

Report From Agency
Department of Children and Families
Rule Report for Legislative Review
Qualified Residential Treatment Programs
DCF 61
CR 22-084

Basis and Purpose of the Proposed Rules

The proposed rules provide the requirements for the establishment, certification, operation, and monitoring of, and the placement of a child in, a qualified residential treatment program under s. 48.675, Stats., as created by 2021 Wisconsin Act 42. A corresponding emergency rule, EmR2124 became effective September 29, 2021, and expires the earlier of July 1, 2023, or the effective date of the permanent rule.

Public Hearing Summary and Department Response

A public hearing was held via Zoom on January 5, 2023. A summary of the comment received and the department's response is attached.

Department Response to Legislative Council Rules Clearinghouse Recommendations

Response to comment 3: The department is retaining the definition of "Indian child" as a cross-reference to the same term in s. 48.02 (8g), Stats., to avoid possible confusion caused by a rule definition that conflicts with the Wisconsin Indian Child Welfare Act throughout ch. 48, Stats. Other comments were accepted.

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

None

Final Regulatory Flexibility Analysis

The proposed rules affect small businesses as defined in s. 227.114 (1), Stats., but will have minimal effect on these businesses.

Department Contacts

Nadya Perez-Reyes
Assistant Secretary
(608) 444-2182
nadya.perez-reyes@wisconsin.gov

Emily Erickson, Director
Bureau of Permanence and Out-of-Home Care
(608) 422-6961
emily.erickson@wisconsin.gov