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Governor Scott Walker
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Secretary's Office

Rule Report for Legislative Review

Subsidized Guardianship

Chapter DCF 55

CR 16-048

Basis and Purpose of the Proposed Rule

The proposed rule implements 2015 Wisconsin Acts 129 and 143. Act 129 provides for the appointment of a successor guardian for a child in need of protection or services and for eligibility of the successor guardian for subsidized guardianship payments. Act 143 provides eligibility for monthly subsidized guardianship payments for a person who develops a familial relationship with a child or the child's family during the child's placement in out-of-home care.

Public Hearing

The department held a public hearing in Madison on October 19, 2016. Lance Jones of Kids Matter, Inc., provided information to the department, neither for nor against. A summary of his comments and the department's response is attached.

Response to Legislative Council Staff Comments

All comments were accepted, except the following:

Comments 2. a. and b.: The department does not agree that the suggested changes are needed.

Comment 2. f.: The note helps clarify the rule by drawing attention to the fact that the cross-reference is to a statutory provision in ch. 55, Stats. Since the rule is ch. DCF 55, some readers may not initially notice that the cross-reference is not to a section within the rule.

Comment 2. g.: The department does not agree that the suggested changes are necessary.

Comment 4.: The reference is correct as written.

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

None

Final Regulatory Flexibility Analysis

The rule does not affect small businesses as defined in s. 227.114 (2), Stats.

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