

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget 266-2288** Drafter: **eshea**
 By: **Bork** Secondary Drafters:
 Date: **11/28/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
elisabeth.shea@legis.wisconsin.gov
Elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

DOA:.....Bork, BB0122 -

Topic:

Foster care and kinship care rates

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/29/2018	ccarmich 11/30/2018			
/P1	eshea 2/11/2019	ccarmich 2/12/2019	lparisi 11/30/2018		State S&L
/P2			dwalker 2/12/2019		State S&L

FE Sent For: **<END>**

Shea, Elisabeth

From: Hanaman, Cathlene
Sent: Wednesday, November 28, 2018 2:48 PM
To: Shea, Elisabeth; Wheeler, Elizabeth
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Sent: Wednesday, November 28, 2018 1:08 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Foster Care and Kinship Care Rate Increases

Tracking Code: BB0122

SBO Team: GGCF

SBO Analyst: Bork, Matthew
Phone: 608-266-2288
E-mail: Matthew.Bork@wisconsin.gov

Agency Acronym: 437

Agency Number: 437

Priority: High

Intent:

Increase foster care rates for level 1 by 2% beginning January 1, 2020 and an additional 2% beginning January 1, 2021. Increase foster care rates for levels 2 and above by 2% starting January 1, 2021. Increase kinship care rates by 2% beginning January 1, 2020 and an additional 2% beginning January 1, 2021.

Attachments: False

Please send completed drafts to SBOSlanguage@spmail.enterprise.wistate.us

*kinship (LT) 48.57 (3m) (am) (intro.)
(3m) (am) (intro.)*

foster 48, 62 (4)

Created by drafter (EHS)

2019 2020 2021

Foster:

Level 1	244	249	254
Level 2+ (<5)	404	404	412
Level 2+ (5-11)	442	442	451
Level 2+ (12-14)	502	502	512
Level 2+ (15+)	524	524	534

} 48.42(4)

Kinship:

ST	244	249	254
LT	244	249	254

48.57(3m)(am)(intro.)
48.57(3m)(am)(intro.)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0965 P1
EHS: ...
cdc

DOA:.....Bork, BB0122 - Foster care and kinship care rates

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

In 11/29

Due 12/3

SA ✓
X-over ✓
S/C ✓

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

This bill increases the rates that are paid to a foster parent or a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child.

This bill increases the monthly basic maintenance rates that are paid by the state or a county to a foster parent for the care and maintenance of a child in a foster home certified to provide level one care by 2 percent beginning on January 1, 2020, and for a child in any foster home by 2 percent beginning on January 1, 2021. Beginning on January 1, 2020, the monthly rates are increased from \$244 to \$249 for a child of any age in a foster home certified to provide level one care. Beginning on January 1, 2021, the monthly rates are \$254 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, \$412 for a child under five years of age, \$451 for a child 5 to 11 years of age, \$512 for a child 12 to 14 years of age, and \$534 for a child 15 years of age or over. Currently, the monthly rates for a foster home certified to provide higher than level one care are \$404 for a child under five years of age, \$442 for a child 5 to 11 years of age, \$502 for a child 12 to 14 years of age, and \$524 for a child 15 years of age or over.

maintained at the current rates of

increased to

These rates are the same as for a foster home certified to provide level one care.

The bill also increases the monthly basic maintenance rates that are paid by the state or a county to a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child by 2 percent beginning on January 1, 2020, and by an additional 2 percent on January 1, 2021. Beginning on January 1, 2020, the monthly rate for a child of any age is \$249 and beginning on January 1, 2021, the monthly rate is \$254. Currently, the monthly rate is \$244 for a child of any age.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

2 48.57 (**3m**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
3 (me), and (s), the department shall reimburse counties having populations of less
4 than 750,000 for payments made under this subsection and shall make payments
5 under this subsection in a county having a population of 750,000 or more. Subject
6 to par. (ap), a county department and, in a county having a population of 750,000 or
7 more, the department shall make payments in the amount of \$238 \$249 per month
8 beginning on January 1, 2018 2020, and \$244 \$254 per month beginning on January
9 1, 2019 2021, to a kinship care relative who is providing care and maintenance for
10 a child if all of the following conditions are met:

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.

