



**Level 5 Exceptional
Treatment Foster Home**
Guide to Certification and Placement

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Division of Safety and Permanence

Guide Overview and Instructions	2
Level 5 Exceptional Treatment Foster Home Overview.....	3
History.....	3
Children’s Long-Term Support Program Collaboration	3
Population Served.....	4
Getting Started.....	4
Timeline	4
Identification of Agency Roles	7
Uniform Foster Care Rate and Budgeting.....	9
Developing a Budget to Determine a Monthly Rate for a Level 5 Foster Home	10
Developing a Home	11
Home Location and Physical Structure.....	11
Foster Parent (Licensee/Program Managers).....	12
Background Checks	13
Foster Parent Training Requirements.....	13
Level 5 Home Staff.....	15
Staff Training Requirements	16
Exceptions	18
Initial/Renewal Applications for Certification or Placement	20
Panel Review	21
Decision Timeframe.....	22
Approvals.....	23
Respite	23
Managing a Home	24
Monitoring the License and the Child’s Plan.....	24
Treatment Team Planning and Collaboration.....	24
Incident Reporting.....	25
Transitions to Adulthood	27
Protective Equipment and Mechanical Restraints	27
Restrictive Measures	29
Prohibited Restrictive Measures.....	29

Guide Overview and Instructions

This guide provides an overview of Level 5 Exceptional Treatment Foster Homes, herein after called Level 5 Foster Home, and outlines considerations and resources for agencies looking to license or place a child into a Level 5 Foster Home.

Please note, this guide summarizes requirements pursuant to [Wis. Admin. Code ch. DCF 56](#). Citations pursuant to Wis. Admin. Code ch. DCF 56 Admin. Code will be linked throughout the guide. In addition, all requirements outlined in the standards and manuals below must be followed;

- Requirements outlined in the [Child Protective Services Access & Initial Assessment Standards](#);
- Requirements outlined in the [Child Protective Services Safety Intervention Standards](#);
- Requirements outlined in the [Wisconsin Ongoing Services Standards](#) must be followed for all children placed in out-of-home care, including children in Level 5 Foster Homes;
- For a child enrolled in the Children’s Long Term Support (CLTS) Program, agencies must comply with the requirements in the [Wisconsin Department of Health Services Medicaid Home and Community Based Services Waivers Manual](#);
- If the child has a support plan that includes the use of an approved mechanical restraint or protective equipment, that plan must be in compliance with the [Instructions and Requirements for the Use of Protective Equipment and Mechanical Restraints in Children’s Long Term Support Program Manual](#).

Agencies must also comply with all policies specific to other programs in which the child is involved. Examples may include Children’s Long Term Support (CLTS) or Comprehensive Community Services (CCS). All private Child Placing Agencies who license Level 5 Homes must additionally comply with [Wis Admin. Code ch. DCF 54](#).

Please see **Appendix A** for links to important web-based materials related to Level 5 Foster Homes

Level 5 Exceptional Treatment Foster Home Overview

History

The operation of and placement of a child in a Level 5 Foster Home requires an exception from the Department of Children and Families (DCF) Level 5 Exceptions Panel. Prior to 2011, the Department granted exceptions to operate shift-staffed treatment foster homes under DCFS Memo Series 2006-15. These exceptions were granted in order to serve the needs of children who needed overnight awake care and were expected to need care into adulthood in a community setting, often for medical reasons. In 2011, the Levels of Care Foster Care Licensing Initiative incorporated Level 5 Foster Homes into permanent rule pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)](#).

An exception must be applied for using the Department's prescribed form *Application for Certification and Child Placement Level 5 Foster Home* [DCF-F-2559-E](#) pursuant to [Wis. Admin. Code ch. DCF 56](#). In order to operate or place a child in a Level 5 Foster Home, the DCF Level 5 Exception Panel must review and approve the application.

Level 5 Foster Homes are intended to serve children expected to need long-term care in a community setting. Each home and all services provided in that home are tailored to the identified child's specific needs and integrates the child into the surrounding community. These homes often continue to be the youth's home as they transition into adulthood if they continue to need and qualify for adult services.

Children's Long-Term Support Program Collaboration

The Children's Long-Term Support (CLTS) Program allows participants to receive Medicaid funding for supports and services necessary to live fully integrated lives in home and community-based settings. The CLTS Program is managed by the Department of Health Services (DHS) and is one of Wisconsin's Home and Community Based Services (HCBS) Medicaid Waiver programs, which is federally authorized under §1915(c) of the Social Security Act. Most children placed in Level 5 Foster Homes are eligible to be enrolled in the CLTS Program.

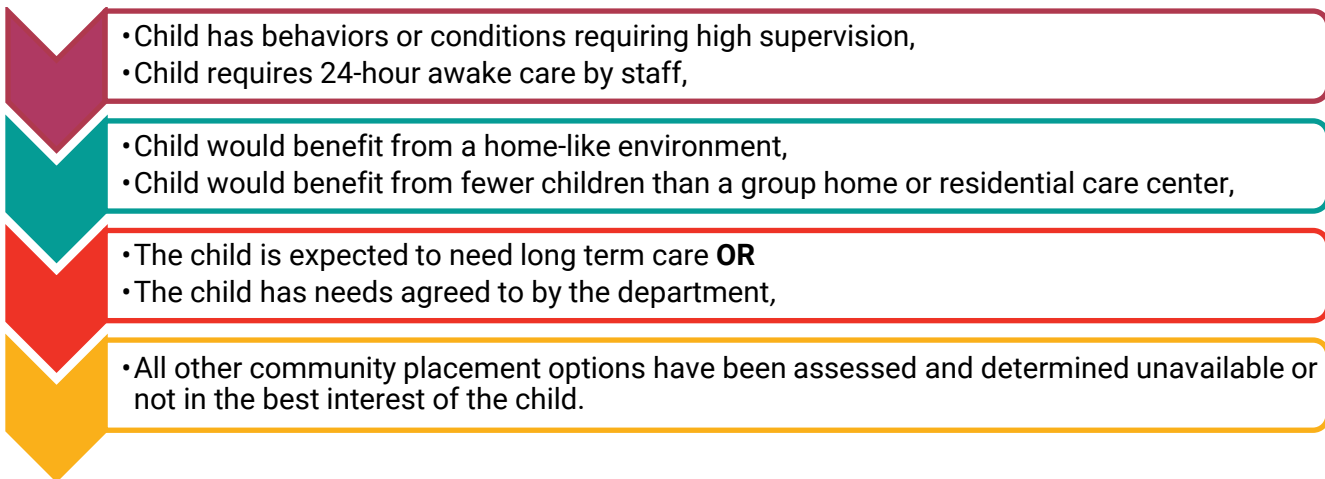
The CLTS Program provides a structure within which Medicaid funding is available to support children who live at home or in the community and have substantial limitations in multiple daily activities as a result of one or more of the following:

- Intellectual and/or developmental disabilities
- Mental health disabilities
- Physical disabilities

The CLTS Program is not merely a funding source for children placed in Level 5 Foster Homes. The CLTS Program requirements must be followed for all children in Level 5 Foster Homes that are also enrolled in the CLTS Program.

Population Served

Children in Level 5 Foster Homes have higher needs than children placed in foster homes with lower Level of Care Certifications. A Level 5 Foster Home should only be considered as the last community placement option when all other options have been determined to be unavailable or not in the best interest of the child. When considering whether a child is appropriate to be placed in a Level 5 Foster Home, consider whether the circumstances pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(a\)](#) exist, and that all the conditions below are applicable to the child. Level 5 Foster Homes may not provide care for more than 4 children.



