

To: DCF/DMCPS Administrator  
DCF Area Administrators  
Child Placing Agency Directors  
Child Welfare Agency Directors  
County Departments of Community Programs Directors  
County Departments of Human Services Directors  
County Departments of Social Services Directors  
Group Home Providers  
Tribal Social Service/Indian Child Welfare Directors  
Private Child Placing Agencies  
Residential Care Center Providers  
Shelter Care Providers  
Tribal Chairpersons

From: Fredi-Ellen Bove   
Administrator

Re: 2017 WI Act 257

## **PURPOSE**

The purpose of this memo is to provide notice of modifications to Ch. 48 Wis. Stats., related to the changes in foster home licensing set forth in 2017 WI Act 257.

## **BACKGROUND**

In June 2017, Speaker Robin Vos (R-Rochester) formed the Speaker's Task Force on Foster Care. The bipartisan group of legislators was tasked with developing ideas to improve the child welfare system in Wisconsin.

In November 2017, the Speaker's Task Force on Foster Care introduced its legislative package which was titled "Foster Forward." Eleven of the bills in the Foster Forward legislative package were passed and signed into law in April 2018. A brief summary of all of these and other state child welfare-related legislation passed in the 2017-18 legislative session is provided in DSP Informational Memo 2018-13i issued in April.

This memo provides more detailed information on one of the Foster Forward Acts, 2017 Wisconsin Act 257, which includes updated provisions related to a public licensing agency's ability to issue a license to a foster home located in a different county. The Act also allows for the continuity of foster care when the license of a private child placing agency is revoked, suspended, or surrendered or when a contract under which a private child placing agency provides foster home licensing services is terminated.

## **POLICY AND PROCEDURE REQUIREMENTS**

2017 WI Act 257 amends requirements for foster care licensing under Ch. 48.75 Wis. Stats. The Act amends Ch. 48.75 (1g) (b) Wis. Stats. to allow a public licensing agency to license a foster home in another county as a non-child specific home under the following circumstances:

- A foster parent licensed by the public licensing agency moves to the other county with a child who has been placed in the foster parent's home and the license will allow the foster parent to continue to care for that child.

- The county of the public licensing agency issuing the license and the county in which the foster home is located are contiguous.
- The public licensing agency of the county in which the prospective foster home is located requests the public licensing agency of another county to license the foster home.

No license may be issued under these circumstances unless the public licensing agency issuing the license has notified the public licensing agency of the county in which the foster home will be located of its intent to issue the license and the public licensing agencies have entered into a written agreement as required under Ch. 48.75(1g)(c) Wis. Stats.

No amendments were made to Ch. 48.75 (1g)(a)1., or 4. Wis. Stats., and a license issued under these sections shall specifically identify each child to be placed in the foster home.

Additionally, 2017 WI Act 257 creates Ch. 48.66 (6) Wis. Stats., to provide for continuity of foster care under certain circumstances. If a private child placing agency is voluntarily surrendering its license, the agency's license is revoked or summarily suspended or a contract between DCF and an agency is terminated, DCF may do the following:

1. Require the private child placing agency to provide complete copies of the agency's financial, child placement, and licensing records to DCF.
2. Transfer a child's placement and/or foster care licensing records from the private child placing agency to another county department or private child placing agency to which a foster care license is being transferred to or will be relicensed by.
3. Prohibit the private child placing agency from accepting new placements or issuing new licenses after the agency has been notified of the revocation, suspension, or contract termination.

A license that has been transferred remains valid until it expires or 180 days after the date of the transfer, whichever is later.

### **eWiSACWIS DOCUMENTATION**

There are no changes to eWiSACWIS functionality or documentation requirements as a result of 2017 WI Act 257.

### **ACTION SUMMARY**

2017 WI Act 257 became effective April 6, 2018.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Out-of-Home Care Specialist  
Bureau of Permanence and Out-of-Home Care  
(608) 422-6937

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

Attachments: 2017 Wisconsin Act 257  
<https://docs.legis.wisconsin.gov/2017/related/acts/257>