11 **SECTION 2.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

12 48.57 (**3n**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
13 (me), and (s), the department shall reimburse counties having populations of less
14 than 750,000 for payments made under this subsection and shall make payments
15 under this subsection in a county having a population of 750,000 or more. Subject
16 to par. (ap), a county department and, in a county having a population of 750,000 or

1 more, the department shall make monthly payments for each child in the amount of
 2 ~~\$238~~ \$249 per month beginning on January 1, ~~2018~~ 2020, and ~~\$244~~ \$254 per month
 3 beginning on January 1, ~~2019~~ 2021, to a long-term kinship care relative who is
 4 providing care and maintenance for that child if all of the following conditions are
 5 met:

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292; 1999 a. 9, 103, 133, 162; 2001 a. 16 ss. 1629, 4036-4038, 4040, 4042, 4043; 2001 a. 38, 59, 69, 109; 2005 a. 25, 232, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180; 2011 a. 32; 2013 a. 20, 334, 335, 362; 2015 a. 55, 166, 172; 2017 a. 59, 145, 365, 366.

6 **SECTION 3.** 48.62 (4) of the statutes is amended to read:

7 48.62 (4) Monthly payments in foster care shall be provided according to the
 8 rates specified in this subsection. Beginning on January 1, ~~2018~~ 2020, the rates are
 9 ~~\$238~~ \$249 for care and maintenance provided for a child of any age by a foster home
 10 that is certified to provide level one care, as defined in the rules promulgated under
 11 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
 12 to provide care at a level of care that is higher than level one care, ~~\$394~~ ^{\$404} for a child
 13 under 5 years of age; ~~\$431~~ ^{\$442} for a child 5 to 11 years of age; ~~\$490~~ ^{\$502} for a child 12 to 14
 14 years of age; and ~~\$511~~ ^{\$524} for a child 15 years of age or over. Beginning on January 1,
 15 ~~2019~~ 2021, the rates are ~~\$244~~ \$254 for care and maintenance provided for a child of
 16 any age by a foster home that is certified to provide level one care, as defined in the
 17 rules promulgated under sub. (8) (a) and, for care and maintenance provided by a
 18 foster home that is certified to provide care at a level of care that is higher than level
 19 one care, ~~\$404~~ \$412 for a child under 5 years of age; ~~\$442~~ \$451 for a child 5 to 11 years
 20 of age; ~~\$502~~ \$512 for a child 12 to 14 years of age; and ~~\$524~~ \$534 for a child 15 years
 21 of age or over. In addition to these grants for basic maintenance, the department,
 22 county department, or licensed child welfare agency shall make supplemental
 23 payments for foster care to a foster home that is receiving an age-related rate under

1 this subsection that are commensurate with the level of care that the foster home is
2 certified to provide and the needs of the child who is placed in the foster home
3 according to the rules promulgated by the department under sub. (8) (c).

History: 1977 c. 354 s. 101; 1977 c. 418, 447; 1981 c. 20; 1985 a. 29 s. 3202 (23); 1985 a. 176, 281, 332, 403; 1989 a. 31, 336; 1993 a. 395 ss. 31m, 39; 1993 a. 437 s. 67; 1993 a. 446 ss. 79 to 82, 134m; 1993 a. 491; 1995 a. 275; 1997 a. 27, 334; 1999 a. 9; 2001 a. 69; 2005 a. 25, 232, 387; 2007 a. 20 ss. 810, 1322, 1323; 2009 a. 28, 71; 2011 a. 32, 87; 2013 a. 20; 2017 a. 59, 251.

Cross-reference: See also ch. DCF 56, Wis. adm. code.

4 **SECTION 9406. Effective dates; Children and Families.**

5 (1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am)
6 (intro.) and (3n) (am) (intro.) and 48.62 (4) takes effect on January 1, 2020, or on the
7 day after publication, whichever is later.

8 (END)

Shea, Elisabeth

From: Bork, Matthew - DOA
Sent: Friday, February 08, 2019 5:17 PM
To: Shea, Elisabeth
Cc: Kraus, Jennifer - DOA
Subject: Foster Care and Children & Family Aids Drafts

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Lis,

I would like to make updates to two drafts. In the foster care rate draft (19-0965_P1), please increase all foster care levels by 2% in CY20 (instead of only increasing level one), and increase all foster care levels by an additional 2% in CY21. In the children and family aids draft (19-1909_P1), please change the amounts to \$78,521,500 in FY20 and \$90,291,800 in FY21.

