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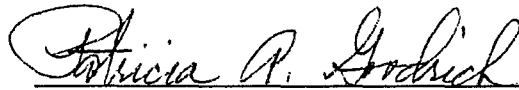
CERTIFICATE

STATE OF WISCONSIN)
)SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Patricia A. Goodrich, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to injury prevention grants were duly approved and adopted by this Department on November 21, 1990.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 21st day of November, 1990.



Patricia A. Goodrich, Secretary
Department of Health and Social Services

SEAL:

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2-1-91

ORDER OF THE
DEPARTMENT OF HEALTH & SOCIAL SERVICES
CREATING RULES

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To create HSS 155, relating to injury prevention and control grants.

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Analysis Prepared by the Department of Health and Social Services

According to the Department's Center for Health Statistics, injuries were the fourth leading cause of death among Wisconsin's residents in the period 1982 through 1986, and the leading cause of death among residents aged 1-44 years. Deaths among males outnumbered deaths among females three to one, and in the 15-24 year age group, four to one. The Center for Health Statistics also reports that 9 percent of total hospital discharges are related to injury, based on estimates from the 1986 Wisconsin Hospital Discharge Survey. The Wisconsin Ambulatory Medical Care Surveys in 1983-84 and 1986-87 disclosed that about 12 percent of 16 million physician office and hospital/clinic ambulatory visits (annual average) were for injuries.

A recent session law, 1989 Wisconsin Act 318, created s. 146.56 (2), Stats., which establishes a program of grants to be awarded by the Department for injury prevention projects directed at reducing morbidity and mortality from injuries. The Department is directed to promulgate rules establishing criteria and procedures for awarding the grants.

These rules establish the criteria and procedures under which the Department will administer the funds available for injury prevention projects. The rules cover who may apply for a grant, how the Department will publicize a Request for Proposals (RFP), notice of intent to apply, how an application is made, preliminary and final reviews of applications, the offer of an award, the right to appeal rejection of an application, that the award is made contingent upon signing an agreement, restrictions on the use of funds, and maintenance of records and submission of reports.

The Department's authority to create these rules is found in s. 146.56 (3), Stats., as created by 1989 Wisconsin Act 318. The rules interpret s. 146.56, Stats., as created by 1989 Wisconsin Act 318.

SECTION 1. HSS 155 is created to read:

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CHAPTER HSS 155
INJURY PREVENTION GRANTS

HSS 155.01 Authority and Purpose
HSS 155.02 Applicability
HSS 155.03 Definitions
HSS 155.04 Allocation of Funds
HSS 155.05 Application
HSS 155.06 Awards
HSS 155.07 Allowable Uses of Funds
HSS 155.08 Records and Reports

HSS 155.01 AUTHORITY AND PURPOSE. This chapter is promulgated under the authority of s. 146.56 (3), Stats., for the purpose of establishing criteria and procedures for the award of annual project grants from the appropriation under s. 20.435 (1) (cs), Stats., to nonprofit corporations, public agencies and public health agencies operating or proposing to operate projects aimed at injury prevention.

HSS 155.02 APPLICABILITY. This chapter applies to the department and to applicants for and recipients of grants awarded under this chapter.

HSS 155.03 DEFINITIONS. In this chapter:

- (1) "Applicant" means an organization applying for a grant under this chapter.
- (2) "Continuation grant" means a grant awarded to an applicant for continued support of a project funded with a grant under this chapter for the preceding year.
- (3) "Department" means the Wisconsin department of health and social services.
- (4) "Division" means the department's division of health.
- (5) "Funding year" means the calendar year, January 1 through December 31.
- (6) "Grant" means a transfer of funds to an approved applicant for the conduct of a project on injury prevention and control in accordance with s. 146.56, Stats., and this chapter.
- (7) "Initial grant" means the first grant awarded by the department under this chapter to an applicant for a given project.
- (8) "Maternal and child health block grant" means the federal funds available to the state under Title V of the Federal Social Security Act, as amended by subtitle C of Title VI of Public Law 101-239, and the state proposal for expenditure of these funds prepared under s. 146.18, Stats.
- (9) "Nonprofit corporation" has the meaning specified in s. 146.56 (1) (a), Stats., namely a nonstock, nonprofit corporation organized under ch. 181, Stats.
- (10) "Project" means a time-limited injury prevention effort supported by a grant awarded by the

department under this chapter.

