consideration. If you need additional information, please contact Richard Steffes at 266-0201. Mr. Steffes is available to answer any questions you may have in this matter.

Thank you for this consideration.

Sincerely,


Darrell Bazzell
Secretary

Attach.

cc: Legislative Fiscal Bureau
Department of Administration

DATE: June 1, 2001
 TO: Governor McCallum
 FROM: Darrell Bazzell *DB*
 SUBJECT: Proposed Land Acquisition, Dennis Midthun and Leona Midthun Tract, File # P-1767,
 Option Expires August 30, 2001

FILE REF: P-1767

1. PARCEL DESCRIPTION:

Ice Age Trail
 Dane County

Grantor:

Dennis Midthun and Leona Midthun
 c/o Dennis Midthun
 P.O. Box 45328
 Madison, WI 53744

Acres: 171.0Price: \$557,460 (\$3,260/acre)*Appraised Value: \$542,900 (\$3,050/acre); \$526,000 (\$2,962/acre); \$905,000 (\$5,171/acre)Interest: Purchase in fee.Improvements: NoneLocation: The tract is located eight miles south of the City of Madison, in southwestern Dane County.Land Description: The subject area consists of nearly level to gently rolling croplands divided by rolling and hilly wooded areas.*Comments: The final purchase price will be determined by survey at \$3,260 per acre and is estimated at \$557,460.

<u>Covertypes Breakdown:</u>	<u>Type</u>	<u>Acreage</u>
	Wooded Upland	33.0
	Cropland	135.0
	<u>Wetland</u>	<u>3.0</u>
	TOTAL	171.0

Zoning: Exclusive AgriculturePresent Use: AgricultureProposed Use: Scenic Protection and Public RecreationTenure: In the family for more than 12 yearsProperty Taxes: \$2,453.71 (estimated)Option Date: June 1, 20012. JUSTIFICATION:

The 171-acre Dennis Midthun and Leona Midthun tract is proposed for purchase for the Ice Age Trail in Dane County. The property will consolidate state ownership, provide opportunities for public recreation, and allow natural resource management.



In 1987, the Wisconsin Legislature passed legislation that established the Ice Age State Scenic Trail as a state project and directed the Department to develop a trail to promote public awareness and appreciation of Wisconsin's glacial heritage, to preserve and protect significant glacial features and other natural and cultural features associated with the period of glaciation, and to provide a continuous off-road trail for recreational use. The Ice Age Trail is a cooperative project with the U.S. Park Service, the Ice Age Park and Trail Foundation and its various volunteer groups around the state, and some counties through which the trail passes. The trail, when completed, will run through much of Wisconsin from Door County south through the Kettle Moraine to Janesville and then north through Devil's Lake State Park to northwestern Wisconsin. Segments of the trail have been developed by the Ice Age Trail Foundation in several locations and on lands owned by the Department. Management, development and maintenance will be shared between the Department and the Ice Age Park and Trail Foundation.

The Midthun parcel is approximately 171 acres in size. Covertypes consist primarily of gently rolling cropland - 135 acres, with some wooded hillsides and a small wetland area. The parcel is part of a larger 186-acre improved agricultural property. Acquisition of the Midthun parcel will allow for the establishment of Ice Age Trail corridor on the property as well as a parking area and trailhead, which could also be used for another nearby state trail, the Badger Trail. The Badger Trail, created through a land use permit between the Department of Natural Resources and the Department of Transportation, runs from the University of Wisconsin Camp Randall Stadium south to the State Line. The trailhead would provide parking for recreators, who would then travel one half-mile to the west along a town road to the trail corridor.

The Ice Age Trail would overlap with the Badger Trail for five miles before separating to the northwest and continuing on to the University Golf Course, located west of the City of Madison. When completed, this segment will be approximately fifteen miles in length, linking the University Golf Course with the Brooklyn Wildlife Area. Currently, there is about one mile of trail still needed from private landowners.

The Department intends to acquire this parcel in fee and then resell or trade approximately 71 acres of cropland as a future prospect to further project acquisition. With acquisition of key adjacent parcels - approximately 40 acres more or less - the Ice Age Trail, Badger Trail, and the Brooklyn Wildlife Area would all be connected, providing enhanced recreational opportunities with contiguous access to all three projects.

Purchase of the property is recommended to protect the scenic character of the area, to provide opportunities for public recreation including the establishment and maintenance of a portion of the Ice Age Trail, to consolidate state ownership, and to allow natural resource management. Hunting as well as other outdoor recreational uses will be available to the public on this parcel.

3. FINANCING:

State Stewardship bond (50%) and Federal Land and Water Conservation (50%) funds are anticipated:

	Funds allotted to program:	Balance after proposed transaction:
Stewardship Bond:	\$4,551,777	\$2,892,887
Cost Share:	\$2,500,000	\$1,343,400

Comments: No cost share will be applied to the 71 acres that are to be resold. Final purchase amounts are as follows:

State:	\$394,460
Federal:	<u>\$163,000</u>
TOTAL:	\$557,460

4. ACQUISITION STATUS OF THE ICE AGE TRAIL:

Established: 1988
Acres Purchased to Date: 3,298.15
Acquisition Goal: 9,673.0 Acres
Percent Complete: 34.1%
Cost to Date: \$2,088,580

5. APPRAISAL:

Appraiser: Paul Stone (Private Appraiser)
Valuation Date: August 3, 2000
Appraised Value: \$542,900
Highest and Best Use: Rural Residential

Allocation of Values:

- a. land: 178 acres @ \$3,050 per acre: \$542,900
- b. market data approach used, five comparable sales cited
- c. adjusted value range: \$2,829 to \$3,366 per acre

Appraisal Review: Ron Olson — December 19, 2000

Comments: Three appraisals were completed for this transaction. The first was completed by Paul Stone (Private Appraiser) on August 3, 2000 with a valuation of \$542,900 for 178 acres (\$3,050 per acre). The second appraisal was completed by James Rawson (Private Appraisal) on November 29, 2000 with a valuation of \$905,000 for 175 acres (\$5,171 per acre). The third appraisal was completed by Tenny Albert (Private Appraiser) on February 16, 2001 with a valuation of \$526,000 for 177.56 acres (\$2,962 per acre). The Stone appraisal and the Albert appraisal were considered to be the best representations of the value of the parcel.

Through negotiations with the grantor, final purchase price was set at \$3,260 per acre. The final acreage will be determined by survey and valued at the purchase price of \$3,260 per acre. The Department estimates that 171 acres will be acquired at \$557,460.

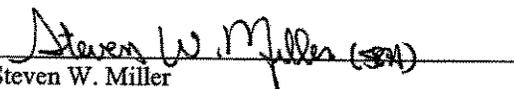
RECOMMENDED:


Richard E. Steffes

6-7-01
Date


Bureau of Legal Services

6-8-01
Date


Steven W. Miller

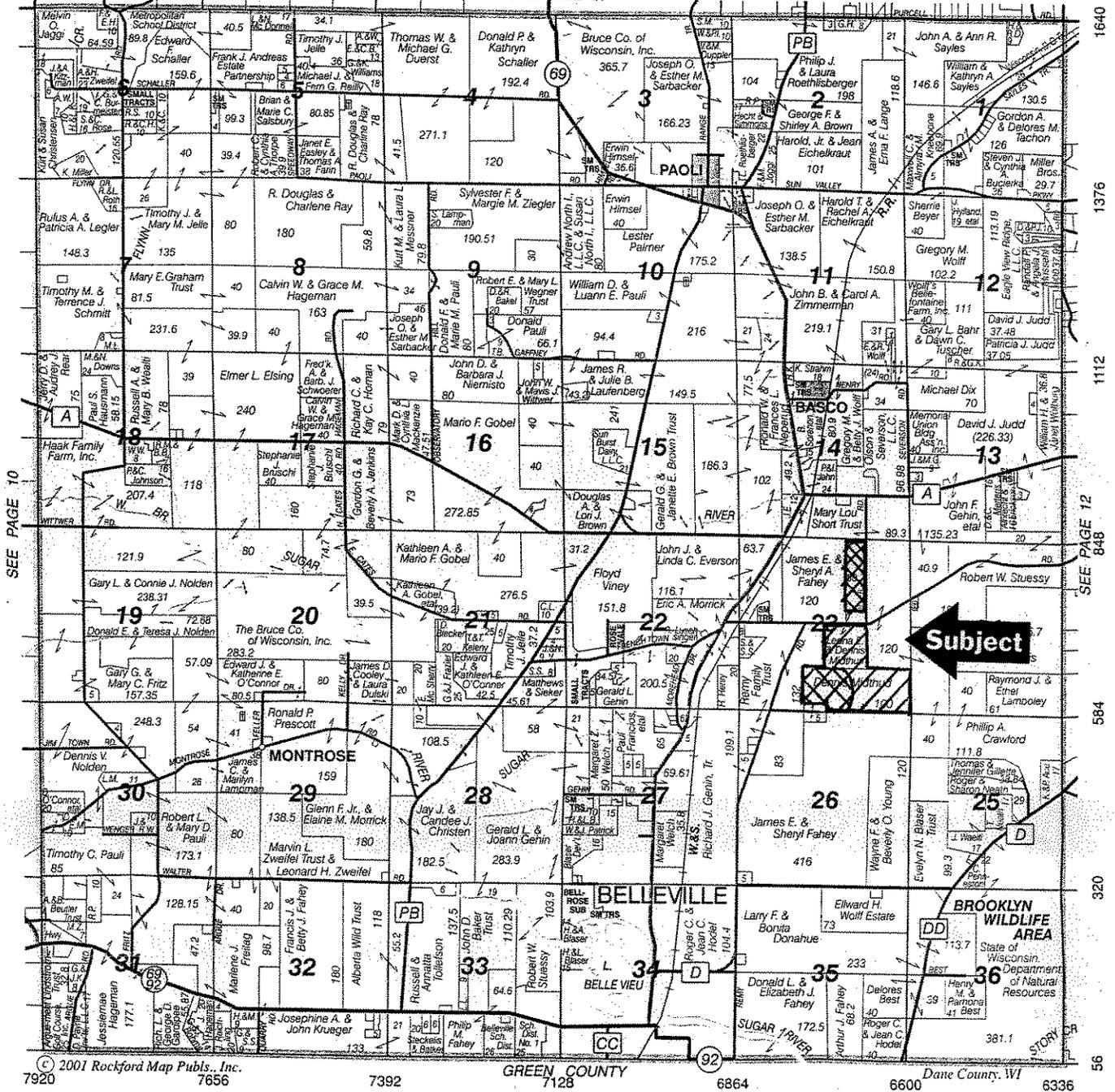
6/8/01
Date

RES:jp

MONTROSE

T.5N.-R.8E.