- Child has behaviors or conditions requiring high supervision,
• Child requires 24-hour awake care by staff,
- Child would benefit from a home-like environment,
• Child would benefit from fewer children than a group home or residential care center,
- The child is expected to need long term care **OR**
• The child has needs agreed to by the department,
- All other community placement options have been assessed and determined unavailable or not in the best interest of the child.

Agencies must seek approval by submitting Pre-Approval to Begin Child Specific Planning for Level 5 Home ([DCF-F-5177-E](#)) to the DCF Level 5 Exceptions Panel Chairperson before pursuing certification or placement in a Level 5 Foster Home.

Getting Started

Timeline

The timeline varies greatly depending on agencies planning and preparedness. The first step is determining if a placement in a Level 5 Foster Home is appropriate for the identified youth. Agencies are required to complete and submit the Pre-Approval to Begin Child Specific Planning for a Level 5 Foster Home form [DCF-F-5177-E](#) as the first step in the process. Once reviewed, the DCF Level 5 Exceptions Panel will either approve or deny the request to move forward with the Level 5 Foster Home for the specific child identified. If denied, an alternative placement option must be identified. If the DCF Level 5 Exceptions Panel has not received sufficient information to make a decision, follow-up questions may be asked prior to issuing a decision. Once approved, counties and private Child Placing Agencies (CPAs) should work in collaboration with their local County CLTS Program in the planning and development of the Level 5 Home, if the child is expected to be enrolled in CLTS.

Once the DCF Level 5 Exceptions Panel has received a completed Pre-Approval to Begin Child Specific Planning for a Level 5 Foster Home application, the Panel may contact the placing agency or licensing agency for a follow-up discussion about the home and the placement. For example, the panel may ask additional questions regarding:

- The child's compatibility with other children in the home.
- Coordination with the CLTS Program and costs associated with Level 5 Foster Homes.

- Community integration and transitions preparations.
- How the team is planning to transition child from a more restrictive setting to less restrictive.

The DCF Level 5 Exceptions Panel will provide a written approval or denial within ten business days of receipt of the completed Pre-Approval to Begin Child Specific Planning for Level 5 Home application (*DCF-F-5177-E*). The 10-day timeline begins when the DCF Level 5 Exceptions Panel has sufficient information to make a decision. If additional information is required, the 10-day time limit begins upon receipt of the requested information. Pursuant to [Wisconsin Admin. Code s. DCF 56.13\(7\)\(b\)](#), **agencies may not proceed in the development of a home without written approval to do so.**

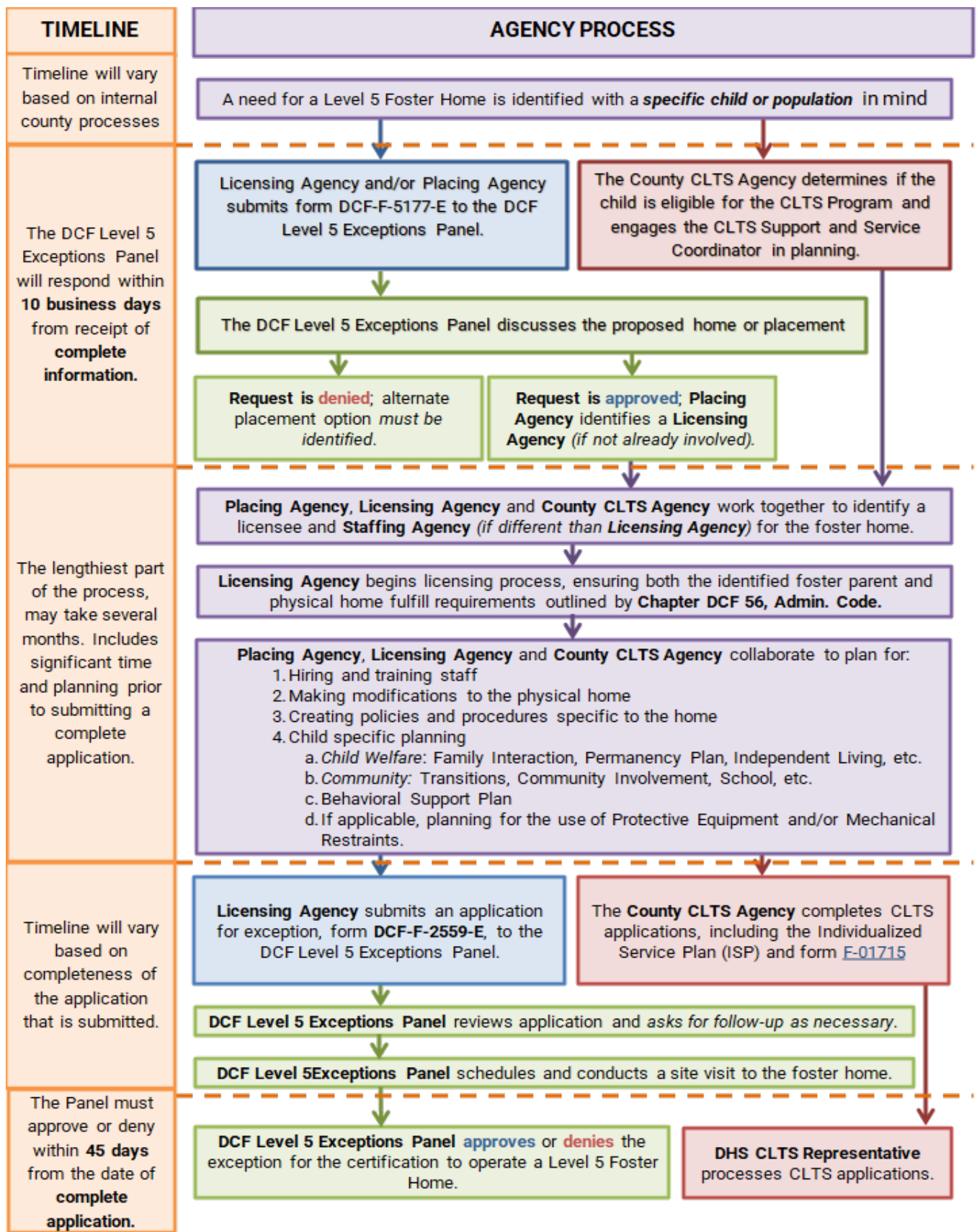
After the DCF level 5 Exceptions Panel provides written approval to begin child specific planning for a Level 5 Foster Home, agencies may start the next step in planning and developing a Level 5 Foster Home. Level 5 Foster Homes are intended to be child specific; therefore, it is important all programs involved in their development are in regular communication throughout the process to ensure collaborative planning. The placing agency, supervising agency, licensing agency, CLTS Program and any other systems involved shall communicate to ensure the foster parent/s, shift staff and physical home location are tailored to meet the child's specific needs and outcomes.

Developing homes takes time due to the need to locate a physical home; hire and train a foster parent to fill the role of the program manager; hire and train staff; and develop plans to support the child in the home. The licensing agency is the primary contact with the DCF Level 5 Exceptions Panel and may consult with the panel as needed throughout the process.

Once development of the home is complete, the home is ready for placement, and after all of the documents are compiled for the full application, the *Initial Application for Certification and Child Placement Level 5 Foster Home (DCF-F-2559-E)* must be submitted by the licensing agency to the DCF Level 5 Exceptions Panel. The DCF Level 5 Exceptions Panel will review the application, schedule a meeting with the foster parent, licensing and placing agency to have a child specific discussions, and subsequently approve or deny the application. Following receipt of a complete application, pursuant to [Wis. Admin. Code s. DCF 56.02\(2\)\(b\)6.b.](#) the DCF Level 5 Exceptions Panel must respond within 45 days. The 45-day timeline begins when the DCF Level 5 Exceptions Panel has sufficient information to make a decision.

