

Part of the DCF training series.

# Provider Program Integrity Training



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## Section 1

# Who is BPI?



The Bureau of Program Integrity was initiated in 2010 with the creation of the Child Care Task Force. Its current form as an official Bureau was created in 2013 as part of a reorganization effort in the Division of Early Care and Education, to oversee program integrity, making sure the rules we mention throughout this training, are followed for the Wisconsin Shares Child Care Subsidy Program and the YoungStar Quality Rating system.



**Wisconsin Shares  
Child Care  
Subsidy Program  
&  
YoungStar Quality Rating**

BPI also supports and engages with local agencies in their program integrity efforts, providing policy and procedural guidance regarding anti-fraud and local program integrity efforts, as well as assisting with monitoring, investigating, and recovering misapplied funds.



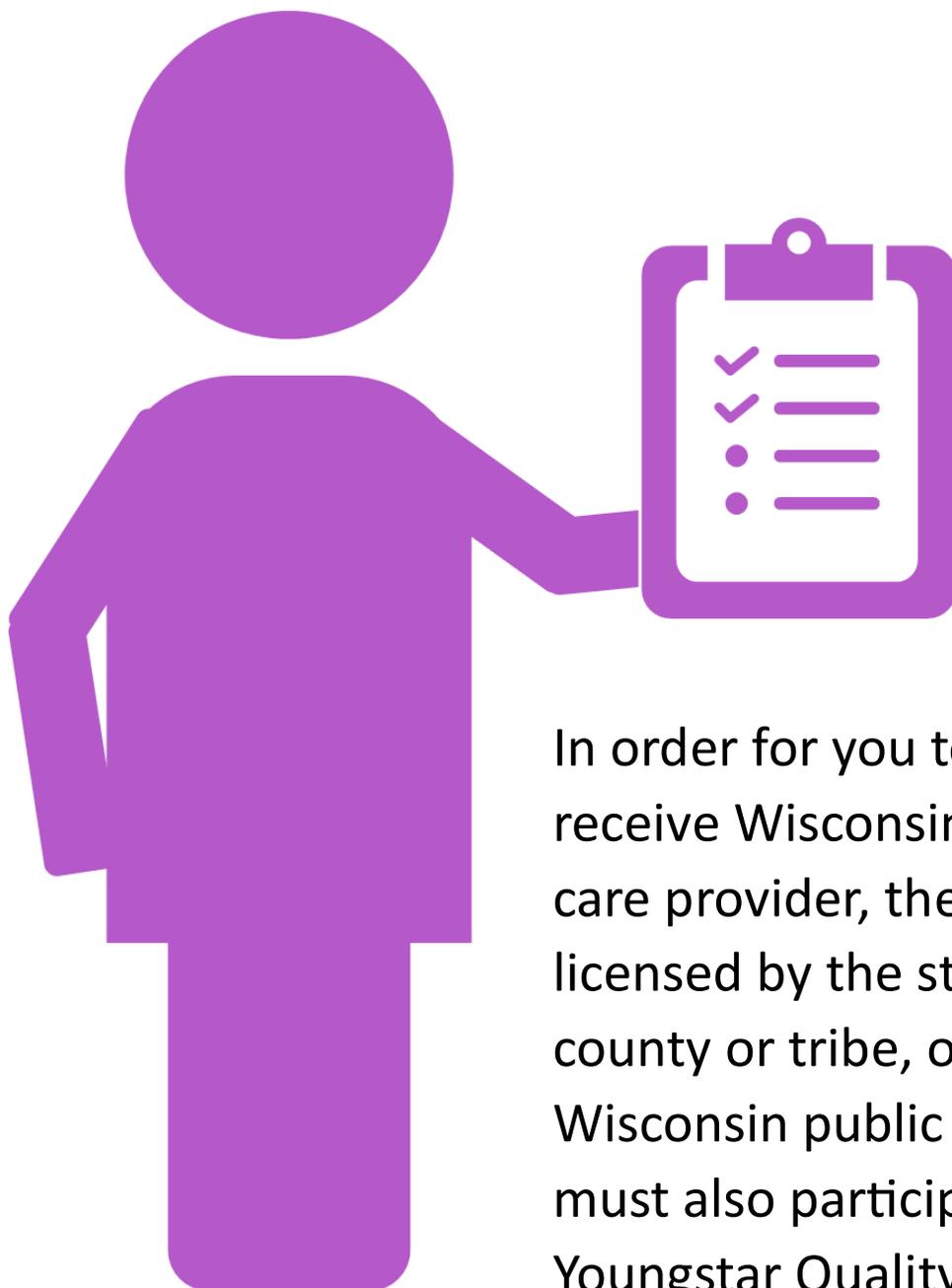
## Section 2

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# Program Integrity Basics



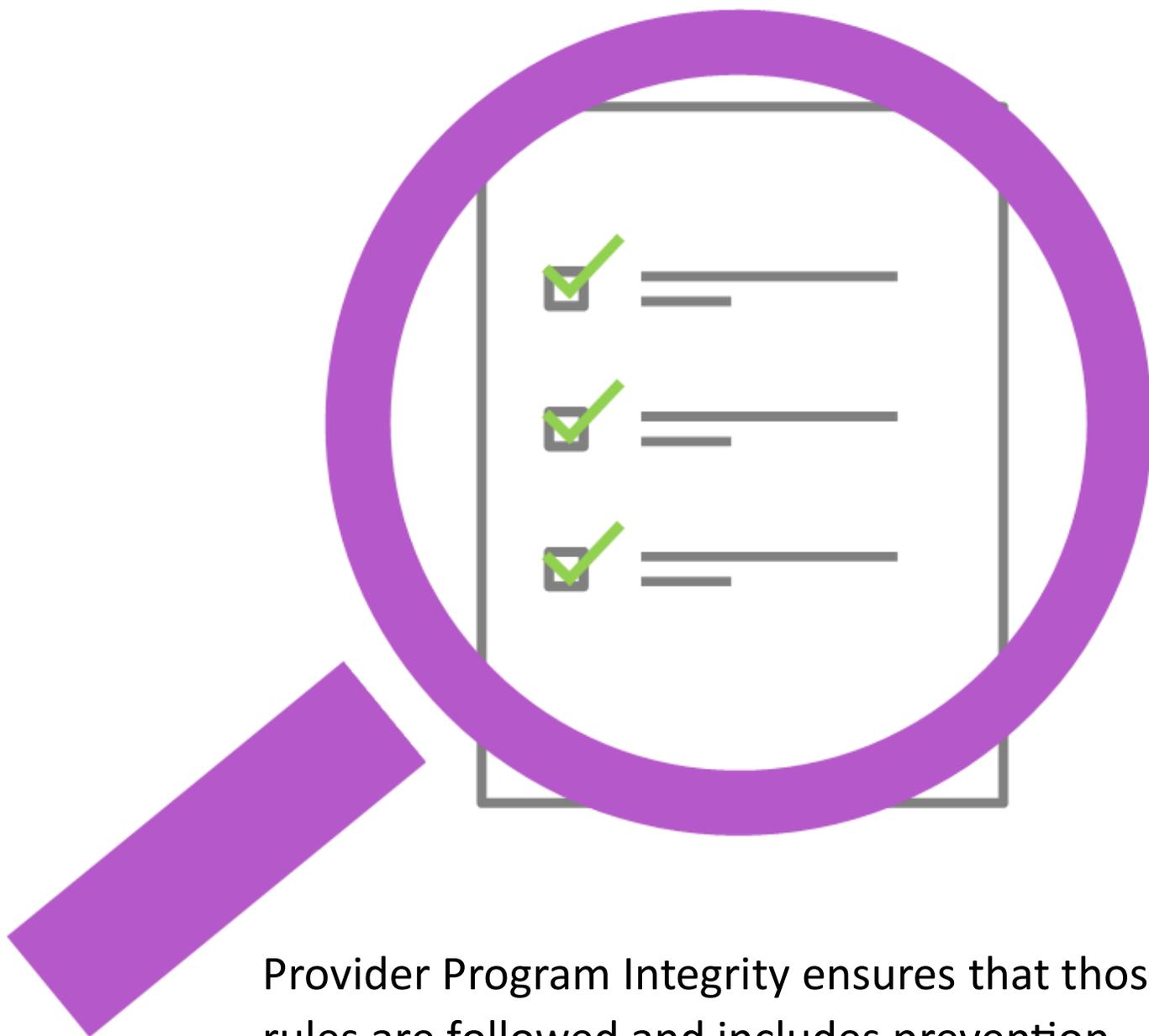
You might ask what is Provider Program Integrity, and why do I need to know about it?