SEE PAGE 20

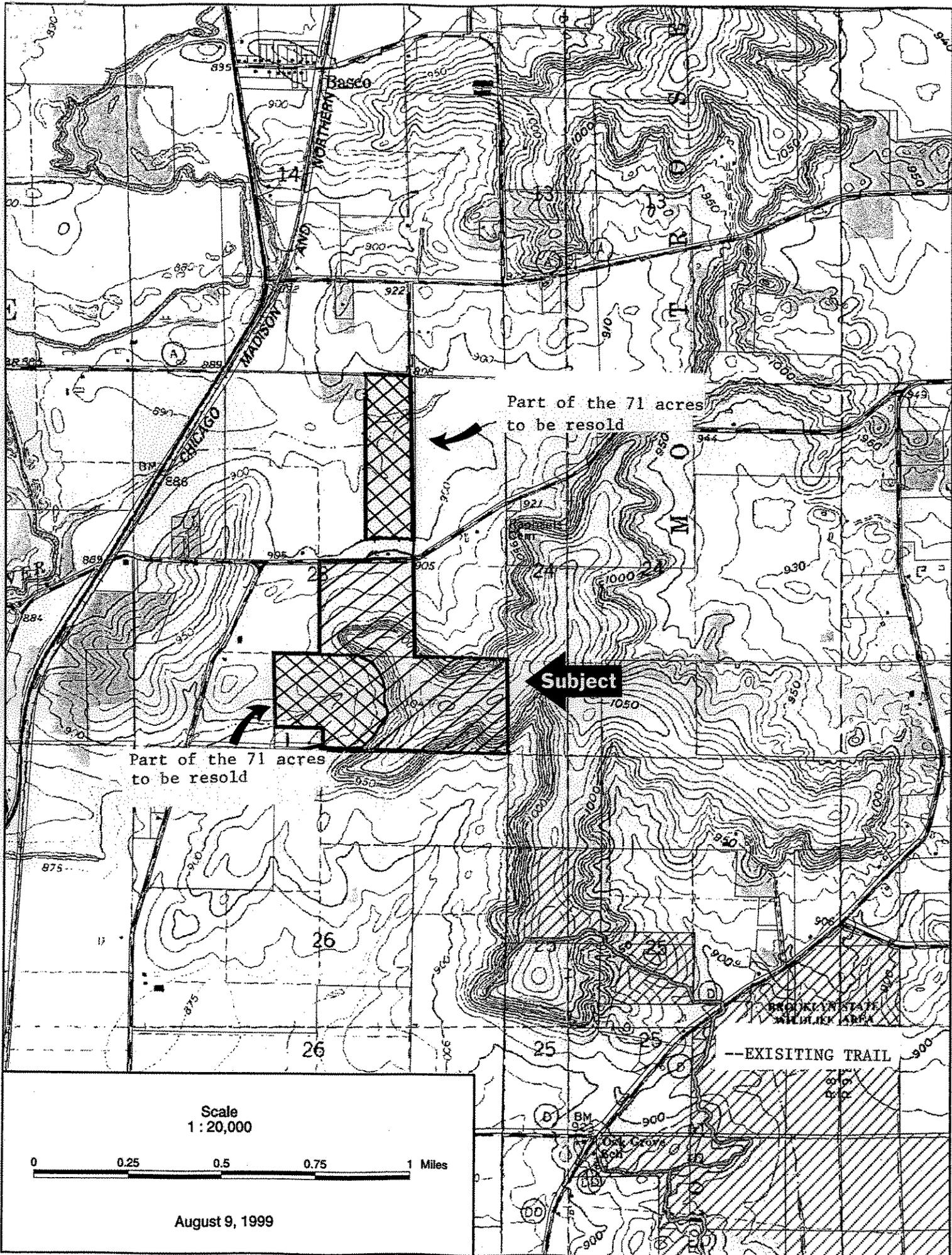


100 acres to be retained



71 acres to be resold

Reproduced with permission of Rockford Map Publishers, Inc. Rockford, Illinois

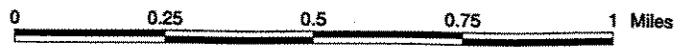


Part of the 71 acres to be resold

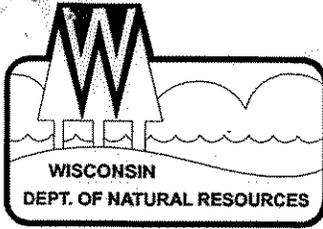
Part of the 71 acres to be resold

Subject

Scale
1 : 20,000



August 9, 1999



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

JUN 29 2001

IN REPLY REFER TO: SF-133A

Honorable Brian Burke
Member State Senate
Room 316S
CAPITOL

Honorable John Gard
Member State Assembly
Room 315N
CAPITOL

Dear Senator Burke and Representative Gard:

The Department is notifying you as co-chairs of the Joint Committee on Finance of a proposed 100.95 acre land purchase from Ilya Nelson for \$569,913. This notice is pursuant to s. 23.0915(4), Stats., which requires the Department to notify the Joint Committee on Finance of all Stewardship projects more than \$250,000 in cost. The Natural Resources Board approved the purchase at the June meeting. The land is required for forestry management and protection and public recreation.

The file number is SF-133A and the land is located in Waukesha County. Attached please find a memo and maps describing this transaction.

I certify that this request for consideration meets all applicable state and federal statutes, rules, regulations, and guidelines. This certification is based upon a thorough and complete analysis of this request.

If you do not notify the Department within 14 working days after this notification that the Committee has scheduled a meeting to review the proposed transaction, the Department will proceed with the approval process. If the Committee has no objections, the Department will forward the proposal to the Governor for his consideration. If you need additional information, please contact Richard Steffes at 266-0201. Mr. Steffes is available to answer any questions you may have in this matter.

Thank you for this consideration.

Sincerely,

Darrell Bazzell
Secretary

Attach.

cc: Legislative Fiscal Bureau
Department of Administration

CORRESPONDENCE/MEMORANDUM

DATE: May 18, 2001

FILE REF: SF-133 A

TO: Governor McCallum

FROM: Darrell Bazzel *KB*

SUBJECT: Proposed Land Acquisition, Ilya Nelson Tract, File # SF-133 A,
Option Expires August 1, 2001

1. PARCEL DESCRIPTION:

Kettle Moraine State Forest - Southern Unit
Waukesha County

Grantor:

Ilya Nelson
c/o Steve Steinhoff, Attorney
117 E. Main St.
Eagle, WI 53119

Acres: 100.95

Price: \$569,913

Appraised Value: \$569,913 (\$5,645 per acre); \$817,190 (\$8,095 per acre)

Interest: Purchase in fee.

Improvements: None

Location: The tract is located ten miles southwest of the City of Waukesha, in southwestern Waukesha County.

Land Description: The subject area is level to gently rolling.

Covertypes Breakdown:

Type	Acreage
Wooded Upland	13.00
<u>Cropland</u>	<u>87.95</u>
TOTAL	100.95

Zoning: General Agriculture; Upland Conservancy

Present Use: Agriculture

Proposed Use: Forestry Management and Protection, and Public Recreation

Tenure: 57 years

Property Taxes: \$1,326.92 (estimated)

Option Date: April 18, 2001

2. JUSTIFICATION:

The 100.95-acre Ilya Nelson Estate property is proposed for purchase for the Kettle Moraine State Forest - Southern Unit. Ownership will allow for natural resource management and natural resource protection, as well as for public recreation, and will consolidate State ownership.

The Kettle Moraine State Forest - Southern Unit was established in 1936 to provide recreational opportunities in the southeastern portion of the State and to protect the natural and scenic values of the



Kettle Moraine landscape. The property is used by the public for hunting, fishing, trapping, cross-country skiing, camping, hiking, and other outdoor recreation. In addition, the geologic and natural values of the area are used for research and education.

The project, an all season property, is located in southeastern Wisconsin in Waukesha, Jefferson, and Walworth Counties, a heavily populated region of the state. The forest is located about 35 miles west of Milwaukee, within 100 miles of five million people. Total attendance in 1996 was 1,179,000 making it one of Wisconsin's busiest state park/forests. KMSF-SU is heavily hunted; and the forest consistently ranks as one of the top five DNR license outlets (first for field stations) in the state.

The 100.95-acre Nelson parcel is located on the north boundary line of the Village of Eagle, along state highway 67 and the Kettle Moraine Scenic Drive. The cover on the parcel consists primarily of cropland with some Oak-Hickory hardwoods. The parcel is on a higher section of the inter-lobate moraine that traverses the forest lengthwise. Conversely, the land in the area that is currently owned by the Department, which is located on the north, west and south boundaries of the Nelson parcel, is lower land associated with the Scuppermong Marsh. In order to meet the sellers' need for funds, the 19.5 acres east of Highway 67 was approved separately at the same unit value of \$5,645 per acre as a non-Natural Resources Board item.

Purchase of the Nelson parcel is vital to the provision of all of the recreational opportunities named in the Forest Master Plan. In particular, the master plan for the Southern Unit Kettle Moraine State Forest calls for a horse and snowmobile trail that runs for the entire length of the forest. Presently, there are loop trails located in various areas of the forest, but there is significant support from local equestrian groups and snowmobile users for a longer trail. The Nelson parcel is a vital link for the completion of a longer trail. Without the purchase of the Nelson parcel, creating a trail running the length of the forest will not be possible. Other recreational uses that will be provided by the proposed purchase are hunting, wildlife viewing and bird watching.

In addition to providing additional recreational opportunities, purchase of the Nelson parcel will protect valuable natural resources on and in the vicinity of the tract. Long range management plans for the property include habitat restoration for wildlife, including prairie restoration and hardwood plantings. The Scuppermong River and one of its tributaries are located immediately to the west of this parcel. These waters support both brook and brown trout, as well as a variety of other aquatic species.

The Nelson land is located on the north edge of the Village of Eagle, and has over 3,500 feet of frontage on state highway 67. The characteristics of the land and the ease of road access to the property are quite conducive to commercial, industrial or residential development. Efforts to acquire the Nelson tract were initiated in 1967. The property is now in probate, and the court has offered the State the opportunity to purchase the land.

Purchase of the Ilya Nelson Estate parcel is recommended to provide a vital link for the establishment of a forest-long equestrian trail and for other public recreation pursuits, to protect valuable resources associated with the Scuppermong Marsh, to prevent incompatible use, and to consolidate State ownership.

3. FINANCING:

State Stewardship bond funds are anticipated: *

Funds allotted to program:	Balance after proposed transaction:
\$4,400,000	\$3,001,000

* Comment: Fiscal Year 2002 funds are anticipated.

4. ACQUISITION STATUS OF THE KETTLE MORAINES STATE FOREST - SOUTHERN UNIT:

Established: 1936
Acres Purchased to Date: 20,533.23
Acquisition Goal: 29,085.0 Acres
Percent Complete: 70.6%
Cost to Date: \$10,671,384

5. APPRAISAL:

Appraiser: Frederick Wegener (Private Appraiser)
Valuation Date: August 14, 2000
Appraised Value: \$680,000 (\$5,645 per acre)
Highest and Best Use: Rural Residential Sites

Allocation of Values:

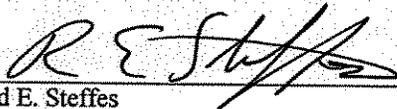
- a. land: 120.45 acres @ \$5,645 per acre: \$680,000
- b. market data approach used, three comparable sales cited
- c. adjusted value range: \$5,615 to \$5,664 per acre

Appraisal Review: Ron Olson - October 9, 2000

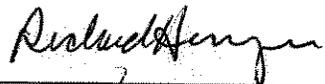
Comments: The 100.95-acre Nelson parcel is part of a larger 120.45-acre ownership. The appraisal being used for this transaction established the value for the entire ownership at \$5,645 per acre and a prorated amount of \$569,913 is applied to the 100.95 acres.

Two appraisals were completed for this transaction. The first appraisal, completed by Philip Vander Male and Thomas Kilpatrick (Private Appraisers) on July 25, 2000, valued the land at \$975,000 (\$8,095 per acre). Frederick Wegener (Private Appraiser), completed the fourth appraisal on August 14, 2000, and valued the 120.45 acres at \$680,000 (\$5,645/acre). The Wegener appraisal is considered the best representation of the market value for the subject, and was used to determine the final per acre purchase price.

