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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Joint

(Assembly, Senate or Joint)

Committee for Review of Administrative Rules...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

Jim Doyle
Governor

Roberta Gassman
Secretary



OFFICE OF THE SECRETARY
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
Fax: (608) 266-1784
<http://www.dwd.state.wi.us/>

State of Wisconsin
Department of Workforce Development

Rule Analysis for Legislative Review

Proposed Rules Relating to Child Care Copayments

DWD 56.08

CR 08-020

Basis and Purpose of the Proposed Rules

The federal Department of Health and Human Services required that Wisconsin have the same copayment amount for parents who receive child care services from a certified provider and parents who receive child care services from a licensed provider by April 1, 2008. The Department increased the copayments for certified care to the same level as licensed care by emergency rule effective March 30, 2008. This is the corresponding proposed permanent rule.

Public Hearing Summary

A public hearing was held on April 11, 2008. A summary of the hearing comments and the Department's responses is attached.

Response to Legislative Council Staff Recommendations

There were no Legislative Council comments.

Final Regulatory Flexibility Analysis

The proposed rule affects small businesses but does not have a significant economic impact on a substantial number of small businesses as defined in s. 227.114 (1), Stats.

Department Contacts

Laura Saterfield
Section Chief
Child Care Section
266-3343

Elaine Pridgen
Administrative Rules Coordinator
Office of Legal Counsel
267-9403



**State of Wisconsin
Department of Workforce Development
Division of Family Supports**

CHILD CARE COPAYMENTS

DWD 56.08

The Wisconsin Department of Workforce Development proposes to amend s. DWD 56.08 (1) and (2)(a), (e), and (f) and to repeal and recreate Table DWD 56.08, relating to child care copayments and affecting small businesses.

Analysis Prepared by the Department of Workforce Development

Statutory authority: Sections 49.155 (5) and 227.11, Stats.

Statutes interpreted: Section 49.155 (5), Stats.

Related statutes or rules: Section 48.651, Stats., and Chapter DWD 55; Section 48.65, Stats, and Chapters HFS 45, 46, and 55

Explanation of agency authority. Section 49.155 (5), Stats., provides that an individual is liable for the percentage of the cost of child care specified by the department in a printed copayment schedule.

Summary of the proposed rule. Since 1997, the child care parental copayment schedule in DWD 56.08 has provided different copayment amounts for parents who receive child care services from a certified child care provider and parents who receive child care services from a licensed provider. A certified provider may provide child care services for 1 to 3 unrelated children, care in the child's home, or care for school-age children and receive reimbursement from state or federal funds. Certified providers are regulated by the Department. A child care provider who provides care and supervision for more than 3 unrelated children for compensation is required to be licensed by the Department of Health and Family Services.

When the Department submitted the federal fiscal year 2008-2009 Child Care and Development Fund (CCDF) State Plan for approval to the federal Department of Health & Human Services, DHHS responded with a notice that the plan was not approvable as submitted. The DHHS review found that Wisconsin's sliding fee scale (parental copayment schedule) is not allowable under CCDF regulations because it includes different copayment amounts based on category of care, such as certified versus licensed providers, and this difference interferes with parental choice of providers. Failure to

submit an approvable plan could potentially result in a disruption of federal funding provided to Wisconsin for child care services for eligible families.

The Department submitted a corrective plan eliminating the different copayment amounts for certified and licensed care. DHHS has approved the corrective Wisconsin State Plan contingent upon implementation of changes to the copayment schedule with a deadline of April 1, 2008.

Currently, the copayments paid by families who receive child care services from a certified provider are lower than the copayments paid by families who receive child care services from a licensed provider. The proposed rule will eliminate the differential copayment amounts by increasing copayments for certified care to the same level as copayments for licensed care. A corresponding emergency rule implements these changes effective March 30, 2008.

The current s. DWD 56.08 provides a copayment schedule and language that copayment amounts will be based on family size, family gross income, the number of children in a given family in child care, and the type of child care selected, with certain exceptions. The proposed rule will repeal "type of child care selected" from these provisions and update the copayment schedule to provide the same copayment amounts for certified and licensed care at the licensed care level. The copayment schedule is also adjusted for the 2008 federal poverty levels as provided under s. DWD 56.08 (3).

