

Fiscal Estimate - 2003 Session

Original Updated Corrected Supplemental

LRB Number 03-3005/2	Introduction Number SB-488
Subject Subsidized guardianships	
Fiscal Effect	
State:	
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local:	
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
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Date 3/2/2004	

Fiscal Estimate Narratives
DHFS 3/2/2004

LRB Number	03-3005/2	Introduction Number	SB-488	Estimate Type	Original
Subject					
Subsidized guardianships					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the court may appoint a person the guardian of a child who is in need of protection and services if the court finds all of the following: 1. the child has been placed outside of his or her home for more than one year, 2. the person nominated as the guardian of the child is a relative, 3. the relative will be willing and able to care for the child until the child is 18 years old, 4. that a termination of parental rights is not in the best interest of the child, 5. that the child's parent(s) is neglecting and unable to carry out the duties of a guardian, and 6. the child welfare agency has made reasonable efforts for the child to return home but reunification is unlikely or contrary to the best interests of the child. This bill eliminates the requirements that the child be placed in out-of-home care for at least one year and that the person appointed to be guardian is a relative.

This bill would also permit county departments of human services, or in Milwaukee County, the Bureau of Milwaukee Child Welfare, to provide monthly subsidized guardianship payments to a person who was appointed guardian of a child in need of protection and services, was licensed as the child's foster parent or treatment foster parent before the guardianship appointment, has entered into a subsidized guardianship agreement, and meets either of the following sets of conditions: 1. the child has been placed in out-of-home care for a total period of one year or longer, the agency has made reasonable efforts to return the child home but reunification is unlikely or contrary to the best interests of the child, and the appointment of a guardian is in the best interest of the child; or 2. the county department has determined and the court has confirmed that appointing a guardian and providing monthly subsidized guardianship payments are in the best interests of the child. The amount of the guardianship payment must be equal to the amount of the foster care or treatment foster care payment received by the guardian immediately before the guardianship order was granted.

This bill requires the Department of Health and Family Services (DHFS) to submit a federal IV-E waiver that would authorize the state to receive federal foster care and adoption assistance IV-E reimbursement for the administrative and maintenance costs of providing monthly subsidized guardianship payments. If approved by the federal Department of Health and Human Services (DHHS), this waiver would require DHFS to provide payments to guardians in Milwaukee County who meet all of the eligibility criteria. Expansion of the waiver to other counties in the state will require both DHFS and DHHS approval.

In the absence of the guardianship program, it is assumed that these children would remain in long-term, out-of-home care and therefore generate the same out-of-home care costs under this bill as under current law. The Department will incur one-time administrative costs for modifying the WiSACWIS system, for evaluating the implementation of the waiver, and for staff training for the guardianship program. It is assumed, however, that the Department will be able to absorb these costs within its current budget. Therefore, this bill will not have a fiscal effect on DHFS.

The bill would allow the subsidized guardianship program to be implemented in counties other than Milwaukee subject to federal approval. Such counties may incur one time costs in implementing the program. However, since participation would be voluntary, the bill does not, by itself, impose costs on county human services or social services departments.

Long-Range Fiscal Implications