

SENATE BILL 488 **(Roessler/Kestell)**

Relating to the appointment of a guardian for certain children in need of protection or services, the payment of subsidized guardianship payments to a guardian of a child who meets certain requirements, and making an appropriation.

- Cannot exec on this bill because we need the fiscal note.
- The bill:
 - *Permits any person, not just a relative, to be appointed as the guardian of a child who has been adjudged to be in need of protection or services.

*The bill also eliminates the one-year waiting period and permits a child who has been adjudged to be in need of protection to be placed directly in the home of a guardian without first having been placed in another out-of-home placement.

*Permits the parental rights of a parent of a child in need of protection or services for whom a guardian has been appointed to be terminated on the grounds of abandonment if.

* This bill permits a county department of human services or social services (county department) to provide monthly subsidized guardianship payments to a person who is appointed as the guardian for a child in need of protection of services; was the licensed foster parent or treatment foster parent of the child before that appointment; and has entered into a subsidized guardianship agreement with the county department or DHFS.

* A county department or DHFS may provide the monthly subsidized guardianship payments to the person if the child has been placed outside the home for a cumulative total period of one year or longer; the juvenile court has found that reunification of the child with the child's parents is unlikely or contrary to the best interests of the child and that further reunification efforts are unlikely to be made or are contrary to the best interests of the child; and the juvenile court has found that appointment of a guardian is in the best interests of the child; or if the child does not meet any of those

conditions, but DHFS has determined that appointing a guardian for the child and providing subsidized guardianship payments to the guardian are in the best interests of the child and the juvenile court has confirmed that determination.

*Under the bill, the amount of a monthly subsidized guardianship payment is equal to the amount of the monthly foster care or treatment foster care payment received by the guardian immediately before the guardianship order was granted.

* The bill also requires DHFS to request from the secretary of the federal Department of Health and Human Services a waiver of the requirements under Title IV-E of the federal Social Security Act that would authorize the state to receive federal foster care and adoption assistance reimbursement for the costs of providing care for a child who is in the care of a guardian who was licensed as the child's foster parent or treatment foster parent before the guardianship appointment, and who has entered into a subsidized guardianship agreement.

February 16, 2004

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Senator Raessler, 2/20/04
Thanks for your
support of Senator Cowles
bill on homecare.

Steve



Steve Nooyen, foreground, went into the healthcare business after watching his grandfather suffer from dementia. Behind Nooyen at Home Instead Senior Care are, from left, Jim Joy, Mary Kugel, Caroline Nooyen and Carrie Mueller. The Business News photo by J.A. Robb

His clients can stay Home Instead

Caregiver helps families keep their elderly family members independent

By Nancy Barthel

nbarthel@the-business-news.com

Steve Nooyen is all about family. His business, Home Instead Senior Care, is designed to help families keep their loved ones as independent as possible by giving them the non-medical assistance they may need to stay in their homes.

It is because of his own grandfather, Al DeCleene, who the family watched suffer with dementia, that Nooyen decided this would be the kind of business he would undertake. In fact, his grandfather's picture stands in the lobbies of his Green Bay, Appleton, and Oshkosh offices so that everyone knows that Home Instead Senior Care is dedicated to his grandfather.

And perhaps, most importantly, it was the support of his wife, Kristi, that clinched his decision to open Home Instead. Years earlier, this computer and sales professional had told himself that by age 30 he would be in business for himself. A Green Bay native, he holds a degree in business and marketing from Marquette University. He was 29 and made a date with his wife, a registered nurse. "We had lunch one day and I had done all the research," he said. He told her, "We have to decide right now, we have to decide today if we can fully commit."

"It was a moment I will never forget," Nooyen said. "That was kind of the jumping-off point." His beginnings were humble. He left his full-time job in December, 1996. In early 1997, he opened on a

Monday, hired his first caregiver on Friday and on Saturday had his first client. He admits the first couple years were lean but also meaningful.


That was seven years ago, and today, at age 37, Nooyen owns two franchises of Home Instead Senior Care, which encompass the Green Bay, Appleton, and Oshkosh areas. He has 240 employees, all except a dozen of which are caregivers, and about 250 clients at any one time.

Home Instead is an Omaha, Neb., based franchise business and is considered the world's largest provider of nonmedical home and companionship services. Paul and Lori Hogan founded Home Instead Senior Care in Omaha in

See Clients, PAGE 4

72% Average Closing Ratio
(National Average 25%-35%)

Selling Your Business?

