

**Report From Agency**  
**Department of Children and Families**  
**Rule Report for Legislative Review**  
**Qualified Residential Treatment Programs**  
**DCF 61**  
**CR 22-084**

**Basis and Purpose of the Proposed Rules**

The proposed rules provide the requirements for the establishment, certification, operation, and monitoring of, and the placement of a child in, a qualified residential treatment program under s. 48.675, Stats., as created by 2021 Wisconsin Act 42. A corresponding emergency rule, EmR2124 became effective September 29, 2021, and expires the earlier of July 1, 2023, or the effective date of the permanent rule.

**Public Hearing Summary and Department Response**

A public hearing was held via Zoom on January 5, 2023. A summary of the comment received and the department's response is attached.

**Department Response to Legislative Council Rules Clearinghouse Recommendations**

*Response to comment 3:* The department is retaining the definition of "Indian child" as a cross-reference to the same term in s. 48.02 (8g), Stats., to avoid possible confusion caused by a rule definition that conflicts with the Wisconsin Indian Child Welfare Act throughout ch. 48, Stats. Other comments were accepted.

**Changes to Analysis Prepared under Section 227.14 (2), Stats.**

None

**Final Regulatory Flexibility Analysis**

The proposed rules affect small businesses as defined in s. 227.114 (1), Stats., but will have minimal effect on these businesses.

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