Level 5 Application materials require documents from multiple agencies. The licensing agency is responsible to submit all materials to the DCF Level 5 Exceptions Panel; however, all agencies play a role in completing the application and everyone should be informed when the materials are submitted. Questions and final approval will go through the licensing agency.

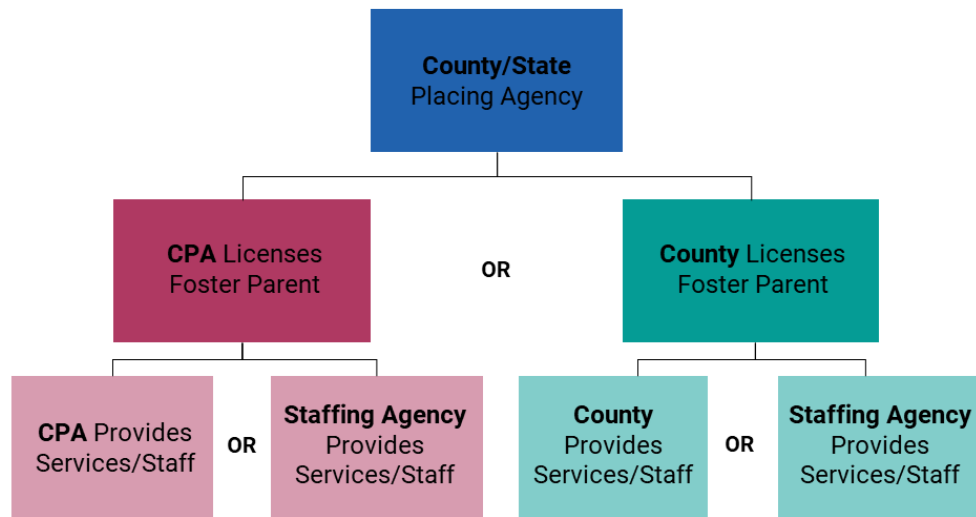
The initial exception timeframe for a Level 5 Foster Home will not exceed 1 year. Subsequent exceptions pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(a\)1.](#) may be approved for up to 2 years in length but cannot exceed the end date of the current license. Licensing agencies may want to consider the length of the exception when determining the length of licenses.



AGENCY KEY: Placing/Licensing: ■ CLTS Waiver: ■ Placing, Licensing, & CLTS: ■ DCF Exceptions Panel: ■

Identification of Agency Roles

The creation and maintenance of a Level 5 Foster Home may involve many different agencies. There is flexibility to determine which agencies will be involved to license, place and serve the child in the Level 5 Foster Home. Agency expectations should be outlined in a Memorandum of Understanding which is addressed later in this guide.



Placing Agency

The agency with powers and duties pursuant to Wis. Stat. s. 48.57 and Wis. Stat. s. 938.57, which includes a county department, the Department of Children and Families, the Wisconsin Department of Corrections, a CPA or a licensed child welfare agency from another state authorized to place children in foster homes can be considered the placing agency. The placing agency may also be the licensing or supervising agency.

Children placed in Level 5 Foster Homes are considered placed in out-of-home care. The placing agency must follow all [Child Protective Services Safety Intervention Standards](#) and [Wisconsin Ongoing Services Standards](#) including permanency planning requirements. There may be a number of placing agencies involved in any one Level 5 Foster Home due to the number of children placed. It is important to coordinate with the licensing agency through the application process and maintenance of the home to ensure all requirements are met for every child in the home.

CLTS Agency

Most children placed in Level 5 Foster Homes are also enrolled in the CLTS Program. Although the CLTS Program may be involved, they may not act as placing agency. This means every child placed in a Level 5 Foster Home must be involved with Child Welfare.

It is important to screen a child for CLTS Program eligibility and engage the CLTS Program in planning for placement as soon as possible. If a child is enrolled in the CLTS Program, agencies must also comply with the requirements in the [Wisconsin Department of Health Services Medicaid Home and Community Based Services Waivers Manual](#).

Licensing Agency

Level 5 Homes may be licensed by county agencies or private CPAs approved to license Level 5 Homes. Licensing agency expectations include:

- Understanding treatment level licensing and supervision
- Completion and/or review of background checks on the Foster Parent(s) and shift staff
- Providing training for Foster Parent(s) and shift staff
- Ensuring the home is staffed to meet the needs of the child(ren) in placement

County agencies should consider their ability to meet licensing requirements when deciding whether to be the licensing agency for a Level 5 Foster Home.

Private CPAs that license Level 5 Homes are responsible for meeting the requirements pursuant to [Wis. Admin. Code ch. DCF 56](#) and [Wis. Admin. Code ch. DCF 54](#).

Level 5 Foster Homes require exceptions pursuant to [Wis. Admin. Code ch. DCF 56](#). The licensing agency is the primary contact for the application to the DCF Level 5 Exceptions Panel. All agencies should work together to complete the required documents for the application. The licensing agency is responsible for compiling all the documents received and submitting the *Application for Certification and Child Placement Level 5 Foster Home* ([DCF-F-2559-E](#)).

The licensing agency shall identify foster homes with similar qualifications as existing foster homes to be used as an emergency or alternative option, pursuant to [Wis. Admin. Code s. DCF 56.16\(2\)\(a\)](#) [Admin. Code](#). The treatment team shall work with the Licensing Agency to determine how any existing foster homes can be used in the event of an emergency or if an alternate option is needed to support the child and foster parent. It is ideal that these resources are outlined in the development of crisis planning.

Supervising Agency

Both county agencies and CPAs can supervise a Level 5 Foster Home. The supervising agency is responsible for overseeing the care and maintenance of the child placed in out-of-home care. The supervising agency must provide all services and supervision pursuant to [Wis. Admin. Code s. DCF 56.15](#). There are additional qualifications for the level 3-5 supervising agency caseworker pursuant to [Wis. Admin. Code s. DCF 56.15\(2\)](#) that must be considered when determining which agency will be responsible for supervising requirements. **The MOU should clearly delineate who is the supervising agency and if a CPA and county are sharing supervising agency responsibilities, it should be clear how those responsibilities are shared.**

The below list highlights some of the key requirements of the supervising agency or agencies outlined in [Wis. Admin. Code s. DCF 56.15\(3\)](#) when a child is placed in a Level 5 Foster Home.

- Coordinate assessments of the child
- Develop appropriate interventions and services for the child's treatment team
- Be available or have a designee available for the foster parents to consult on a 24-hour per day basis
- Coordinate provided or purchased services for the child and the child's family
- Arrange for the assistance of appropriate specialists
- Coordinate education and community services
- Organize the treatment team meetings

Staffing Agency (LLC or Corporation Employing Program Staff)

The licensing agency or foster parent may choose to contract with a separate agency to provide staffing services, or to hire staff and provide direct care services on their own. Many licensing agencies do not feel they have the capacity to hire, train, and maintain staff in a Level 5 Foster Home, so contracted services are requested. When searching for an agency to staff a new Level 5 Foster Home, licensing agencies can reach out to other agencies that have experience in Level 5 Foster Homes, or a new agency that provides direct service to children or adults of similar populations.

Agreements and Memorandums of Understanding

Due to the number of agencies that may be involved, a Memorandum of Understanding (MOU) is required as a part of the application process. Some responsibilities are clearly delineated pursuant to [Wis. Admin. Code ch. DCF 56](#), however, pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(n\)](#) an MOU is required determine how agencies will work together to fulfill requirements not otherwise stated. The MOU should address how information will be shared among all agencies.