Summary of related federal regulations. Under 45 CFR 98.42, lead agencies must establish, and periodically revise, by rule, a sliding fee scale that provides for cost sharing by families that receive child care services funded by the Child Care Development Fund. Sliding fee scales are to be based on income, family size, and other factors as appropriate. The section of the preamble to the rule regarding sliding fee scales refers readers to 45 CFR 98.43 regarding equal access (63 Fed. Reg. 39936, 39957, July 24, 1998).

The rule on equal access at § 98.43 provides that the state agency shall certify that the payment rates for the provision of child care services are sufficient to ensure equal access for eligible families as families who are not eligible to receive CCDF child care assistance. The state agency must show how a choice of the full range of providers is made available (center, group, family, and in-home care), how payments rates are adequate based on a local market survey, and how copayments based on a sliding fee scale are affordable. Payment rates must be consistent with 45 CFR 98.30 regarding parental choice requirements. Among other things, the parental choice requirements provide that state regulatory requirements may not have "the effect of limiting parental access to or choice from among such categories of care or types of providers, as defined in 45 CFR 98.2."

The section of the preamble to the rule regarding equal access (63 Fed. Reg. 39936, 39960, July 24, 1998) provides that:

[S]liding fee scales should not be designed in a way that limits parental choice... Sliding fees scales must continue to be based on family size and income as § 98.42(b) has not changed. We note that this regulation provides Lead Agencies with the flexibility to take additional elements into consideration when designing their fee scales, such as the number of children in care. However, as was stated in the preamble to the regulations

published on August 4, 1992, basing fees on the cost or category of care is not allowed (57 Fed. Reg. 34380).

The preamble to the August 4, 1992, rule (57 Fed. Reg. 34352, 34411) actually provides that “While Grantees may take into account the cost of care in establishing a fee scale (e.g., the family pays a percentage of the cost of care), the Grantee may not vary the fee scale based on the category of care or the type of provider.”

The definitions section of the current rule at 45 CFR 98.2 provides that “categories of care” means “center-based child care, group home child care, family child care and in-home care.” The rule defines “types of providers” as “different classes of providers under each category of care. For the purposes of CCDF, types of providers include non-profit providers, for-profit providers, sectarian providers and relatives who provide care.”

In its review of the 2008-2009 Wisconsin State Plan, the federal Department of Health & Human Services included licensed versus certified child care in the definition of “categories of care.”

Comparison with rules in adjacent states. Minnesota. Copayment amounts are based on gross income and household size.

Illinois. Copayment amounts are based on family income, family size, and number of children in care.

Michigan. Copayment amounts are based on family size and family income.

Iowa. Copayment amounts are based on gross income, family size, and units of service used.

Summary of factual data and analytical methodologies. The federal Department of Health and Human Services has required that Wisconsin eliminate differential copayment amounts based on category of care, such as certified versus licensed providers.

Fiscal effect. By combining the copayment rates for licensed and certified care at the licensed level, the Department will experience savings related to the increased copayment for certified care. By comparing the current copayments at the certified rate against the new copayment and applying that to the cost of care for child care subsidy parents who used certified care in SFY 07, it is estimated that the Department will realize about \$475,000 in savings in direct child care subsidies for the three months that the rule will be effective in SFY 08, based on savings of \$1,900,000 that might be expected for a full year.

Savings may diminish over time when program participants experience no differential in cost for varying types of care. As a result, SFY 09 savings are assumed to be only twice the SFY 08 amount, or \$950,000.

Current-year appropriations are still anticipated to be fully expended.

Effect on small business. The proposed rule will affect small businesses as defined in s. 227.114 (1), Stats., but will not have a significant economic impact on a substantial number of small businesses.

Analysis used to determine effect on small businesses. Certified providers will need to collect the increased copayments directly from families who use their child care services. If providers allow families to pay the increased copayment in installments, they may have additional bookkeeping. There are no reporting requirements necessary for compliance with the rule.

Agency contact person. Laura Saterfield, Child Care Section Chief,
laura.saterfield@dwd.state.wi.us, (608) 266-3443.

Place where comments are to be submitted and deadline for submission. Comments may be submitted to Elaine Pridgen, Office of Legal Counsel, Dept. of Workforce Development, P.O. Box 7946, 201 E. Washington Avenue, Madison, WI 53707-7946, or elaine.pridgen@dwd.state.wi.us. The comment deadline is April 11, 2008.