RECOMMENDED:


Richard E. Steffes

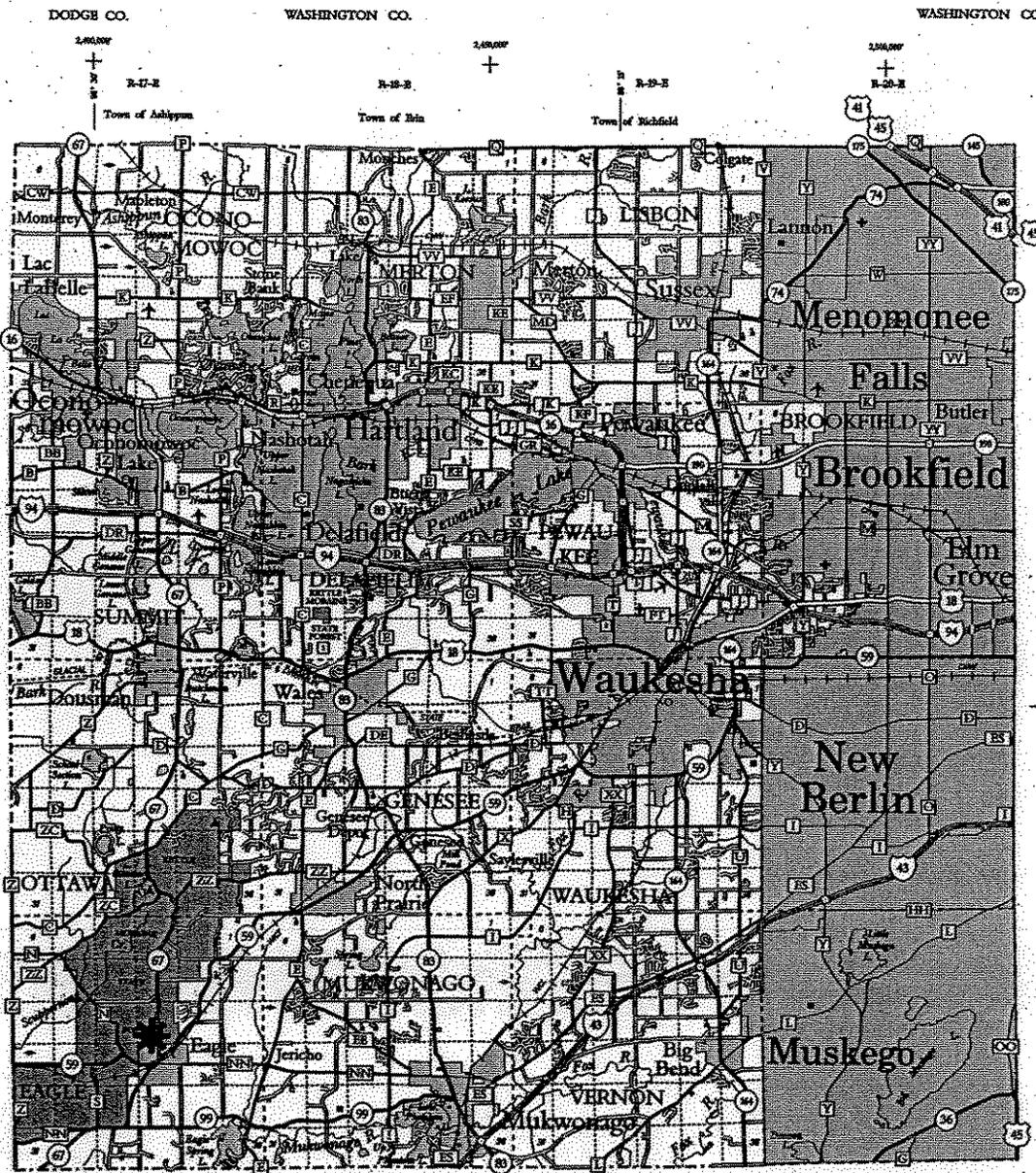
5-17-01
Date


Bureau of Legal Services

5/20/01
Date


Steven W. Miller

5-30-01
Date



JEFFERSON CO.
T-5-N
T-6-N
T-7-N
T-8-N
T-9-N

MILWAUKEE CO.
T-5-N
T-6-N
T-7-N
T-8-N
T-9-N

JEFFERSON CO.
T-5-N

MILWAUKEE CO.
T-5-N

LEGEND

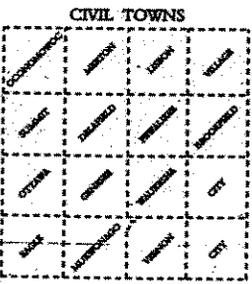
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|------------------------|-------|-----------------------------------|-------|
| Freeway | ----- | Dike | ----- |
| Highway Divided | ----- | Hospital | ----- |
| U.S. or State Hwy | ----- | School | ----- |
| County Trunk Hwy | ----- | Alley | ----- |
| Town Road | ----- | County Seat | ----- |
| Firch | ----- | Unincorporated Village | ----- |
| Railroad | ----- | Fish Hatchery | ----- |
| State Trail | ----- | Game Farm | ----- |
| Interchange | ----- | Public Hunt or Fish Club | ----- |
| Highway Separation | ----- | Public Camp & Picnic Ground | ----- |
| Interstate Highway No. | ----- | Ranger Station | ----- |
| U.S. Highway No. | ----- | State Park | ----- |
| State Highway No. | ----- | County Park - With Pavilion | ----- |
| County Highway Letter | ----- | Wharf Pavilion | ----- |
| State Boundary | ----- | Wharf Pavilion | ----- |
| County Boundary | ----- | Wharf Pavilion | ----- |
| City/Town Boundary | ----- | Public of 1/4 Sec. - Waukesha Co. | ----- |
| Indian Site | ----- | | |



DISTRICTS

SECTION NUMBERING OF A TOWNSHIP

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	32	33	34	35
36	37	38	39	40	41	42



- For boundaries of public hunting and fishing grounds please contact the Department of Natural Resources
- Public hunting and fishing grounds not shown within Earth-Master State Forest
- Grid based on Wisconsin coordinate system, north zone

MILES OF HIGHWAY as of Jan. 1, 1995

STATE	20
COUNTY	34
LOCAL ROADS	307
OTHER ROADS	10
TOTAL FOR COUNTY	368

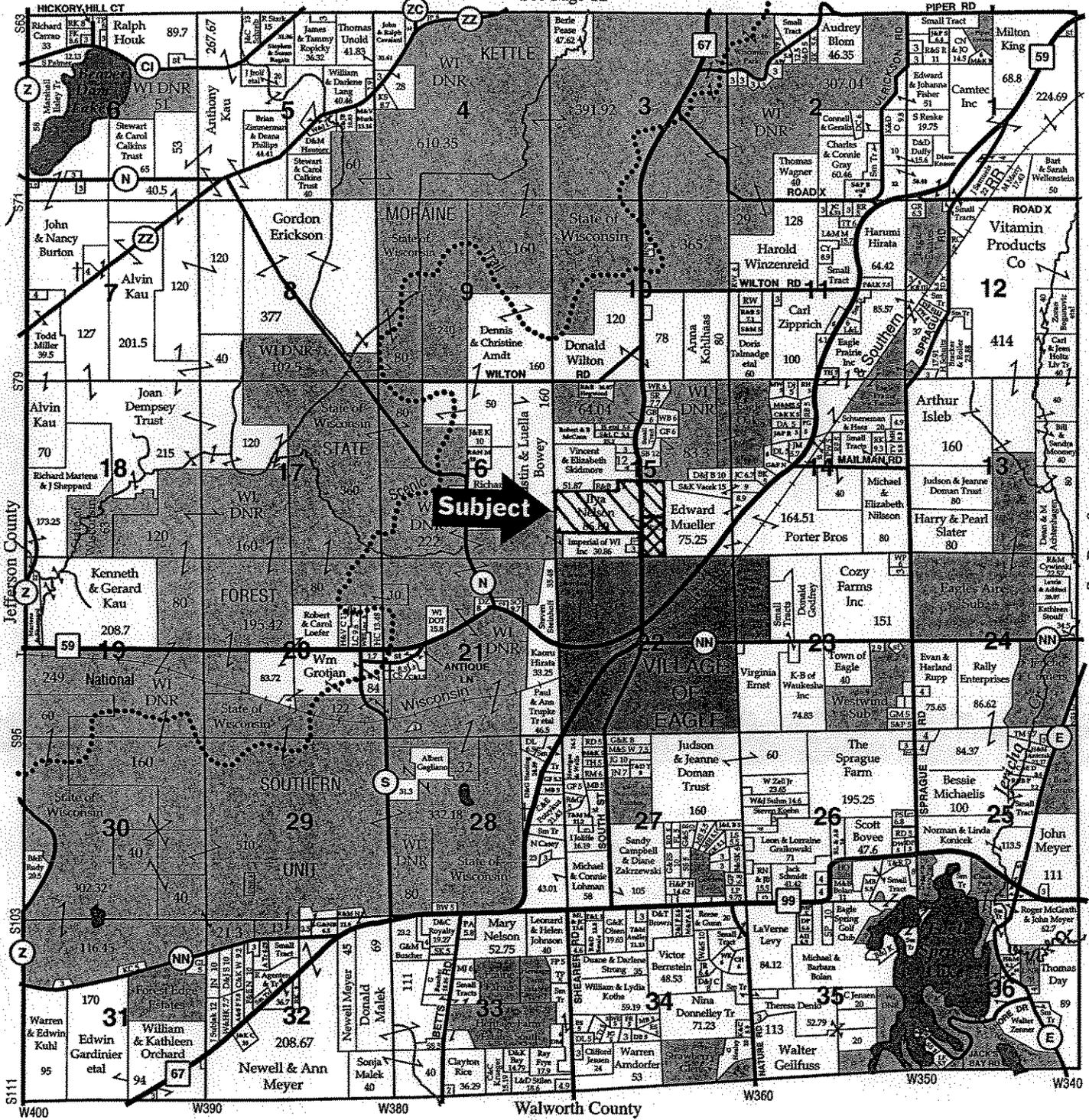
WAUKESHA CO.

DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
Madison, Wisconsin
SCALE 1" = 1 MILE
Checked by
JAN 1996
Site compiled from U.S.G.S. Quadrangle
148250 Series



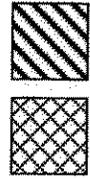
©1997 Cloud Cartographics, Inc. St. Cloud, MN 56301

See Page 12



See Page 9

"Reproduced with permission of Cloud Cartographics, Inc."



LEGEND

BOUNDARY APPROVED

Aug. 94
date

■■■■■ PROJECT BOUNDARY

ACREAGE GOAL

29,085
acres

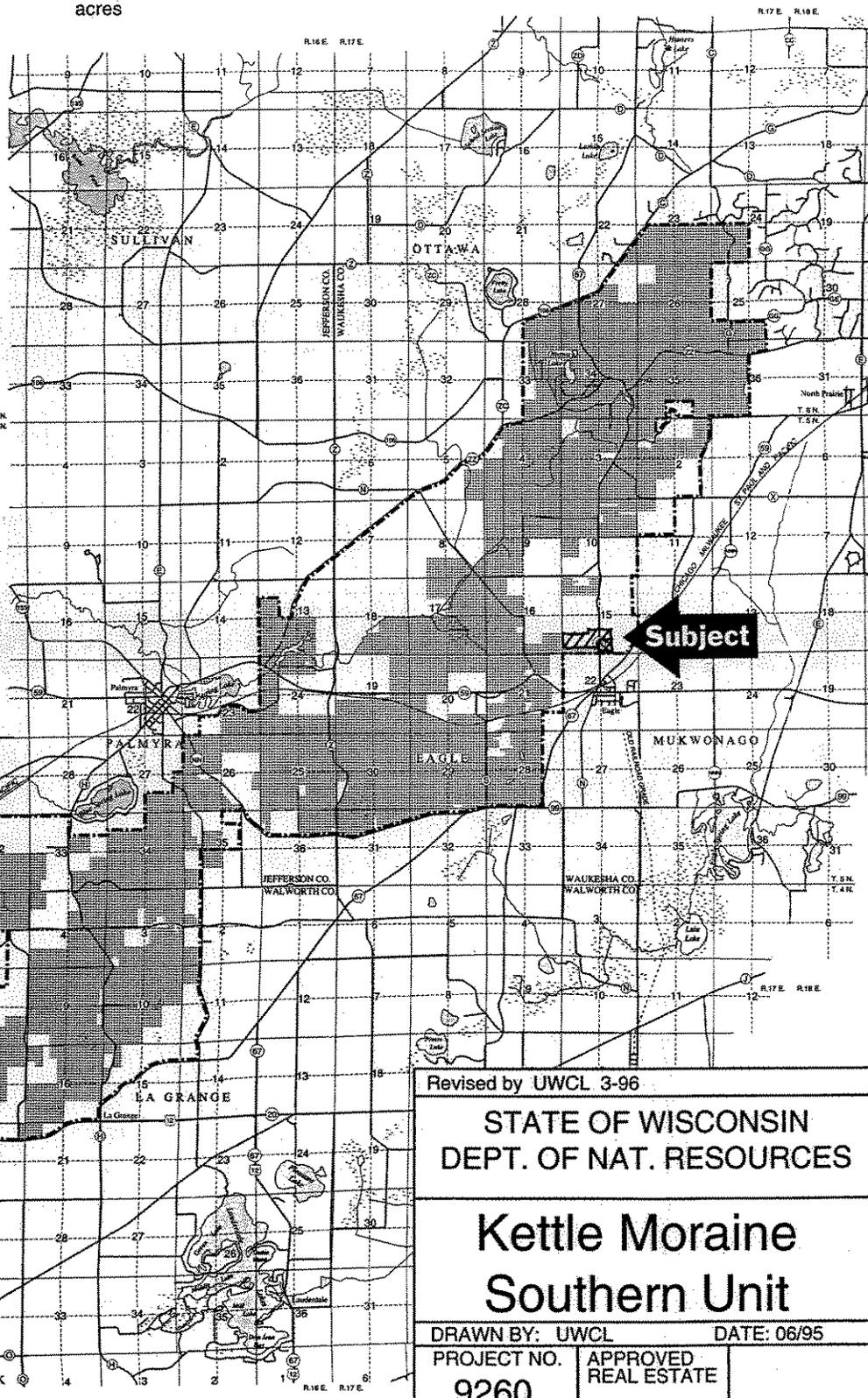
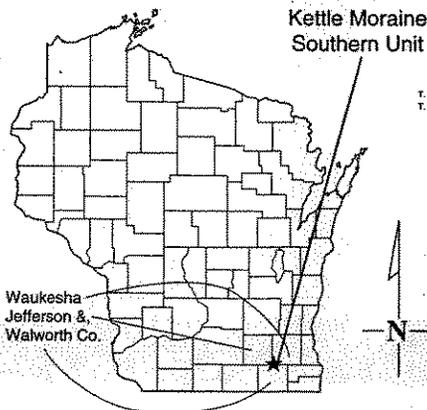
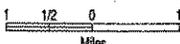
■ STATE OWNED