Agencies should consider other components of the MOU based on the specific needs of their agency, and any specific circumstances of the home. MOUs for Level 5 Foster Homes must contain the following at a minimum:

- Identification of who is the licensing, supervising, and placing agency
- Communication/notification responsibilities between agencies
- Responsibilities of the licensing agency
- Responsibilities of the supervising agency
- Responsibilities of the placing agency
- Responsibilities of the CLTS Program
- Responsibilities of other programs involved (e.g. youth justice, CCS)
- Responsibilities of foster parent and program staff
- Responsibilities of the staffing agency, if applicable
- Serious incident reporting responsibilities
- Payment
- Service provisions

The MOU should provide detail to ensure that all involved agencies know and understand their role and responsibilities. [Wisconsin Admin. Code s. DCF 56.17\(2\)](#) describes requirements of the child's treatment team, the MOU should designate who is responsible for each of the requirements. The MOU must contain who the responsible agency is for any requirement that must be met by the placing agency, supervising agency or licensing agency pursuant to [Wis. Admin. Code ch. DCF 56](#).

Uniform Foster Care Rate and Budgeting

The [Uniform Foster Care Rate Setting Policy](#) applies for all children placed in a foster home, including Level 5 Foster Homes. A Basic, Supplemental, and Exceptional Rate shall be established as required pursuant to [Wis. Admin. Code s. DCF 56.23](#).

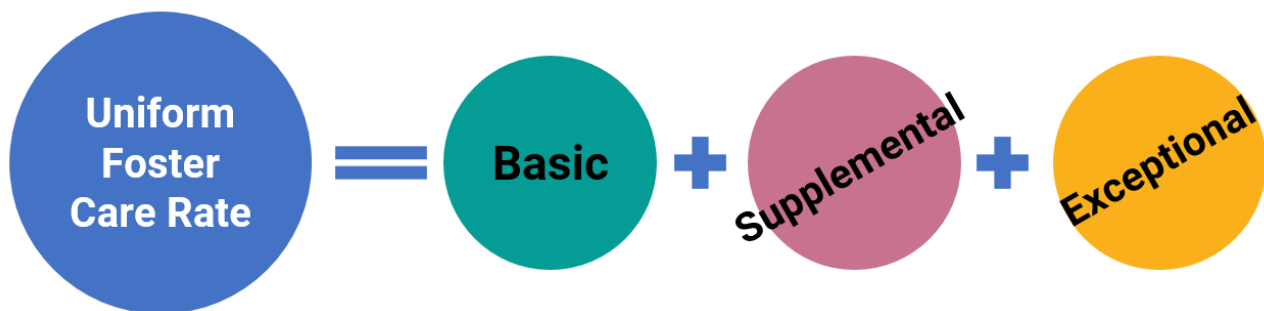
Level 5 Foster Homes are not subject to rate regulation; the administrative rate for the private CPA must be negotiated between the licensing, supervising, and placing agencies. If the licensing agency is a CPA, the administrative rate paid to the CPA may be higher due to the increased responsibilities and requirements of the licensing agency to manage a Level 5 Foster Home.

Developing a Budget to Determine a Monthly Rate for a Level 5 Foster Home

The monthly foster care rate is negotiated by the placing agency (payer of Level 5 service) and the entity providing the Level 5 services (any combination- foster parent, staffing agency and CPA). Those involved in the negotiation of the monthly rate can vary depending on how each home is set up and the structure in which payment is being made. The placing agency is always a part of the rate negotiations. Typically, individuals from CLTS are not a part of setting the rate or negotiations; however, they can help inform the placing agency of eligible costs under CLTS. DCF is not part of these negotiations.

The Child and Adolescent Needs and Strengths (CANS) tool must be completed for any child placed in the Level 5 Foster Home, which helps determine the supplemental portion of the foster care rate. Level 5 Foster Homes typically exceed the maximum foster care rate because the exceptional rate may include administrative fees to run the foster home, wages and fringe benefits for the foster parent and staff, rent, utilities, and transportation expenses. These costs are documented as an exceptional cost under "Least Restrictive Setting- Foster Parent Supervision, Time, and Training." Any costs that exceed this amount shall be documented under "Costs > Spending Limit" on the rate setting page.

The exceptional rate amount is often determined after development of a monthly budget to run the Level 5 Foster Home. A monthly budget can be created by calculating all expenses to run the foster home, including wages and fringe benefits for the foster parent and staff, rent, utilities, and transportation expenses. The monthly foster care rate is the total of the basic rate, supplemental rate, and exceptional rate. The exceptional rate can be modified to an amount that would bring the total uniform foster care rate to the total monthly costs agreed upon by the placing agency and other parties.



Payments for Level 5 Foster Homes are not required to go directly to the Level 5 Foster Parent. The licensing agency can identify the staffing agency or parent agency (CPA, county licensing agency, or the entity employing the foster parent) in the provider record. This would occur when the placing agency is making payments to someone other than directly to the foster parent listed on the license. This can be done when the foster parent wants payment directed to their business or if the foster parent is an employee of the agency providing staffing to the Level 5 Foster Home.

To best support children placed in a Level 5 Foster Home, it is recommended that placing agencies have all children screened for the CLTS Program and enroll them if they are eligible. If a child is enrolled in the CLTS Program, it can help provide supports and services that meet an identified outcome for the child. The CLTS Program cannot pay for room and board costs. The CLTS Program can reimburse the placing agency a portion of the total foster care rate as long as the support or service being provided meets an identified outcome for the child.

Eligible costs under CLTS can be calculated using form [F-01721 Instructions-Calculating CLTS Foster Care Room and Board Expenses](#) and form [F-01715 Calculating Expenses for a CLTS Foster Home Using Actual Expenses](#). A detailed budget of the monthly costs can be helpful in completing these worksheets when determining what costs can be reimbursed to the placing agency through CLTS. The placing agency is responsible for any costs not covered under CLTS. The CLTS Program is prohibited from funding costs associated with room and board. More information on CLTS Program expenses can be found on the DHS website under [Children's Long-Term Support \(CLTS\) Waiver Forms and Publications - Resources for Counties](#).

It is recommended that the placing agency communicate closely with their local CLTS Program for children enrolled in CLTS on budgets and eligible costs. If the child is not eligible/enrolled in the CLTS program, all costs are supported by the placing agency.

Developing a Home

Level 5 Foster Homes are subject to licensing standards pursuant to [Wis. Admin. Code ch. DCF 56](#). The licenser for the home must complete all licensing requirements and documentation requirements, including a home study. In addition to the rules and requirements for licensing Level 1-4 Homes, Level 5 Foster Homes have additional and specific requirements

Home Location and Physical Structure

Agencies that are placing children in a Level 5 Foster Home who are or will be enrolled in the CLTS Program should be aware that the setting is subject to the [Home and Community-Based Services \(HCBS\) Settings requirements](#). At a minimum, agencies should consider the following when deciding where to open a Level 5 Foster Home:

- The home must be in a community setting which provides ample opportunities for community integration (e.g. extracurricular activities, education, peer involvement)
- The home cannot be on the property of another facility
- The home should be in an area that allows for a child to access necessary services
- The home should be in an area that promotes family interaction and permanency planning
- The location of the home in relation to recreation opportunities and neighborhood risks
- Other considerations specific to the needs of the child

The home may be rented, bought, or built to meet the specific needs of the child. Due to the complex needs of children placed in Level 5 Foster Homes, these homes cannot be in apartment complexes. Most Level 5 Foster Homes are single family dwellings, or duplexes that have a Level 5 Foster Home on each side of the duplex. When deciding whether to rent, purchase or build a home, agencies should consider the following information:

- The length of time it will take to obtain the home
- The modifications that may be necessary to the home. Special attention must be given to homes that are rentals and having that agreed upon by the landlord.
- The length of time the agency will use the home for the child or child population

Agencies should also consider how the qualities of the home will meet the needs of the child(ren) placed there:

- Safety of home (e.g. stairs, size of rooms/hallways),
- Home-like features, without qualities of an institutional setting, and
- All other [Wis. Admin. Code ch. DCF 56](#) requirements.