Kind regards,
Matt



Matthew Bork | Policy and Budget Analyst
Department of Administration
Division of Executive Budget and Finance
Matthew.Bork@wisconsin.gov
Direct: (608) 266-2288



DOA:.....Bork, BB0122 - Foster care and kinship care rates

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

In 2/11

1 AN ACT [§]...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

The bill increases the rates that are paid to a foster parent or a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child.

The bill increases the monthly basic maintenance rates that are paid by the state or a county to a foster parent for the care and maintenance of a child in a foster home certified to provide level one care by 2 percent beginning on January 1, 2020, and of a child in any foster home by 2 percent beginning on January 1, 2021.

Beginning on January 1, 2020, the monthly rates are increased from \$244 to \$249 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, are maintained at the current rates of \$404 for a child under five years of age, \$442 for a child 5 to 11 years of age, \$502 for a child 12 to 14 years of age, and \$524 for a child 15 years of age or over. Beginning on January 1, 2021, the monthly rates are increased to \$254 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, \$412 for a child under five years of age, \$451 for a child 5 to 11 years of age, \$512 for a child 12 to 14 years of age, and \$534 for a child 15 years of age or over.

\$412

\$512

\$545
\$460

\$522
\$420

\$451

\$534

an additional

The bill also increases the monthly basic maintenance rates that are paid by the state or a county to a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child. These rates are the same as for a foster home certified to provide level one care.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

2 48.57 (**3m**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
3 (me), and (s), the department shall reimburse counties having populations of less
4 than 750,000 for payments made under this subsection and shall make payments
5 under this subsection in a county having a population of 750,000 or more. Subject
6 to par. (ap), a county department and, in a county having a population of 750,000 or
7 more, the department shall make payments in the amount of ~~\$238~~ \$249 per month
8 beginning on January 1, ~~2018~~ 2020, and ~~\$244~~ \$254 per month beginning on January
9 1, ~~2019~~ 2021, to a kinship care relative who is providing care and maintenance for
10 a child if all of the following conditions are met:

11 **SECTION 2.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

12 48.57 (**3n**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
13 (me), and (s), the department shall reimburse counties having populations of less
14 than 750,000 for payments made under this subsection and shall make payments
15 under this subsection in a county having a population of 750,000 or more. Subject
16 to par. (ap), a county department and, in a county having a population of 750,000 or
17 more, the department shall make monthly payments for each child in the amount of
18 ~~\$238~~ \$249 per month beginning on January 1, ~~2018~~ 2020, and ~~\$244~~ \$254 per month
19 beginning on January 1, ~~2019~~ 2021, to a long-term kinship care relative who is

1 providing care and maintenance for that child if all of the following conditions are
2 met:

3 **SECTION 3.** 48.62 (4) of the statutes is amended to read:

4 48.62 (4) Monthly payments in foster care shall be provided according to the
5 rates specified in this subsection. Beginning on January 1, 2018 2020, the rates are
6 ~~\$238~~ \$249 for care and maintenance provided for a child of any age by a foster home

7 that is certified to provide level one care, as defined in the rules promulgated under
8 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified

9 to provide care at a level of care that is higher than level one care, ~~\$394~~ \$412 for a
10 child under 5 years of age; ~~\$431~~ \$442 for a child 5 to 11 years of age; ~~\$490~~ \$502 for
11 a child 12 to 14 years of age; and ~~\$511~~ \$524 for a child 15 years of age or over.

12 Beginning on January 1, 2019 2021, the rates are ~~\$244~~ \$254 for care and
13 maintenance provided for a child of any age by a foster home that is certified to

14 provide level one care, as defined in the rules promulgated under sub. (8) (a) and, for
15 care and maintenance provided by a foster home that is certified to provide care at

16 a level of care that is higher than level one care, ~~\$404~~ \$420 for a child under 5 years
17 of age; ~~\$442~~ \$460 for a child 5 to 11 years of age; ~~\$502~~ \$522 for a child 12 to 14 years
18 of age; and ~~\$524~~ \$545 for a child 15 years of age or over. In addition to these grants

19 for basic maintenance, the department, county department, or licensed child welfare

20 agency shall make supplemental payments for foster care to a foster home that is
21 receiving an age-related rate under this subsection that are commensurate with the

22 level of care that the foster home is certified to provide and the needs of the child who
23 is placed in the foster home according to the rules promulgated by the department

24 under sub. (8) (c).