In order for you to be eligible to receive Wisconsin Shares as a child care provider, the provider must be licensed by the state, certified by a county or tribe, or operated by a Wisconsin public school board. You must also participate in the Youngstar Quality Rating system.

There is plenty of support available to help you get this all done correctly. There are also rules in place to make sure that child care subsidy is available for those who need it, and that the funds are being spent and paid out appropriately.





Provider Program Integrity ensures that those rules are followed and includes prevention, monitoring, and identification of improper payments and fraud of the Wisconsin Shares Program. The Department works hard to communicate policy and rules to assist and support the compliance of the program.

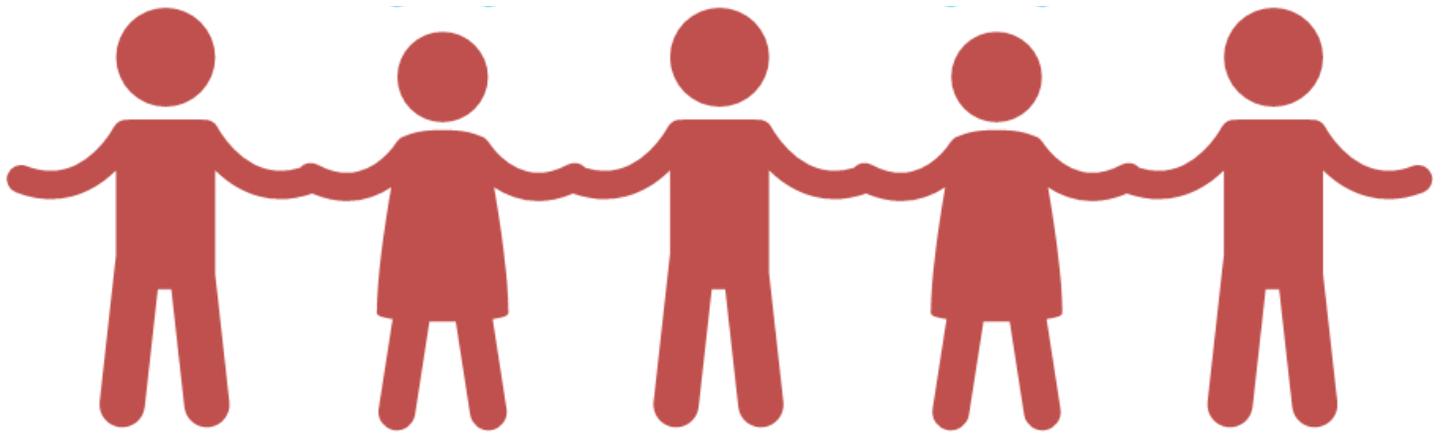
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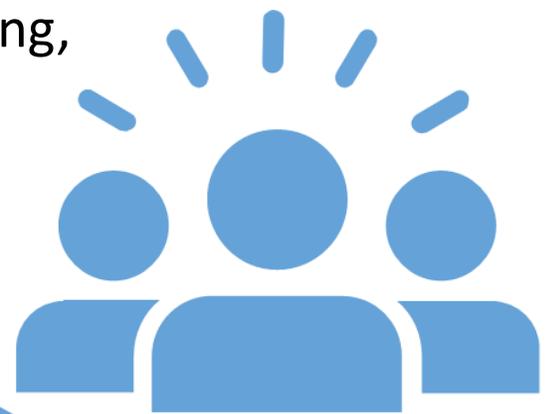
# Wisconsin Shares Program Integrity



Quality Child care is experienced by children across the state of Wisconsin every day. Children thrive and grow in these environments and parents eligible for subsidy know that their children are in good hands, which allows them to focus on bettering their circumstances for themselves and their children.



You, our child care providers, are an integral part of growing a community, building a caring, positive and nurturing environment where everyone benefits. When the violations appear to be intentional, we take a different course of corrective action beyond Technical Assistance.

