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Governor Scott Walker  
Secretary Eloise Anderson

Division of Safety and Permanence

September 17, 2018

Child Welfare Licensing Memo 2018-42-Lic

To: Private Adoption Agencies

From: Ron Hermes   
Bureau Director

RE: Administrative Rule Changes

### **PURPOSE**

The purpose of this memo is to provide an overview of the revisions to the three administrative rules related to adoptions; Chapters DCF 42, 50, and 51.

### **BACKGROUND**

The Joint Legislative Council Study Committee on Adoption Disruption and Dissolution made recommendations that resulted in four bills signed into law on April 25, 2016: 2015 Wisconsin Acts 378, 379, 380, and 381. The changes in these Acts required the Department to update administrative rules Chapters DCF 50 and 51.

### **INFORMATION SUMMARY**

Effective September 1, 2018, Chs. DCF 50 and 51 are renamed, revised and reorganized to incorporate the new statutory changes and clarify applicability of adoption processes and requirements. There are no new requirements for counties or private child placing agencies as a result of this administrative rule update, unless a private child placing agency under contract with the Department, or a county is acting as the public adoption agency.

Chapter DCF 42, State Adoption Information Center, is renumbered as Chapter DCF 49. The previous ch. DCF 49, Juvenile Worker Intake Training, is repealed. Chapter DCF 82 is the current juvenile worker intake training rule.

Chapter DCF 50 has been renamed "Facilitating Public Adoptions and Adoption Assistance". The Special Needs Adoption Program (SNAP) is now Public Adoptions. All processes and requirements related to public adoptions has been transferred to DCF 50, except for the training requirements.

Chapter DCF 51, previously named, "Adoption of Children with Special Needs and Preadoption Preparation Training," has changed to "Preadoption Training." The new rule is revised to include the new requirements in s.48.84 for the purposes of preadoption training.

## **Public Adoption**

The revised Chapter DCF 50 includes a new definition of “public adoption”, which allows children and families to be served, regardless of the child’s eligibility for adoption assistance. Chapter DCF 50 defines public adoption as “the adoption of a child under the guardianship of the department, a county department, or a tribal child welfare department in this state if the adoption is under the laws of this state”.

## **Adoption Assistance (AA)**

The Adoption Assistance eligibility requirements have been modified to include children meeting the definition of an Indian Child under s. 48.02(8g).

The definition of “at high risk” for developing special needs to be eligible for adoption assistance with no subsidy was moved from the definition section of the administrative rule to the eligibility section. To assist with understanding and determining this eligibility, the Department has developed a form, DCF-F-5284-E, “Determination of “High Risk” Status for Adoption Assistance”, <https://dcf.wisconsin.gov/forms>. This form may be used to replace the letter from a medical provider previously required.

The Department has also updated form DCF-F-2672-E, “Acknowledgment: Receipt of Adoption Assistance Information”, <https://dcf.wisconsin.gov/forms>

## **Preadoption Preparation Training**

The revised Chapter DCF 51:

- Increases the required training for first-time adoptive parents from 16 to 25 hours,
- requires that at least 6 of the hours must be delivered in person, either individually or in a group,
- requires that at least 6 hours of training must be appropriate to the specific needs of the child to be adopted,
- requires that no more than 5 of the 25 hours to be books or periodicals,
- adds the issues of “trauma issues related to adoption”, “sexual abuse”, and “childhood development” to the list of required topics that the training must cover, and
- requires adoption agencies to offer post adoption training.

Families adopting on or after September 1, 2018 must be in compliance with new training requirements under Chapter DCF 51. Child Welfare Licensing Memo 2018-17-Lic, “Ch. 51 Administrative Rule Changes”, <https://dcf.wisconsin.gov/cwportal/policy> issued on May 8, 2018, provided guidance on the new training requirements in the form of a Frequently Asked Questions document so that agencies could prepare families for this change.

## **CONTACT INFORMATION**

If you have additional questions, please contact your licensing specialist directly, or the individual listed as the contact within each referenced memo.

ADOPTION AND INTERSTATE  
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MEMO WEB SITE:

<http://dcf.wisconsin.gov/cwportal/policy>