SECTION 1. DWD 56.08 (1) and (2)(a), (e), and (f) are amended to read:

DWD 56.08 Parent copayments. (1) SCHEDULE. The department shall set a schedule for parent copayment responsibilities for all parents who receive child care financial assistance under s. 49.155, Stats., excluding s. 49.155 (1g), Stats. Copayment amounts will be based on family size, family gross income, and the number of children in a given family in child care, ~~and the type of child care selected~~. The copayment schedule is provided in Table DWD 56.08.

Note: This copayment schedule is current as of ~~February 26, 2006~~ March 30, 2008. DWD may make future adjustments to the schedule as described in sub. (3).

(2) EXCEPTIONS. (a) Families with children who are authorized for child care assistance for 20 hours or less are responsible for 50% of the amount listed in the copayment schedule for those children, based on family size, family gross income, and the number of children in a given family in child care, ~~and the type of care selected~~.

(e) Kinship care relatives who are providing care for a child without a court order are responsible for the minimum copayment based on the number of children in the family in child care ~~and the type of child care selected for the kinship care child in their care~~, unless they are receiving a child care subsidy for another child who is subject to a copayment greater than the minimum copay.

Note: Kinship care relatives do not have to be receiving payments under s. 48.57(3m) or (3n), Stats., for this paragraph to apply.

(f) Parents who have left a Wisconsin works employment position for unsubsidized employment may pay the minimum copayment amount based on the number of children in the family in child care ~~and the type of child care selected~~ for the first month of the unsubsidized employment.

SECTION 2. Table DWD 56.08 is repealed and recreated to read:

Child Care Co-Payment Schedule for Licensed and Certified Care

Look down the column of the appropriate family size until you find the gross family monthly income level at or just below the family income. Look to the right to find the appropriate co-payment by family size.