Foster Parent (Licensee/Program Managers)

Foster Parents for Level 5 Foster Homes have multiple roles including that of the foster parent, Program Manager and Licensee. [Wisconsin Admin. Code ch. DCF 56](#) uses all three of these titles to refer to the Foster Parent and their requirements. The title of Foster Parent will be used within this Level 5 Guide.

The hiring and training process for a foster parent may be lengthy. Beyond the typical hiring processes, agencies should be cognizant of licensing and training requirements for foster parents that may lengthen the timeline for developing a new Level 5 Foster Home.

Foster Parent Changes

A foster parent of a Level 5 Foster Home is licensed as a foster parent, the same as a foster parent that is licensed at a level 1-4 certification. Anytime a foster parent is added to or removed from a Level 5 Foster Home license, a license modification shall be completed, and the DCF Level 5 Exceptions Panel shall be notified. Licensing agencies should consider having multiple foster parents on an individual license for a Level 5 Home in the event of turnover in the role. **If the foster parent leaves their position and no longer fulfills the responsibilities of a foster parent and a second foster parent is not on the license, then the home is no longer licensed.** The foster home license is not transferrable; therefore, the home is an unlicensed non-relative placement in the absence of a licensed foster parent. A full application would be required to issue a new foster home license with a level 5 certification.

The DCF Level 5 Exceptions Panel will consider an exception for a foster parent on the license to have others fulfill the contact requirements pursuant to [Wis. Admin. Code s. DCF 56.19\(1\)\(c\)2](#) in the event the primary foster parent unexpectedly leaves. Additionally, this exception may be considered if the foster parent is on extended leave or if the secondary foster parent is a member of management at the agency that typically doesn't provide direct care to the child. The DCF Level 5 Exceptions Panel must receive an exception outlining who will fulfill the responsibilities and contact requirements of the foster parent until another foster parent is added to the license to fulfill the responsibilities.

Foster Parent Assessment

Licensing agencies are required to complete a home study using the Structured Analysis Family Evaluation (SAFE) Home Study Assessment Tool on all foster parents, this includes foster parents of a Level 5 Foster Home.

The Level 5 Foster Parent is ultimately responsible for the safety and well-being of the child. The foster parent is responsible for parenting responsibilities, day to day needs and emotional well-being, and a member of the child's treatment team. The foster parent is also responsible for managing the home's policies, procedures, and trained staff. The agency must have a high level of understanding that the Level 5 Foster Parent can care for the child being served in the home and that they maintain strong and healthy relationships with others. When agencies hire a foster parent for a Level 5 Foster Home, it is important that the individual understand their role as a foster parent.

Qualifications

In addition to meeting all licensing requirements pursuant to [Wis. Admin. Code s. DCF 56.05](#), foster parents of a Level 5 Foster Home must meet the qualifications for the Program Manager role pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(e\)](#). It is the licensing agencies responsibility to review the position description of the foster parent and ensure the person hired as a Level 5 Foster Parent meets all qualifications.

Background Checks

The foster parent of a Level 5 Foster Home must meet all background check requirements. The licensing agency must conduct all required background checks on the foster parent pursuant to [Wis. Admin. Code s. DCF 56.055](#).

Foster Parent Training Requirements

Foster parents must be adequately trained and equipped to operate a Level 5 Foster Home and serve children placed in the home. Licensing agencies should be prepared to assist the foster parent in receiving pre-placement, initial licensing, and ongoing training. [Wisconsin Admin. Code s. DCF 56.13\(7\)\(e\)](#) outlines training requirements for foster parents in the role as the Program Managers in Level 5 Foster Homes.

Training Type	Ch. DCF 56 Admin. Code Citation	Level 5 Foster Parent referred to as Program Manager
PRE-PLACEMENT: 40 hours	56.13 (7) (e) 5.	'Pre-placement training.' A program manager for a Level 5 foster home shall complete a minimum of 40 hours of pre-placement training under s. DCF 56.14 (6p) before or after initial licensure but prior to the placement of any child in the home.
	56.14 (6p)	Pre-placement training for Level 5 program managers. The pre-placement training for a foster parent who is a program manager of a Level 5 foster home shall include information on all of the following: <ul style="list-style-type: none"> (a) The standardized curriculum provided under sub. (6) (a). (b) School advocacy. (c) Cardiopulmonary resuscitation. (d) First aid. (e) Blood-borne pathogens. (f) Medication management. (g) Patient's rights. (h) Positive behavioral supports. (i) Individual service plans. (j) Emergency plans. (k) Four hours of child-specific or population-specific training, orientation, or observation.
	56.14 (6) (a)	The department shall approve a standardized curriculum for pre-placement training for a foster parent who operates a foster home with a Level 1 or 2 certification that includes information on all of the following: <ol style="list-style-type: none"> 1. Foster care overview. 2. Expectations of foster parents. 3. Caring for children in foster care. 4. Developing and maintaining family connections. 5. Foster family self-care.

Training Type	Ch. DCF 56 Admin. Code Citation	Level 5 Foster Parent referred to as Program Manager
INITIAL: 30 hours	56.13 (7) (e) 6.	'Initial licensing training.' A program manager for a Level 5 foster home shall complete a minimum of 30 hours of initial licensing training under s. DCF 56.14 (7s) during the initial licensing period.
	56.14 (7s)	Initial licensing training for Level 5 program managers. The initial licensing training for a foster parent who is a program manager for a Level 5 foster home shall include information on all of the following: (a) The topics listed in sub. (7e). (b) Six hours of child-specific or population-specific training.
	56.14 (7e)	The initial licensing training shall include information on all of the following: (a) Crisis management. (b) Sexuality and sexual boundaries. (c) Sexual abuse. (d) Effects of maltreatment and trauma on child development. (e) Building life skills. (f) Building birth family and cultural connections. (g) Other topics required by the licensing agency.
ONGOING: 24 hours	56.13 (7) (e) 7.	'Ongoing training.' A program manager for a Level 5 foster home shall complete a minimum of 24 hours of ongoing training under s. DCF 56.14 (8) in each 12 month period of licensure subsequent to the initial licensing period.
	56.14 (8)	(a) Individualized training plan. At the time of renewal of a license to operate a foster home, the licensing agency and the foster parent shall evaluate the foster parent's overall performance and develop an individualized training plan for the foster parent based on his or her demonstrated need for training in particular topics or in managing specific case situations. (b) Licensing agency approval. The licensing agency shall approve a foster parent's ongoing training based on the following: 1. The content of the training shall meet at least one of the purposes of foster parent training under sub. (1) and conform with the foster parent's individualized training plan, unless a greater training need is demonstrated after the plan was developed. 1r. In addition to subd. 1., the content of ongoing training for program managers and program staff for a Level 5 foster home shall include all of the following: a. Child maltreatment and reporting requirements. b. Prompt and adequate treatment. c. Any required reauthorizations for first aid, blood-borne pathogens, and cardiopulmonary resuscitation. d. Eight hours of child-specific or population-specific training. 2. The format of the training may include any of the following: a. Face-to-face consultation with professionals with expertise in specific identified areas. b. Video, audio, and web-based presentations. c. Support groups. d. Adult education courses. e. Books, periodicals, and web-based resources. f. Television and radio presentations. g. Mentor family consultations. h. Conferences, workshops, seminars, and webinars. 3. The total credit given for training using books, periodicals, and web based resources under subd. 2.e. and television and radio presentations under subd. 2.f. may not exceed 20% of the required hours.