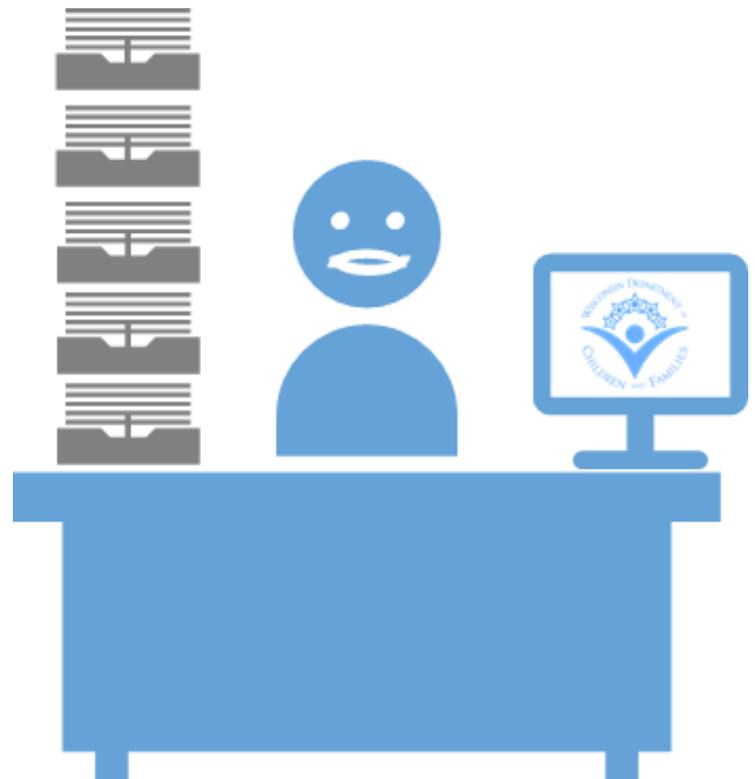




*I SO DON'T  
UNDERSTAND  
THESE RULES.*

However hard we try, sometimes individuals do not know, or misunderstand the rules that are in place to ensure that things run smoothly and are in compliance.

Running a quality and regulated facility requires a lot of organization, detailed paperwork and accurate record keeping to ensure that the Department can monitor care and payment for Wisconsin Shares authorized families.



With this comes rules and regulations that providers often struggle keeping up with. In this circumstance, we are there to provide Technical Assistance to get you back on track. The Department communicates this information in a variety of ways. Quality newsletters will include valuable information about rules and policy. Monitoring visits are another way the Department can observe your facility in operation and provide on-site guidance and recommendations.



When the violations appear to be intentional, we take a different course of corrective action beyond Technical Assistance.

## Section 4

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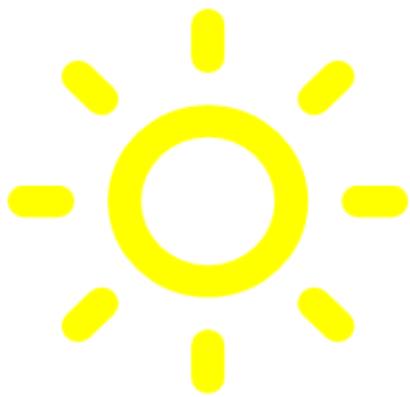
# Monitoring Visit



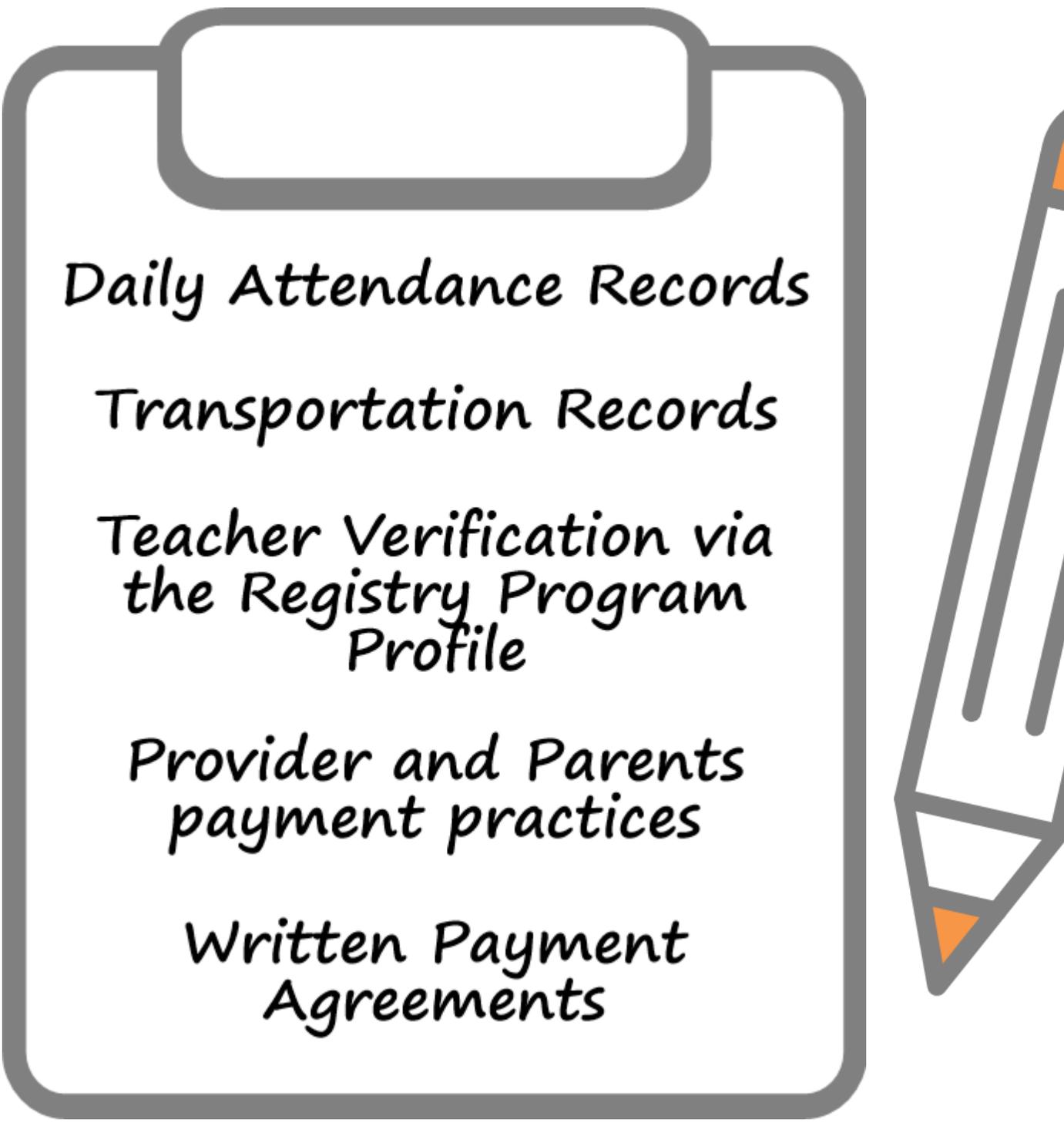
The Department will come out to monitor a variety of matters pertaining to compliance with regulation during your listed hours of operation. These visits may be the result of being randomly selected for a visit or they may be conducted as the result of a referral concerning non-compliance.



This site visit is our best way to gather observations and view how you, the provider, are completing your daily attendance records and tracking. The visit may be unannounced and most often two workers will be present for this visit, during which they will interview you and your staff regarding record keeping and other day-to-day operations.



In addition, they may review or request the following documentation:



*Daily Attendance Records*

*Transportation Records*

*Teacher Verification via  
the Registry Program  
Profile*

*Provider and Parents  
payment practices*

*Written Payment  
Agreements*

## Section 5

# Violations & Technical Assistance



The term violation refers to things that have been done that break the rules of the Wisconsin Shares Child Care Subsidy Program, accidentally or otherwise.



