

Report From Agency

Department of Children and Families

Agency Report to Legislature

Extension of Kinship Care and Long-Term Kinship Care Payments to Like-Kin and the Definition of Out-Of-Home Care in Child Welfare Rules

Clearinghouse Rule 25-009

DCF 21, 37, 50, 55, and 58

Basis and Purpose of the Proposed Rule

The proposed rule implements 2023 Wisconsin Act 119.

Public Hearing

A public hearing was held on March 24, 2025. John Touhy, Executive Director of the Wisconsin County Human Services Association (WCHSA), commented that WCHSA supported the bill and also supports the rule. The implementation of the extension of kinship care and long-term kinship care payments to like-kin helps children and families and helps counties serve families better.

Responses to Legislative Council Rules Clearinghouse Comments

All comments were accepted, except Comment 4.

Comment 4: In its definitions of “out-of-home care” in SECTIONS 4 and 12, the agency includes the phrase, “in the home of a person not a relative or like-kin”. Does this phrase refer to an out-of-home care placement that is an option authorized under ch. 938, Stats.? It would be helpful to include a cross-reference to the related statute in order to be consistent with how the proposed rule addresses other statutorily defined terms.

Department response: “In the home of a person not a relative or like-kin” is an out-of-home care placement option authorized under chs. 48 and 938, Stats. The proposed rule defines several out-of-home care placement options by cross-referencing the statutory definitions. Since “relative” and “like-kin” are already defined in the proposed rule, no definition of the phrase “in the home of a person not a relative or like-kin” is needed.

Changes to the Analysis or to the Fiscal Estimate

No changes were made.

Final Regulatory Flexibility Analysis

The rule does not affect small businesses.

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