

☞ **09hr_SC-CFWD_sb0361_pt01**



Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Children & Families & Workforce Development (SC-CFWD)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Present: (5) Senators Jauch, Lassa, Vinehout, Kedzie and Hopper.
Absent: (0) None.

Moved by Senator Kedzie, seconded by Senator Lassa that **Senate Amendment 1** be recommended for adoption.

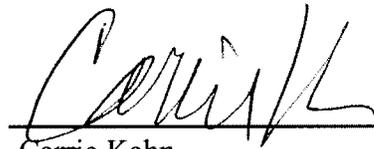
Ayes: (5) Senators Jauch, Lassa, Vinehout, Kedzie and Hopper.
Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,
Ayes 5, Noes 0

Moved by Senator Hopper, seconded by Senator Kedzie that **Senate Bill 361** be recommended for passage as amended.

Ayes: (5) Senators Jauch, Lassa, Vinehout, Kedzie and Hopper.
Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0



Carrie Kahn
Committee Clerk

Vote Record
Committee on Children and Families and Workforce
Development

Date: 10/22/09
 Moved by: Hopper Seconded by: Kedzie
 AB _____ SB 361 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt SA 1 _____ K/L _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- | | | | | |
|---------------------------------------|------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrence | |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Robert Jauch, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Kathleen Vinehout	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Randy Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	_____	_____	_____	_____

Motion Carried Motion Failed

Jim Doyle
Governor



State of Wisconsin
Department of Children and Families

201 East Washington Avenue, Room G200
P.O. Box 8916
Madison, WI 53708-8916

Telephone: 608-267-3905
Fax: 608-266-6836
dcf.wisconsin.gov

Reggie Bicha
Secretary

October 21, 2009

TO: Senate Committee on Children and Families and Workforce Development
Assembly Committee on Children and Families

FROM: Kimmie Collins
Legislative Liaison, Department of Children and Families

RE: SB361/AB510 Relating to: the monthly rates that are paid for foster care; the levels of care that a foster home may provide; licensing of kinship care relatives to operate foster homes and, subject to certain exceptions, time limits on the receipt of kinship care payments; and licensing of foster homes across county lines.

Act 28 provided an outline for the new graduated licensing structure and certification process for foster care. The graduated licensing structure was created to ensure that children are placed in homes that best meet their needs.

The budget bill did not provide a method by which current Kinship care providers would be integrated into the new system or how those providers in the future will be integrated into the new foster care system. Assuring that as many of those providers become licensed as possible is critical to the operation of the program and to realizing the federal funding reimbursement anticipated by Act 28. Most importantly it ensures that relative providers will still be maintained as a placement resource for children who are removed from their homes.

This bill fills in these gaps and provides the department with the tools necessary to realize the \$6.5 million in savings required in the budget. If this bill does not pass by January 1, 2010 DCF will have a \$6.5 million hole in the child welfare budget that will have to be filled.

This bill will allow all foster parents certified at Level 1 – not just relatives - a rate increase of 2.5%. The change provides equity for relative care providers and is thus necessary for compliance with federal law. This change will have no fiscal impact because it was already calculated in the DCF budget allocations.

Under the new licensing structure, foster parents will be certified at different levels of care, and children will be assessed at those levels of care so that they can be placed with foster parents who can meet their needs. For the most part, foster parents will care for

children only assessed at their level of certification or lower. However, the bill creates an exception to allow a foster parent to care for a child assessed at a higher level of care, if supports and services match the child's needs. This will avoid disrupting current placements and give child welfare agencies flexibility to make placements to address the child's connections with siblings, local community, and culture. However, it will not allow counties to place a child with an under qualified provider to save money. In order for a child with a high level of care need to be placed with a caregiver who has a lower level of licensuer, an exception must be granted and the supports and services must be explained and implemented prior to the placement.

For example, Grandma is caring for her grandson who has high medical needs that she has been trained to provide by medical staff. The child has no other behavioral or emotional needs that exceed normal child development. Grandma applies for a foster care license and gets certified as a Level 1 provider. Grandma does not want to seek letters of recommendation or attend ongoing training as required at Level 2 certification. Grandma is willing to continue to work with medical professionals to provide for her grandsons medical needs and agrees to any additional supports/services the agency involves. Grandma could be granted an exception so that she could continue to care for her grandson.

Any existing court-ordered Kinship Care provider will be required to be licensed within 4 months of their current annual renewal date for Kinship Care under this bill. The time frame will also allow current Kinship Care providers more time to get licensed and county agencies time to spread the workload throughout the year.