Training Type	Ch. DCF 56 Admin. Code Citation	Level 5 Foster Parent referred to as Program Manager
		<p>4. The cost of a particular training option and the usefulness of the skills or knowledge that is expected to be gained shall be considered.</p> <p>(c) Dept as training resource. The department shall maintain an inventory of resources for foster parent training and shall coordinate statewide, regional, and local training programs to prevent duplication of effort.</p>

Licensing agencies may decide whether to accept prior training that fulfills the learning requirements outlined under initial licensing training and may require them to take additional training to meet initial training requirements. Training verification is required to be submitted by the licensing agency as a part of the application. This documentation must be entered into PDS online (Professional Development System) as required by [DCF Memo Series 2015-02](#), *Documentation Requirements for Foster Care Providers in eWisACWIS*.

Level 5 Home Staff

Staff members in Level 5 Foster Homes are not required to be licensed foster parents. Staff must complete caregiver background checks pursuant to Wis. Stat. s. 48.685 and [Wis. Admin. Code ch. DCF 12](#). The foster parent is responsible to make the determination that applicants who work as Level 5 Foster Home staff have the ability to safely nurture and care for the children who live in the home. The foster parent is responsible to ensure the Level 5 Foster Home staff do not have a history of civil convictions, criminal convictions or administrative rule violations that would relate to their ability to care for a child. The foster parent must also ensure the staff have sound judgement while caring for the child and are free from alcohol or other drug abuse.

Staff Qualifications

[Wisconsin Admin. Code s. DCF 56.13\(7\)\(f\)4](#). outlines qualification requirements for program staff of Level 5 Foster Homes. The staff members hired for a Level 5 Foster Home are held to high requirements because the children they are caring for require a high degree of supervision and care. The traineeship program option allows for agency flexibility to hire individuals without a background in this field but the ability to learn.

Hiring and Employment

When hiring staff for a Level 5 Foster Home, foster parents must consider additional requirements beyond age and education requirements such as necessary experience with similar populations and ability to meet the complex needs of the children in the home. Background checks are required as part of the hiring process pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(f\)9](#). and are essential to understanding a staff member's capacity to care for a child. In addition to conducting a caregiver background check, the foster parent must verify that the potential staff member does not have a criminal history that would substantially relate to the care of children. An individual cannot be hired to provide care for a child in a Level 5 Foster Home if they have been convicted of a [barred offense](#) pursuant to Wis. Stat. s. 48.685 or if they have had a license denied or revoked fewer than two years ago.

Licensing agencies should work closely with staffing agencies, to ensure there is clear understanding about the background check requirements for working in a Level 5 Foster Home. Foster parents may make hiring decisions about individuals, but the licensing agency can request more information to assess whether an individual has charges that are substantially related to the care of children. In situations of disagreement, the licensing agency makes the final decision if a particular person can work in the home.

It is also important to understand an employee’s health status. While no condition or diagnosis automatically disqualifies an individual from being employed, there are conditions that may influence their ability to care for children with complex needs. Requirements for health exams pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(f\)7.](#)

Additionally, pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(f\)5.](#) requires that program staff in a Level 5 Foster Home must be at least 21 years of age. The DCF Level 5 Exceptions Panel may consider an exception to the age requirement if appropriate but may add conditions to the approval.

Staff Training Requirements

Program Staff are required to have pre-placement training and ongoing training pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(f\)10.](#) Training provided should be specific to the child and their needs.

Training Type	Ch. DCF 56 Admin. Code Citation	Level 5 Foster Home Program Staff
TRAINING AND ORIENTATION: 40 hours	56.13 (7)(e)5.	‘Training and orientation.’ Each program staff person who provides care for a child in a Level 5 foster home shall do all of the following before working independently with a child: <ul style="list-style-type: none"> (a) Complete a minimum 40 hours of pre-placement training under s. DCF 56.14 (6t) (b) Work with qualified, experience program staff or similar professionals for at least the first 80 hours of employment.
	56.14 (6t)	Pre-Placement training for Level 5 program staff. The pre-placement training for program staff for a Level 5 foster home shall include information on all of the following: <ul style="list-style-type: none"> (a) The standardized curriculum provided under sub. (6) (a). (b) The topics listed in sub. (6p) (b) to (j) (c) Fifteen hours of child-specific or population-specific training, orientation, or observation.
	56.14 (6)(a)	The department shall approve a standardized curriculum for pre-placement training for a foster parent who operates a foster home with a Level 1 or 2 certification that includes information on all of the following: <ol style="list-style-type: none"> 1. Foster care overview. 2. Expectations of foster parents. 3. Caring for children in foster care. 4. Developing and maintaining family connections. 5. Foster family self-care.
	56.13 (6p)(b)-(j)	Pre-placement training for Level 5 program managers. The pre-placement training for a foster parent who is a program manager of a Level 5 foster home shall include information on all of the following: <ul style="list-style-type: none"> (a) The standardized curriculum provided under sub. (6) (a). (b) School advocacy. (c) Cardiopulmonary resuscitation. (d) First aid. (e) Blood-borne pathogens.

Training Type	Ch. DCF 56 Admin. Code Citation	Level 5 Foster Home Program Staff
		<ul style="list-style-type: none"> (f) Medication management. (g) Patient's rights. (h) Positive behavioral supports. (i) Individual service plans. (j) Emergency plans.
ONGOING: 24 hours	56.13 (7)(f)11.	<p>'Ongoing training.' A program staff person who provides care for a child in a Level 5 foster home shall complete a minimum of 24 hours of ongoing training under s. DCF 56.14 (8) in each year of employment subsequent to the initial year of employment.</p>
	56.14 (8)	<ul style="list-style-type: none"> (a) Individualized training plan. At the time of renewal of a license to operate a foster home, the licensing agency and the foster parent shall evaluate the foster parent's overall performance and develop an individualized training plan for the foster parent based on his or her demonstrated need for training in particular topics or in managing specific case situations. (b) Licensing agency approval. The licensing agency shall approve a foster parent's ongoing training based on the following: <ul style="list-style-type: none"> 5. The content of the training shall meet at least one of the purposes of foster parent training under sub. (1) and conform with the foster parent's individualized training plan, unless a greater training need is demonstrated after the plan was developed. 1r. In addition to subd. 1., the content of ongoing training for program managers and program staff for a Level 5 foster home shall include all of the following: <ul style="list-style-type: none"> e. Child maltreatment and reporting requirements. f. Prompt and adequate treatment. g. Any required reauthorizations for first aid, blood-borne pathogens, and cardiopulmonary resuscitation. h. Eight hours of child-specific or population-specific training. 6. The format of the training may include any of the following: <ul style="list-style-type: none"> a. Face-to-face consultation with professionals with expertise in specific identified areas. b. Video, audio, and web-based presentations. c. Support groups. d. Adult education courses. e. Books, periodicals, and web-based resources. f. Television and radio presentations. g. Mentor family consultations. h. Conferences, workshops, seminars, and webinars. 7. The total credit given for training using books, periodicals, and web based resources under subd. 2. e. and television and radio presentations under subd. 2. f. may not exceed 20% of the required hours. 8. The cost of a particular training option and the usefulness of the skills or knowledge that is expected to be gained shall be considered. (c) Department as training resource. The department shall maintain an inventory of resources for foster parent training and shall coordinate statewide, regional, and local training programs to prevent duplication of effort.