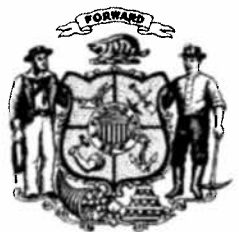
	Gross Monthly Family Income									WEEKLY CO-PAY AMOUNT				
	FAMILY SIZE									CHILDREN IN SUBSIDIZED CARE:				
	2	3	4	5	6	7	8	9	10 or more	1	2	3	4	5 or more
70% FPL	\$817	\$1,027	\$1,237	\$1,447	\$1,657	\$1,867	\$2,077	\$2,287	\$2,497	5	9	15	19	24
75% FPL	\$875	\$1,100	\$1,325	\$1,550	\$1,775	\$2,000	\$2,225	\$2,450	\$2,675	5	12	17	23	28
80% FPL	\$933	\$1,173	\$1,413	\$1,653	\$1,893	\$2,133	\$2,373	\$2,613	\$2,853	8	13	19	25	31
85% FPL	\$992	\$1,247	\$1,502	\$1,757	\$2,012	\$2,267	\$2,522	\$2,777	\$3,032	12	17	23	28	36
90% FPL	\$1,050	\$1,320	\$1,590	\$1,860	\$2,130	\$2,400	\$2,670	\$2,940	\$3,210	13	21	27	35	42
95% FPL	\$1,108	\$1,393	\$1,678	\$1,963	\$2,248	\$2,533	\$2,818	\$3,103	\$3,388	17	25	33	42	48
100% FPL	\$1,167	\$1,467	\$1,767	\$2,067	\$2,367	\$2,667	\$2,967	\$3,267	\$3,567	19	28	36	46	53
105% FPL	\$1,225	\$1,540	\$1,855	\$2,170	\$2,485	\$2,800	\$3,115	\$3,430	\$3,745	23	31	40	48	56
110% FPL	\$1,283	\$1,613	\$1,943	\$2,273	\$2,603	\$2,933	\$3,263	\$3,593	\$3,923	25	34	42	51	59
115% FPL	\$1,342	\$1,687	\$2,032	\$2,377	\$2,722	\$3,067	\$3,412	\$3,757	\$4,102	28	36	45	54	62
120% FPL	\$1,400	\$1,760	\$2,120	\$2,480	\$2,840	\$3,200	\$3,560	\$3,920	\$4,280	31	40	48	56	66
125% FPL	\$1,458	\$1,833	\$2,208	\$2,583	\$2,958	\$3,333	\$3,708	\$4,083	\$4,458	35	43	51	60	70
130% FPL	\$1,517	\$1,907	\$2,297	\$2,687	\$3,077	\$3,467	\$3,857	\$4,247	\$4,637	36	47	56	67	77
135% FPL	\$1,575	\$1,980	\$2,385	\$2,790	\$3,195	\$3,600	\$4,005	\$4,410	\$4,815	40	50	61	73	83
140% FPL	\$1,633	\$2,053	\$2,473	\$2,893	\$3,313	\$3,733	\$4,153	\$4,573	\$4,993	42	53	66	76	89
145% FPL	\$1,692	\$2,127	\$2,562	\$2,997	\$3,432	\$3,867	\$4,302	\$4,737	\$5,172	45	56	67	79	90
150% FPL	\$1,750	\$2,200	\$2,650	\$3,100	\$3,550	\$4,000	\$4,450	\$4,900	\$5,350	48	59	71	82	94
155% FPL	\$1,808	\$2,273	\$2,738	\$3,203	\$3,668	\$4,133	\$4,598	\$5,063	\$5,528	50	61	73	84	97
160% FPL	\$1,867	\$2,347	\$2,827	\$3,307	\$3,787	\$4,267	\$4,747	\$5,227	\$5,707	53	66	76	89	100
165% FPL	\$1,925	\$2,420	\$2,915	\$3,410	\$3,905	\$4,400	\$4,895	\$5,390	\$5,885	55	67	79	90	102
170% FPL	\$1,983	\$2,493	\$3,003	\$3,513	\$4,023	\$4,533	\$5,043	\$5,553	\$6,063	56	71	82	94	105
175% FPL	\$2,042	\$2,567	\$3,092	\$3,617	\$4,142	\$4,667	\$5,192	\$5,717	\$6,242	57	72	84	97	107
180% FPL	\$2,100	\$2,640	\$3,180	\$3,720	\$4,260	\$4,800	\$5,340	\$5,880	\$6,420	60	75	88	100	110
185% FPL	\$2,158	\$2,713	\$3,268	\$3,823	\$4,378	\$4,933	\$5,488	\$6,043	\$6,598	61	77	91	102	113
	-----185% of the Federal Poverty Level-----													
190% FPL	\$2,217	\$2,787	\$3,357	\$3,927	\$4,497	\$5,067	\$5,637	\$6,207	\$6,777	62	78	94	104	115
195% FPL	\$2,275	\$2,860	\$3,445	\$4,030	\$4,615	\$5,200	\$5,785	\$6,370	\$6,955	65	81	96	107	119
200% FPL	\$2,333	\$2,933	\$3,533	\$4,133	\$4,733	\$5,333	\$5,933	\$6,533	\$7,133	67	83	99	110	121
	-----+200% of the Federal Poverty Level-----													

NOTE: The copayment rate for teen parents who are not Learnfare participants is minimum copay and is found by selecting the lowest income line (70%) FPL and then finding the copayment listed for the appropriate number of children. Parents who have left a W-2 employment position for unsubsidized work also qualify for the minimum copay for one month. Families with children who are authorized for 20 hours or less are subject to one half of their share of the family copay listed above for those children. No copay is required for parents who participate in Learnfare or Food Stamp Employment and Training. Foster parents do not have a copayment responsibility for the foster children in their care. Kinship care relatives caring for a child under a court order do not have a copayment responsibility. Kinship care relatives caring for a child without a court order pay the minimum copay, unless they are receiving a child care subsidy for another child who is subject to a copayment greater than the minimum copay.

SECTION 3. EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Administrative Register as provided in s. 227.22 (2) (intro.), Stats.



WISCONSIN STATE LEGISLATURE



**Department of Workforce Development
Hearing Summary**

**Proposed Rules Relating to Child Care Copayments
DWD 56.08
CR 08-020**

A public hearing was held in Madison on April 11, 2008.

