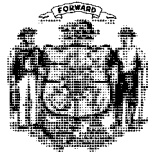


Department of Health Services
Division of Medicaid Services
1 West Wilson Street
PO Box 309
Madison WI 53701-0309

Telephone: 608-266-8922
Fax: 608-266-1096



STATE OF WISCONSIN

Department of Children and Families
Division of Safety and Permanence
201 East Washington Avenue
PO Box 8916
Madison WI 53708-8916

Telephone: 608-266-8787
Fax: 608-422-7158

Date: October 31, 2022

DMS, DCF Information Memo 2022-28i

To: DCF/DMCPS Administrator
DCF Area Administrators
The Bureau of Regional Operations
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Department 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
Long-Term Support Supervisors and Leads

From: Curtis Cunningham, Assistant Administrator, Division of Medicaid Services
Wendy Henderson, Administrator, Division of Safety and Permanence

Handwritten signatures of Curtis Cunningham and Wendy Henderson.

Children's Long-Term Support Program and Child Welfare Use of Respite Care

Purpose

This memo provides guidance for the use of respite care when children are receiving services through the Children's Long-Term Support (CLTS) Program and the child welfare system (child protective services and youth justice). While each system shapes its use of respite, the Wisconsin Department of Health Services and the Wisconsin Department of Children and Families recognize the need for and importance of collaboration when children are accessing both systems of care. To ensure child safety, well-being and permanency, alignment, and consistency in the intent and operational use of respite is necessary.

Shared requirements for the use of respite care in the CLTS Program and the Child Welfare System

There are several circumstances when respite is used within both systems to support healthy connections and maintain children safely in their home and community. Whenever possible, the child's family network should be used for providing this service.

Respite care is intended to provide short-term care for children. Common uses of respite care may include, but are not limited to:

- Providing a short-term break for parents, caregivers, and families.
- Providing care during a planned absence of caregiver for more than 48 hours.
- Providing care during an emergency situation when child supervision is needed.
- Providing care during an emergency situation when further safety assessment is needed.
- Mitigating Danger Threats when the child protective services system has already intervened.

Respite care is not intended to:

- **Be a placement option.** Respite care is a service and is not a placement. It may not be used when there is no intent of the child returning to their primary placement resource.
- **Replace or circumvent the need for child welfare intervention.** If there are concerns about child abuse or child neglect, including concern that a parent or caregiver may be unable to meet a child's needs, a report must be made to child protective services (CPS). If Danger Threats have been identified, CPS must intervene to manage child safety, and may implement respite care as a component of safety planning.
- **Supplant primary care.** Respite care cannot function as an informal out of home placement.

Use of respite care in the CLTS Program:

Respite care in the CLTS Program maintains and strengthens a child's or youth's safety, well-being and connection to natural supports by providing a break from day-to-day stress and care demands for the family and primary caregiver(s) on a short-term basis. Respite care can be used when it supports a specific and related outcome for the child or youth. Respite care can be used in planned or emergency situations to support the child and their parent or caregiver. Respite care may occur in the home of the child or youth, the home of a caregiver, a residential setting, an institutional setting, or other community settings.

Respite care is not intended to supplant a child's primary care, nor to function as an informal out of home placement. Respite stays may not exceed 28 consecutive days when paid for using CLTS funds. If a child is assessed as unsafe and is in need of a placement, the child welfare system must intervene and seek a legal placement that affords the child the legal oversight and protections that a legal placement provides. The CLTS Program and the child welfare system must collaborate to support the child, as CLTS enrollment cannot be used to divert engagement with the child welfare system when there are concerns of abuse or neglect, which may include a parent's inability or unwillingness to meet the child's needs on an ongoing basis.

A child's individual service plan (ISP) must contain a description of CLTS Program respite care to be used, including frequency, intensity, annual cost, provider information, care levels for applicable services and any unique restrictions or specifications. A child's ISP also includes supports and services in place for the participant provided through other programs and/or systems, and unpaid and informal supports, including respite care through the child welfare system. CLTS Program respite providers must meet all respite care service provider standards and deliver services in accordance with requirements, limitations, exclusions, and documentation criteria outlined in the CLTS Manual (4.6.26). Payment for the provision of respite care is subject to statewide uniform rates. See the Children's Long-Term Support Program Manual ([P-02256](#)) for additional information.

The use of respite care in the Child Welfare System:

Respite care in the child welfare system is a service used to support a child's safety during safety intervention including protective planning, safety planning, and in-home planning. It can also be used in planned or emergency situations to support placement stability.

In the child welfare system, respite may be utilized in a variety of ways that requires flexibility. Therefore, there are no specific statewide limitations or restrictions on the number of days a child can be in respite care, whereas CLTS program funding limits respite to 28 consecutive days. However, because respite is intended to be a supplemental and temporary service, child welfare professionals must continually reassess if it is meeting the needs of the child and their family.

Respite care documentation in child welfare is outlined in the [Out-of-Home Care Placement Manual](#), which can be found on the [eWiSACWIS Knowledge Web](#). Please see Wis. Admin. Code § DCF 56.21 for rules related to formal respite.

Collaboration Between Systems:

When respite is used to support healthy connections and maintain children safely in their home and community, communication between the CTLS program and child welfare professionals is necessary to ensure shared planning and seamless service delivery to the child and family. Shared planning includes, but is not limited to:

- Having an identified purpose of the respite care and determination as to which system is supporting and funding its use.
- Conducting ongoing assessments of the purpose of respite care and how it meets the child's needs and outcomes.
- Conducting ongoing assessments of respite providers' qualifications to ensure they are able to meet the child's needs and outcomes.
- Ensuring background checks for identified respite providers have been completed.
- Coordinating the amount of respite approved..
- Ensuring there is a clear understanding of where the child will physically be at all times, and communicating that information to the child's family and between systems.
- Conducting transition planning for when one system is no longer needed to support the child and family.
- Providing support to the parent or caregiver to ensure the care needs of the child are communicated to the respite provider.

In addition to the information in this memo, systems must follow program specific guidance related to the use and approval of respite care. Information may be found in DHS and DCF publications listed:

- [CLTS Program Manual, P-02256](#)
- [Chapter DCF 56 of the Wisconsin Administrative Code](#)
- [Child Protective Services Access & Initial Assessment Standards](#)
- [Child Protective Services Safety Intervention Standards](#)
- [Wisconsin's Ongoing Services Standards](#)
- [Out-of-Home Care Placement Manual](#)
- [eWiSACWIS Knowledge Web](#)