

**WISCONSIN COUNCIL ON CHILDREN AND FAMILIES
FACSIMILE TRANSMITTAL SHEET**

From: Carol W. Medaris
Date: November 7, 2000

To: David Austin
Agency: Senator Robson's office
Fax No: 267-5171

Re: Clearinghouse Rule 00-129 relating to W-2 eligibility and child care copayments

I received a copy of the above-described rule in final draft form as received by the Senate Committee on Human Services and Aging. I appreciate the changes made to the rule to remove all copayment amounts for children in foster care and in kinship care by court order. It is still unclear to me how kinship care families are treated who are caring for a child without a court order and who are also eligible for a child care subsidy for other children.

Say a mother is caring for two of her own children and two of her sister's children without a court order. Her income puts her at the poverty level and she chooses licensed care for the children. The minimum co-pay for the two kinship care children would be \$7 per week. The regular co-pay for her own two children (at 100% of poverty) would be \$21 per week. Is her weekly copayment to be \$28 for all four, achieved by simply adding together the regular amount for 2 plus the minimum amount for 2, as seems to me fair?

Or, is it to be \$34 per week, the regular copay amount for all four children? This is what the rule's language, and the Department's response to my comment, seems to require. On a monthly basis, the difference is between \$120.40 per month and \$146.20 per month. (These two amounts represent 8.6% and 10.5% of the family's poverty level income, \$1392 per month for a family of four.) An additional \$26 per month may not seem like much, but to a family living at the poverty level it means some other necessity must be foregone.

As the family's income goes up, the difference between the two computations increases as well. At 150% of poverty, keeping the rate of the two kinship care children at the minimum level results in a monthly liability of \$219.30 ($\$44 + \7×4.3). If, on the other hand, her liability is for four children at the regular copay amount, her monthly liability is \$262.30 ($\61×4.3), \$43 more. (Or, 9% versus 10.8% of the mother's income of \$2440 per month.)

Few people would argue that kinship care payments at \$215 per month cover all the needs that these children bring to their relative's families. Reducing the break these families receive for child care expenses further erodes the kinship relatives' ability to care for the rest of their family members.

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