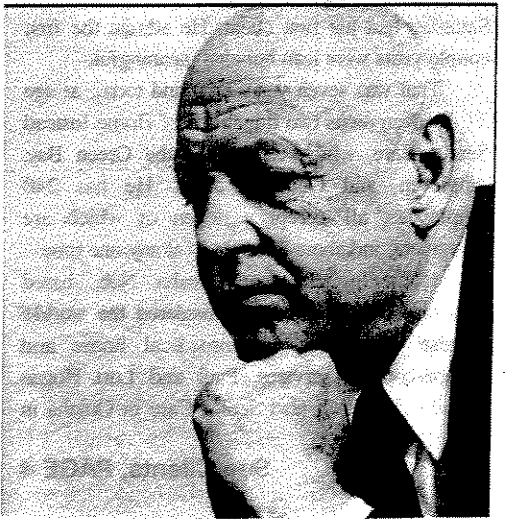


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Clients/Area caregiver helps them live an independent life

From Page 3

1994. It was Paul Hogan's own family experience caring for his grandmother for 12 years that helped him realize the need for nonmedical care and companionship services for seniors at home.

Nooyen's story is similar. "I kept coming back to this experience with my grandfather," he said. For a time, the Nooyens considered owning a community-based residential facility. "What destroyed our plan was that we got pregnant with our second baby, but by that time, I got interested in this senior care business," he said.

For three years, Nooyen said he looked through The Franchise Annual with its yearly listing of franchise companies. That third year, "It hit me at the right time," he said. There it was: Home Instead. "At the time, I was the 49th franchise in the country and the first in Wisconsin," he said. Today, there are more than 400 franchises in the United States, with 12 in Wisconsin. The company has also gone international with franchises in Canada, Japan and Portugal. Nooyen's business is one of the largest in the company.

A franchise might not be for everyone, but for Nooyen, Home Instead was a good fit. He describes himself as a creative individual, who knew he'd be "bored" by setting up the basics a business like his would need, such as a scheduling system and employment applications. "With a franchise you get the tools that enable you to get started," he said. "The franchise allows you to work more on your business." He said that he is able to set his own rates and establish a personal identity for his business.

He is proud of the personal slogan he has for

his franchises and boldly appears on the wall of each office: "The fact that old age needs so little ... but needs that little so much."

"We are not the miracle worker," he said. Nooyen describes his Home Instead business as "part of a solution." There are probably as many scenarios as there are clients. For example, there is the person who is coming home from a nursing home after rehabilitation and needs 24-hour assistance seven days a week. Home Instead can help that person with everything from getting meals, cleaning the house, getting the person up, and some personal care chores. Then, there are those who need only minimal assistance, perhaps some light housekeeping, some companionship, or maybe even some help planting the garden.

People need to be ready for the future, and the future holds the promise of living very long lives. Nooyen said. "We have clients over 100 years and they are living in their own homes."

Nooyen said that he grows his business through word of mouth, but also through a community representative whose role is to keep in contact with social service agencies.

One of Nooyen's disappointments is that he's gotten so busy he no longer gets to go out on calls to assess client's needs or introduce clients to their caregivers. But to make up for it, Nooyen helped establish the Senior Fishing Club and visits an elderly gentleman in rural De Pere. His business also supports the Alzheimer's Association's annual Memory Walk. Community involvement is a must for Nooyen. "I can't see it any other way," he said. "I think a lot of people say they have a responsibility to the community, but in our case we are so much a part of the community."

Strategy/Higher economic growth in region is the goal

From Page 3

mostly from companies closing their doors

"We know that we are an older region in terms of the population," Ward said. "It's about two or three years older than the average in the country."

Testimony on Senate Bill 488

THE ISSUE RAISED IN SENATE BILL 488, RELATING TO SUBSIDIZED GUARDIANSHIP, WAS ALSO BROUGHT TO MY ATTENTION BY THE DEPARTMENT OF HEALTH AND FAMILY SERVICES. AGAIN, I WILL LET MARK GIVE THE DETAILS. HOWEVER, I WOULD LIKE TO STATE FOR THE COMMITTEE THAT THIS IS AN IMPORTANT BILL, AS THE PLACEMENT OF CHILDREN IS CRITICAL TO THEIR WELL-BEING AND SAFETY. THIS BILL WILL RESULT IN MORE CONTINUOUS CARE FOR CHILDREN PLACED WITH GUARDIANS.