Training verification is required to be submitted by the licensing agency as a part of the application. This documentation must be kept in the licensing file and made available to the Department upon request.

Scheduling/Ratios

[Wisconsin Admin. Code s. DCF 56.13\(7\)\(f\)1.](#) requires minimum staffing ratios of 1 program staff for every 2 children during waking hours and 1 program staff for every 4 children during sleeping hours in Level 5 Foster Homes. However, children placed in Level 5 Foster Homes often need a higher degree of supervision, including the need for on-call staff for emergency coverage. The child’s treatment team should determine the staff ratios that are necessary for each child. If the child has an approved restrictive measures plan for protective equipment or mechanical restraints, agencies must ensure that staff are trained to follow the approved restrictive measures plan. During the application process, staffing ratios and schedules must be submitted for review. However, during a child’s placement in a Level 5 Foster Home, staffing ratios may need to be adjusted. The licensing, placing, and supervising agency must be in agreement with any changes in staffing ratios to ensure the staff continues to meet the needs of the children in the home.

Responsibilities

Staff in a Level 5 Foster Homes are responsible for the daily care and supervision of children to ensure their safety and well-being pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(f\)3.](#) Staffing agencies should have policies and procedures in place for staff that set forth staff responsibilities, including any communication, incident reporting, or documentation required for their shift. The licensing agency must review the home’s policies and procedures to ensure they meet the requirements.

Exceptions

Level 5 Foster Homes require a number of exceptions pursuant to [Wis. Admin. Code ch. DCF 56.](#) The below exceptions are the most common and must be documented on the license if applicable to that home.

Citation	Provision
56.04(2)	No licensing agency may issue a license to operate a foster home to an employee of the agency or to the relative of an employee of the agency if the employee works in the area of the agency that issues foster care licenses. This subsection does not apply to a foster parent who receives a payment under s. 48.64 (4) Stats. or to a volunteer for the agency.
56.04(8)	A licensee who applies to any licensing authority for or is issued any other license in addition to the foster home license shall notify the agency that issued the foster home license. No licensee may hold any other license to operate a foster home under this chapter or a group home under ch. DCF 57.
56.09(2)(a)	(a) The licensee may not combine the care of foster children with regular part-time care of other non-related children or adults or conduct business or provide services in the foster home without the written approval of the licensing agency. The licensing agency shall confer with any other certifying or licensing agencies involved with the additional activities before granting approval and may approve a request only if the foster parent presents satisfactory evidence that the additional activities will not interfere with the quality or manner of care provided to foster children. The licensing agency may not allow a foster parent who operates a foster home with a Level 3 to 5 certification to also operate a licensed family childcare center under ch. DCF 250 or a certified child care home under ch. DCF 202 in the foster home.
56.13(7)(a)	(a) Need for Level 5. An applicant for certification to operate a Level 5 foster home, in conjunction with a licensing agency, may apply to the department exceptions panel if all of the following circumstances exist.
56.13(7)(f)(5)	5. ‘Age.’ A program staff person who is hired or contracted for on or after January 1, 2011, shall be at least 21 years old.

Citation	Provision
56.19(1)(c)(2)	2. A program manager shall have an in-person contact with a child who is placed in a Level 5 foster home at least every week that the child is placed in the foster home.
56.22(7)(c)	(c) A child whose level of need is lower than 5 may not be placed in a Level 5 foster home, except for continuation of an existing placement during planning for the child's transition to a less restrictive setting following a reassessment under sub. (3) (b).

Documentation

In addition to information documented through the submission of the Level 5 Application, the exception pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(a\)](#) for the Level 5 Foster Home must be documented in eWiSACWIS as required by [DCF Memo Series 2015-02, Documentation Requirements for Foster Care Providers in eWiSACWIS](#). The provider record in eWiSACWIS is under the name of the licensee, and all foster home documentation requirements are required for Level 5 Foster Homes. The background checks conducted for the Level 5 Foster Parent must be entered in eWiSACWIS. These checks may be uploaded under licensing images.

Child-Specific Planning

Level 5 Foster Homes are must be in a home and community setting for the child with supports and services specific to that child's needs. Thoughtful planning before placement is required and the DCF Level 5 Exceptions Panel reviews these plans when considering an application. Some things to consider when developing child specific plans are:

Daily Schedules

- A planned daily schedule is required to be submitted with the application.
- The schedule must outline daily routines that are child specific.
- The schedule must include the desires of the child with activities, foods, events, etc. that interest the child and include the child in their own daily planning.
- Include the child's wants in what the schedule looks like, and opportunities to engage child in integration opportunities.
- Outline opportunities that integrate the child into the community and school.

Education

- Children are expected to receive educational services through the school in their community.
- The child's team should work with the school district to ensure timely integration into the school environment and that the child receives free and appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA).

Permanency Planning

- Placement in a Level 5 Foster Home is not considered legal permanence; the team must fulfill all permanency planning requirements in [Wisconsin Ongoing Services Standards](#), pursuant to Wis. Stat. ch. 48 and Wis. Stat. ch. 938.
- Placing agencies must continue to make efforts towards legal permanence through reunification, adoption, or guardianship.

Family Interaction/Connections

- The child's treatment team must work together to identify possible connections for the child and work towards developing and maintaining those connections.
- The child's treatment team must develop a plan for family interaction that fits the child's needs.

Independent Living Skills

- An Independent Living Plan is required for a child placed in a Level 5 Foster Home.

Behavioral Support Plans

- A behavioral support plan is required to be developed and submitted for every child placed in a Level 5 Foster Home who has intellectual, developmental and/or mental health disabilities.
- The behavioral support plan should be developed by a qualified specialist who has met the child and has assessed the child's needs to create a child specific plan.

Individual Service Plan/Outcomes

- [Individual Service Plan \(ISP\) and Outcomes F-20445](#) document is required for every child enrolled in the CLTS Program.
- The ISP should be an individualized, person-centered document that summarizes the child's formal and informal supports and services to meet identified goals and outcomes.

Transition Planning

- The child's team must diligently prepare the child for any transition using a trauma informed approach. Below are some examples of regular transitions:
 - **To the Level 5 Foster Home**
The child's treatment team must evaluate when to transition a child to a Level 5 Foster Home and the time needed to make a safe and trauma informed transition.
Plan for staff to meet with the child prior to placement in the Level 5 Foster Home.
 - **To services**
Agencies must plan how supports and services (e.g. counseling, mentoring, physical therapy) will continue once a child moves into a Level 5 Foster Home in order to avoid gaps in service and how to transition services if a provider must change.
 - **To another placement**
When placement move is anticipated, the team should prepare the child for this transition.
 - **To changes in programming**
When there are staffing or schedule changes.

Initial/Renewal Applications for Certification or Placement

The *Initial Application for Certification and Child Placement Level 5 Foster Home* ([DCF-F-2559-E](#)) can be found on the DCF website. This application is used for initial certification and placement requests.

Submission of the Initial Application

Applications should be submitted by the licensing agency to the DCF Level 5 Exceptions Panel. Only complete applications should be submitted the DCF Level 5 Exceptions Panel for review.

If the application is not complete, the application will be returned to the licensing agency with a request for additional information.

Submission of the Renewal Application

For renewal applications, agencies are required to complete the *Renewal Application for Certification and Child Placement- Level 5 Foster Home* ([DCF-F-5705-E](#)) See Appendix B for a licensing checklist for more detail regarding necessary materials.

