



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 3

TO: MEMBERS OF THE SPECIAL COMMITTEE ON STRENGTHENING WISCONSIN FAMILIES

FROM: Jessica L. Karls, Staff Attorney

RE: Current Law Related to Home Visitation Program Grants

DATE: October 9, 2008

This Memo describes the home visitation program grants available under s. 48.983, Stats. The home visitation program, referred to as “Family Foundations,” was created by 1997 Wisconsin Act 293, which took effect on July 1, 1998. The Act was derived from legislation developed by the Joint Legislative Council’s Special Committee on Prevention of Child Abuse and Neglect. The program provides funding to counties and Indian tribes to operate home visitation programs. Prior to 2005, the program was called the Prevention of Child Abuse and Neglect (POCAN) program. It should be noted that the administration of Family Foundations was transferred from the Department of Health Services (DHS) to the Department of Children and Families (DCF) by 2007 Wisconsin Act 20, the Biennial Budget Act.

Following the description of Family Foundations is a description of 2007 Assembly Bill 663, relating to child abuse and neglect prevention grants. The bill sets forth changes to Family Foundations. The bill was introduced by the Joint Legislative Council on January 3, 2008, as recommended by the Special Committee on Strengthening Wisconsin Families that met in 2006 and 2007. The Assembly Committee on Children and Family Law voted unanimously to recommend passage of the bill on February 21, 2008, and the Assembly voted to pass the bill on March 5, 2008. The bill was then referred to the Senate Committee on Tax Fairness and Family Prosperity, which did not vote on the bill. To be considered by the Legislature, the bill must be reintroduced in the next legislative session. A copy of the bill is enclosed with this Memo.

FAMILY FOUNDATIONS

Grants

Under Family Foundations, counties and Indian tribes may apply for grants from the department to create and operate home visitation programs. A county or Indian tribe must follow the application procedures provided by the department to apply for a grant. [s. 48.983 (5), Stats.] The department may select no more than six rural counties, three urban counties, and two Indian tribes to participate in Family Foundations. [s. 48.983 (3) (a), Stats.] Currently, the Lac Courte Oreilles Tribe and the following counties participate in the program: Brown, Door, Fond du Lac, Manitowoc, Marathon, Portage, Vernon, Waukesha, and Waupaca.

A county or Indian tribe must satisfy certain criteria to be selected to participate in Family Foundations. For example, a county, other than the Milwaukee County, or Indian tribe must include all of the following in the part of the application relating to a home visitation program:

- Information on how the program incorporates certain practice standards and is comprehensive, including how services vary in intensity levels depending on the strengths and needs of the family involved.
- Documentation that the application was created through collaboration among private and public organizations that provide children's services.
- Identification of any existing child abuse and neglect prevention services available to residents of the county or Indian tribe's reservation and an explanation of how the services and additional services will provide support for the program.
- Explanation of how the program will expand upon existing programs for child abuse and neglect prevention.
- Explanation of how the county or Indian tribe will encourage private organizations to provide services.
- Explanation of how services will be provided in a culturally competent manner.
- Information about whether, and an explanation of how, the county or Indian tribe will use part of the grant for capacity building and start-up costs for the program in the first year.

A county or Indian tribe must also satisfy additional criteria regarding flexible funds for home visitation participants, flexible funds for expenses related to cases, case management benefits, wraparound process, and anticipated allocation of grant money awarded. [s. 48.983 (6), Stats.]

If the department selects a county or Indian tribe to receive a grant, the grant is awarded annually with a minimum grant amount of \$10,000. The amount of a grant for a county, other than Milwaukee County, or Indian tribe is based on the number of births funded by Medical Assistance (MA) in the county or Indian tribe's reservation in proportion to the number of MA-funded births in all of the counties and Indian tribe reservations that are awarded Family Foundations grants. For Milwaukee

County, if it were selected to participate, the amount of a grant is based on 60% of the number of MA-funded births in Milwaukee County in proportion to the number of MA-funded births in all counties and Indian tribe reservations that are awarded Family Foundations grants. [s. 48.983 (2), Stats.]

A Family Foundation grant must be used to establish or maintain the flexible fund for home visitation participants; to establish or maintain the flexible fund for expenses related to cases; to pay no more than \$1,500 in training expenses related to Family Foundations in the first year of the grant; and, in a county, other than in Milwaukee County, or Indian tribe, to reimburse a case management provider for the allowable charges under MA not provided by the federal government for a MA beneficiary who is a child and member of a family who receives home visitation program services. In the first year of the grant, a county or Indian tribe may use part of its grant to pay for capacity building and start-up costs for the program. The department determines the maximum amount of a grant that may be used for capacity building and start-up costs. In addition, the grant is used to provide services under a home visitation program. [s. 48.983 (4), Stats.]

Home Visitation Programs

A county, other than Milwaukee County, or Indian tribe that is selected to participate in Family Foundations must operate a home visitation program. The county or tribe selects first-time parents who are eligible for MA and offers them an opportunity to go through an assessment. The assessment is developed by the department and uses a risk assessment instrument that determines whether a parent presents factors for committing child abuse or neglect. The assessment should occur during the prenatal period or shortly after the child's birth. A parent who is assessed as being at risk to abuse or neglect a child is offered home visitation program services. Services are provided only if the parent gives his or her written informed consent to the receipt of services. Services may be provided to a family of a child who is identified as being at risk of child abuse or neglect until the child reaches age 3. If the risk factors for the child are present when the child reaches age 3, services may be extended until the child reaches age 5. [s. 48.983 (4) (b) 1., Stats.]

Flexible funds totaling not more than \$1,000 per calendar year may be provided to families participating in a home visitation program to pay for appropriate expenses of the family. One-half of the payment to a family must be made from the grant, and the other one-half must be provided by the county or Indian tribe from other sources. [s. 48.983 (6) (b) 1., Stats.]

A county or Indian tribe may permit an individual who is not a first-time parent or eligible for MA to go through an assessment and participate in a home visitation program if the individual presents risk factors for committing child abuse or neglect. Grant money may not be used to reimburse a case management provider for services provided to such an individual. [s. 48.983 (4) (b) 2., Stats.] Flexible funds totaling not more than \$500 for each case may be provided for appropriate expenses related to the case. One-half of the payment for a case must be made from the grant, and the other one-half must be provided by the county or Indian tribe from other sources. [s. 48.983 (6) (b) 2., Stats.]

A county or Indian tribe must provide information relating to shaken baby syndrome and impacted babies to an individual receiving home visitation program services. [s. 48.983 (4) (b) 3., Stats.]

Other

Under Family Foundations, an individual may not, with some exceptions, use or disclose information about any individual selected for an assessment under a home visitation program or any individual who is offered home visitation services. [s. 48.983 (6g) (a), Stats.] In addition, if an individual providing home visitation services determines that he or she must report child abuse or neglect, the individual must make a reasonable effort to notify the child's parent about the report prior to making the report. The individual must encourage the parent to request assistance from a county department. [s. 48.983 (6m), Stats.]

The department is required to conduct an evaluation of the home visitation program that measures all of the following information in families who have participated in a home visitation program and are selected for the evaluation:

- Number of substantiated reports of child abuse and neglect.
- Number of visits to the emergency room for injuries to children.
- Number of out-of-home placements of children.
- Rates of immunization of children.
- Number of certain medical and dental services to children.
- Other items that the department finds appropriate for evaluation.

The department must determine how many families remained in the program for time period recommended in their services plan. Lastly, the department must also evaluate strengthened family functioning, positive parenting practices, and enhanced child development in the most appropriate way. [s. 48.983 (7), Stats.] An example of an evaluation of Family Foundations conducted by DHS may be found at: <http://dhs.wisconsin.gov/aboutdhs/OPIB/policyresearch/Pocan4-04.pdf>.

2007 ASSEMBLY BILL 663

2007 AB 663, relating to child abuse and neglect prevention grants, sets forth the following changes to Family Foundations:

- Deletes the provision requiring funding to be distributed to six rural counties, three urban counties, and two Indian tribes.
- Deletes references to Milwaukee County so that Milwaukee County may use grant funds to provide home visitation and case management services.
- Requires counties and Indian tribes that receive a grant to agree to match at least 25% of the grant amount in funds or in-kind contributions.
- Deletes the current formula for determining the amount of a grant in excess of the minimum \$10,000 grant amount and, instead, requires the department to determine the amount of a

grant in excess of \$10,000 based upon the number of MA-funded births in the county or Indian tribe's reservation.

- Provides that if a family with a child identified as being at risk of abuse or neglect has been continuously receiving home visitation program services for not less than 12 months, those services may continue to be provided until the child reaches age 3, regardless of whether the child continues to be eligible for MA.
- Requires a county or Indian tribe, when applying for a grant, to provide information on how the applicant's home visitation program incorporates practice standards and critical elements that have been developed for successful home visitation programs by a nationally recognized home visitation program model and that are acceptable to the department.
- Requires the department to evaluate the availability of home visitation programs in the state and determine whether there are gaps in home visitation services. The department must then cooperate with counties and Indian tribes providing home visitation programs to address any gaps identified.
- Requires each county and Indian tribe providing a home visitation program to collect and report data as required by the department, using forms prescribed by the department.
- Requires each county and Indian tribe providing a home visitation program to develop a plan for evaluating the effectiveness of its program for approval by the department. The bill sets forth outcomes that must be tracked and measured. The evaluation must be used to improve the quality and outcomes of the home visitation program.
- Provides that training provided by the department to counties and Indian tribes participating in the program may not be limited to a particular home visitation model. Requires the training to include training regarding basic skills, uniform administration of screening and assessment tools, the issues and challenges that families face, and supervision and personnel skills for program managers. The training may also include training on data collection and reporting.
- Requires the department to cooperate with the Child Abuse and Neglect Prevention Board to ensure that employees and managers of home visitation programs receive training and other services to develop and maintain competencies in providing home visitation services to families.

JK:jal

Enclosure