

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

DCF 55, Subsidized Guardianship

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3. Subject

Subsidized guardianship

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

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5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

Procedures to implement a statewide subsidized guardianship program, including procedures to adjust the payment amount based on the circumstances of the guardian and the needs of the child.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

County Departments of Human Services Directors  
County Departments of Social Services Directors  
Tribal Chairpersons  
Tribal Social Service/Indian Child Welfare Directors  
Tribal Chairpersons

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11. Identify the local governmental units that participated in the development of this EIA.

Walworth County

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The rule's fiscal impact on counties is indeterminate because it will depend on the number of amendments entered into by the counties.

The department received comments from Patricia Weeden, Ongoing Case Management Supervisor, Walworth County Department of Human Services.

Comment: The level of county responsibility increases over time on cases in which we would normally no longer be involved. The rule requires the county to do a review of eligibility for payments annually or if there is a change of circumstances. This responsibility will increase in number the longer the rule is in effect.

Department response: This is a statutory requirement. The annual review ensures guardians continue to meet eligibility requirements and prevents fraud.

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Comment: Counties will be required to continue to enter information in the ewisacwis system and keep open cases that would normally close.

Department response: A subsidized guardianship case remains open for a service payment, not for case management or any other purpose.

Comment: The county may be required to file a subsequent CHIPS petition in cases in which a substitute caregiver does not meet standards.

Department response: A guardian's ineligibility for subsidized guardianship does not mean a CHIPS petition would need to be filed. A county agency is statutorily required to file a CHIPS petition if a guardian is no longer appropriately caring for a child in any circumstance. Implementation of the subsidized guardianship program does not impact this responsibility.

Comment: Counties will also have to pay for background checks for interim caregivers and non-client residents.

Department response: Federal law requires these background checks to be completed. County agencies are provided funds through the Children and Families Allocation that can be used to complete the necessary checks.

Comment: If caregivers are licensed as a Level 2 provider, the costs of placement could increase and it is difficult for the county to anticipate how much and how often this provision would be used for budgetary purposes.

Department response: If the child remained in foster care, the agency would be required to consider an adjustment of the rate every 6 months. For subsidized guardianship, a county is required to consider a rate adjustment on an annual basis if requested by the guardian, and there is a substantial change in the child's circumstances and increased needs as documented by a professional.

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### 13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Section 48.623 (7), Stats., directs the department to promulgate rules to implement s. 48.623, Stats., including the manner in which those payments may be adjusted periodically, in consultation with the guardian, based on the circumstances of the guardian and the needs of the child. Federal law requires states to adopt a process for guardians to request an adjusted payment amount.

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### 14. Long Range Implications of Implementing the Rule

None

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### 15. Compare With Approaches Being Used by Federal Government

NA

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)  
Wisconsin, Illinois, and Michigan have subsidized guardianship programs and determine foster care, subsidized guardianship, and adoption assistance payments in a similar manner.

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17. Contact Name  
Jonelle Brom

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18. Contact Phone Number  
(608) 264 6933

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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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