CURRENTLY, ONLY A RELATIVE OF A CHILD CAN BE NAMED A GUARDIAN OF THAT CHILD. SENATE BILL 488 ALLOWS FOR ANYONE TO BE NAMED A GUARDIAN OF A CHILD WHO IS IN NEED OF PROTECTION OR SERVICES. IT ALSO ELIMINATES THE ONE-YEAR WAITING PERIOD IN WHICH A CHILD HAS TO BE PLACED IN AN OUT-OF-HOME PLACEMENT. THIS BILL ALLOWS THE CHILD TO BE DIRECTLY PLACED INTO THE GUARDIAN'S RESIDENCE.

SENATE BILL 488 PROVIDES FINANCIAL ASSISTANCE TO THE GUARDIAN OF A CHILD. UNDER CURRENT LAW, \$215 GOES TOWARDS THE GUARDIAN PER MONTH, FOR CARE AND MAINTENANCE FOR THE CHILD. SB 488 ALLOWS DFHS TO PROVIDE MONTHLY SUBSIDIZED PAYMENTS TO THE GUARDIAN. DFHS HAS APPLIED TO THE FEDERAL GOVERNMENT TO CLAIM TITLE IV-E FUNDS FOR SUBSIDIES TO GUARDIANS. THIS BILL IS REQUIRED SO THAT DFHS CAN IMPLEMENT THIS FEDERAL WAIVER REQUEST FOR WHICH THEY ARE EXPECTING APPROVAL. AS MARK WILL EXPLAIN, THIS WILL ONLY BE IMPLEMENTED IN MILWAUKEE COUNTY AT THIS TIME.

IN CONCLUSION, THIS PROPOSAL WOULD ALLOW CHILDREN IN OUT-OF-HOME CARE TO BE PLACED WITH GUARDIANS TO WHOM A SUBSIDY

in limbo Kids over 15 voice
also not going to be adopted...
option placement

SIMILAR TO AN ADOPTION SUBSIDY WOULD BE PAID. THESE ARE
CHILDREN WHO HAVE RESIDED WITH THESE GUARDIANS AND FOR WHOM
ADOPTION IS NOT AN OPTION. IT WOULD PROVIDE LONG-TERM STABILITY
FOR CHILDREN WHO WOULD OTHERWISE BE PLACED IN LONG-TERM
FOSTER CARE. SENATE BILL 488 IS GOOD FOR THE OVERALL WELL-BEING
OF MANY CHILDREN IN MILWAUKEE COUNTY.



Carol Roessler
STATE SENATOR

March 2, 2004

To: Senate Committee on Health, Children, Families, Aging and Long Term Care Members.

From: Senator Carol Roessler, Chair

Re: Paper Ballots: Assembly Bill 841, Assembly Bill 211, Senate Bill 487, Senate Bill 488, Senate Bill 484 and Senate Bill 82.

Please find attached paper ballots for the following bills:

OK Assembly Bill 841: Relating to various changes to the regulation of hearing instrument specialists, speech-language pathologists, and audiologists and granting rule-making authority.

OK Assembly Bill 211: Relating to a nonstock, nonprofit corporation organized by the Child Abuse and Neglect Prevention Board, the membership of that board, the grant programs administered by that board, and making appropriations.

OK Senate Bill 487: Relating to permitting confidential information to be entered into, and accessed from, the statewide automated child welfare information system. **The fiscal note is attached.**

b/c Senate Bill 488: Relating to the appointment of a guardian for certain children in need of protection or services, the payment of subsidized guardianship payments to a guardian of a child who meets certain requirements, and making an appropriation. **The fiscal note is attached.**

OK Senate Bill 484: Relating to contracts for services under Medical Assistance. **The fiscal note is attached.**

Senate Bill 82: Relating to kinship care, notice of guardianship proceedings, creating a health services consent form, requesting the Joint Legislative Council to study guardianship and legal custody.

Halbur, Jennifer

To: Rose, Laura
Cc: Seaquist, Sara
Subject: SB 82 and SB 488

Hi Laura,

SB 488 is on the agenda for tomorrow's hearing and I noticed that it covers a little bit of Kinship Care. Could you make sure that the kinship care language in SB 488 does not conflict with the language in SB 82 (leg council kinship care bill).

Thanks!
Jennifer