

Clearinghouse Rule 13-015



State of Wisconsin Department of Children and Families

Wisconsin Works Case Management Services for Job-Ready Individuals

DCF 101

The Wisconsin Department of Children and Families proposes to create s. DCF 101.16 (1) (am), relating to Wisconsin works case management services for job-ready individuals.

Analysis Prepared by the Department of Children and Families

Statutory authority: Section 49.147 (2) (am) 2., Stats.

Statutes interpreted: Section 49.147, Stats.

Related statute or rule: None

Explanation of Agency Authority

Effective January 1, 2012, s. 49.147 (2) (am), Stats., as created by 2011 Wisconsin Act 32, provides that in lieu of placing the individual in a Wisconsin Works (W-2) subsidized employment position, a W-2 agency may provide case management services to an individual who applies for a W-2 employment position if the W-2 agency determines all of the following:

- The individual meets the eligibility requirements under s. 49.145 (2) and (3), Stats.
- The individual is willing to work and has no barriers to employment that cannot be addressed with W-2 services.
- The individual is job ready, based on the individual's employment history or education.
- The most appropriate placement for the individual is in unsubsidized employment.

A W-2 agency shall, every 30 days, review the provision of case management services to an individual, if the individual is not successful in obtaining unsubsidized employment after legitimate efforts to secure employment, to determine whether the individual should be placed in a trial job, community service job, or transitional

placement. The department shall promulgate rules that specify the criteria for the review process.

Section 49.147 (2) (b), Stats., as affected by 2011 Wisconsin Act 32, provides that a W-2 agency shall assist a participant in his or her search for unsubsidized employment. In determining an appropriate placement for a participant, a W-2 agency shall give priority to placement in unsubsidized employment and providing case management services under s. 49.147 (2) (am), Stats., over placements in trial jobs, community service job, or transitional placement under s. 49.147 (3) to (5), Stats.

Summary of the Rule

The proposed rule provides the criteria for the review of W-2 participants in a case management services for job-ready individuals placement.

Summary of Factual Data and Analytical Methodologies

During the fall 2011, the department developed a policy to implement the case management placement for job-ready individuals effective January 1, 2012. The department developed this rule in conjunction with the Wisconsin Works (W-2) Contract and Implementation Committee, Policy and Program Operations Subcommittee. The PPO subcommittee consists of representatives of W-2 agencies, Legal Action of Wisconsin, Wisconsin Coalition Against Domestic Violence, and the Wisconsin Council on Children and Families.

Summary of Related Federal Requirements

None

Comparison to Adjacent States

Illinois. The Illinois TANF program does not have a comparable policy that provides case management services in lieu of cash assistance.

Iowa. The Iowa Family Investment Program (FIP) (Iowa's TANF program) does not have a comparable policy that provides case management services in lieu of cash assistance.

Minnesota. The Minnesota Family Investment Program (MFIP) (Minnesota's TANF program) does not have a comparable policy that provides case management services in lieu of cash assistance.

Michigan. The Michigan Family Independence Program (FIP) (Michigan's TANF program) does not have a comparable policy that provides case management services in lieu of cash assistance.

Effect on Small Business

The rule will not affect small businesses.

Analysis Used to Determine Effect on Small Business or Economic Impact

The rule will affect W-2 applicants, W-2 participants in the case management services for job-ready individuals placement, and W-2 agencies. None of the W-2 agencies is a small business.

There are some costs to W-2 agencies to implement the new case management services for job-ready individuals placement type in s. 49.147 (2) (am), Stats., as created by 2011 Wisconsin Act 32. There are no costs associated with the specific criteria proposed to be used for the 30-day review of an individual in the placement.

Agency Contact Person

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Place Where Comments are to be Submitted and Deadline for Submission

Comments may be submitted to Elaine Pridgen, Secretary's Office, Department of Children and Families, 201 E. Washington Avenue, P.O. Box 8916, Madison, WI, 53708-8916 or dcfpublichearing@wisconsin.gov. The comment deadline is April 8, 2013.

SECTION 1. DCF 101.16 (1) (am) is created to read:

DCF 101.16 (1) (am) *Review process for participants in a case management services for job-ready individuals placement.* Every 30 days that a Wisconsin works agency has provided case management services to a participant in a case management services for job-ready individuals placement and the participant has not obtained unsubsidized employment after legitimate efforts to secure employment, the agency shall review the participant's case to determine whether the participant should continue in the case management services for job-ready individuals placement or be placed in a trial job, community service job, or transitional placement. In reviewing the participant's case, the Wisconsin works agency shall consider all of the following:

1. Whether the participant obtained interviews or job offers that matched the participant's skills, abilities, and interests.
2. Whether previously identified barriers that could be addressed with Wisconsin works services were addressed effectively.
3. Whether previously unidentified barriers have been identified.

SECTION 2. EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Administrative Register as provided in s. 227.22 (2) (intro.), Stats.