

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

DCF 12, Caregiver Background Checks; DCF 50, Facilitating the Adoption of Children with Special Needs; DCF 51, Adoption of Children with Special Needs and Preadoption Preparation Training; DCF 55, Subsidized Guardianship; and DCF 56, Foster Home Care for Children.

3. Subject

Caregiver Background Checks

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

Section 48.685, Stats., requires the department to promulgate rules.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The Division of Safety and Permanence sent the solicitation for comments to the email distribution lists for child welfare licensing and numbered memos. The Division of Early Care and Education sent the solicitation for comments to the email distribution list for child care licensing.

11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units responded to the department's solicitation for comment.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

None. The requirements of the proposed rules are similar to the requirements of ch. DHS 12, relating to caregiver background checks. DHS 12 applies to DCF programs until the department creates its own rule.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Section 48.685, Stats., requires the department to promulgate rules on the caregiver background check.

14. Long Range Implications of Implementing the Rule

Improved compliance with the background check requirements

15. Compare With Approaches Being Used by Federal Government

Federal law requires a background check as a condition of federal funding for child welfare programs. Federal law requiring a background check for child care programs will be effective in the near future.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

All states currently have background check requirements. No meaningful comparison to rules in adjacent states is possible because the proposed rules focus on procedural issues that are specific to s. 48.685, Stats.

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17. Contact Name

Elaine Pridgen

18. Contact Phone Number

608-422-7077

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

None

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

NA

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

NA

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

NA

5. Describe the Rule's Enforcement Provisions

The enforcement provisions are in s. DCF 12.09, relating to sanctions, and in existing statutes and rules for each program that requires a background check.

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

Yes No
