

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 1/28/2025								
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) DCF 21, 37, 50, 55, and 56									
4. Subject The 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									
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected								
7. Fiscal Effect of Implementing the Rule <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input checked="" type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	
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8. The Rule Will Impact the Following (Check All That Apply) <table style="width: 100%;"><tr><td><input type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</td></tr></table>		<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)			
<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors								
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<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)									
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$indeterminate									
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
11. Policy Problem Addressed by the Rule The need to continue kinship care and long-term kinship care eligibility for like-kin caregivers under 2023 Wisconsin Act 119 following expiration of the corresponding emergency rule, EmR 2420, which became effective on January 1, 2025.									
12. 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 the Wisconsin County Human Services Association, tribal chairpersons, and tribal social services directors.									
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No comments were received from a local governmental unit.									
14. 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) This rule extends the eligibility of the kinship care program to additional caregivers that were not previously eligible. Kinship care agencies will be determining the eligibility of these caregivers. The department is not able to estimate the number of additional caregivers.									
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule To provide support for like-kin caregivers of a child by implementing 2023 Wisconsin 119									
16. Long Range Implications of Implementing the Rule									
17. Compare With Approaches Being Used by Federal Government Kinship care payments are fully funded by the state using federal Temporary Assistance to Needy Families funding (TANF). States can use their federal TANF dollars funds to support a broad range of activities related to promoting the									

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four purposes of TANF specified in federal law. Under 42 USC 601 (a) (1), one of the purposes of TANF is to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives. As there is no federal definition of “relative” under TANF law, states are able to codify their own definition.

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

Payments to a relative caregiver of a child other than the child’s parent are available in all adjacent states with no employment and work activity requirements and no time limits. The payment is considered to be a “child-only” grant with financial eligibility based only on the child’s income and assets.

In Illinois and Iowa, the child-only payments are only available to a relative. In Minnesota, child-only payments are also available to a nonrelative caregiver who is the legal custodian or guardian of the child. In Michigan, child-only payments are also available to a nonrelative caregiver who is the child’s legal guardian or is age 21 years or over and has a pending petition for legal guardianship of the child.

19. Contact Name

Elaine Pridgen, Rules Coordinator

20. Contact Phone Number

(608) 422-7077

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)

NA

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:

NA

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

NA

5. Describe the Rule's Enforcement Provisions

NA

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

☐ Yes ☒ No