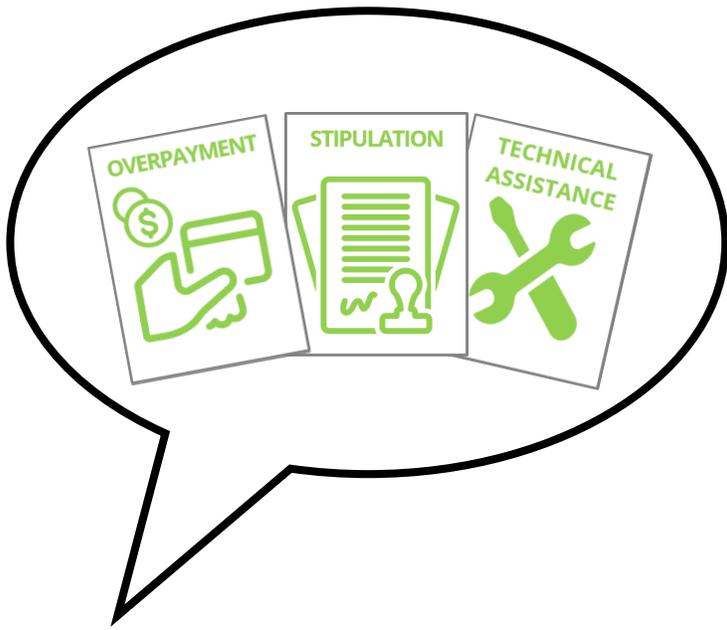
Violations are often identified during monitoring visits, audits of attendance and employee records, review of authorization and payment history, and additional review of integrity and licensing history.

The Bureau of Program Integrity lead many of the audits and investigations in the state of Wisconsin. However local agencies have investigators that may also conduct and lead investigations.

Some violations may be addressed and corrected during the site visit with Technical Assistance pertaining to all identified violations and concerns. After a monitoring visit or an audit, the Department will provide you with the violations discovered during the review of your child care program.



You will have an opportunity to provide an explanation for the violations in person or in writing.



The Department will determine if the violations were committed in error or are intentional, and will issue any of the following:



Technical Assistance, an Overpayment, and/or a Stipulation, to allow you time to correct the violations and come back into compliance.

There follows a review of violation, the authority behind it, and the Technical Assistance support to fix the violation.

# ATTENDANCE RECORDS

### Description

Your daily attendance records should show when children are in attendance by recording when they arrive and depart. Please review the statutes listed below and adjust your business practices immediately to come into compliance.

### Authority

- Wisconsin State Statute **49.155(6m) (a)** Child Care Provider Record Keeping. With respect to attendance records, a child care provider shall maintain a written record of the daily hours of attendance of each child for whom the provider is providing care under this section, including the actual arrival and departure times for each child.
- Wisconsin State Statute **49.155(6m)(b)** Child Care Provider Record Keeping. With respect to attendance records, a child care provider shall retain the written daily attendance records under par. (a) for each child for at least 3 years after the child's last day of attendance, regardless of whether the child care provider is still receiving or eligible to receive payments under this section.

## WRITTEN PAYMENT AGREEMENT

### Description

You have not entered into a written payment agreement with each parent that receives subsidy for child care provided at your facility.

### Authority

- Wisconsin Administrative Code **DCF 201.038(5)** Written Payment Agreement.

(a) A provider shall enter into a written payment agreement with each parent that receives a child care subsidy for child care by the provider. (b) The written payment agreement between a provider and parent shall include all of the following:

1. The provider's monthly or weekly child care price.
2. The provider's days and hours of operation.
3. Any discounts or scholarships that are available to parents, and any discounts or scholarships that the parent is receiving.
4. The parent's payment schedule.
5. The provider's anticipated closure dates.
6. Payment expectations for the child's anticipated and unanticipated absences and the provider's closure dates.
7. Parent procedures for termination of a child's enrollment.
8. Provider procedures for termination of a child's enrollment.

(c) A provider shall retain a copy of each current written payment agreement at the location where the child care is provided. (d) A provider shall retain a copy of an expired written payment agreement for at least 3 years after the child's last day of attendance. The agreement shall be kept at a location where it can be made available to the department within 24 hours.

### Technical Assistance

- This rule has been in effect as of March 11, 2018. Providers may choose to use the Department's form (**DCF-F-5224-E**) or use their own form, but it **must** contain all of the above requirements.
- The written payment agreement form must be completed at enrollment.
- The form must be current and accurate at the time of the parents review and signature on the form; providers must update their form/policy with any changes (including, but not limited to changes in hours of operation or changes to provider price).

# CHILDREN NOT IN ATTENDANCE

## Description

Payment received by you for children not attending your facility.

## Authority

- Wisconsin Administrative Code DCF **201.038(8)** Inactive Family. A child care provider shall notify the local child care administrative agency if a child of a parent who receives subsidy has not attended within the previous thirty (30) days.

## Technical Assistance

- Children with authorizations for only school closure or inclement weather days are excluded.
- Stay in communication with those families who fail to attend. Find out if they need care or not, or when they plan to come back. You have the right to end that enrollment to open the space for another child who needs the care. The local agency can be notified via phone or Provider Portal.
- If the family has paid for the whole month and did not attend for a variety of reasons, reach out to your local agency to return the funds via Voluntary Repayment Agreement. At no point should you ever return those funds to a family.
- Parents have 10 days to report a change in need, this includes their child not attending for various reasons like vacations, alternative care options, or any other changes that decrease their attendance per week.
- Providers must report to the local agency if a child has not attended for 30 days. The Portal may be utilized to end that enrollment as soon as you know the family has no intention of returning or has voluntarily ended their child's placement.

## YOUNGSTAR

### Description

Per the YoungStar Contract, providers commit to provide accurate and timely information on The Registry Program Profile. Up-to-date YoungStar lead staff information is used for accurate YoungStar rating determinations. During the investigation, the Department discovered the Registry Program Profile was inaccurate, resulting in a higher rating than the provider was entitled to.

### Authority

**DCF 201.038(1)(b)** Provider Requirements. A child care administrative agency may authorize payment for child care services provided by a child care provider who meets the quality rating system. **DCF 201.04 (5)(b)5** A child care administrative agency shall take reasonable steps necessary to recover from a provide any overpayment made from child care services for misrepresenting information that resulted in the provider receiving a higher star rating and higher maximum rate than the provider was eligible for to receive under the child care quality rating system in ss. **48.659** and **49.155 (6) (e)**, Stats

### Technical Assistance

Keep your program profile up-to-date all year long, set up monthly maintenance to ensure that all staff listed are current, training is updated, and number and age range of rooms is always accurate.