22 people commented or registered against the proposed rules

0 commented in support of the proposed rules

8 commented for information only

The following commented or registered on the proposed rules:

- | | |
|--|---|
| 1. Pete Swin Ford, Organizing Director
AFSCME/CCPT
Milwaukee | 2. Genniene Lovelace-Michel
AFSCME and provider
Madison |
| 3. Oma Vic McMurray
AFSCME and provider
Madison | 4. Silke O'Donnell
AFSCME and provider
Madison |
| 5. Susanne Hoesler, Organizer
AFSCME
Madison | 6. Brenda Behm |
| 7. Jennifer Singh | 8. Kathryn McGee |
| 9. Cassandra Wagner-Cokes | 10. Yolanda McFadden |
| 11. Jodi Knutson | 12. Eloise Bradley |
| 13. Jennifer Swenson | 14. Betty Morgan |
| 15. Georgette Bruhn, Day Care Certifier
Burnett County
Siren | 16. Jill Radle |
| 17. Heidi Severson | 18. Karen Metcalf |
| 19. Fay Dahlgren | 20. Mary Killins |
| 21. Marjorie Nicholson | 22. Vera McFarland |
| 23. Frances Jarstad | 24. Michelle Hanson |
| 25. Cheryl Jakusz | 26. Barbara Crawford |
| 27. Lynn Ritter | 28. JoAnn Burk |
| 29. Pauline Kaat | 30. Patricia Morrow |

AFSCME

1. This change will hurt families using certified care who will have to pay more for the care they receive. About 12% of the children served by Wisconsin Shares will be affected. This change will also hurt certified providers when families fail to pay the copayment. We realize that this would be hard to do because the department does not track whether parents are making copayments, but we believe that the department should look at the real economic impact on providers.

The department seems to view this change as a way of helping to balance the books by reducing reimbursements to certified providers. We agree with the department's assessment that the long term budgetary impact on the program is hard to quantify because parents may switch to a licensed provider when they experience no differential in cost for varying types of care.

The department should consider methods of complying with the CCDF regulations that do not harm families and providers. Requiring slightly lower licensed family copayments and increasing certified copayments by less than has been proposed would do less harm on the certified side and would help families using licensed care.

2. DWD has chosen the option that is most harmful to providers and families. Certified providers are already the lowest-paid level of provider and this change reduces that amount even more. The program is supposed to ensure that low income families have access to quality child care. The State will pay more for the children later in life if they don't find the money now.
3. I agree that low income families should have equal access to the child care facility of their choice. Parents can't pay the increased copayment. Providers are the buffer between the families and the DWD rules. We are human and respond to the families who are suffering. This will mean a pay cut to many providers. We need Wisconsin to step up and care for the children during these difficult times. Instead of raising copays for certified care, please lower the copay for licensed care.
4. In my role as one of the bargaining team members of AFSCME, I have talked to many child care providers across the state. Certified providers tell me this cut has been significant and providers are having to work longer hours or care for more children to pay the bills. Some of the providers receive a payment from the state of less than \$1 per hour per child now. DWD should lower the copayment for licensed care to comply with the federal regulations.

AFSCME email to members and supporters encouraging comments

DWD has increased the copayment for Certified providers as of March 30th, 2008. In order for DWD to continue to receive federal funding for child care, DWD was mandated to have the same copay for Licensed and Certified providers. Prior to March 30th Certified providers had a lower copay due to them receiving lower reimbursement rates than Licensed providers.

DWD had three options to correct this copayment issue. Again DWD chose the one that would save them money, and cut the pay for Certified providers. Here are the three choices DWD had:

1. Lower Licensed copay to be the same as Certified.
2. Lower Licensed copay part way, and increase Certified copay part way.
3. Increase Certified copay all the way up to Licensed.

We need all providers to e-mail DWD opposing this increased copayment rule and tell them to lower licensed copay to be within federal rules. We need to share with them how detrimental this rule will be for Certified providers. You may not be affected by this rule this time, but future rule changes may affect you. That is why it is very important that all providers stand together on every major issue. Only together can we make change happen.

Comments from providers and supporters 6 to 22:

6.	I vote for #2.
7 to 9.	It's unfair to raise the copayments for certified care when certified providers already receive lower pay than licensed providers.
10 to 14.	Parents can't afford the increased copayment.
15 to 22.	Lower licensed copayments to be within federal rules. Lower licensed copayments to be the same as certified copayments.

