



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1299/P4
EHS:kjf&skw

DOA:.....Rice, BB0446 - Child care provider quality incentives

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Child care quality improvement program

This bill eliminates the current law method by which DCF may modify payments to child care providers under Wisconsin Shares based on a child care provider's rating under the quality rating system known as Young Star. The bill instead authorizes DCF to establish a program for making monthly payments and monthly per-child payments to certified child care providers, licensed child care centers, and child care programs established or contracted for by a school board. The bill allows DCF to promulgate rules to implement the program, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments. The bill funds the program through a new appropriation and by allocating federal moneys, including child care development funds and moneys received under the Temporary Assistance for Needy Families block grant program.

Wisconsin Shares is a part of the Wisconsin Works program under current law, which DCF administers and which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled,

under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares.

Under current law, DCF sets the maximum payment rates for child care providers who provide services under Wisconsin Shares and may modify an individual child care provider's payment rate in the following manner on the basis of the child care provider's quality rating under the Young Star system: a provider who receives a one-star rating may be denied payment; a provider who receives a two-star rating may have the maximum payment rate reduced by up to 5 percent; a provider who receives a three-star rating may receive up to the maximum payment rate; a provider who receives a four-star rating may have the maximum payment rate increased by up to 15 percent; and a provider who receives a five-star rating may have the maximum payment rate increased by up to 30 percent.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.437 (2) (c) of the statutes is created to read:

20.437 (2) (c) *Child care quality improvement program.* The amounts in the schedule for the program under s. 49.133.

***NOTE: I added "child care" to the requested title "quality improvement program" for clarity. Okay?

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 49.133 of the statutes is created to read:

49.133 Child care quality improvement program. (1) The department may establish a program under which it may, from the appropriation under s. 20.437 (2) (c) and under s. 49.175 (1) (qm), make monthly payments and monthly per-child payments to child care providers certified under s. 48.651, child care centers licensed under s. 48.65, and child care programs established or contracted for by a school board under s. 120.13 (14). Of the amounts from the appropriation under s. 20.437 (2) (c), the department may award 10 percent to child care providers, child care

centers, and child care programs located in child care deserts, as defined by the department.

(2) The department may promulgate rules to implement the program under this section, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments.

SECTION 3. 49.155 (6) (e) of the statutes is repealed.

SECTION 9106. Nonstatutory provisions; Children and Families.

(1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s. 227.24, the department of children and families may promulgate the rules authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a) and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(END)