Regarding staffing of a family child care program, if two different individuals conduct the role of lead teacher and administrator, both individuals must be listed in the Registry. The Lead Teacher must be the individual that spends most of the time with the children during primary hours of operation (6 a.m. - 6 p.m.)

An individual listed as Director or Site Supervisor must meet licensing requirements for this position. They must assist Lead Teachers with responsibilities as applicable, i.e. if staff is ill, during staff break/meal items, or special programming or activities that require more adults in the room. They must be on site for at least 25% total hours they work for the program.

Lead Teachers are expected to teach the greatest number of hours between the hours of 6 a.m. to 6 p.m. in each classroom. Ensure that all your leads are reflected accurately in your Registry and are verified by your Technical Consultant.

When lead teachers are moved or depart the facility, per YoungStar policy, a provider's Program Profile must be updated immediately. This is outlined in your YoungStar contract and additional information can be found in an additional resource titled "Maintaining Your Program Profile."

Grace Period Waivers are given once per calendar year and is 90-days in length. The grace period is calculated on the 16th of the month following the first time a rating drops, often as the result of losing a Lead Teacher or two with rating levels of 7+. A provider must contact their local YoungStar office to request a grace period.

# NO ACCESS VISITS

### Description

Multiple unsuccessful attempts were made by the Department or local agency to gain entry to your facility during the regulated hours of operation.

### Authority

Wisconsin Administrative Code **DCF 201.04(6)(e)** Monitoring of Child Care Programs. The department or the child care administrative agency may make on-site inspections to monitor provision of authorized services.

### Technical Assistance

- Document times away from the center during the hours of operation. Many providers email their licensors to indicate closures, field trips, schedule changes, etc. This is adequate documentation for the Department.
- Maintain receipts and/or permission slips for field trips.
- Make sure your doorbell and a facility phone number are in operation.
- Closures can also be reported in the Provider Portal.

# OUTSIDE EMPLOYMENT

### Description

Outside employment during the hours of operation, where you are engaged in other employment that interferes with the adequate care and supervision of the children.

### Authority

Wisconsin Administrative Code **DCF 202.08(5)(a)** Supervision. A child care provider may not be engaged in any other activity or occupation during the hours of operation which interferes with the adequate care and supervision of children.

Wisconsin Administrative Code **DCF 250.05(3)(a)1** Supervision. A provider may not be engaged in any other activity or occupation during the hours of operation of the center, except for daily maintenance of the home.

### Technical Assistance

A provider cannot be signed in as a caregiver at the same time they are engaged in outside activities which prevents adequate care.

**\* NOTE:** Providers may fulfill duties of outside employment if they hire individuals that are approved caregivers and to work with their licensor to complete those requirements.

## NONDISCRIMINATION

### Description

You may be charging a parent that receives a child care subsidy a higher child care price than a private pay parent is charged for a similar amount of care.

### Authority

Wisconsin Administrative Code **DCF 201.038(6)** Nondiscrimination. (a) A provider may not charge a parent that receives a child care subsidy a higher child care price than a private pay parent is charged for a similar amount of child care. **DCF 201.06 (1) (b)**.

# WISCONSIN SHARES EMPLOYER REQUIREMENTS

## Wisconsin New Hire Reporting

### Description

Wisconsin law requires employers to report each newly hired employee to the State Directory of New Hires within 20 days after the employee starts work. Employers must also report employees who are rehired, recalled, or returning to work after an unpaid interval of more than 60 days.

New hires can be reported here: <https://wi-newhire.com>

## Wisconsin Minimum Wage Law

### Description

Wisconsin's minimum wage law is currently set at \$7.25 an hour.

More information regarding Unemployment Insurance, Worker's Compensation, and Wisconsin minimum wage law can be found at <https://dwd.wisconsin.gov>

## Worker's Compensation

### Description

All Wisconsin employers must have a Worker's Compensation insurance policy for employees unless legally exempt.

Exemptions include:

- Sole proprietors that have no employees
- Partnerships that have partners only and no employees
- Limited liability companies that have members only and no employees

## Reporting DWD Employer Requirements for Employees

### Description

Policy **1.3.8.3.1** Employed by a Child Care Provider If the employer is a child care provider or a business owned or managed by a provider, each of the following requirements must be met: The employer must have a Worker's Compensation insurance policy for its employees unless legally exempt.

- The employer must comply with Wisconsin minimum wage law for all employees.
- The employer must file a Wisconsin New Hire report on the employee within 20 days of the hiring date.
- The employer must report wages to Unemployment Insurance unless exempt.

# WISCONSIN SHARES EMPLOYER REQUIREMENTS CONTINUED

## TECHNICAL ASSISTANCE

As a child care licensed provider, you cannot be determined as a qualified employer if you do not meet any the following: worker comp, new hire reported, and unemployment insurance. This is critical for employees of the center with children authorized to your child care center. The Wisconsin Shares Program pays for child care services for parents in approved activities and if an employer is not a “qualified employer” the authorization is in jeopardy and an over-payment could result.

- Wisconsin law requires employers to report each newly hired employee to the State Directory of New Hires within 20 days after the employee starts work.
- Employers must also report employees who are rehired, recalled, or returning to work after an unpaid interval of more than 60 days. New hires need to be reported even if they work only one day and are terminated.
- New hires can be reported online at: <https://wi-newhire.com>
- Wisconsin’s minimum wage law is currently set at \$7.25 an hour. More information regarding Unemployment Insurance, Worker’s Compensation, and Wisconsin minimum wage law can be found at <https://dwd.wisconsin.gov>
- Keep in mind that even if you are paying an employee in cash, gifts, credit, etc. those are considered “wages” and value must be reported.
- It is for the protection of the employer and employee that wages are reported and monitored.

## REGULATION VIOLATIONS

### Description

Payment received while your location was not in compliance with the listed regulations, including the maximum number of children, the required ratio of providers-to-child, care outside of the regulated hours of operation, care provided at a location other than the authorized location.

### Authority

Wisconsin Administrative Code **DCF 201.04(5)(b)** Provider Overpayments. A provider shall be responsible for an overpayment if a provider was paid with child care funds for care (2) provided at a location other than the location for which the authorization for care was issued, except for field trips, (3) during time when the provider was in violation of the applicable provision regarding limits on the maximum number of children in care or the required provider-to-child ratios for children of various ages, and/or (4) when the provider was in violation of the terms of the provider's license.