Department response to comments 1 to 22: The federal Department of Health & Human Services has required that Wisconsin eliminate differential copayment amounts based on category of care, such as certified versus licensed providers. The Department is increasing the copayments for certified care to the same level as the copayments for licensed care to meet this requirement. The child care subsidy program is unable to afford the additional cost of decreasing the copayments for licensed care, given the budget issues facing the program. Decreasing the copayments for licensed care to the same level as the previous copayments for certified care would increase program costs by \$9.8 million. The vast majority of copayments assessed (87.7%) are for licensed care, so the fiscal effect on the program to decrease copayments for licensed care is much greater than the effect of increasing copayments for certified care.

Comments from providers 23 to 30:

23.	I oppose the increased copayments for licensed providers.
24.	I oppose certified providers being reimbursed at the same level as licensed. Licensed providers have more training and more rules to follow.
25.	It's not fair that licensed daycares get higher copays and certified get less.

26.	If DWD continues to increase the copayment, the quality of services by licensed providers will decrease.
27.	DWD should focus on fines for people doing child care illegally instead of cutting the pay for those who follow the rules.
28.	As a licensed provider, I spend more time and money on education every year than certified providers. I also spend more money on fuel and food costs than certified providers.
29.	Lowering payments to licensed providers is detrimental to the quality of care. Certified providers offer many of the same things as a licensed provider yet they do not have the same regulations to meet. Research shows that educated staff provide better care. We need funds to meet education needs.
30.	Everyone should get the same pay. We all work very hard.

Department response to comments 23 to 30: These comments are not clearly for or against the proposed rules.

- The rules do not affect licensed care. There is no change to the copayment amount or maximum reimbursement rate for licensed care.
- The copayment is paid by parents to the provider. A higher copayment means the payment from the Department to the provider is lower. Even with the same copayment for licensed and certified care, the payments from the Department to licensed providers will generally be higher than the payments to certified providers because the maximum reimbursement rate to licensed providers is higher.
- Certified and licensed providers will not be reimbursed at the same level. The higher reimbursement rate to licensed providers is statutory. Section 49.155 (6), Stats., provides that the county maximum reimbursement rate for a Level I certified provider may not exceed 75% of the rate set for a licensed provider in that county. The county maximum reimbursement rate for a Level II certified provider may not exceed 50% of the licensed rate in the county.

LRB or Bill No./Adm. Rule No.
DWD 56

Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 N(R03/97)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

Child care copayments

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

- | | | |
|---|---|--|
| <p>1. <input type="checkbox"/> Increase Costs
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> <p>2. <input type="checkbox"/> Decrease Costs
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> | <p>3. <input type="checkbox"/> Increase Revenues
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> <p>4. <input type="checkbox"/> Decrease Revenues
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> | <p>5. Types of Local Governmental Units Affected:
<input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities
<input type="checkbox"/> Counties <input type="checkbox"/> Others _____
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts</p> |
|---|---|--|

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

20.445 (3)

Assumptions Used in Arriving at Fiscal Estimate

By combining the copayment rates for licensed and certified care at the licensed level, the Department will experience savings related to the increased copayment for certified care. By comparing the current copayments at the certified rate against the new copayment and applying that to the cost of care for child care subsidy parents who used certified care in SFY 07, it is estimated that the Department will realize about \$475,000 in savings in direct child care subsidies for the three months that the rule will be effective in SFY 08, based on savings of \$1,900,000 that might be expected for a full year.

Savings may diminish over time when program participants experience no differential in cost for varying types of care. As a result, SFY 09 savings are assumed to be only twice the SFY 08 amount, or \$950,000.

Current-year appropriations are still anticipated to be fully expended.

Long-Range Fiscal Implications

If program participants migrate to higher cost licensed care, the change may be cost neutral over time.

Agency/Prepared by: (Name & Phone No.)
DWD/James Bates 266-6946

Authorized Signature/Telephone No.

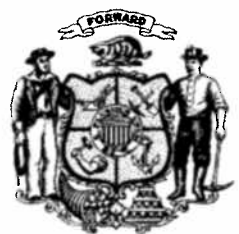
Howard Bernstein 266-9427

Date

3/3/08



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE **08-020**

AN ORDER to amend DWD 56.08 (1) and (2) (a), (e), and (f); and to repeal and recreate Table DWD 56.08, relating to child care copayments and affecting small businesses.

Submitted by **DEPARTMENT OF WORKFORCE DEVELOPMENT**

03-03-2008 RECEIVED BY LEGISLATIVE COUNCIL.

03-20-2008 REPORT SENT TO AGENCY.

RNS:AS

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]
Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO