



wisconsin department of
children + families

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

Governor Scott Walker
Secretary Eloise Anderson

T: 608.266.8684 F: 608.261.6972
dcf.wi.gov

Rule Report for Legislative Review

Proposed Rules Relating to Foster Care Chapter DCF 56 CR 10-148

Basis and Purpose of the Proposed Rules

The proposed rules create standards for foster homes with a Level 3 to 5 certification as part of the new levels of care for foster care, establish a standardized assessment tool, and provide for monthly rates of reimbursement for foster care that are commensurate with the level of care that the foster home is certified to provide and the needs of the child who is placed in the foster home.

The purpose of levels of care is to improve the placement stability, safety, and permanence of children placed in foster homes by matching their assessed needs with the skills, abilities, and capacities of caregivers.

Public Hearing Summary

The department had public hearings on the initial proposed rules on February 15 and 28 and a hearing on the amended proposed rules on May 3, 2011. A summary of the hearing comments and the department's responses is attached.

Response to Legislative Council Staff Recommendations

All comments were accepted, except comment 2. c. The department is not incorporating by reference standards established by a technical society. The department's assessment tool is a unique instrument that is based on a national model. The major policy provisions of the assessment tool are contained in the rule. A note instructs readers that the assessment tool form is available on the department's website.

Changes to Analysis Prepared under Section 227.14 (2), Stats.

- An additional qualification standard was added for program staff in a Level 5 foster home.
- Supplemental payments for adoption assistance agreements entered into on or after July 1, 2011, will be determined under s. DCF 56.23.

Final Regulatory Flexibility Analysis

The proposed rule affects small businesses but does not have a significant economic impact on a substantial number of small businesses as defined in s. 227.114 (1), Stats.

Department Contacts

Ron Hermes, Director
Bureau of Permanence and Out-of-Home Care
Division of Safety and Permanence
(608) 267-3832
ron.hermes@wisconsin.gov

Elaine Pridgen
Administrative Rules Coordinator
Office of Legal Counsel
(608) 267-9403
elaine.pridgen@wisconsin.gov