### Technical Assistance CAPACITY

- It is the responsibility of the provider to ensure they are in capacity during hours of operation. Tracking and record keeping will be the best way to monitor capacity when in operation.
- Communicate effectively with parents who have a bad habit of picking up late or arriving outside of their child's scheduled need.
- Be mindful, when summertime nears, to communicate with parents if they need summer care of school-age children and inform them if you can accommodate that care or not.
- Children on transportation are included in a center's capacity.
- Obtain child care need schedules to monitor capacity and staff appropriately. Utilize your Written Payment Agreements and your parent policy handbook to effectively manage this with families.
- Child care need schedules must be within the regulated hours of operation. If not, a request can be made to certification/licensing to change the regulated hours of operation.
- It is important to monitor children who are not attending regularly to determine if an authorization is still needed. Again, this will allow you better monitor the needs of your families while maintaining your capacity. You can end an authorization using your Provider Portal or reaching out to your local agency.

# REGULATION VIOLATIONS CONTINUED

## Technical Assistance

### UNAUTHORIZED LOCATION

- Children must attend the location authorized.
- Any changes in regulation that may affect the authorization (such as relocation, closure of a location, or change in regulation type) must be reported to the agency.
- Communicate to parents the authorization must be for the location in which the child is attending. Utilize your Provider Portal to monitor and confirm children are authorized for the correct location.
- Communicate with parents their responsibility to contact the local agency if they have an authorization created to the wrong location or if the location needs to be updated prior to the end of the month the error is discovered. You can end the authorization via the Provider Portal by reaching out to the local agency. This will force the parent to call and update their authorization to avoid disruption of care. Encourage parents to review their monthly authorization notices to confirm the correct location. Parents can utilize the Parent Portal or contact the local agency to update the authorization.
- If you have multiple locations, it is important to know that a child's authorization is created specific to that assigned location; a child cannot move between locations.
- Each location must be treated as a separate entity as there are a multitude of factors that may vary by location. For example, ages you serve, capacity, Star Rating, cost/rates, etc.
- It is important to note that a child can have multiple locations and can be created to attend multiple locations if reported accurately to the agency. For example, if a child attends location 001 on weekdays but you utilize location 002 for weekend care due to staffing; the local agency can create two (2) separate authorizations to support that child care need.
- Payment received for care provided at a location other than where the authorization is written is a provider overpayment.

Please refer to DCF rules and regulations as they relate to capacity and ratio for your individual facility. The information can be viewed in the following Administrative Codes:

Certified Child care Providers refer to DCF **202.08**

Licensed Family Child care Centers refer to DCF **250.05**

Licensed Group Child care Centers refer to DCF **251.05**

## POSSESSION OF PARENT(S)' CONFIDENTIAL ITEMS

### Description

Possession of or requiring parent(s) to provide MyWICChildCare EBT Cards, card numbers, personal identification numbers (PIN), official notices from the Department, subsidy fund amount, and/or any representation of these items.

### Authority

Wisconsin Administrative Code DCF 201.038(7) Confidentiality. A provider may not do any of the following:

- (a) Require a parent to disclose the balance in the parent's child care subsidy account.
- (b) Require a parent to provide the parent's EBT card, account number, or personal identification number to the provider.
- (c) Possess a photocopy, photo, or other image of a parent's EBT card.
- (d) Possess a parent's subsidy account number or personal identification number.

### Technical Assistance

- Do not accept any MyWICChildCare EBT cards, card numbers, and/or PINs.
- Report parents providing MyWICChildCare EBT card and/or PIN information to the agency.
- Providers are allowed to assist parents to make payments, as long as the goal of the assistance is to teach the parent to use the system on their own. It is the parent's responsibility to manage all their payments using the MyWICChildCare EBT card.
- The parent is required to make the payment. If the provider offers assistance, the provider shall not enter the parent's card number and/or PIN to make the payment. The only assistance that may be provided are the following: providing billing statements so a parent knows the amount to pay, providing the due dates and frequency of payments, providing a computer, phone, or point-of-sale (POS) device for parents to use.

## CHILDREN IN THE HOME

### Description

Inaccurate reporting of children residing in the home.

### Authority

- Wisconsin Administrative Code DCF **202.08(6)(c)** Maximum Number of Children. A child care operator's natural, adopted, step, or foster children 7 years of age or older or any child 7 years and older residing in the operator's home are not counted in determining the maximum number of children allowed under par. (b).
- Wisconsin Administrative Code DCF **250.05(4)(a)1**. Staffing and Grouping. At no time may more than 8 children be in the care of the center. This total includes: All children under 7 years of age, including a provider's own children.
- Wis. Admin. Code DCF s. **201.039(7)**. The department or a child care administrative agency may authorize payment for the care of a child whose parent is a child care provider only if the care will be provided by another child care provider.

### Technical Assistance

- Children residing in the home, under the age of seven (7), are included in the center's capacity and must be signed in on the attendance record when present during the hours of operation.
- It is important to be aware that you cannot receive an authorization for your own child without a waiver. The waiver, if approved, will allow you to gain an authorization for another facility, but not your own. In addition, any other children residing in your home, temporarily or permanently, cannot receive an authorization for your facility. This also applies, even if your child care facility address is not your home address.
- In addition, you must also report yourself as self-employed - not an employee of the child care. You may have a set wage for yourself, but to accurately report, you must complete self-employment verification. Tax documents will be a requirement if you have filed taxes for your business at the time of request.
- If your own children or any other children residing in the residence are under the age of seven (7), they will need to be listed on the attendance records. Children over the age of seven (7) do not need to be listed on the attendance records. Be careful to account for children in the under 7 age group when operating the child care center because those children are accounted for in the capacity of the center.

# UNEMPLOYMENT INSURANCE

### Description

Employers must report wages to Unemployment Insurance quarterly by the last day of the month following each quarter, unless exempt. Exemptions include:

- Sole Proprietor
  - Owner, spouse, children under 18, parents of sole proprietor
- Partnership
  - Partners and sole proprietor exclusions, but only if the exclusion applies to both partners
- Limited Liability
  - LLC members only
- Independent Contractors
  - Review Chapter 108 requirements to determine exclusions

## CLOSURES

### Description

If you are a child care provider that is closing your center or anticipating a closure for any amount of time, communication to your licenser/certifier or local agency is essential to prepare families for the changes. Some common reasons include change in ownership, remodeling, or retirement. A family's child care subsidy funds are associated with a specific month and based on operating hours and days the center can provide child care services. If services are not fulfilled, the fund amount was misapplied.

### Authority

Wis. Admin. Code s DCF **201.04(5)(b)**

A child care administrative agency or the department shall take all reasonable steps necessary to recoup or recover from a provider any overpayments made for child care services for which the provider was responsible, or overpayments caused by administrative error that benefited the provider.

