

**ADMINISTRATIVE RULES – FISCAL ESTIMATE**

**1. Fiscal Estimate Version**

Original    Updated    Corrected

**2. Administrative Rule Chapter Title and Number**

Ch. HFS 10 Family Care

**3. Subject**

Emergency rules relating to confidentiality requirements that prohibit benefit specialists from disclosing personally identifying information about a client without the client's informed consent.

**4. State Fiscal Effect:**

No Fiscal Effect

Increase Existing Revenues

Increase Costs

Indeterminate

Decrease Existing Revenues

Yes    No

May be possible to absorb within agency's budget.

Decrease Costs

**5. Fund Sources Affected:**

GPR    FED    PRO    PRS    SEG    SEG-S

**6. Affected Ch. 20, Stats. Appropriations:**

**7. Local Government Fiscal Effect:**

No Fiscal Effect

Increase Revenues

Increase Costs

Indeterminate

Decrease Revenues

Decrease Costs

**8. Local Government Units Affected:**

Towns    Villages    Cities    Counties    School Districts    WTCS Districts    Others:

**9. Private Sector Fiscal Effect (small businesses only):**

No Fiscal Effect

Increase Revenues

Increase Costs

Indeterminate

Decrease Revenues

Yes    No

May have significant economic impact on a substantial number of small businesses

Yes    No   May have significant economic impact on a substantial number of small businesses

Decrease Costs

**10. Types of Small Businesses Affected:**

The rules do not affect businesses.

**11. Fiscal Analysis Summary**

Chapter HFS 10 is the department's rule that guides the implementation of the department's Family Care program. Included in these provisions are standards for confidentiality which prohibit disability benefit specialists from disclosing personally identifying information about a client without the client's consent unless required by law. Because disability benefit specialists are permissive reporters, and thus not required to report abuse, neglect, or financial exploitation of elder adults and adults at risk under ss. 46.90 (4) (ar) and 55.043 (1m) (br), Stats., s. HFS 10.23 (2) (d) 2., effectively prevents disability benefits specialists from making such disclosures.

The department is revising s. HFS 10.23 (2) (d) 2., by adding language that would permit disability benefit specialists to report abuse, neglect, or financial exploitation of elder adults or adults-at-risk without violating that section's non-disclosure provisions.

Amending s. HFS 10.23 (2) (d) 2., to allow disability benefit specialists to report abuse, neglect, or financial exploitation under ss. 46.90 (4) (ar) and 55.043 (1m) (br), Stats., would help to ensure that elder adults and adults-at-risk who may have been abused, neglected, or financially exploited are brought to the attention of the abuse, neglect and exploitation response systems outlined under ss. 46.90 and 55.043, Stats.

There is a potential increase in costs to counties that would be associated with counties responding to additional reports of abuse, neglect, or financial exploitation generated as a result of disability benefit specialists being able to make such reports. However, it is expected that this impact would be minimal since many other parties can report such incidents so that the impact of this change would only likely affect the timing and source of the report.

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**12. Long-Range Fiscal Implications**

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None known.

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Signature – DHS Secretary or Designee	Telephone Number	Date