STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION DOA-2049 (R03/2012) DIVISION OF EXECUTIVE BUDGET AND FINANCE 101 EAST WILSON STREET, 10TH FLOOR P.O. BOX 7864 MADISON, WI 53707-7864 FAX: (608) 267-0372

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

| Type of Estimate and Analysis ☑ Original ☐ Updated ☐ Corrected | |
|---|--|
| 2. Administrative Rule Chapter, Title and Number DOC 347 | |
| 3. Subject Writing Chapter DOC 347, related to Secure Residential Care Centers for Children and Youth | |
| 4. Fund Sources Affected GPR FED PRO PRS SEG SEG-S | 5. Chapter 20, Stats. Appropriations Affected none |
| 6. Fiscal Effect of Implementing the Rule ☐ No Fiscal Effect ☐ Increase Existing Revenues ☐ Decrease Existing Revenues | ☐ Increase Costs ☐ Could Absorb Within Agency's Budget ☐ Decrease Cost |
| 7. The Rule Will Impact the Following (Check All That Apply) State's Economy Specific Businesses/Sectors Public Utility Rate Payers Small Businesses (if checked, complete Attachment A) | |
| 8. Would Implementation and Compliance Costs Be Greater Than \$20 million? ☐ Yes ☐ No | |
| 9. Policy Problem Addressed by the Rule The DOC is directed by 2017 Wisconsin Act 185 and 2019 Act 8 to promulgate a rule to establish standards for the approval, design, construction, repair, maintenance, operation, standards of service, programming, and uniform data reporting requirements for secured residential care centers for children and youth. 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. | |
| There should be no impact for the private sector or public sector as the rule applies to facilities that do not curently exist. Future operators of facilities governed by this rule will incur costs associated with operating a facilty but those costs are presently indeterminate. Legislative acts may have resulted in a fiscal impact on the private sector or public sector but this rule will result in no further fiscal impact. | |
| 11. Identify the local governmental units that participated in the development of this EIA. No local government units needed to participate in the development of this statement because no local government units currently operate facilities that are governed by this rule. | |
| 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 proposed rule is not anticipated to have significant adverse or material economic impact on small businesses. The Department determined this rule would not adversely affect in a material way the economy, a sector of the economy, productivity, jobs, or the overall economic competitiveness of the state. | |
| 13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit of this rule is providing future operators of secure residential care centers for children and youth with standards in accordance with the DOC's authority under 2017 Wisconsin Act 185. The alternative to this is to do nothing. | |
| 14. Long Range Implications of Implementing the Rule Promulgation of this rule will enable counties and/or tribes to establish facilities required under 2017 Wisconsin Act 185 and 2019 Act 8. | |

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15. Compare With Approaches Being Used by Federal Government

There are various federal laws that relate to the provisions created in the proposed chapter that affect the management and operation of secure residential care centers. Provisions of the Juvenile Justice and Delinquency Act (JJDPA) generally prohibit sight and sound contact between juveniles and adults in correctional facilities. Additionally, the Prision Rape Elimination Act (PREA) imposes certain supervision and monitoring standards. PREA also imposes staffing requirements (staff to youth), such as a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
In most cases, requirements vary moderately between the adjacent states and those of Wisconsin as proposed. For a detailed analysis, please refer to the proposed rule-making order submitted by the Department associated with this rule.

17. Contact Name18. Contact Phone NumberDawn Woeshnick(608) 240-5417

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

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ATTACHMENT A

| 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) |
|---|
| 2. Summary of the data sources used to measure the Rule's impact on Small Businesses |
| 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: |
| 4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses |
| 5. Describe the Rule's Enforcement Provisions |
| 6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form) ☐ Yes ☐ No |