### Technical Assistance

- Clearly document and track your closures and closure reason on your attendance records.
- If you have an anticipated closure, plan accordingly and communicate with your families to pay for services you will provide. This practice will allow the agency and family to plan to continue the need for child care effectively.
- Be mindful of clients who pay at the beginning of the month, make sure they only issue funds for days your location is open.
- If the Department notices a pattern of closures, you may be advised to adjust your hours of operations (i.e. if you can no longer provide care during late hours or weekends contact your licenser in writing to change your hours of operations).
- If you have a permanent or temporary closure before the last day of the month, funds spent were misapplied because child care services were not fulfilled, and an overpayment will be assessed. In order to avoid overpayments, communicate to the agency and parents to ensure you only receive payments for the days in which care was provided.
- If your families have already paid for the whole month, you can initiate a Voluntary Repayment Agreement. This is another way to avoid an overpayment.

# PROVIDER RIGHTS TO RESPOND

### Description

A Provider Explanation Letter, or 7M Letter, is sent to providers if violations have been discovered during the investigation. The letter is sent via regular and certified mail. It provides representative examples of all violations discovered and requests a response within 15 days. This letter is the Department's practice to allow providers an opportunity to provide a response or explanation, in person or in writing, to any violations discovered. After 15 days with no response, the Department will attempt to contact the provider, but will move forward with the investigation if no response is received.

The 7M Letter outlines all violations discovered and is sent out upon completion of an investigation or audit. The 7M Letter provides details regarding the violated rules and policy(ies), and requests the provider respond or provide an explanation for the violations within 15 days. The provider's response may be verbal (an arranged meeting or via telephone), or in writing. It is encouraged that the providers give an explanation in person (also known as a provider meeting). The 7M letter is sent via regular and certified mail.

### RESOURCES

#### Link the provider and parent integrity newsletters

**Provider:** <https://dcf.wisconsin.gov/youngstar/providers/newsletter>

**Parent:** <https://dcf.wisconsin.gov/mywchildcare/parents/newsletter>

#### Provider portal link

<https://mywchildcareproviders.wisconsin.gov/>

#### Report fraud link

<mailto:dcfmbchildcarefraud@wisconsin.gov>

#### YS contract link

<https://dcf.wisconsin.gov/files/forms/doc/2587.docx>

#### YS Registry

<http://www.the-registry.org/>

#### VPA language

Voluntary Repayment Agreement form (DCF-F-5178-E)

<https://dcf.wisconsin.gov/files/forms/doc/5178.docx>

The form may be returned via email or fax. The Department will then contact Fidelity National Information Services (FIS) to initiate the Voluntary Repayment process. The funds will be debited from the provider's bank account registered with FIS and returned to the state. It is vital that the funds are in the account when the debit is processed. If funds are not available, the Department will receive a failure notice.

## Section 6

# Common Youngstar Violations

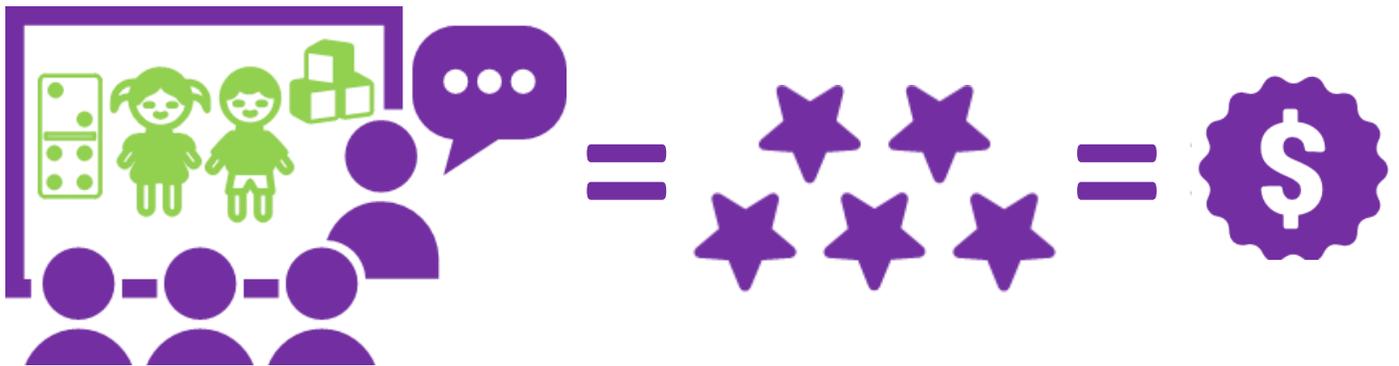


YoungStar is Wisconsin's child care quality rating and improvement system. Through it, we help preschools, home-based programs, learning centers, and other child care providers give children safe, nurturing places to grow.

By objectively measuring child care quality, we rate thousands of child care providers, awarding up to five stars for the highest quality of care.



By supporting providers with tools and training to deliver high-quality care, we set a consistent standard for child care quality that you deliver. The Department provides a monetary incentive to maintain the high 4 & 5 star quality ratings.



The largest violations that impact the YoungStar ratings, are inaccurate information in the Registry Program Profile.

The YoungStar rating is an incentive program for providers that offer high-quality care. This rating is determined by the information and qualifications entered into the YoungStar Registry.



It is the responsibility of the provider to maintain current and accurate information on their staff, including titles, roles, and rooms for their facility.

Misrepresentation or failure to keep the Registry accurate and current, may result in an overpayment.

**Examples of this misrepresentation include:**

When Lead teachers are listed in the Program Profile for your center, but are not in attendance or providing care during the hours of 6 a.m. - 6 p.m. at the location where care is provided.

or

A Lead Teacher listed in the Registry is not fulfilling the duties of their listed role.

or

When Teachers are listed in the Program Profile, but not employed at the center.

or

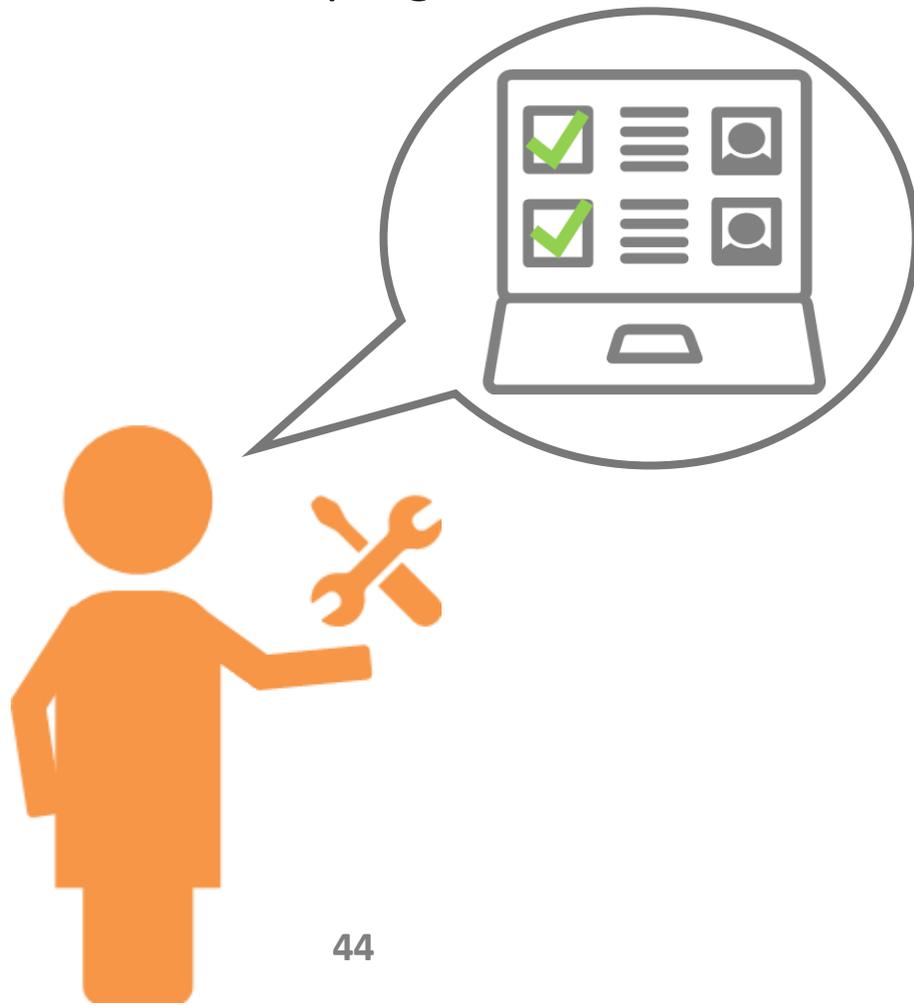
Not keeping your Program Registry up-to-date to reflect current employees of the child care facility.

## Examples (Continued)

or

The employee on the Registry is or was not fulfilling duties necessary to obtain/maintain a higher rating.

In order to avoid misrepresentation and overpayment, we recommend spending the extra time needed to make sure your program Registry is up-to-date, including making adjustments anytime you add or remove staff. YoungStar Technical Consultants are available to provide additional monitoring visits and resources to guide and support compliance of the program.



## Section 7

# Outcomes & Consequences



For each of the rules that are found to be in violation, you have seen that we provide Technical Assistance with one or more corrective actions that are advised to get you back into compliance.

It is our hope and intention to help resolve most violation issues via Technical Assistance, or, when necessary, sanctions, as outlined in the previous section.

When providers do not make the appropriate efforts to come into compliance with the rules governing Wisconsin Shares Child Care Subsidy or Youngstar, after Progressive Sanctions, Permanent Suspension is possible.

Under these circumstances, BPI may take this series of actions to gain compliance based on the severity and intention of the violations or a pattern of repeated violations that include ongoing monitoring of the provider for compliance.

Enforcement actions include orders to correct violations, forfeiture, and direct forfeiture.



## **Technical Assistance**

The Department may provide Technical Assistance to the provider for first-time non-serious violations discovered during investigations and monitoring visits to ensure the provider understands all program requirements.

## **Overpayment**

Overpayments are assessed when a provider received an incorrect subsidy amount due to an administrative error, provider error, or intentional program violation.

## **Stipulation**

A stipulation is established if an investigation and audit reveals egregious or serious violations that could warrant permanent suspension from the program.

However, this can be avoided with the provider's cooperation and correction of violations if they are implemented immediately and improvement is observed.

A stipulation can be issued to a provider in lieu of a permanent suspension, if the provider is willing to make corrections and come into compliance in the future.

## **Termination**

Termination is the permanent suspension from the Wisconsin Shares Program.

If the investigation reveals that the violations discovered were serious and intentional, the Department will reduce their Star Rating to a 1, thus no longer qualifying for Wisconsin child care authorizations.

Termination from the Wisconsin Shares Program may impact any existing or future license issued under the authority of the Bureau of Early Care Regulation.

Termination is permanent.

## **Enforcement**

The enforcement actions taken by the Bureau are based on 5 specific program violations and the severity of the violations, pattern of repeated violations, or a combination of the two.

Possession of EBT Cards, other confidential information, lack of or incomplete written payment agreements, discrimination of Wisconsin Shares or private pay families, or the failure to report 30 days of non-attendance.

Progressive enforcement refers to a series of actions taken by the Bureau to gain compliance with administrative rules, when previous efforts, such as technical assistance and warning letters, have not worked.

A forfeiture may be established, thus requiring a type of fine.

Violations defined as serious may result in a direct forfeiture. Enforcement actions are authorized in statute.

# Section 9 Resources



Throughout this guide, we refer to a variety of statutes, administrative rules, forms, and other resources that are available online, and on our website.



**DCF has great resources available for providers; you can access them via the web.**

<https://dcf.wisconsin.gov/>



**Want to stay up-to-date with the latest Provider related happenings? Subscribe to our provider newsletter. Sign up via this link.**

<https://dcf.wisconsin.gov/childcare/email-signup>



**YoungStar consultant Tom Copeland has a blog that is very helpful with handouts, training videos, and podcasts.**

<http://tomcopelandblog.com>



**Wisconsin Statutes 49.155(7m)**

[https://docs.legis.wisconsin.gov/document/statutes/49.155\(7m\)](https://docs.legis.wisconsin.gov/document/statutes/49.155(7m))

**Administrative Rule DCF 201.038(8)**

[http://docs.legis.wisconsin.gov/code/admin\\_code/DCF/201\\_252/201/038/8](http://docs.legis.wisconsin.gov/code/admin_code/DCF/201_252/201/038/8)

**Administrative Rule DCF 201.038(7)**

[http://docs.legis.wisconsin.gov/code/admin\\_code/DCF/201\\_252/201/038/7](http://docs.legis.wisconsin.gov/code/admin_code/DCF/201_252/201/038/7)

**Administrative Rule DCF 201.038(6)**

[http://docs.legis.wisconsin.gov/code/admin\\_code/DCF/201\\_252/201/038/6](http://docs.legis.wisconsin.gov/code/admin_code/DCF/201_252/201/038/6)

**Administrative Rule DCF 201.038(5)**

[http://docs.legis.wisconsin.gov/code/admin\\_code/DCF/201\\_252/201/038/5](http://docs.legis.wisconsin.gov/code/admin_code/DCF/201_252/201/038/5)

**Department's DCF-F-5224-E written payment agreement form**

<https://dcf.wisconsin.gov/files/forms/doc/5224.docx>

**Spanish version DCF-F-5224-E-S**

<https://dcf.wisconsin.gov/files/forms/doc/5224s.docx>

**Hmong version DCF-F-5224-E-H**

<https://dcf.wisconsin.gov/files/forms/doc/5224h.docx>

