

Wisconsin Shares Subsidized Child Care

Resource Guide for Licensed Foster Parents^{*}



^{*} and relatives that receive Kinship Care for a child for whom they also have Guardianship or court-ordered placement and Subsidized Guardians under Chapter 48 Wisconsin Statutes

This guide is written to help all Wisconsin licensed foster parents, subsidized guardians, and families that receive a Kinship Care payment for a child for whom they also have guardianship or court-ordered placement. Eligibility and participation requirements for Wisconsin Shares are the same for all these types of situations; this guide will use the term “foster parent” to refer to all three. Families and Child Welfare Staff may interchange the appropriate term for the individual family when reading this guide. It is the Department’s expectation that Child Welfare Staff will share this guide with foster parents to help foster parents understand the Wisconsin Shares Child Care Subsidy program, its limitations and the process required for accessing the Wisconsin Shares Child Care Subsidy benefit.

Table of Contents

| | |
|---|----|
| Program Purpose..... | 4 |
| Program Funding | 4 |
| The Child Care Assistance Application Process | 4 |
| Step One: Eligibility Determination | 4 |
| Assistance Groups | 5 |
| Eligibility Guidelines..... | 6 |
| Financial Eligibility | 6 |
| Non-Financial Eligibility | 6 |
| Approved Activities | 7 |
| What to Bring to the Intake Interview..... | 8 |
| Step Two: Child Care Authorizations | 9 |
| Authorization Types..... | 10 |
| Enrollment Based Authorizations..... | 10 |
| Attendance Based Authorizations..... | 10 |
| Zero Hour Authorizations..... | 11 |
| Maximum Rates..... | 11 |
| Foster Parent Costs..... | 11 |
| On-Going Eligibility | 12 |
| Ten (10) Day Reporting Requirement..... | 13 |
| Six Month Reviews and Six Month Review Forms (SMRF)..... | 13 |
| Twelve Month Reviews..... | 14 |
| Changing Child Care Providers | 14 |
| Over Payment Collections | 14 |
| Dispute Resolution..... | 15 |
| If the Foster Parent Also Receives FoodShare Benefits | 15 |
| Where to Call if You Need Help | 16 |
| Milwaukee County | 16 |
| Outside of Milwaukee County | 16 |

Program Purpose

Wisconsin Shares subsidizes child care costs for low-income parents or persons taking the place of parents, while they are at work or are engaged in job training activity that is approved by the local Wisconsin Works (W-2), county, or tribal administrative agency. The program authorized in Wisconsin Statute s. 49.155.

Program Funding

Wisconsin Shares is funded by a combination of state and federal tax dollars.

The Child Care Assistance Application Process

Wisconsin Shares is a form of public assistance with eligibility rules that are based in Wisconsin law, and case processing procedures that are similar to the FoodShare program (formerly Food Stamps).

Application for Wisconsin Shares child care assistance is a two step process:

- Application and eligibility determination through a county human service agency (or its subcontract agency), and
- Obtaining an authorization to utilize a specific child care provider for a specific period of time.

Visit the Wisconsin Shares website at:

<http://dcf.wisconsin.gov/childcare/wishares/default.htm>

Step One: Eligibility Determination

Applications for Wisconsin Shares are taken at:

- Your local county human service agency or tribal human service agency. Please see the following web link to find the agency in your county: <http://dcf.wisconsin.gov/childcare/wishares/pdf/agencies.pdf>
- You may apply online at <https://access.wisconsin.gov/>
- In Milwaukee at:
1220 W. Vliet St.
Milwaukee, WI 53205
7:30AM to 4:30PM Monday through Friday

For additional resources in Milwaukee visit:

<http://dcf.wisconsin.gov/childcare/meca/default.htm>

There is no categorical eligibility for foster families to receive Wisconsin Shares. The application process includes an intake appointment with an Economic Support Worker to collect and verify eligibility information.

Since Wisconsin residency is an eligibility requirement for the program, foster parents who live outside of the state may not receive Wisconsin Shares. However, there may be subsidized child care assistance benefits available in the other state for foster children placed outside of Wisconsin.