■ STATE EASEMENT

PLANIMETERED AREA
WITHIN BOUNDARY

_____ acres

SCALE
1 : 63,360



Revised by UWCL 3-96

STATE OF WISCONSIN
DEPT. OF NAT. RESOURCES

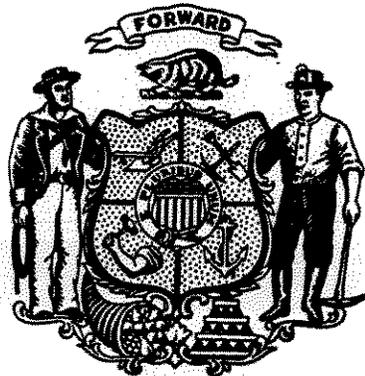
**Kettle Moraine
Southern Unit**

DRAWN BY: UWCL DATE: 06/95

PROJECT NO.
9260

APPROVED
REAL ESTATE

END



END

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

317-E Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-8535



ASSEMBLY CHAIR
JOHN GARD

308-E Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2343

JOINT COMMITTEE ON FINANCE

September 26, 2001

Secretary George Lightbourn
Department of Administration
101 East Wilson Street, 10th Floor
Madison, Wisconsin 53703

Dear Secretary Lightbourn:

We are writing to inform you that the members of the Joint Committee on Finance have reviewed your request, received September 7, 2001, pursuant to s. 16.515/16.505(2), Stats., pertaining to a request from the Department of Health and Family Services.

No objections have been raised concerning this request. Therefore, the request is approved.

Sincerely,

Handwritten signature of Brian Burke in black ink.

BRIAN BURKE
Senate Chair

Handwritten signature of John G. Gard in black ink.

JOHN G. GARD
Assembly Chair

BB:JG:dh

cc: Members, Joint Committee on Finance
Secretary Phyllis Dubé, Department of Health and Family Services
Robert Lang, Legislative Fiscal Bureau
Vicky La Belle, Department of Administration



State of Wisconsin
Department of Health and Family Services

Scott McCallum, Governor
Phyllis J. Dubé, Secretary

September 19, 2001



The Honorable John Gard
Joint Committee on Finance, Co-Chair
Room 308 East Capitol
Madison, WI 53702

Dear Representative Gard:

I am writing to inform you of the Department's plans to manage a serious staff shortage at Winnebago Mental Health Institute (WMHI) that threatens the safety of patients and staff at the facility. Over the last three months, WMHI adult units have been operating at between 95% and 120% capacity. Current staffing levels are not adequate to manage this level of population. The Department has requested additional staff through the s.16.505/515 process and the Department of Administration (DOA) approved and transmitted on September 6 our request for 24.2 additional staff at WMHI. This request is currently pending passive review by the Joint Committee on Finance. This request does not involve any GPR funding. If no objection is raised by a Committee member, the request will be approved on September 27. The Department's s.16.505/515 request was initiated to address the risk of losing federal accreditation and funding at both DCTF mental health institutes. Because the need for these additional staff has intensified over the past several weeks, while this s.16.505/515 request is pending, the Department proposes to request that DOA establish 24 pool code positions so that WMHI can begin hiring staff immediately.

The level and acuity of the WMHI population is such that staff are no longer able or willing to work forced overtime. Direct care staff are threatening to walk off units where they believe they can no longer provide adequate treatment for patients or ensure their safety because of the staffing shortage. Complaints have been lodged with the professional accreditation association and the facility's accreditation is in danger of being revoked if these staffing problems are not addressed quickly.

My immediate concern is to provide relief to staff and ensure that patients are receiving adequate care by increasing the staffing levels at WMHI as quickly as possible. Obtaining positions through the pool code process is the most expeditious way of addressing our staffing shortage. I believe that this action will provide immediate relief to our staff. I urge the Committee to approve our s.16.505/515 request through the 14-day passive review process so that we can obtain the permanent positions at WMHI needed to provide a long-term solution to our serious staffing crisis.

Sincerely,

Phyllis J. Dubé
Secretary

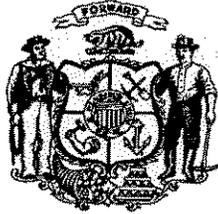
cc: Committee Members
David Schmiedicke, DOA
Bob Lang

Wisconsin.gov

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

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ASSEMBLY CHAIR
JOHN GARD

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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Brian Burke
Representative John Gard
Co-Chairs, Joint Committee on Finance

Re: s. 16.515/16.505, Stats. Request

Date: September 10, 2001

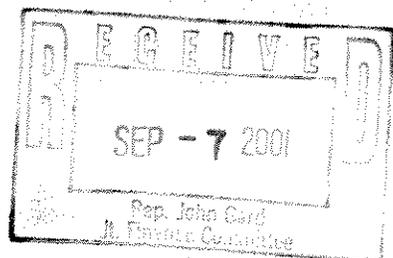
Attached is a copy of a request from the Department of Administration, received September 7, 2001, pursuant to s. 16.515/16.505(2), Stats., pertaining to a request from the Department of Health and Family Services.

Please review the material and notify **Senator Burke** or **Representative Gard** no later than **Tuesday, September 25, 2001**, if you have any concerns about the request or if you would like to meet formally to consider it.

Also, please contact us if you need further information.

Attachment

BB:JG:dh



WISCONSIN DEPARTMENT OF ADMINISTRATION

SCOTT McCALLUM
GOVERNOR
GEORGE LIGHTBOURN
SECRETARY
Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
TTY (608) 267-9629

Date: September 6, 2001
To: The Honorable Brian Burke, Co-Chair
Joint Committee on Finance
The Honorable John Gard, Co-Chair
Joint Committee on Finance
From: George Lightbourn, Secretary
Department of Administration
Subject: S. 16.515/16.505(2) Request(s)

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

DOA RECOMMENDATION:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2001-2002</u>		<u>2002-03</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DHFS 20.435(2)(gk)	Institutional operations	\$1,344,800	27.96	\$1,357,800	27.87

AGENCY REQUEST:

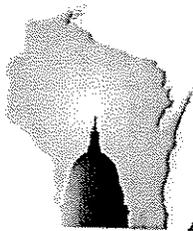
<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2001-2002</u>		<u>2002-03</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DHFS 20.435(2)(gk)	Institutional operations	\$1,497,100	29.66	\$1,510,100	29.57

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September 6, 2001

As provided in s. 16.515, the request will be approved on September 27, 2001 unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.

Please contact Vicky LaBelle at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance if you have any additional questions.

Attachments



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT McCALLUM
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
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Date: September 6, 2001

To: George Lightbourn, Secretary
Department of Administration

From: Susan Jablonsky, Budget Analyst

Subject: Request Under s. 16.505/515 from the Department of Health and Family Services for Staff for the Mental Health Institutes

REQUEST:

Under the provisions of s.16.505 and s.16.515, the Department requests 29.66 permanent PR FTE and permanent expenditure authority of \$1,497,100 PR in FY02 and 29.57 permanent PR FTE and permanent expenditure authority of \$1,510,100 PR in FY03 for the Division of Care and Treatment Facilities in appropriation s. 20.435 (2) (gk). The positions and expenditure authority are requested to address deficiencies recently cited by the federal government in its certification survey of Mendota Mental Health Institute (MMHI) and to avoid a decertification notice at Winnebago Mental Health Institute (WMHI).

REVENUE SOURCE FOR APPROPRIATION:

The source of revenue for this appropriation is rates charged to counties for the cost of care of individuals who are committed as civil admissions to the mental health institutes (MHIs) and Medical Assistance (MA) funding. Currently the Department projects there will be a balance of \$6.5 million in this appropriation in FY02 after taking into account pay plan increases and approval of this request. This revenue is the result of increasing numbers of placements and one-time enhanced collections. The MA revenue is funded by both GPR and FED in the DHFS MA appropriations. However, the Department has not yet identified where the GPR funding, roughly estimated at \$300,000, will be reallocated from and will be submitting a s.13.10 request in September to identify the source of GPR funding for these additional MA costs.

In addition, the Department has recalculated the funding split at the MHIs based on new population projections for FY02 and FY03 and determined that there will be GPR available as a result of population changes. Funding for indirect costs at the MHIs is

split between GPR and PR, according to the number of patients who are GPR state-supported forensic patients and the number who are supported by PR third-party payments which are civil commitments. Total funding for indirect costs is determined by the percentages each segment of the population makes up of the total population at the institutes. As populations change, the percentage of each funding source changes as well. In FY02 and FY03, the Department projects an increase in the number of civil patients at Mendota and a slight increase in forensic patients at Winnebago. The net effect will be to increase the relative percentage of PR funding at the MHIs.

The Department estimates that, because of these population changes, \$527,700 GPR in FY02 and \$540,700 GPR in FY03 will become available and can be reallocated to fund direct care rather than indirect costs and to fund the cost of outpatient competency examinations. The recalculation also frees up 7.7 GPR positions which MMHI will redeploy to address federal survey concerns. As a result, there are no new GPR dollars or positions needed for this request but the Department will need to find the GPR for MA at a later date.

BACKGROUND:

Federal certification surveys are undertaken periodically but institutions are not advised ahead of time of the date of a review. A federal survey was conducted at Mendota from June 18 to June 22, 2001. Prior to this survey, the last surveys at MMHI and WMHI were in 1995. In the past, federal officials have conducted surveys of both MHIs within one to six months of each other. Based on this experience, the Department expects a survey to be conducted at Winnebago before the end of 2001.

Federal surveyors can investigate institutions in three areas: staffing, medical records and patient rights. At Mendota's exit conference on June 22, federal officials cited primarily staffing deficiencies. Medical records were found to be generally in compliance, although some deficiencies were cited. Patient rights were not specifically reviewed.