25 **SECTION 9406. Effective dates; Children and Families.**



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0965/P2
EHS:cde

DOA:.....Bork, BB0122 - Foster care and kinship care rates

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

The bill increases the rates that are paid to a foster parent or a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child.

The bill increases the monthly basic maintenance rates that are paid by the state or a county to a foster parent for the care and maintenance of a child by 2 percent beginning on January 1, 2020, and by an additional 2 percent beginning on January 1, 2021. Beginning on January 1, 2020, the monthly rates are \$249 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, \$412 for a child under five years of age, \$451 for a child 5 to 11 years of age, \$512 for a child 12 to 14 years of age, and \$534 for a child 15 years of age or over. Beginning on January 1, 2021, the monthly rates are increased to \$254 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, \$420 for a child under five years of age, \$460 for a child 5 to 11 years of age, \$522 for a child 12 to 14 years of age, and \$545 for a child 15 years of age or over.

The bill also increases the monthly basic maintenance rates that are paid by the state or a county to a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child. These rates are the same as for a foster home certified to provide level one care.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

2 48.57 (**3m**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
3 (me), and (s), the department shall reimburse counties having populations of less
4 than 750,000 for payments made under this subsection and shall make payments
5 under this subsection in a county having a population of 750,000 or more. Subject
6 to par. (ap), a county department and, in a county having a population of 750,000 or
7 more, the department shall make payments in the amount of ~~\$238~~ \$249 per month
8 beginning on January 1, ~~2018~~ 2020, and ~~\$244~~ \$254 per month beginning on January
9 1, ~~2019~~ 2021, to a kinship care relative who is providing care and maintenance for
10 a child if all of the following conditions are met:

11 **SECTION 2.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

12 48.57 (**3n**) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
13 (me), and (s), the department shall reimburse counties having populations of less
14 than 750,000 for payments made under this subsection and shall make payments
15 under this subsection in a county having a population of 750,000 or more. Subject
16 to par. (ap), a county department and, in a county having a population of 750,000 or
17 more, the department shall make monthly payments for each child in the amount of
18 ~~\$238~~ \$249 per month beginning on January 1, ~~2018~~ 2020, and ~~\$244~~ \$254 per month
19 beginning on January 1, ~~2019~~ 2021, to a long-term kinship care relative who is
20 providing care and maintenance for that child if all of the following conditions are
21 met:

1 **SECTION 3.** 48.62 (4) of the statutes is amended to read:

2 48.62 (4) Monthly payments in foster care shall be provided according to the
3 rates specified in this subsection. Beginning on January 1, ~~2018~~ 2020, the rates are
4 ~~\$238~~ \$249 for care and maintenance provided for a child of any age by a foster home
5 that is certified to provide level one care, as defined in the rules promulgated under
6 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
7 to provide care at a level of care that is higher than level one care, ~~\$394~~ \$412 for a
8 child under 5 years of age; ~~\$431~~ \$451 for a child 5 to 11 years of age; ~~\$490~~ \$512 for
9 a child 12 to 14 years of age; and ~~\$511~~ \$534 for a child 15 years of age or over.
10 Beginning on January 1, ~~2019~~ 2021, the rates are ~~\$244~~ \$254 for care and
11 maintenance provided for a child of any age by a foster home that is certified to
12 provide level one care, as defined in the rules promulgated under sub. (8) (a) and, for
13 care and maintenance provided by a foster home that is certified to provide care at
14 a level of care that is higher than level one care, ~~\$404~~ \$420 for a child under 5 years
15 of age; ~~\$442~~ \$460 for a child 5 to 11 years of age; ~~\$502~~ \$522 for a child 12 to 14 years
16 of age; and ~~\$524~~ \$545 for a child 15 years of age or over. In addition to these grants
17 for basic maintenance, the department, county department, or licensed child welfare
18 agency shall make supplemental payments for foster care to a foster home that is
19 receiving an age-related rate under this subsection that are commensurate with the
20 level of care that the foster home is certified to provide and the needs of the child who
21 is placed in the foster home according to the rules promulgated by the department
22 under sub. (8) (c).

23 **SECTION 9406. Effective dates; Children and Families.**

SECTION 9406

1 (1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am)
2 (intro.) and (3n) (am) (intro.) and 48.62 (4) takes effect on January 1, 2020, or on the
3 day after publication, whichever is later.

4 (END)