

1       **AN ACT** *to affect* 2009 Wisconsin Act 28, section 9108 (2) (a); **relating to:** permitting  
2       the department of children and families to increase the per client rate for a residential  
3       care center for children and youth, group home, or child welfare agency for services  
4       provided beginning on January 1, 2010 and ending on December 31, 2010.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council's Special Committee on Child Welfare Provider Rate Implementation.

Under current law, for services provided beginning on January 1, 2010, and ending on December 31, 2010, a residential care center (RCC) for children and youth or a group home must charge the same per client rate for its services as it charged for services provided on December 31, 2009, and a child welfare agency must charge the same per client administrative rate for the administrative portion of the foster care services as it charged for the administrative portion of those services on December 31, 2009.

This draft permits the Department of Children and Families to approve a higher per client rate in calendar year 2010 if the RCC for children and youth, group home, or child welfare agency demonstrates to the department that, due to increased health care costs as an employer, the RCC, group home, or child welfare agency is unable to continue to offer services or to offer a particular out-of-home care service if the per client rate is not increased.

5       **SECTION 1.** 2009 Wisconsin Act 28, section 9108 (2) (a) is amended to read:

6       (2) **CHILD WELFARE PROVIDER RATE REGULATION.** (a) Transition.

7       Notwithstanding section 49.343 (1g) and (1m) of the statutes, as affected by this act, for  
8       services provided beginning on January 1, 2010, and ending on December 31, 2010, a  
9       residential care center for children and youth, as defined in section 49.343 (1d) (d) of the  
10      statutes, as created by this act, and a group home, as defined in section 49.343 (1d) (c) of the

1 statutes, as created by this act, shall charge the same per client rate for its services as it charged  
2 for services provided on December 31, 2009, and a child welfare agency, as defined in section  
3 49.343 (1d) (b) of the statutes, as created by this act, shall charge the same per client  
4 administrative rate, as defined in section 49.343 (1d) (a) of the statutes, as created by this act,  
5 for the administrative portion of the foster care services to which section 49.343 of the statutes,  
6 as affected by this act, applies as it charged for the administrative portion of those services on  
7 December 31, 2009. The department may approve a higher per client rate under this paragraph  
8 if the residential care center for children and youth, group home, or child welfare agency  
9 demonstrates to the department that, due to increased health care costs as an employer, the  
10 residential care center for children and youth, group home, or child welfare agency is unable  
11 to continue to offer services or to offer a particular out-of-home care service if the per client  
12 rate is not increased.

13 (END)