

### ADMINISTRATIVE RULES – FISCAL ESTIMATE

1. **Fiscal Estimate Version**

Original    Updated    Corrected

2. Administrative Rule Chapter Title and Number

HFS 97 Complaint Procedures for Inmates of the Wisconsin Resource Center

3. Subject

Complaint procedures for inmates at the Wisconsin Resource Center

4. **State Fiscal Effect:**

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No   May be possible to absorb within agency's budget.
		<input type="checkbox"/> Decrease Costs

5. Fund Sources Affected:

GPR    FED    PRO    PRS    SEG    SEG-S

6. Affected Ch. 20, Stats. Appropriations:

7. **Local Government Fiscal Effect:**

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Revenues	<input type="checkbox"/> Increase Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Revenues	<input type="checkbox"/> Decrease Costs

8. Local Government Units Affected:

Towns    Villages    Cities    Counties    School Districts    WTCS Districts    Others:

9. **Private Sector Fiscal Effect (small businesses only):**

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Revenues	<input type="checkbox"/> Increase Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No   May have significant economic impact on a substantial number of small businesses
	<input type="checkbox"/> Yes <input type="checkbox"/> No   May have significant economic impact on a substantial number of small businesses	<input type="checkbox"/> Decrease Costs

10. Types of Small Businesses Affected:

No businesses are affected by this rule.

11. **Fiscal Analysis Summary**

DHS proposes to repeal and recreate ch. DHS 97 to adopt ch. DOC 310, except where stated, as the process for handling inmate complaints in order to facilitate the following:

1. Eliminate the need for coordination and duplication of effort to keep ch. DHS 97 and ch. DOC 310 synchronized.
3. Eliminate ambiguity about the applicability of ch. DOC 310 to WRC inmates.
4. Allow the Department of Corrections (DOC) to continue to be involved in decision-making regarding inmate complaints at WRC for the purposes of continuity.
5. Eliminate the confusion that s. DHS 97.14 causes by bringing the DHS Secretary into the decision-making process, but not linking that decision to that of the DOC Secretary.

DHS administers the Wisconsin Resource Center under s. 46.056 (1), Stats., as a correctional institution that provides psychological evaluations, specialized learning programs, and training and supervision for inmates whose behavior poses a serious threat to themselves or others in state prisons and whose mental health needs can be met at WRC. The inmates housed at WRC are prison inmates under the authority of DOC and are secured by DOC correctional officers.

Although existing ch. DHS 97 largely parallels the process for handling inmate complaints under ch. DOC 310, there is ambiguity about the applicability of ch. DOC 310 to the inmates at WRC. There are also issues with coordination and duplication of efforts when ch. DOC 310 is revised, in maintaining ch. DHS 97. Therefore, DHS and DOC have determined that the interests and input of the DHS can be best accommodated by repealing and recreating ch. DHS 97 to adopt ch. DOC 310, and address only necessary differences.

The proposed rule would not have a fiscal impact on the DHS or DOC as the change is largely technical in nature.

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**12. Long-Range Fiscal Implications**

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None.

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14. Name – OSF Analyst Reviewer	Telephone Number	Date
Signature – DHFS Secretary or Designee	Telephone Number	Date