Sometimes foster families are also eligible for FoodShare or Medical Assistance. In these cases, Wisconsin Shares may be added to the existing case.

Whether it is a new application or you are adding Wisconsin Shares to existing assistance programs, foster parents must sign the application for child care assistance in order for the application to be considered complete. The application for is a legal document that contains the rights and responsibilities of public assistance recipients.

Assistance Groups

The first step in processing foster parent applications for Wisconsin Shares assistance is for the agency to correctly identify the foster parent's *Assistance Group* (AG) members. Identifying the AG members sets the foundation for establishing eligibility. The foster parent AG includes all of the following household members:

- The foster parent,
- Their spouse or the non-marital co-parent in the household, and
- Any dependent minors, foster children or kinship care children that live in the household.

Minor parents cannot be eligible on their own unless one of the following conditions exists:

- They are living in a supervised independent living situation (see the Wisconsin Shares Policy Manual for more information regarding this condition) **and** attending high school or an equivalent program, or
- They are living independently from their parents or other adult caretaker **and** are employed, or
- They are married.

Eligibility Guidelines

A full description of eligibility guidelines may be located at the following link:
<http://dcf.wisconsin.gov/childcare/wishares/eligibility.htm>

Below is an overview of basic eligibility criteria.

Financial Eligibility

Financial eligibility for Wisconsin Shares subsidy for foster children is not determined using the foster parent's family income. Instead, Wisconsin law allows eligibility to be based upon the foster child's natural or adoptive parent's income, being at or below 200% the federal poverty level (FPL). Per departmental policy the income counted is at the level it is (or was) at the time the child is (was) placed in foster care.

The income level of the foster child's family is not always readily available to foster parents. However, the information is available through the child welfare agency and should be provided directly to the eligibility-determining agency by the child welfare agency.

In some cases the child's natural or adoptive family's household income is higher than 200% of the FPL at the time of the child's placement; in these situations eligibility may be tested against the foster parent's income at 185% of FPL.

In other situations, the foster family has children of their own for which there is a need for assistance in the cost of child care, in this case the family must meet the 185% FPL.

Non-Financial Eligibility

Non-Financial requirements include the following:

- All members in the foster parent's AG must be residents of Wisconsin and the foster child who needs child care assistance must be a US citizen or qualified alien. When children are placed through the Interstate Compact for the Placement of Children (ICPC) with foster parents in Wisconsin, they are considered Wisconsin residents for Wisconsin Shares eligibility determination purposes.
- Subsidized child care is limited to children up to age 13, and up to age 19 if the child meets the *special needs* definition:
 - An emotional, behavioral, physical, or personal need of a child requiring more than the usual amount of care and supervision

for the child’s age, as documented by a physician, psychologist, special educator, or other qualified professional. A special need includes a developmental disability. Verification of a special need may be in the form of a letter, Individual Education Plan, or other documents provided by the professional.

- All foster children who are teen parents must cooperate with Child Support enforcement.
- All adult parents in the AG **and** foster children who are teen parents must be participating in an approved activity (see Approvable Activities chart).
- In two-parent foster families both adult parents must be in an “approved activity,” unless a physician verifies that:
 1. one parent is unable to be in an approved activity, and
 2. is unable to take care of the children on their own to allow the other parent to be in an approved activity.

In two-parent families child care assistance is authorized for only the hours that both parents are in their approved activity.

Approved Activities

The following table lists activities that can be approved for foster parents and teen parents.

| Approved Activities | |
|--|---|
| Foster Parents | Employment |
| | Self-employment ² (if producing at least minimum wage) |
| | W-2 program participation |
| | FSET participation |
| | Employment combined with job training or education as approved by the agency for a maximum of 24 months |
| Teen-Parent who is a Foster Child | Attending high school if age 18 or younger, or age 19 if a dependent minor |
| | Employment |

² Additional guidance regarding how to compute self-employment can be found at <http://www.dhs.wisconsin.gov/em/ops-memos/2009/pdf/09-49.pdf>

What to Bring to the Intake Interview

The following lists are examples of acceptable forms of verification. The applicant will need only **one item** from each list for each member of the group. The documents will be scanned and electronically stored for use in documenting the eligibility decision.

