



State of Wisconsin  
Department of Health Services

Tony Evers, Governor  
Karen E. Timberlake, Secretary

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July 22, 2021

Michael J. Queensland  
Senate Chief Clerk  
B20 – Southeast, State Capitol  
Madison, WI 53703

Ted Blazel  
Assembly Chief Clerk  
17 West Main Street, Room 401  
Madison, WI 53703

Dear Mr. Queensland and Mr. Blazel:

Wisconsin Act 27, the 1997-1999 biennial budget, established requirements to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. The Department of Health Services (DHS), the Department of Children and Families (DCF) and, for certain child care providers, counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to DHS and/or DCF, counties, or school boards for a waiver of the employment or licensing ban upon evidence of rehabilitation.

Wisconsin Stat. § 50.065(5g) directs DHS to submit an annual report to the Legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the DHS report for 2020.

Questions about this report should be referred to Sandra Rowe, DHS Chief Legal Counsel, at 608-266-0355.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen E. Timberlake".

Karen E. Timberlake  
Secretary-designee

Enclosure



2020 Annual Report on Rehabilitation Review Requests  
under Wis. Stat. § 50.065(5g)

Requests Received by the Department of Health Services

8 Pending requests at start of 2020 47 Requests received in 2020 <hr/> 55 Total requests	2 Applications withdrawn 15 Approvals with standard conditions 2 Approvals with standard and additional conditions 0 Partial approval and denial 21 Denials (16 for not providing required information) 1 No jurisdiction 0 Not required to pursue rehabilitation approval 0 Pending deferrals 13 Requests being screened for completeness or awaiting scheduling or decisions <hr/> 55 Total Additionally, 1 prior approval from 2012 was withdrawn.
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**Reasons for Approval**

The applicants demonstrated sufficient evidence of rehabilitation in the areas of position-related offense factors and the applicant’s personal development and progress. Where applicable, standard conditions include: no (further) law violations, no (further) acts or threats of violence toward others, no offenses that lead to arrest or conviction or findings by a government agency of misconduct.

**Reasons for Denial**

The following reasons may relate to more than one individual or an individual may have been denied for more than one reason.

- Questionable veracity due to the disparity between events contained in investigations by governmental agencies and the version of events given during the panel meeting
- Lack of accountability
- Lack of remorse
- Continued denial of the underlying incident
- Opportunity to commit similar offenses in requested positions
- Not enough time has passed between the documented misbehaviors and request for rehabilitation review
- Failure to understand severity of actions and impact on resident(s)
- Not providing the required information