

Department Response to Legislative Council Rules Clearinghouse Report

Kinship Care and Long-Term Kinship Care

Chapter DCF 58

CR 19-159

All comments were accepted or rendered moot by revisions, except the following:

- 2. c. The department's intent is to suggest types of documents that will verify that the individual is a relative, not to limit the type of documentation provided. Specifying "paternity judgment" could exclude a paternity acknowledgment or an administrative determination of paternity. Also, the department may not know the specific title of the appropriate document as relatives from other states may have the same types of documents with different titles.
- 2. d. Look-back periods in the proposed rule are specified when the period is intended to be precise. Phrases such as "the person's places of residence during the preceding 5-year period" are sufficiently clear for the purposes of the rule.
- 2. f. The department agrees that s. DCF 58.06 (2) to (5) would be clearer with introductory language. This change cannot be made due to the need for slightly different eligibility requirements for the different types of relative caregiving and the limits of the Legislative Reference Bureau numbering system. The LRB numbering system does not allow rules to be subdivided further than the subdivision paragraph level, and s. DCF 58.06 (2) already contains subdivision paragraphs.
- 2. k. Section DCF 58.08 (4) (a) 1. b. and (Note) refer to the requirement for a "safe and appropriate sleeping arrangement" under s. DCF 58.06 (4) (b) 2. a. not the "crib, bassinet, or playpen" allowed under s. DCF 58.06 (4) (b) 2. b.
- 2. r. The department agrees to use the phrase "has attained the age of 18 years" in the subsection regarding eligibility. Procedural directions for kinship agency staff, such as references to agency actions required at various time periods before the child's 18th birthday, remain to ensure that the directions are clear.
- 2. x. The department does not agree that the specified provisions are confusing.
- 2. y. The suggested language does not match the department's intent.
- 4. a. The department prefers to include the definition in the rule.
- 5. d. The department believes that the current language is sufficiently clear.
- 5. k. The suggested language does not match the department's intent.