1. **Identity Verification** (bring one of the following)

- Driver's License
- State issued ID card
- Employee ID card
- Student ID card
- US Government ID card
- Military ID card
- Native American ID card issued by a Federally recognized tribe
- A photo ID issued by the USCIS
- US Passport
- An unexpired immigration document

2. **Social Security Number** or application for Social Security Number for Foster Child

3. **Citizenship Verification of the Foster Child** (bring one of the following)

- Certified copy of birth certificate
- Baptismal certificate if place of birth is shown
- Hospital birth record
- Native American ID card or other tribal membership documentation issued by a Federally recognized tribe
- Certificate of Naturalization
- Certificate of Citizenship
- US Passport
- Qualified Aliens must provide evidence of alien status

4. **Wisconsin Residency** (bring one of the following)

- Lease agreement
- Utility bill for water, natural gas, electricity, or telephone that includes name and address
- Mortgage receipt
- Subsidized housing program approval letter
- Weatherization program approval letter
- Pay check stub showing name, address, employer's name, address and phone number

- Wisconsin Driver's License
- Wisconsin ID card

5. Foster Parent Employment Information (for verification of employment)

- Paycheck stubs
- Letter from the employer
- Self employment business tax records
- Other documents that verify earned income

6. Verification of child's foster care placement (the placement agency can FAX verification to the eligibility or determination agency)

7. Foster child's birth or adoptive family income at time of placement (the placing agency can FAX verification to the agency)

8. Proof of participation in an approved activity, e.g. employment

Important: Any change in circumstances must be reported to the county eligibility worker within 10 days of the change.

Step Two: Child Care Authorizations

County or tribal human service agencies or the subcontracted agency is responsible for assessing the need for child care and issuing an authorization for payment to the child care provider.

Contact the local agency to determine the method for setting up the authorization appointment. Local agencies can be found in the following link:

<http://dcf.wisconsin.gov/childcare/wishares/pdf/agencies.pdf>

In Milwaukee: <http://dcf.wisconsin.gov/childcare/meca/contact.htm>

Authorizations are established for:

- a specific number of hours of care per week, and
- to a specific child care provider to cover the hours of care needed for participation in approved activities.

When there is more than one parent in the group, authorizations can be written for only the overlapping time when both (and teen parents if they are in the home) parents are in approved activities. Authorizations may include transportation time to and from the approved activity.

Foster parents choose their own child care provider, but they must be one of the following regulated types of providers: a county certified provider, state licensed home or center, public school program, or day camp licensed for child care.

Authorizations can be written for up to six months at a time and must reflect the child's need for care based upon their foster parents' participation the approved activities.

Authorization Notices are sent to the foster parent and their child care provider by the local county worker.

Child care providers document the child's attendance and report attendance every other week. The child care provider is paid directly by the Department of Children and Families for care provided under the Wisconsin Shares program.

Authorization Types

See Chapter 3 of the Wisconsin Shares Policy Manual for more detailed information regarding authorizations. Authorizations may be enrollment-based, attendance based, or zero hours.

Enrollment Based Authorizations

Enrollment based authorizations are used when the child needs care on a regular and predictable schedule. Enrollment based authorizations reimburse the child care provider for a set amount of hours per week. If the child care provider's rates are higher than the amount the subsidy allows, the foster parent is responsible for the balance.

Attendance Based Authorizations

Certified child care providers are always paid through attendance based authorizations. Attendance based authorizations are used when the child's need for care varies from week to week and is unpredictable. The payment to the child care provider is based on an actual attendance up to the maximum authorized number of hours.

If an attendance based authorized child attends less than the authorized hours in a week, the child care provider will be reimbursed only for the actual hours attended. The child care provider may *charge the foster parent* directly for the missed hours of attendance, and if the

child care provider's rates are higher than the amount the subsidy allows, the foster parent is responsible for the balance.

Zero Hour Authorizations

Zero hour authorizations are written when there is an authorization for child care only when school is closed for snow days, teacher's conferences, spring break, and other short-term reasons.

Maximum Rates

Payment for Wisconsin Shares child care is made by the Department of Children and Families (DCF) directly to the authorized child care provider. The payment is based upon the type of authorization (attendance or enrollment) using the lower amount of the two following levels:

- the established maximum rate for the county, or
- the child care provider's private rate.

Maximum rates for child care reimbursement are calculated by DCF through the use of an annual market rate survey of child care providers who provide care for private pay and subsidy-funded children. Maximum rates are established to insure that 75% of the child care providers in each area have rates that match the state-established rate.

For a complete listing of maximum rates by child care provider type and children's age group, please click on the following link:

<http://dcf.wisconsin.gov/childcare/wishares/rates.htm> .

Foster Parent Costs

Foster parent may incur costs from the child care provider that cannot be reimbursed by the Wisconsin Shares child care assistance program. The following list contains some, but not necessarily all, of the costs that foster parents could be charged:

- The foster parents chose a child care provider that charges a rate that is higher than the county maximum rate set by the Department and the provider charges the difference to the foster parent.

| Example of Foster Parent Child Care Costs | |
|--|-------------|
| Child Care Provider Private Rate per Week | \$ 240 |
| Maximum County Rate | \$ 232 |
| <i>Difference Billed by Child Care Provider to Foster Parent</i> | <i>\$ 8</i> |

- When the child was authorized on an attendance basis, the child did not attend the child care program for all of their authorized times, and the provider charged the absences to the foster parent. (See Attendance Based Authorizations above).
- The foster parent changed providers without giving the ten-day or other agreed upon time-frame notice to the child care provider, and the provider charged the care to the foster parent.
- The child is removed from a foster home and the foster parent does not give a ten day or other agreed upon time-frame notice to the child care provider, and the provider charges the care to the foster parent.
- The foster parent has signed a contract with the child care provider that contains provisions for fees or other payments or has obligations to adhere to a specific number of hours if the authorization is for a lower number of hours.

Example: Hours Authorized Are Less than the Child Care Provider Requires

Mary is a foster parent who works 20 hours per week and needs child care for 25 hours per week (work + transportation time). Mary's authorization is on an attendance basis for 25 hours per week. Mary's hours of employment are reduced to 10 hours per week so she really only needs 15 hours per week of child care. Mary reports the change to her worker and her authorization is reduced to 15 hours per week. The child care center where Mary sends her foster child requires all part-time children to be there at least 20 hours per week. Mary may be billed by the child care provider for 5 hours per week.

Example: Child Care Provider Charges a Rate that is higher than the County Maximum

Donna selects a licensed group child care provider in Milwaukee County for her infant foster child. The child care provider's weekly rate is \$240.00 but the county maximum rate that the department will pay is \$232.00 per week. The child care provider may bill Donna \$8 per week for care.

On-Going Eligibility

As a Wisconsin Shares participating family, you will be notified of changes or other important information about your case by mail. It is important that all

notices and mailings regarding Wisconsin Shares are responded to in a timely manner to prevent an interruption in program eligibility.

Ten (10) Day Reporting Requirement

All parents, *including foster parents*, who receive Wisconsin Shares child care assistance are required to report certain changes in their household (Assistance Group) that would affect their eligibility within ten (10) days of the change. For foster parents this includes all of the following circumstances for any member of the Assistance Group:

- A change in participation in an approved activity (example: a change in the number of hours, starting or ending employment, or graduating from high school).
- A change in Assistance Group composition (example: a foster child leaving the home, an additional foster child placed in the home or any other change in the Assistance Group composition).
- A change in income if the foster family is receiving child care assistance for their own child/children.
- When the foster child leaves the home or an adoption by the foster parent is finalized.
- A change in residence.