The Department has 90 days from the exit conference to correct deficiencies, resulting in a deadline of September 20, 2001. After the surveyors' report is reviewed by the Department of Health and Human Services' Chicago Regional Office, a formal statement of deficiencies was sent to MMHI. The Department had 10 days from the receipt of that letter to submit its plan of correction to the federal government. This plan has been submitted to the regional office outlining how positions will be redeployed to address the inadequacies cited.

At the exit interview, surveyors cited the following staffing problems: inadequate nursing staff on the night shift; high forced overtime, vacancy rates and unanticipated staff illnesses, resulting in a shortage of direct care staff on several units; high acuity levels; inadequate and inconsistently provided therapeutic activities; and, inadequate

and insufficient intensive treatment programming, particularly in the forensic program.

The decertification of either MHI would result in the loss of all federal funding received by that institution. The MHIs receive federal funding for Medicaid and Medicare-eligible patients. The annual amount of federal funding that would be lost is estimated at approximately \$9.4 million at Mendota and \$11.7 million at Winnebago. In addition, a federal decertification of either institution would raise questions about the quality of care at the facility and probably result in more intense scrutiny by advocacy groups.

In response to the survey findings, the Department has already taken several steps to improve staffing levels and treatment programs at Mendota. The Department received approval from the Department of Employee Relations to engage in continuous recruitment for critical positions at Mendota; through this process it is possible to hire staff more quickly and efficiently. DHFS has also requested and received permission to pool code critical positions. Finally, DHFS has used the 28.0 FTE, which were approved in June, 2001 in response to the s.16.505/515 request, to increase staffing across MMHI units where the need, as identified by the federal survey, is most critical. Those 28.0 FTE were originally approved and intended to address census pressures across the institutes by using them to open a new civil secure unit at MMHI.

Another effort proposed by the department to help maintain sufficient staffing as populations continue to grow is the expanded use of the outpatient competency program for forensic patients, currently operating in several counties, to the entire state. The Department has the authority under statute to conduct competency-to-stand-trial examinations on either an inpatient or outpatient basis. Inpatient examinations must be conducted at either MHI; outpatient examinations must be conducted in a jail or locked unit of a facility. Currently the Department contracts with Milwaukee County to provide outpatient competency examinations to individuals awaiting trial in Milwaukee, Waukesha, Racine and Kenosha counties. The Department has also piloted an expanded program in 10 other counties.

Outpatient examinations average \$1,700/patient, as opposed to an average cost of \$11,600/person for an inpatient examination. The number of court-ordered evaluations has grown by over 10% annually for several years and this trend is expected to continue. The growth in the number of evaluations has contributed to the overall increase in the forensic populations at the MHIs. If this trend continues, it may be necessary to open additional units for this expanded population.

As an alternative to increasing inpatient capacity, the Department proposes to expand this program throughout the state by establishing a statewide system for conducting outpatient competency examinations. Under this proposal, the Department would contract for these examinations with agencies that currently provide comprehensive

mental health services to the individuals who have been found Not Guilty by Reason of Mental Disease or Defect and placed in the community on conditional release.

The cost to the state for expanding outpatient competency examinations statewide is estimated at \$257,900 GPR in FY02 and \$270,900 GPR in FY03. The Department proposes to use GPR funds freed up by the recalculation of the MHI funding split to pay for the costs of this statewide system and no additional GPR resources are being requested. By expanding outpatient competency examinations, the Department expects to reduce the demand for additional inpatient resources at the MHIs, which should help ease some of the census pressure and simultaneously maintain sufficient staffing from the federal certification perspective at the institute.

ANALYSIS:

DHFS staff reestimated populations at the institutes and found that the civil population, which is supported by PR, was higher than it was budgeted for. As a result they recalculated the split, which apportions administrative costs between the PR-supported civil patients and the GPR-supported forensic population, for each institute. Based on the change in the split, staff also recalculated the cost of food and variable non-food items. This recalculation freed up enough GPR and FTE to transfer 7.5 GPR administrative FTE to be used for direct care on forensic units at MMHI and to fund the statewide competency evaluation program. The remaining fractions of the GPR positions will be frozen.

	<u>GPR</u> <u>FY02</u> <u>Dollars</u>	<u>GPR</u> <u>FY02</u> <u>FTE</u>	<u>GPR</u> <u>FY03</u> <u>Dollars</u>	<u>GPR</u> <u>FY03</u> <u>FTE</u>	<u>PR</u> <u>FY02</u> <u>Dollars</u>	<u>PR</u> <u>FY02</u> <u>FTE</u>	<u>PR</u> <u>FY03</u> <u>Dollars</u>	<u>PR</u> <u>FY03</u> <u>FTE</u>
Available from Split	-\$527,700	-7.76	-\$540,700	-7.67	\$527,700	7.76	\$540,700	7.67
Outpatient Evaluation	\$257,900	0.00	\$270,900	0.00	\$0	0.00	\$0	0.00
Mendota Request	\$269,800	7.50	\$269,800	7.50	\$0	0.00	\$0	0.00
Winnebago Request	<u>\$0</u>	<u>0.00</u>	<u>\$0</u>	<u>0.00</u>	<u>\$969,400</u>	<u>21.90</u>	<u>\$969,400</u>	<u>21.90</u>
GPR Position Authority	\$0	-0.26	\$0	-0.17	\$1,497,100	29.66	\$1,510,100	29.57

Mendota Positions

Mendota's plan of correction identifies a need for 31.5 FTE (17.5 PR and 14.0 GPR). The number and classification of the staff proposed are in direct response to the very specific citations made. For example, nursing coverage was considered inadequate in

two civil patient halls and the maximum security forensic unit. The Department's request specifically asks for nurses for those units. The following staff are proposed:

- 4.0 FTE Registered Nurses to provide additional coverage on two units on the night shift and the maximum security forensic ward. This will address the issue of inadequate night nursing staff.
- 15.0 FTE Resident Care Technicians to increase coverage on all shifts and to provide a float pool to cover for absent workers. This will address the issue of excessive forced overtime due to staff illnesses.
- 1.0 FTE Treatment Specialist and 3.5 FTE Certified Occupational Therapists to provide consistent therapeutic activities on the alcohol and drug abuse unit, an adult assessment unit and forensic units. These staff will provide active treatment programs as required by federal standards.
- 2.0 FTE Social Workers and 1.0 FTE Forensic Services Supervisor to ensure adequate medical records are kept, to plan for patients' aftercare needs and to ensure that treatment programs are initiated and maintained, particularly in the forensic program.
- 3.0 FTE Vocational Therapists to assist in maintaining Mendota's treatment programs in adult units.
- 1.0 FTE Program Assistant to provide assistance in medical record keeping and 1.0 FTE Custodian to answer a citation related to having a direct care staff person cleaning rooms.

The total request for 31.5 positions requires 17.5 PR positions and 14.0 GPR positions. The 17.5 PR positions will come out of the 28 PR FTE authorized in June. Of the remaining 10.5 PR positions, 4.0 will be used to offset Winnebago's request for PR positions. The balance of 6.5 PR FTE will be used at Mendota to trade with GPR positions. Staff have found examples where a PR-funded person is working in a forensic unit or a GPR-supported position is working on a civil unit. Staff have identified 6.5 GPR positions that will be switched with the 6.5 PR positions mentioned above. The remaining 7.5 GPR positions are freed up from the split recalculation to transfer from administrative functions to direct care. Persons in those administrative positions would be placed in the 7.7 new PR positions resulting from the split recalculation (see table on previous page).

Since MMHI was able to reallocate GPR positions through position trades and redeployments of the GPR positions generated by the split recalculation, they do not need to request any new GPR positions. This request is only for PR positions for WMHI and new PR positions resulting from the split recalculation.

DHFS staff prepared an analysis of staffing levels at the time of the survey. For direct care staff, nurses and patient care technicians, there were 51.6 vacant positions. Based on a recent payroll, there are now 21.78 vacancies in these classifications. It appears that the continuous hiring instituted is helping to fill vacancies. On an institutional level, MMHI has 77.58 vacant positions. However, this includes the 28 positions approved in June and is offset by 6 filled pool code positions. When those positions are excluded, MMHI has a vacancy rate of 7% for all classifications.

At the time of the survey, MMHI had 285 patients. Using the number of filled nursing and technician positions and this population results in a staff-to-patient ratio of 1.24 staff per resident. The addition of the nursing and technician staff in this request would result in a staff-to-patient ratio of 1.42. Since these staff have the most contact with patients and were the types of positions which surveyors cited in their findings, this increase in the staff-to-patient ratio is appropriate.

Other treatment staff being requested are in response to surveyor findings that there was not enough active treatment for patients. For example, an alcohol and other drug treatment group had been scheduled but it was cancelled when the employee leading the group was ill. Patients then did nothing. The addition of these treatment staff to the rest of the direct care staff results in a change in the staff-to-patient ratio from 1.65 to 1.9 staff per patient.

There was also a concern that patient medical records did not adequately reflect the person's individual treatment plan. In addition to providing additional staff training, the Department is requesting social workers and a program assistant to address this deficiency. Finally, the custodian was added in direct response to a criticism that direct care staff were cleaning out a room after a patient left.

The request appears to respond adequately to surveyor concerns without asking for an excessive number of staff. It is difficult for staff to know what will be considered as "adequate" by surveyors but they believe they have sufficiently addressed their concerns. However, MMHI staff have also prepared a contingency plan requesting 52 FTE, including 15.5 nurses and 21.5 patient care technicians, if the federal surveyors find Mendota's proposed staffing plan to be inadequate.

Winnebago Positions

In anticipation of their survey, staff at WMHI have taken actions to improve their working environment. Since they also have high levels of forced overtime, they did an extensive review of nursing staffing patterns to maximize coverage on each shift. They also conducted a "mock survey" using a consultant who has worked for both the federal Health Care Financing Administration and the Joint Committee on Hospital Accreditation, which is the national accrediting agency for psychiatric hospitals. His findings were substantially similar to the deficiencies found at MMHI, particularly with

respect to nursing and resident care technician staff coverage on day and evening shifts.

To respond to the anticipated federal citation, the Department requests 21.9 PR FTE and \$969,400 PR at WMHI and the reallocation of 4.0 PR FTE from Mendota in each year of the biennium, to be allocated as follows:

- 8.0 FTE Registered Nurses to provide adequate medical record keeping and ensure that treatment objectives are met on two high admission/high acuity units. This equates to an additional post on the day and evening shifts.
- 13.2 FTE Resident Care Technicians which equates to 2 additional posts for the 4 Adolescent units. Current staffing is not adequate to provide weekend and afternoon coverage when children are not in school.
- 0.7 FTE Physician, 2.0 FTE Psychologists and 1.0 FTE Social Worker. Non-nursing staffing is not adequate to provide assessment, treatment activities and medical record documentation as required by federal and professional organization standards. Current staff have been shifted to high volume units, thereby leaving other units without adequate coverage.
- 1.0 FTE Nursing Supervisor for day shifts on the weekends. This duty is currently performed by non-nursing staff on an overtime basis.

WMHI is currently at 100% occupancy. Management prefers an occupancy level around 90% so that they can move patients as treatment and security needs dictate. The nursing positions requested would be placed on two admissions units for adults and children. This would increase the staff's capacity for assessment of new patients given the population pressure. The number of resident care technicians at WMHI is slightly lower than that at MMHI. Mendota requested 15.0 FTE to increase coverage on certain units. It is reasonable that WMHI should request a similar number of direct care staff. Finally, adding the nursing supervisor would avoid having non-nursing staff supervise the nurses and it will reduce overtime. Adding these direct care positions increases the staff-to-patient ratio from 1.15 to 1.28.

Lack of sufficient treatment resources was cited in the MMHI survey. Since WMHI has fewer psychological and psychiatric positions (26) than MMH (33), it is reasonable to approve the 2.0 psychologist positions.

The 0.7 FTE physician and the 1.0 social worker should be denied at this time. Physician services were not identified as a deficiency for MMHI and it is not clear that this would be a problem for WMHI. WMHI also has more social workers (24.8) than MMHI (17) so it does not appear that this additional position is necessary at this time.

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September 6, 2001

This changes the total amount requested to \$1,344,800 in FY02 and 27.96 PR FTE and \$1,357,800 and 27.87 PR FTE in FY03.

RECOMMENDATION:

Approve \$1,344,800 PR and 27.96 PR FTE in FY02 and \$1,357,800 PR and 27.87 PR FTE in FY03 to provide staff to MMHI and WMHI to upgrade treatment levels and to reflect the recalculation of the institute split. Approve Mendota's redeployment plan to avoid decertification. Also approve the plan to increase the number of outpatient competency exams once DHFS has identified and set aside sufficient GPR to meet the anticipated additional MA costs.

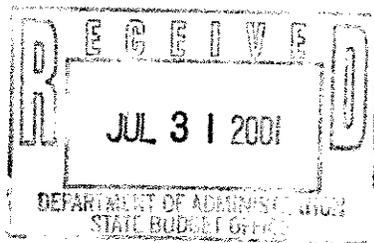
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State of Wisconsin
Department of Health and Family Services

Scott McCallum, Governor
Phyllis J. Dubé, Secretary

July 30, 2001



Mr. David Schmiedicke
State Budget Office
10th Floor, 101 East Wilson Street
Madison, WI 53702

Dear Mr. Schmiedicke:

Under the provisions of s.16.505 and s.16.515, the Department requests 29.66 permanent PR FTE and permanent expenditure authority of \$1,497,100 PR in FY 02 and 29.57 permanent PR FTE and permanent expenditure authority of \$1,510,100 PR in FY 03 for the Division of Care and Treatment Facilities in appropriation s.20.435 (2) (gk) [229]. The positions and expenditure authority are requested to address deficiencies recently cited by the federal government in its certification survey of Mendota Mental Health Institute (MMHI) and to avoid a decertification notice at Winnebago Mental Health Institute (WMHI).

The Source of Revenue

The source of revenue deposited in the appropriation under s.20.435 (2) (gk) is rates charged to counties for the cost of care of individuals who are committed under civil admissions statutes to the Mental Health Institutes (MHIs) and Medical Assistance funding. Currently the Department projects there will be sufficient county revenue in this appropriation in FY 02 to fund the county-funded portion of the requested staff increases. This revenue is the result of anticipated increased placements during FY 02 and one-time enhanced collections. The Medical Assistance (MA) revenue is funded by both GPR and FED in the DHFS MA appropriations. The Department will be submitting a s.13.10 request in September to identify the source of GPR funding for these additional MA costs.

In addition, the Department has recalculated the funding split at the MHIs based on new population projections for FY 02 and FY 03 and determined that there will be GPR available as a result of population changes. Funding for indirect costs at the MHIs is split between GPR and PR, according to the number of patients who are GPR state-supported (forensic patients) and the number who are supported by PR third-party payments (civil commitments). Total funding for indirect costs is determined by the percentages each

Mr. Schmiedicke

July 30, 2001

Page 2

segment of the population makes up of the total population at the institutes. As populations change, the percentage of each funding source changes as well. In FY 02 and FY 03, the Department projects an increase in the number of civil patients at Mendota and a slight increase in forensic patients at Winnebago. The net effect will be to increase the relative percentage of PR funding at the MHIs. The Department estimates that, because of these population changes, \$527,700 GPR in FY 02 and \$540,700 GPR in FY 03 will become available to fund direct care rather than indirect costs.

Background

The Department's Mental Health Institutes are mental health hospitals that provide mental health services to Wisconsin residents of all ages. The MHIs cannot refuse to treat patients who have been denied care in other facilities. Patients who are admitted as civil commitment patients are referred by community mental health boards and funded by their county of residence through program revenue (PR). Forensic patients are referred directly by the courts, are state (GPR) funded and include individuals being evaluated for competency to stand trial and individuals charged with a crime who have been found either incompetent to stand trial or not guilty of a crime by reason of mental defect or disease.

The Department has experienced a significant growth in population at the MHIs since 1998. Reasons for this growth include increases in court-ordered inpatient competency evaluations for forensic patients, growth in adult civil populations and a decrease in the number of facilities that are available to treat mentally ill individuals. In addition, changes in the federal regulations governing restraint and seclusion have resulted in a need for higher staff-to-patient ratios at federally certified mental health institutions.

During the last two years, the Department has requested and received additional resources that has enabled DHFS to respond to both the changes in federal restraint and seclusion regulations and the increase in populations at the MHIs. In July 2000 the Legislature approved 41.85 permanent FTE to meet the new restraint and seclusion regulations. In June 2001, the Legislature approved, through the s.16.505/515 process, an additional 34.5 PR FTE to manage the increased populations at Mendota and Winnebago.

Federal certification surveys are undertaken periodically but are unscheduled and institutions are not advised ahead of time of the date of a review. A federal survey was conducted at Mendota from June 18 to June 22. Prior to the recent survey in June, the last surveys at MMHI and WMHI were in 1995. In the past, federal officials have conducted surveys of both MHIs within one to six months of each other. Based on this experience, the Department expects a survey to be conducted at Winnebago before the end of 2001.

Federal surveyors can investigate institutions in three areas: staffing, medical records and patient rights. At Mendota's exit conference on June 22, federal officials cited primarily staffing deficiencies. Medical records were found to be generally in compliance,

Mr. Schmiedicke
July 30, 2001
Page 3

although some deficiencies were cited. Patient rights were not specifically reviewed during this survey.

The Department has 90 days from the exit conference to correct deficiencies, resulting in a deadline of September 20, 2001. After the surveyors' report is reviewed by the Department of Health and Human Services' Chicago Regional Office, a formal statement of deficiencies will be sent to MMHI. The Department will have 10 days from the receipt of this letter to submit its plan of correction to the federal government.

At the exit interview, surveyors cited the following staffing problems: inadequate nursing staff on the night shift; high forced overtime, vacancy rates and unanticipated staff illnesses, resulting in a shortage of direct care staff on several units; high acuity levels; inadequate and inconsistently provided therapeutic activities; and, inadequate and insufficient intensive treatment programming, particularly in the forensic program.

The decertification of either MHI would result in the loss of all federal funding received by that institution. The MHIs receive federal funding for Medicaid and Medicare-eligible patients. The annual amount of federal funding is estimated at approximately \$9.4 million at Mendota and \$11.7 million at Winnebago. In addition, a federal decertification of either institution would raise questions about the quality of care at the facility and probably result in more intense scrutiny by advocacy groups.

Proposal

In response to the survey findings, the Department has already taken several steps to improve staffing levels and treatment programs at Mendota. The Department received approval from the Department of Employee Relations to engage in continuous recruitment for critical positions at Mendota; through this process it is possible to hire staff more quickly and efficiently. DHFS has requested and received permission to pool code critical positions. The Department has also used the 28.0 FTE, which were received in June in response to the s.16.505/515 request, to increase staffing across MMHI units where the need, as identified by the federal survey, is most critical. Those 28.0 FTE were originally approved and intended to address census pressures across the institutes by using them to open a new civil secure unit at MMHI.

Outpatient Competency Evaluations to Address Continuing Census Pressures

With the redeployment of the FTE that were intended to be used to open a new unit, the need continues for creating mechanisms to effectively address census pressures. The Department proposes to do this by expanding its outpatient competency program for forensic patients, currently operating in several counties, to the entire state. The Department has the authority under statute to conduct competency-to-stand-trial examinations on either an inpatient or outpatient basis. Inpatient examinations must be conducted at either MHI; outpatient examinations must be conducted in a jail or locked unit of a facility. Currently the Department contracts with Milwaukee County to provide

outpatient competency examinations to individuals awaiting trial in Milwaukee, Waukesha, Racine and Kenosha counties. The Department has also piloted an expanded program in 10 other counties.

Outpatient examinations average \$1700/patient, as opposed to an average cost of \$11,600/person for an inpatient examination. The number of court-ordered evaluations has grown by over 10% annually for several years and this trend is expected to continue. The growth in the number of evaluations has contributed to the overall increase in the forensic populations at the MHIs. If this trend continues it may be necessary to open additional units for this expanded population.

As an alternative to increasing inpatient capacity, the Department proposes to expand this program throughout the state by establishing a statewide system for conducting outpatient competency examinations. Under this proposal, the Department would contract for these examinations with agencies that currently provide comprehensive mental health services to the individuals who have been found Not Guilty by Reason of Mental Disease or Defect (NGI) and placed in the community on conditional release.

The cost to the state for expanding outpatient competency examinations statewide is estimated at \$257,900 GPR in FY 02 and \$270,900 GPR in FY 03. The Department proposes to use GPR funds freed up by the recalculation of the MHI funding split to pay for the costs of this statewide system. The GPR will be available for this program through the split recalculation and no additional GPR resources will need to be requested. By expanding outpatient competency examinations, the Department expects to reduce the demand for additional inpatient resources at the MHIs.

Mendota Staffing

The Department proposes to use \$269,800 GPR in FY 02 and \$269,800 GPR in FY 03 from the split to fund 7.50 GPR FTE at Mendota. The 7.50 GPR FTE, together with the 28.0 FTE recently provided to Mendota, will be used to address the deficiencies cited by federal surveyors. The staff will be distributed as follows:

- 4.0 FTE Registered Nurses to provide additional coverage on two units on the night shift. This will address the issue of inadequate night nursing staff.
- 15.0 FTE Resident Care Technicians to provide sufficient coverage on all shifts and to provide a float pool to cover for absent workers. This will address the issue of excess forced overtime due to staff illnesses.
- 1.0 FTE Treatment Specialist and 3.5 FTE Certified Occupational Therapists to provide consistent therapeutic activities on the alcohol and drug abuse unit, an adult assessment unit and forensic units. These staff will provide active treatment programs as required by federal standards.

Mr. Schmiedicke
July 30, 2001
Page 5

- 2.0 FTE Social Workers and 1.0 FTE Forensic Services Supervisor to ensure adequate medical records are kept, to plan for patients' aftercare needs and to ensure that treatment programs are initiated and maintained, particularly in the forensic program.
- 3.0 FTE Vocational Therapists to assist in maintaining Mendota's treatment programs in adult units.
- 1.0 FTE Program Assistant to provide assistance in medical record keeping and 1.0 FTE Custodian to answer a citation related to lack of cleanliness.
- 4.0 FTE will be reallocated to Winnebago, as explained below.

Winnebago Staffing

No survey has been conducted as yet at Winnebago, but, based on past experience, the Department expects that one will occur before the end of the year. Winnebago's nursing staff-to-patient ratios are lower than those at Mendota and, in light of Mendota's experience, the Department believes that it is likely that WMHI will not pass a federal certification review with the current level of staffing.

The Department believes that good public management requires a proactive approach to issues that federal surveyors are likely to raise by improving staffing at Winnebago as soon as possible. To respond to the anticipated federal citation, the Department requests 21.9 PR FTE and \$969,400 PR at WMHI and the reallocation of 4.0 PR FTE from Mendota in each year of the biennium, to be allocated as follows:

- 8.0 FTE Registered Nurses to provide adequate medical record keeping and ensure that treatment objectives are met on the high admission/high acuity units.
- 13.2 FTE RCTs for the Adolescent units. Current staffing is not adequate to provide weekend and afternoon coverage when children are not in school.
- 0.7 FTE physician, 2.0 FTE Psychologists and 1.0 FTE Social Worker. Non-nursing staffing is not adequate to provide assessment, treatment activities and medical record documentation as required by federal and professional organization standards. Current staff have been shifted to high volume units, thereby leaving other units without adequate coverage.
- 1.0 FTE Nursing Supervisor for morning shifts on the weekends.

The Department has sufficient revenue from the county payments for civilly-committed patients to cover the costs of this request. No rate increase would be required at this time to fund this request. Due to the magnitude of the Medical Assistance appropriation, it will be possible to fund the MA share of this request until the September s.13.10 meeting, at

Mr. Schmiedicke
July 30, 2001
Page 6

which time the Department will identify the source of GPR funding for reallocation to the MA appropriation for the increased MA costs.

We would appreciate your prompt consideration of this request. The Department must have adequate staff in place to address federal survey findings by September 20, 2001 or face the threat of decertification proceedings.

Thank you for considering this request. If you have any questions, please call Ellen Hadidian at 266-8155.

Sincerely,



Phyllis J. Dubé
Secretary

Resources Requested due to Survey

Mendota Mental Health Institute

<u>Classification</u>	<u>FTE</u>	<u>Appropriation</u>	<u>Hourly Salary</u>	<u>Annual Salary</u>	<u>Fringe</u>	<u>Total</u>
Occupational Therapy Assistant-Entry Therapist	0.50	201	\$10.931	\$11,368	\$4,373	\$15,742
Therapist	1.00	201	\$15.933	\$33,141	\$12,749	\$45,890
Therapist	1.00	201	\$15.933	\$33,141	\$12,749	\$45,890
Therapist	1.00	201	\$15.933	\$33,141	\$12,749	\$45,890
Resident Care Technician 1	1.00	201	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	201	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	201	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	<u>1.00</u>	201	\$10.105	<u>\$21,018</u>	<u>\$8,086</u>	<u>\$29,104</u>
	7.50			\$194,864	\$74,964	\$269,828

Winnebago Mental Health Institute

<u>Classification</u>	<u>FTE</u>	<u>Appropriation</u>	<u>Hourly Salary</u>	<u>Annual Salary</u>	<u>Fringe</u>	<u>Total</u>
Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
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Nurse Clinician 2	1.00	229	\$19.248	\$40,036	\$15,402	\$55,438
Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
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Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Nursing Supervisor	0.20	229	\$10.105	\$4,204	\$1,617	\$5,821
Physician	1.00	229	\$18.470	\$38,418	\$14,779	\$53,197
Physician	0.70	229	\$55.000	\$80,080	\$30,807	\$110,887
Social Worker	1.00	229	\$14.408	\$29,969	\$11,529	\$41,498
Psychologist	1.00	229	\$18.261	\$37,983	\$14,612	\$52,595
Psychologist	<u>1.00</u>	229	\$18.261	<u>\$37,983</u>	<u>\$14,612</u>	<u>\$52,595</u>
	25.90			\$822,162	\$301,674	\$1,085,852

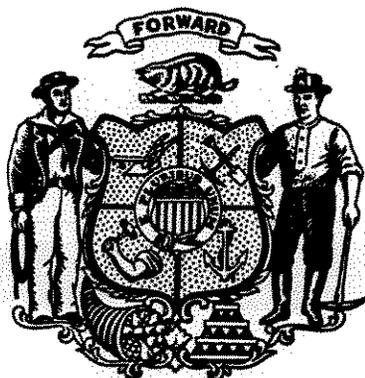
MMHI Offset

Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	1.00	229	\$10.105	\$21,018	\$8,086	\$29,104
Resident Care Technician 1	<u>1.00</u>	229	\$10.105	<u>\$21,018</u>	<u>\$8,086</u>	<u>\$29,104</u>
	4.00			\$84,074	\$32,343	\$116,417

PR Request	21.90			\$738,088	\$269,330	\$969,436
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Cc: Jim Johnston
Jennifer Kraus
Sue Jablonsky

END



END

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

317-E Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-8535



ASSEMBLY CHAIR
JOHN GARD

308-E Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2343

JOINT COMMITTEE ON FINANCE

October 8, 2001

Secretary George Lightbourn
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702

Dear Secretary Lightbourn:

We are writing to inform you that the Joint Committee on Finance has reviewed your request, received September 18, 2001, pursuant to s. 16.515/16.505(2), Stats., pertaining to requests from the Milwaukee County District Attorney's Office and the Department of Corrections.

No objections have been raised to this request. Therefore, the request is approved.

Sincerely,

Handwritten signature of Brian Burke in black ink.

BRIAN BURKE
Senate Chair

Handwritten signature of John G. Gard in black ink.

JOHN G. GARD
Assembly Chair

BB:JG:dh

cc: Members, Joint Committee on Finance
Secretary Jon Litscher, Department of Corrections
Robert Lang, Legislative Fiscal Bureau
Vicky LaBelle, Department of Administration

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

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ASSEMBLY CHAIR
JOHN GARD

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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Brian Burke
Representative John Gard
Co-Chairs, Joint Committee on Finance

Re: s. 16.515/16.505, Stats. Request

Date: September 19, 2001

Attached is a copy of a request from the Department of Administration, received September 18, 2001, pursuant to s. 16.515/16.505(2), Stats., pertaining to requests from the Department of Administration, on behalf of the Milwaukee County District Attorney's Office, and the Department of Corrections.

Please review the material and notify **Senator Burke** or **Representative Gard** no later than **Friday, October 5, 2001**, if you have any concerns about the request or if you would like to meet formally to consider it.

Also, please contact us if you need further information.

Attachment

BB:JG:dh

CC DS
SS



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT McCALLUM
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
TTY (608) 267-9629

Date: September 18, 2001
To: The Honorable Brian Burke, Co-Chair
Joint Committee on Finance
The Honorable John Gard, Co-Chair
Joint Committee on Finance
From: George Lightbourn, Secretary
Department of Administration
Subject: S. 16.515/16.505(2) Request(s)



George Lightbourn

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

AGENCY	DESCRIPTION	2001-2002		2002-03	
		AMOUNT	FTE	AMOUNT	FTE
DAs 20.475(1)(h)	Gifts and Grants		4.50		4.50
DOC 20.410(3)(kx)	Interagency and Intraagency Programs		1.00*		1.00*

* Project position ending 10/01/05, position to be funded by JAIBG grant.

As provided in s. 16.515, the request(s) will be approved on October 9, 2001, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Vicky LaBelle at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

CORRESPONDENCE MEMORANDUM

STATE OF WISCONSIN
Department of Administration

Date: September 13, 2001

To: George Lightbourn, Secretary
Department of Administration

From: Andrew J. Statz, Budget Analyst
State Budget Office

Subject: Request Under s. 16.505 Relating to Title IV-E

REQUEST:

The Department of Administration, on behalf of the Milwaukee County district attorney office, requests the authorization of 3.0 FTE PR assistant district attorney (ADA) permanent positions and conversion of 1.50 FTE PR ADA project positions to permanent status.

BACKGROUND:

The new and continued positions deal with permanency status for minors and handle termination of parental rights (TPR) and children in need of protective services (CHIPS) actions. The Milwaukee district attorney office is working with the Bureau of Milwaukee Child Welfare to meet federal requirements under the Adoption and Safe Families Act, including regulations governing the amount of time a child may be in out-of-home placement status.

REVENUE SOURCE FOR APPROPRIATION:

The revenue source for the appropriation under s. 20.475(1)(h) *Gifts and Grants* is federal funding awarded to Milwaukee County under Title IV-E of the Federal Social Security Act from the Foster Care and Adoption Services and Administration. These federal funds are administered by the Wisconsin Department of Health and Family Services (DHFS), Division of Children and Family Services.

Because ADA's are state employees, Milwaukee County is required to use these federal funds to reimburse the state through Agency 475 (District Attorneys). As a result, these funds are treated as program revenue.

ANALYSIS:

The amount of federal funding and required match vary with the number of such cases handled by the Milwaukee district attorney office and depends on the formula determined by the federal agency. Other GPR-funded ADA positions and county-funded clerical staff will be used to provide the required match. DHFS expects sufficient federal funding to last as long as GPR ADA positions are available for match purposes. Given the on-going nature of the federal funding, the request for permanent status is justified.

George Lightbourn, Secretary
September 13, 2001
Page 2

New position authorization for 3.0 FTE will begin following passive review by the Joint Committee on Finance. The existing 1.50 FTE will be converted to permanent status when the Permanency Project Grant Continuity funding is exhausted or reaches its March 2002 end date, whichever occurs first.

These positions are part of a larger effort to expedite child welfare cases that includes reassigning a circuit court judge and one-and-a-half court commissioners to the Children's Court in Milwaukee. The Legislative Audit Bureau caseload methodology addresses general office-wide staffing needs and is not specific to a dedicated assignment such as the activities covered by this grant.

Salary and benefits for the positions will be 100-percent federally funded. The exact amounts of additional PR expenditure authority in s. 20.475(1)(h) will be determined through the DOA allotment process. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required only for the position authorization.

RECOMMENDATION:

Approve the request. The continued authorization of these PR-funded positions is contingent upon the future availability of federal IV-E funds.



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT McCALLUM
GOVERNOR

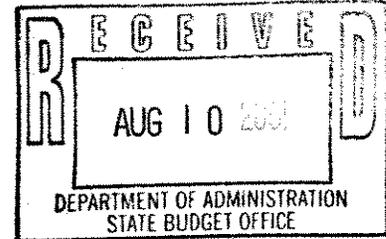
GEORGE LIGHTBOURN
SECRETARY

Division of Administrative Services
State Prosecutors Office
Post Office Box 7869
Madison, WI 53707-7869
Voice (608) 267-2700
Fax (608) 264-9500 TTY (608) 267-9629
stuart.morse@doa.state.wi.us

DATE: August 10, 2001

TO: David Schmiedicke, Administrator
Division of Executive Budget and Finance

FROM: Charles E. McCallum, Administrator
Division of Administrative Services



SUBJECT: **REQUEST UNDER S. 16.505 FOR DEPARTMENT 475:
MILWAUKEE DISTRICT ATTORNEY'S OFFICE**

On behalf of the Milwaukee County District Attorney's Office, I submit the attached request for PR position authority for Department 475, District Attorneys.

If you have any questions, please direct them to Stuart Morse, Director, State Prosecutors Office (7-2700) or to Dick Wagner, Budget Analyst (6-0653).

Thank you for your attention to this matter.

Attachment

cc: Stuart Morse
Dick Wagner

**DEPARTMENT OF ADMINISTRATION REQUEST UNDER S.16.505 FOR
POSITION AUTHORIZATION**

I. REQUEST

The Department of Administration requests, under s.16.505, the authorization of 4.5 FTE Program Revenue (PR) prosecutorial positions in appropriation s.20.475(1)(h). These positions will be located in the Milwaukee County District Attorney's Office.

The positions are funded through a grant awarded to the DA's office from the Wisconsin Department of Health and Family Services, Division of Children and Family Services. Other GPR funded ADA positions and county funded clerical staff positions in the Milwaukee DA Office will be used as match. 3.0 FTE of the positions would be effective September 24, 2001. The additional 1.5 FTE would replace the current funding for the Permanency Project Grants, which end on March 14, 2002. To assure continuity, the replacement 1.5 FTE are requested to be effective February 10, 2002, but would not actually start until the grant it is replacing exhausts its funding or reaches its March 2002 end date, whichever comes first.

The Department of Health and Family Services has informed the Department of Administration that it anticipates that the federal funding will continue for as long as the matching funds from GPR ADA positions are available. As these funds are expected to continue indefinitely, it is requested that the 4.5 FTE PR positions be approved as permanent PR positions with the understanding that should federal funds cease, these position would end.

II. BACKGROUND

The Milwaukee District Attorney's Office is working closely with the Milwaukee County Circuit Courts and the Wisconsin Department of Health and Family Services, Division of Children and Family Services, Bureau of Milwaukee Child Welfare to meet the Federal child welfare requirements under the Adoption and Safe Families Act. Among these requirements are detailed regulations governing the length of time a child may be in out-of-home placement status. Either returning the child to the home or changing his/her status so that he/she may be adopted or otherwise placed in an acceptable permanency status requires a significant coordinated effort by all elements of the child welfare system including the DA office. The work done by the DA office to accomplish these Federal legal mandates involve both Children in Need of Protection and Services (CHIPS) and Termination of Parental Rights (TPR) legal actions. There are complex, often very emotional and generally very time-consuming legal efforts.

Federal IV-E Child Welfare Funded ADA Positions
s.16.505 request
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Page 2

This grant would extend the service of 1.5 ADA PR FTE doing this work and add an additional 3.0 ADA PR FTE. It is part of a larger effort which also includes, effective August 27, 2001, one additional circuit judge and 1.5 additional court commissioners being reassigned to the Children's Court in Milwaukee to expedite their cases. Additionally, the judges in the Milwaukee Children's Court have agreed on scheduling changes to further expedite these cases.

III. ANALYSIS

These positions are in furtherance of the state's goal of children being raised in permanent, supportive, family settings.

IV. FISCAL ANALYSIS

The salary and fringe benefit costs of the 4.5 ADAs will be adequately funded by the Federal funds coming as program revenue to Milwaukee County. S.20.475(1)(h) is a continuing appropriation and will be re-estimated to include the expected funds.

V. REVENUE SOURCE FOR APPROPRIATION

The source of the funds is Federal Child Welfare funding under IV-E (Foster Care and Adoption Services and Administration) of the Federal Social Security Act which the state receives via the Wisconsin Department of Health and Family Services.

VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a letter to the Department of Administration Secretary dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the DA program.

- 1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

Table 1 indicates the results of the LAB methodology using the modifications recommended by the Wisconsin District Attorneys Association and highlights the impact of the new position requested on the Milwaukee DA Office. The table uses the most current court data available (1998-2000) and the positions authorized as of August 9, 2001. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties

Federal IV-E Child Welfare Funded ADA Positions

s.16.505 request

August 9, 2001

Page 3

of a DA office and is not specific to a particular type of activity or caseload such as that covered by this grant.

2) *An assessment of similar caseload problems in counties not addressed by the request.*

This grant was offered to the Milwaukee DA office by the Department of Health and Family Services, Bureau of Milwaukee Child Welfare to assure that the responsibilities that the state assumed for Milwaukee Child Welfare are done.

3) *An explanation of why the request has greater priority than similar needs existing in other counties.*

This grant was only offered to the Milwaukee DA Office. Federal, county and state staff have determined that this positions would expedite the completion of appropriate CHIPS and TPR work and thus promote the quality of child welfare services in the county.

4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

The funds are limited to being used for child welfare services.

Federal IV-E Child Welfare Funded ADA Positions
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Table 1

DA Office	FTE needed before 16.505	FTE needed after 16.505
Adams	0.38	0.38
Ashland	0.75	0.75
Barron	0.53	0.53
Bayfield	0.28	0.28
Brown	4.59	4.59
Buffalo	-0.24	-0.24
Burnett	0.61	0.61
Calumet	0.23	0.23
Chippewa	0.71	0.71
Clark	0.36	0.36
Columbia	1.90	1.90
Crawford	0.04	0.04
Dane	4.54	4.54
Dodge	0.88	0.88
Door	0.28	0.28
Douglas	1.22	1.22
Dunn	-0.15	-0.15
Eau Claire	3.08	3.08
Florence	0.01	0.01
Fond du Lac	2.32	2.32
Forest	0.37	0.37
Grant	0.70	0.70
Green	0.47	0.47
Green Lake	0.05	0.05
Iowa	-0.05	-0.05
Iron	-0.12	-0.12
Jackson	-0.35	-0.35
Jefferson	1.20	1.20
Juneau	0.59	0.59
Kenosha	6.60	6.60
Kewaunee	-0.29	-0.29
La Crosse	2.40	2.40
Lafayette	-0.26	-0.26
Langlade	1.03	1.03
Lincoln	0.78	0.78
Manitowoc	1.85	1.85
Marathon	2.41	2.41
Marinette	0.19	0.19
Marquette	0.27	0.27
Milwaukee	-9.02	-12.02
Monroe	0.94	0.94
Oconto	0.38	0.38
Oneida	0.60	0.60
Outagamie	6.21	6.21
Ozaukee	0.99	0.99
Pepin	0.01	0.01

Federal IV-E Child Welfare Funded ADA Positions
s.16.505 request
August 9, 2001
Page 5

DA Office	FTE needed before 16.505	FTE needed after 16.505
Pierce	-1.25	-1.25
Polk	0.49	0.49
Portage	0.59	0.59
Price	0.14	0.14
Racine	3.82	3.82
Richland	-0.44	-0.44
Rock	2.16	2.16
Rusk	-0.09	-0.09
Saint Croix	-1.24	-1.24
Sauk	1.48	1.48
Sawyer	0.54	0.54
Shaw/Men	1.14	1.14
Sheboygan	4.23	4.23
Taylor	0.35	0.35
Trempealeau	0.60	0.60
Vernon	-0.94	-0.94
Vilas	-0.48	-0.48
Walworth	0.68	0.68
Washburn	0.29	0.29
Washington	1.29	1.29
Waukesha	-1.75	-1.75
Waupaca	0.27	0.27
Waushara	0.18	0.18
Winnebago	4.12	4.12
Wood	N/A	N/A



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT McCALLUM
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
TTY (608) 267-9629

Date: September 14, 2001

To: George Lightbourn, Secretary
Department of Administration

From: Brett Coomber, Budget Analyst
State Budget Office

Subject: Request Under s. 16.505 from The Department of Corrections, for additional position authority for a Psychologist Senior Doctorate for the Ethan Allen School Sex Offender Program.

REQUEST:

The Department of Corrections (DOC) requests a 1.00 PR-S project FTE Psychologist-Senior Doctorate to provide psychological treatment services, assist in assessments to determine the appropriateness of referring youth under Chapter 980, and provide clinical consultation to youth at Ethan Allen School (EAS).

REVENUE SOURCES FOR APPROPRIATION(S):

The funding for this additional position authority is provided by the Federal Juvenile Accountability Incentive Block Grant (JAIBG). This is a pass-through grant that the department receives from the Office of Justice Assistance. The position will be funded from s. 20.410 (3) (kx), interagency and intraagency programs.

BACKGROUND:

The U.S. Department of Justice through the Office of Juvenile Justice and Delinquency Prevention administers the JAIBG program. Through this program, funds are provided as block grants to States that have implemented, or are considering implementation of legislation and/or programs promoting greater accountability in the juvenile justice system. EAS currently uses JAIBG funds to employ a Limited Term Employee (LTE) Psychologist in their Sex Offender Program. The Sex Offender Program provides treatment to sex offenders by emphasizing individual responsibility, self-insight, and empathy with victims.

September 14, 2001

With the implementation of new laws related to sex offenders, including the Sex Predator Law (Chapter 980), and DNA testing, the need for psychologists to become sophisticated in assessing and treating serious sex offenders has increased. As a result, EAS developed a post-doctoral program that would allow the department to increase the number of assessments and services that are being provided to serious sex offenders, while continuing a training program for a doctoral level psychologist. The department has used JAIBG funding to employ a Psychologist Intern (hired as an LTE) in each of the past two years. The program treats approximately forty juveniles a year.

ANALYSIS:

For over fifteen years EAS has been operating a cottage-based treatment program for juveniles adjudicated as serious sex offenders. Because of the intensive nature of the treatment, and the lack of clinical resources, there were long waiting lists for this program and some youth were unable to complete the program prior to termination of their court order or were held in the institution longer. With the addition of the post-doctoral intern under the JAIBG grant, EAS has been able to modify its cottage-based program to add additional groups and eliminate its waiting list. However, the rules pertaining to the number of hours a LTE can work in a fiscal year have restricted the availability and amount of services that can be provided to juveniles in the program.

EAS plans to continue the higher level clinical support for the program by hiring a Psychologist Senior Doctorate as a four-year project position. By providing project status for the current LTE position the Division of Juvenile Corrections (DJC) can provide the staff resources necessary to continue individual and group therapy, provide for youth access to the program, maintain no waiting list and allow the youth to complete the program during their institutional stay.

The project position will provide for continuity during the hiring process and increase the flexibility for providing services by having someone who is at the facility on a full-time basis. Since the position is funded by a federal grant, the position would be eliminated if the federal funds were terminated. The position could be contracted out, however, due to the specialized nature of the position DOC says past contractual efforts have proven to be more costly. The salary for the current LTE is \$28 per hour. DOC's past experience for paying a contractor was in the \$45 to \$65 range. Also, juveniles in the sex offender program do not receive the same treatment as juveniles assigned to the Mendota Juvenile Treatment Center (MJTC) and therefore would not be eligible for MJTC placement.

RECOMMENDATION:

Approve the request.

CC BC
JK

Scott McCallum
Governor

Jon E. Litscher
Secretary



Mailing Address

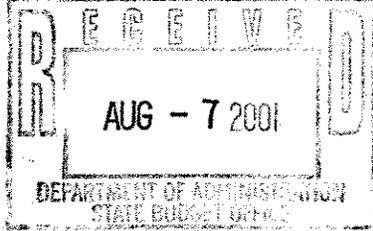
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State of Wisconsin
Department of Corrections

DATE: August 6, 2001

TO: David Schmiedicke, Director
Division of Executive Budget and Finance
Department of Administration

FROM: Jon E. Litscher, Secretary
Department of Corrections



SUBJECT: §16.505 - Approve additional position authority for a Psychologist-Senior
Doctorate for the Ethan Allen School Sex Offender Program

The Department of Corrections (DOC) requests a 1.00 PR-S project FTE Psychologist-Senior Doctorate to provide psychological treatment services, assist in assessments to determine the appropriateness of referring youth under Chapter 980, and provide clinical consultation to youth at Ethan Allen School (EAS).

Revenue Sources for Appropriation

The source of revenue deposited in the appropriation under 20.410(3)(kx), interagency and intra-agency programs is funding received from other state agencies. The funding for this additional position authority is provided by a Federal grant, the Juvenile Accountability Incentive Block Grant (JAIBG). This is a pass-through grant that the Department receives from the Office of Justice Assistance.

Background

The JAIBG program is administered by the Office of Juvenile Justice and Delinquency Prevention, a program in the office of Justice Programs, U.S. Department of Justice. Through this program, funds are provided as block grants to States that have implemented, or are considering implementation of legislation and/or programs promoting greater accountability in the juvenile justice system. EAS currently uses JAIBG funds to employ a Limited Term Employee (LTE) Psychologist in their Sex Offender Program. The Sex Offender Program provides treatment to sex offenders by emphasizing individual responsibility, self-insight, and empathy with victims.

With the implementation of new laws related to sex offenders, including the Sex Predator Law (Chapter 980), and DNA testing, the need for psychologists to become sophisticated in assessing and treating serious sex offenders has increased. As a result, EAS developed a post-doctoral program that would allow the Department to increase the number of assessments and services that are being provided to serious sex offenders, while continuing a training program for a

doctoral level psychologist. The Department has used JAIBG funding to employ a Psychologist Intern (hired as an LTE) in each of the past two years.

Analysis

For years EAS has been operating a cottage-based treatment program for juveniles adjudicated as serious sex offenders. Because of the intensive nature of the treatment, and the lack of clinical resources, there were long waiting lists for this program and some youth were unable to complete the program prior to termination of their court order. With the addition of the post-doctoral intern under the JAIBG grant, EAS has been able to modify its cottage-based program to add additional groups and decrease the size of its waiting list.

While the addition of an intern has decreased the size of waiting lists and increased the number of youth being served, using an LTE has restricted the number of hours available for an intern to work. EAS plans to continue the higher level clinical support for the program by hiring a project Psychologist Senior Doctorate. The position will provide the staff resources necessary to continue individual and group therapy, provide for youth access to the program by having no waiting list, and allow the youth to complete the program during their institution stay. In addition, the project position will reduce the level of turnover as well as the associated re-training costs common with the use of LTEs.

Summary

The Department of Corrections requests additional position authority of 1.00 PR-S FTE for a Psychologist Senior Doctorate to provide psychological treatment services, assist in the assessments to determine the appropriateness of referring youth under Chapter 980, and provide clinical consultation to youth at Ethan Allen School.

cc: Robert Lang, Legislative Fiscal Bureau
George Lightbourn, Department of Administration

Prepared By: Dawn Woeshnick, Bureau of Budget and Facilities Management
240-5417