

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

DCF 52, Residential Care Centers for Children and Youth
DCF 54, Child-Placing Agencies
DCF 56, Foster Home Care for Children
DCF 57, Group Homes
DCF 59, Shelter Care Facilities

3. Subject

Supporting Normalcy for Children in Out-of-Home Care

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

Implementing 2015 Wisconsin Acts 128 and 378

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The department solicited comments from county departments of social services and county departments of human services and others who have requested to be on the numbered memo and child welfare listservs.

11. Identify the local governmental units that participated in the development of this EIA.

Sauk County commented that the new SAFE home study required as part of the approval process to license foster homes is intense in both time and content, requiring additional worker time. Which leads to question of staff availability to do these studies. Though good practice, it's getting more and more difficult to fulfill the expectations being put upon counties and agency staff.

Sheboygan County commented that training materials will cost around \$400 and child care reimbursement could be anywhere up to \$500-\$600.

Department response: DCF provides Title IV-E funds to support training efforts to foster parents, including materials and child care costs. The training materials for staff were created by DCF and are free for agency staff to review.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

2015 Act 128 requires a standardized assessment system for home studies that are conducted and requires statewide training in the use of this standardized assessment (SAFE instrument). Act 128 does not require additional home studies. Rather, Act 128 requires that all home studies use the same assessment method. Therefore, additional costs for local government units are expected to be minimal. A number of counties and child placing agencies (CPAs) already use the SAFE instrument and these workers have received SAFE training. There would be one-time costs associated with training county and CPA workers that have not yet received SAFE training and ongoing costs for new workers. It is estimated that these costs would total \$28,300 in the first year and \$10,700 for ongoing costs. 2015 Act 378 requires the use of the "reasonable and prudent parent standard" as a standard for an out-of-home care provider to use in making decisions concerning a child's participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities that is characterized by careful and sensible parental decisions that maintain the health, safety, best interests, and cultural, religious, and tribal values of the child while at the same time encouraging the emotional and developmental growth of the child. There may be minimal costs to develop training for child welfare workers, foster parents, and other out-of-home care providers on the use of the reasonable and prudent parent standard in making these decisions.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule Complying with 2015 Wisconsin Acts 128 and 378

14. Long Range Implications of Implementing the Rule

The home study requirements will improve the quality and consistency of foster homes and adoption approvals with the objective of preventing discontinuity of care for children. The reasonable and prudent parenting provisions will improve normalcy experiences for children who are in out-of-home care.

15. Compare With Approaches Being Used by Federal Government

One of the purposes of the "Preventing Sex Trafficking and Strengthening Families Act" (Public Law 113-183) is to prevent and address sex trafficking of children who are in out-of-home care. Section 111 of the Act on "Supporting Normalcy for Children in Foster Care" requires states to promote participation of children in out-of-home care in age or developmentally appropriate activities and to permit out-of-home care providers to use the reasonable and prudent parent standard when determining whether to consent to a child's participation in these activities. These requirements are conditions of federal funding for a state's out-of-home programs under Title IV-E of the Social Security Act (42 USC 670 to 42 USC 679c).

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Federal law requires all states to comply with requirements relating to the reasonable and prudent parent standard and to have a process for determining approval for foster and adoptive parents. Many other states also use the Structured Analysis Family Evaluation (SAFE) assessment tool prescribed by the department.

17. Contact Name

DCF/Kim Swissdorf

18. Contact Phone Number

422-6351

This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

The rules will affect residential care centers for children and youth, group homes, and child-placing agencies. The economic effect of the rules will be minimal because the rules are implementing requirements that are in state and federal statutes. Less stringent compliance or exemption of small businesses from the requirements of the rules is not possible due to the statutory objectives of supporting and protecting the rights of children in the care of these providers.

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

NA

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

NA

5. Describe the Rule's Enforcement Provisions

Section 48.715, Stats

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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