Six Month Reviews and Six Month Review Forms (SMRF)

Eligibility must be reviewed every six months for all Wisconsin Shares child care assistance cases.^{3*}

One Reminder Notice is sent to the foster home in the fourth month of receiving child care assistance to alert the family that the Six Month Review Form (SMRF) is going to be sent the next month. The SMRF information may be completed on line at <https://access.gov> or by mail.

It is important to complete SMRF forms, to sign and return the review forms and enclose verification of on-going employment to the agency on time.

³ Administrative Rule DCF 201.

If the forms or any part of the required documents are not received, the agency is likely to close the Wisconsin Shares case.

If your child care case is closed for 30 days, you will be required to begin with a new application process.

Twelve Month Reviews

Child care eligibility must be reviewed again at the twelve-month interval. Be sure you understand your local agency's process; will they mail an appointment time, or will they ask you to contact them to arrange an appointment time. This appointment may be either face-to-face or by telephone.

In this review you will be asked to verify your employment again. If the review is not completed by the end of the twelfth month your child care case will close and any incurred child care costs will be billed to the foster family by the child care provider.

Changing Child Care Providers

If you wish to change child care providers, your current provider may require a ten day notice; your agreement with the child care provider should explain the provider's expectations. Foster parents may be billed for child care provided by a child care provider when the care was not covered by a Wisconsin Shares authorization or if the foster parent did not provide sufficient advanced notice of changing providers according to their contractual arrangement.

Foster parents must also inform the county or tribal agency of their plans to change child care providers so that the agency can change the authorization to the new provider.

NOTE: The Wisconsin Shares child care assistance program cannot reimburse child care providers for child care provided unless the period of care was covered by an authorization specifically written to the child care provider.

Over Payment Collections

Foster parents may be subject to overpayment collections from the Public Assistance Collections Unit. Some, but not all of the reasons are listed below:

- The Wisconsin Shares child care assistance program paid for the child care that was used when a foster parent was **not eligible** for the subsidy, regardless of the source of the error, unless the child care

provider was reimbursed under fraudulent conditions that did not involve the foster parent.

- The foster parent continued to use the child care provider after their participation in approved activities (e.g. employment) ended and the foster parent did not notify the local agency of this change.

Dispute Resolution

If you disagree with the agency's eligibility decision you may request a fair hearing review. A fair hearing gives you the chance to tell why you think there has been a wrong decision about your eligibility. At the hearing, a hearing officer will hear from you and the local agency to find out if the decision was right or wrong. You may bring a friend or family member with you to the hearing. You may also be able to get free legal help. To learn more about free legal help, call 1-888-278-0633.

Your request for a fair hearing review **must** be made within 45 days of the negative decision. You can ask for a hearing at the agency where you applied for Child Care or you may send a written request for a fair hearing to:

Division of Hearings & Appeals
PO Box 7875
Madison, WI 53707-7875

or fax it to: 608-264-9885

Fair hearing forms can be found on the Internet at
<http://dha.state.wi.us/home/WFS/WFSHrgReqForm.pdf>.

If you need a language translator, sign language interpreter or other accommodation for a disability during the fair hearing, please include that information in your written request.

If the Foster Parent Also Receives FoodShare Benefits

If the foster parent also receives FoodShare benefits, the FoodShare and child care assistance case will be combined. The verification and reporting requirement responses will be applied to both case types. The six and twelve-month reviews for both programs are synched together so there is one review for both programs.

Where to Call if You Need Help

Milwaukee County

- Families with eligibility or authorization questions may call 1-888-947-6583
- General questions may be directed to 1-414-289-6973
- Child Care Assistance Help Desk (608) 261-6317 Option 2 Or by email at: childcare@wisconsin.gov

Outside of Milwaukee County

- Contact your Local Care Child Care Coordinator. Find your local coordinator at the following web address:
<http://dcf.wisconsin.gov/childcare/wishares/pdf/coordinators.pdf>
- Child Care Assistance Help Desk (608) 261-6317 Option 2 Or by email at: childcare@wisconsin.gov