If the out-of-home care provider is not licensable or refuses licensure, at the next permanency plan hearing the social worker must make a recommendation, and the court must make a determination as to continued placement of the child in the home. If it is determined that the provider is not eligible for licensure, TANF payments can be extended beyond these time-limits if the provider meets all the following criteria:

- The family is deemed unlicensable
- The agency recommends that the placement continues
- The court considers information gathered by the agency related to background checks, physical safety of the home, and an assessment of the ability and capacity to care for the child and the court decides to continue the child's placement with that provider
- The provider meets all other Court-ordered Kinship Care program criteria, except the time-limit to the funding

Lastly, this bill allows counties to license a relative foster parent in another county without going through the current county agreement process. The result will be continued timely placements for children. Current law exists so that large counties do not license homes in another county and deplete the other counties resources. Without this change a barrier to placements with relatives will exist. To ensure that licensing counties still meet their responsibilities, any county licensing a relative in another county will still need to notify that county of the new licensure, and all the same requirements for placement and care responsibility will still apply. Therefore

the placing county will still have to cover the costs of the placement and can only license the child specific relative home.

Thank you for your time and I hope that you can support this bill to allow better placements for kids in Wisconsin.





DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
1250 Maryland Avenue, S.W.
Washington, D.C. 20024

FEB 04 2008

Reginald Bicha, Administrator
Wisconsin Division of Children
and Family Services
1 West Wilson Street
Madison, Wisconsin 53708

Dear Administrator Bicha:

The Children's Bureau (CB), Administration for Children and Families (ACF), congratulates the State of Wisconsin on the completion of its Program Enhancement Plan (PEP), developed and implemented as a result of Wisconsin's first Child and Family Services Review (CFSR). Wisconsin is the third State in Region V to have successfully completed all provisions of its PEP.

In August 2003, Federal and State review teams completed an on-site review of child welfare cases receiving services from the Wisconsin Division of Children and Family Services (DCFS). In response to the review findings, Wisconsin developed a PEP to address those areas not found to be in conformance with Federal standards. Wisconsin's PEP was approved in November 2004 and included a two-year implementation period which ended October 31, 2006. At the conclusion of the implementation period, Wisconsin had successfully completed all action steps and data goals negotiated between ACF and DCFS, with the exception of the data goal related to the rate of children's re-entry into foster care.

States have one year following their PEP implementation period to successfully meet all outstanding data goals. This period is called the year of non-overlapping data and the time frame corresponds to the six-month Adoption Foster Care Analysis and Reporting System (AFCARS) reporting periods. Wisconsin's non-overlapping period began April 1, 2007 and was scheduled to end on March 31, 2008. However, the data profiles developed by ACF in December 2007 indicate that Wisconsin met its re-entry into foster care goal for the 12 month period ending September 30, 2006. These results are attributable to the concentrated efforts DCFS staff members have put forth toward improving the quality and accuracy of the data being submitted to AFCARS. While there are still some overall data quality issues that need to be addressed, the current improvements regarding re-entry into foster care reflected in the recently updated data profiles indicate that all PEP goals have now been met. Therefore, all applicable penalties based on our initial determination of areas not in substantial conformity have been rescinded.

The completion of the PEP is a tremendous accomplishment for the Wisconsin child welfare community. It is a milestone that signifies many years of dedication and commitment from DCFS and county human service personnel at every level, as well as from your partners in child welfare

across the State. DCFS leadership and staff have invested countless hours developing and improving upon programs and policies, implementing a rigorous quality assurance program, improving data collection and reporting, and partnering with the State Courts Office and other internal and external stakeholders to improve the quality of services available to Wisconsin's children and families. CB would specifically like to recognize John Tuohy for his hard work and leadership on all aspects related to the CFSR process in Wisconsin. We would also like to acknowledge the efforts of DCFS leaders Mark Campbell, Mark Mitchell, Michelle Rawlings, Harry Hobbs, Connie Click, Dale Langer, June Paul, Beth Wydeven and State Courts Office leaders Michelle Jensen-Goodwin and Bridget Bauman and all of their staff in bringing the PEP to conclusion. CB applauds your efforts and we look forward to continuing our partnership founded upon improving the outcomes of children and families served by the child welfare system in Wisconsin.

Please contact Krista Thomas, Children and Families Program Specialist, at (312) 353-1122 or by e-mail at krista.thomas@acf.hhs.gov, if you have any further questions at this time.

Sincerely,



Christine M. Calpin
Acting Associate Commissioner
Children's Bureau

cc:

John Tuohy, Director, Office of Program Implementation and Planning; WI DCFS;
Madison, WI

Carolyn Wilson-Hurey; Child Welfare Regional Program Manager; CB, Region V;
Chicago, IL

Krista Thomas; Children and Families Program Specialist; CB, Region V; Chicago, IL
Melissa Beard; CB, CFSR; Washington, DC