(11) "Project year" means the 12 - month period over which a project will be supported by a grant under this chapter.

(12) "Public agency" means a county, city, village, town, school district or tribal governing body, or an agency of this state or of a county, city, village, town, school district or tribal governing body.

(13) "Public health agency" has the meaning specified in s. 146.56 (1) (d), Stats., namely, a county health department, as defined in s. 140.09 (1), Stats., a county health commission or committee under s. 141.01, Stats., a city or village board of health under s. 141.015, Stats., or a town board of health under s. 141.01 (9), Stats.

(14) "Request for proposals" or "RFP" means a document released by the department to solicit applications for grants, and which defines project priorities, who may apply for funding, the amounts available for support of given types of projects, the term of projects, and application procedures, review criteria, and procedures for appealing rejection of an application.

(15) "Review committee" means a committee established by the department to review applications for grants under this chapter.

(16) "Selected grantee" means an applicant to whom funds have been awarded, but with whom an agreement under s. HSS 155.06 (4) has not yet been signed.

(17) "Tribal governing body" means any federally recognized Native American tribal governing body equivalent to any county, city, village or town for the purpose of being eligible for a grant of state funds as specified in s. 20.002 (13), Stats.

HSS 155.04 ALLOCATION OF FUNDS. (1) The department shall annually allocate funds available for the support of injury prevention projects.

(2) The funds shall be allocated in the form of grants. The availability of grants shall be announced through one or more RFPs.

(3) Grants shall be made to establish and maintain injury prevention campaigns to promote and evaluate the promotion of:

- (a) The use of bicycle helmets; infant and child care restraints and smoke detectors;
- (b) Pedestrian safety;
- (c) The prevention of burns from hot water, accidental poisonings, farm injuries, injuries in day care centers and drownings; or
- (d) Other injury prevention activities.

(4) Funds shall be allocated on the basis of annual funding priorities established by the department. These priorities shall be based upon factors such as social need, the needs of a target population, responsiveness of an injury to preventive intervention, availability of a proposed service, availability of applicants capable of providing a needed service, the incidence rates of the various injuries that a proposed project would address, scientific merit and the cost of a proposed service.

HSS 155.05 APPLICATION. (1) WHO MAY APPLY. An application for a grant shall be accepted from any of the following:

- (a) A public health agency;
- (b) A public agency; or
- (c) A nonprofit corporation.

(2) SOLICITATION. (a) The department shall solicit applications for initial grants by preparing one or more RFPs, publishing notice of the availability of each RFP in the official state newspaper, and distributing copies of an RFP upon request.

(b) The department may solicit applications for continuation grants from currently-funded projects in a form determined by the department to be appropriate for the projects.

Note: Prospective applicants, on written request, will be placed on a mailing list of parties to be sent future RFPs. Write to the Injury Prevention Program, Bureau of Community Health and Prevention, P.O. Box 309, Madison, Wisconsin 53701-0309.

(3) MAKING APPLICATION. (a) Parties considering making application for a grant shall give notice to the department of intent to apply. Notice shall be given in the form and according to the instructions given in the relevant RFP or continuation grant application instructions.

(b) An application for a grant shall be made in accordance with the format specified in the relevant RFP or continuation grant application instructions.

(c) An application for a grant shall be submitted to the department, as specified in the appropriate RFP or continuation grant application instructions, by the deadline shown in the RFP or continuation grant application instructions.

(4) CONTENT OF AN APPLICATION. The department shall specify in each RFP or set of continuation grant application materials the format of and required elements to be included in an application for these funds.

(5) REVIEW OF APPLICATIONS. (a) Preliminary review. The department shall review all applications for a grant for compliance with the format and content specifications of the relevant RFP or continuation grant application instructions. The department may reject any application failing to meet the specifications published in the RFP or in the continuation grant application instructions. Rejection of an application for failure to meet form and content specifications is not subject to appeal.

(b) Final review. 1. A review committee or review committees consisting of individuals selected by the department shall evaluate applications for initial and continuation grants. The number and expertise of members of a review committee or committees shall be determined by the department based on the nature and number of the applications anticipated, as determined by notices of intent to apply received under sub. (3) (a).

2. The review committee or committees shall review applications for initial or continuation grants in accordance with the criteria specified in the relevant RFP or continuation grant application materials. Criteria may include, depending upon the nature of the service being solicited, but are not limited to, target population, purposes and objectives of the proposed project, scientific merit, reasonableness of the proposed budget and budget justification, evaluation plans, success in achieving previously-stated objectives, evidence

of cooperation with local emergency medical services or other agencies and organizations in the proposed service area and the stated qualifications of the applicant.

HSS 155.06 AWARDS. (1) MAKING AWARDS. (a) The department shall make awards based on its priorities for the funding year, the recommendations resulting from the review under s. HSS 155.05 (5), priority for an applicant with a proposed injury prevention campaign that is coordinated with the local emergency medical services program, and other factors such as geographic distribution of injury prevention and control services, existing providers or availability of services in the proposed project service area, the availability of other funding sources for the proposed project, maternal and child health block grant service priorities for childhood injuries, and the likelihood that the proposed injury prevention and control service would exist even without funding under this chapter.

(b) The department may reject any or all applications.

(c) The department may negotiate the amount of an award made under par. (a), specific budget items and project goals and objectives before making a decision.

(2) NOTIFICATION. The department shall notify in writing all applicants for initial or continuation grants of award decisions.

(3) APPEAL. An applicant may appeal rejection of an application for funds based on alleged failure of the department to adhere to specified review and award criteria and procedures. The appeal shall be in writing and shall be submitted in accordance with instructions which the department shall include in the relevant RFP or continuation grant application materials. The appeal shall fully and clearly identify and describe all contested issues. No interpretation or judgment of the review committee or committees may be appealed.

(4) AGREEMENT. An award shall be contingent upon the signing by the department and the selected grantee of an agreement drawn up by the department. Failure of a selected grantee to sign the agreement within a reasonable period of time shall result in withdrawal of the offer of award. A preliminary draft of the relevant agreement shall be included in each RFP or set of continuation grant application materials. The final agreement may differ from the preliminary draft.

(5) AVAILABILITY OF FUNDS. (a) All funding decisions shall be contingent upon the availability of funds under s. 20.435 (1) (cs), Stats. Any changes in the amount available which were unforeseen at the time of the department's release of an RFP or continuation grant application materials shall be accommodated by the department, as appropriate, by means of reduction, elimination or increase in existing awards, by awarding of funds to applicants previously denied due to insufficient funds, or by release of a new RFP or new continuation grant application materials.

(b) Any funds that become available due to denial of an award to a selected grantee as a result of failure of the selected grantee to sign the required agreement or as a result of termination of a project by the department or grantee shall be reallocated by the department at its discretion but within the limits of the intent of the appropriation and this chapter.

HSS 155.07 ALLOWABLE USES OF FUNDS. Restrictions on the use of funds made available through grants under s. 146.56, Stats., and this chapter may vary depending upon the type of project being solicited. Costs not allowable and any other restriction shall be identified in the RFP or continuation grant application materials and in the agreement under s. HSS 155.06 (4).

HSS 155.08 RECORDS AND REPORTS. A recipient of an award under this chapter shall maintain records of the project supported by the award as specified by the department in the agreement

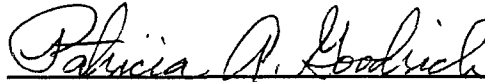
under s. HSS 155.06 (4) and shall submit to the department reports as specified by the department. Failure to maintain the records or to submit the reports may result in the department's termination of the award.

The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2), Stats.

Wisconsin Department of Health and
Social Services

Date: November 21, 1990

By:



Patricia A. Goodrich
Secretary

SEAL: