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Secretary's Office

Report From Agency

Rule Report for Legislative Review Extension of Out-Of-Home Care to Children and Youth 18 Years of Age or Over, But Under 21 Years of Age DCF 21, 50, 52, 54, 55, 56, 57, and 58 CR14-054

Basis and Purpose of the Proposed Rule

The proposed rule implements ss. 48.366 and 938.366, Stats., as created by 2013 Wisconsin Act 334, Stats. A related emergency rule, EmR1414, affecting the same rules contained in this proposed rule and relating to the same purpose as this proposed rule became effective August 1, 2014.

Public Hearing Summary

The department held a public hearing in Madison on October 14, 2014. No comments were received. Lonna Morouney, Staff for Rep. Amy Loudbeck, observed for information only.

Response to Legislative Council Staff Recommendations

The department's response is attached.

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

The definitions of "child" or "resident" were removed from the summary of the proposed rule. The previous version of the proposed rule included detailed definitions. The current proposed rule includes definitions of "child" and "resident" that are similar to the existing rules.

A provision was added to the summary of the kinship care rule that provides that an applicant who is applying for assistance to care for a child placed under a voluntary transition-to-independent-living agreement may not be placed on a waiting list.

Final Regulatory Flexibility Analysis

The proposed rule amends child welfare licensing rules that affect small businesses to allow placements of youth who are eligible for an extension under ss. 48.366 and 938.366, Stats. Allowing youth to be in out-of-home care longer will have a positive economic impact on child welfare providers.

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