To ensure no lapse in licensure, it is important for licensing agencies to **submit the renewal application at least 45 days prior to the expiration of the latest exception approval.**

For new child placements, the licensing agency must discuss the compatibility and fit of the potential new placement with current placements. The application should discuss how the new placement will fit in the home with the other child(ren), and the impact that the new home composition will have on the new child and the child(ren) already in the home.

Panel Review

After submitting the application for certification or placement in a Level 5 Foster Home, the DCF Level 5 Exceptions Panel reviews the application and will make a decision regarding the home or placement. If the panel has questions or comments, they will be addressed with the licensing agency as outlined in the communication graphic below.

If the DCF Level 5 Exceptions Panel has follow-up questions after reviewing an application to operate a Level 5 Foster Home, the Panel Chairperson will communicate those questions with the licensing worker identified on the application.

Panel Composition

The DCF Level 5 Exceptions Panel consists of at least 3 individuals who collectively are knowledgeable about the foster care program, licensing practices and any special needs of children who may be served by the applicant for an exception. A representative from Division of Milwaukee Child Protective Services (DMCPS) will also participate on the panel, when applications for youth receiving services through the DMCPS are reviewed. The following individuals participate in the DCF Level 5 Site Visit.

The application review process includes a site visit to the home before the DCF Level 5 Exceptions Panel is able to reach a decision regarding licensing a Level 5 Foster Home. A site visit may be either in person or conducted virtually. During the site visit, the application materials will be reviewed, the child's specific needs will be discussed, any remaining items needed for the Level 5 Foster Home application will be identified, and the foster parent will do a brief tour of the foster home.

The site visit is scheduled after an application is submitted to the DCF Level 5 Exceptions Panel and the initial information has been reviewed. An application is not considered complete until follow up questions the Panel has are answered and a site visit has been completed. The DCF Level 5 Exceptions Panel Chairperson will confirm the date of the visit with the licensor.

The following team members should be invited by the licensing agency and present at the site visit:

- Licensor
- Foster parent
- Child Welfare professional
- Child CLTS Program professional
- Any other identified team members that have knowledge of child's needs specific to the placement in the Level 5 Foster Home.

A site visit is not required for the Renewal Application for Certification and Child Placement. It is at the discretion of the DCF Level 5 Exceptions Panel to determine the necessity of a site visit.

Decision Timeframe

The DCF Level 5 Exceptions Panel will indicate its decision in writing to approve or disapprove an initial or renewal application for certification to operate a Level 5 foster home within 45 working days after the department receives a completed application from the licensing agency and has all of the information required to make its decision pursuant to [Wisconsin Admin. Code s. DCF 56.02\(2\)\(b\)6.b.](#)

A complete application includes:

- The licensing agency has verified that all requirements have been met for licensure and the home is eligible to be licensed.
- All exception requests are submitted to the DCF Level 5 Exceptions Panel.
- All sections of the application are thoroughly answered addressing the home and the specific needs of each child.
- All follow-up questions are answered by agencies submitting the applications.
- All attachments are included with the application materials.
- A site visit has occurred, all recommendations for home modifications have been completed, and verification has been sent to the DCF Level 5 Exceptions Panel.

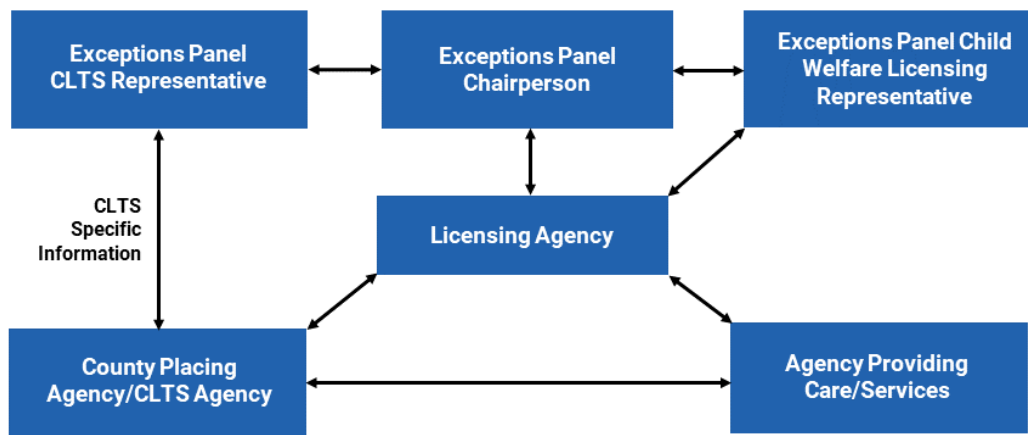
Please note that an incomplete application can delay the 45-day decision making timeframe.

Panel Communication

The licensing agency is responsible for communication with the DCF Level 5 Exceptions Panel. Assigning one point of contact is meant to ensure that there is one message being communicated about each home and situation.

The CLTS Program has separate requirements, processes, and approvals that happen outside of the Level 5 Foster Home application. These CLTS specific discussions and questions should occur with the DHS Level 5 Representative.

The following chart depicts how information should be communicated amongst agencies:



Approvals

When a Level 5 Foster Home or placement is approved, this is a child specific exception pursuant to [Wis. Admin. Code s. DCF 56.13\(7\)\(a\)](#). DCF will issue a decision letter to the licensing agency. This letter will provide timeframes and conditions of an approval. Agencies must follow all conditions of an approval. In addition to issuing a letter of approval for the home, the DCF Level 5 Exceptions Panel Chairperson will also approve the exception request in eWiSACWIS. Licensing agencies with access to eWiSACWIS, must submit the exception request for the Level 5 Foster Home through eWiSACWIS. For licensing agencies without access to eWiSACWIS, Maximus will enter the exception request in eWiSACWIS as required by [DCF Memo Series 2015-02, Documentation Requirements for Foster Care Providers in eWiSACWIS](#).

An approval from the DCF Level 5 Exceptions Panel for the certification or placement in a Level 5 Foster Home is separate from CLTS Program approvals for additional funding, home modifications and CLTS program enrollment. CLTS Program funding must be used in accordance with processes and requirements in the CLTS Program Manual ([P-02256](#)).

Respite

Respite services in a Level 5 Foster Home may only be provided under certain circumstances:

- Services for a child who was previously placed in that home
- Services for a child specifically identified and approved by DCF on a planned basis
- Services for a child who has needs agreed to by DCF.

To request respite for a specific child, the licensing agency must submit an [Application for Child-Specific Respite Care- Existing Level 5 Foster Home \(DCF-F-5527-E\)](#) to DCF Level 5 Exceptions Panel. The application must include information regarding the child's needs, the planned respite schedule, and how respite may affect any current placements.

A request for respite in a Level 5 Foster Home through the DCF Level 5 Exceptions Panel is not the same as requesting the use of CLTS funds for respite services. This is a separate approval process, and any agency that intends to use CLTS funds for respite services must follow CLTS procedures for that request.

Managing a Home

Monitoring the License and the Child's Plan

All agencies involved must follow requirements for contacts with the foster parent (pursuant to [Wis. Admin. Code s. 56.18](#)) and with the child (pursuant to [Wis. Admin. Code s. DCF 56.19](#)). The licensing agency is responsible for ensuring that the foster parent has regular face to face contact with the child. For children participating in the CLTS Program, Support and Service Coordination requirements must be met in accordance with the CLTS Program Manual ([P-02256](#)).

Only agencies that meet the definition for licensing, supervising, or placing agencies may complete the required responsibilities of those agencies. Visits by the staffing agency or county CLTS program agencies do not qualify pursuant to [Wis. Admin. Code ch. DCF 56](#) as fulfilling contact requirements with the licensee or the child.

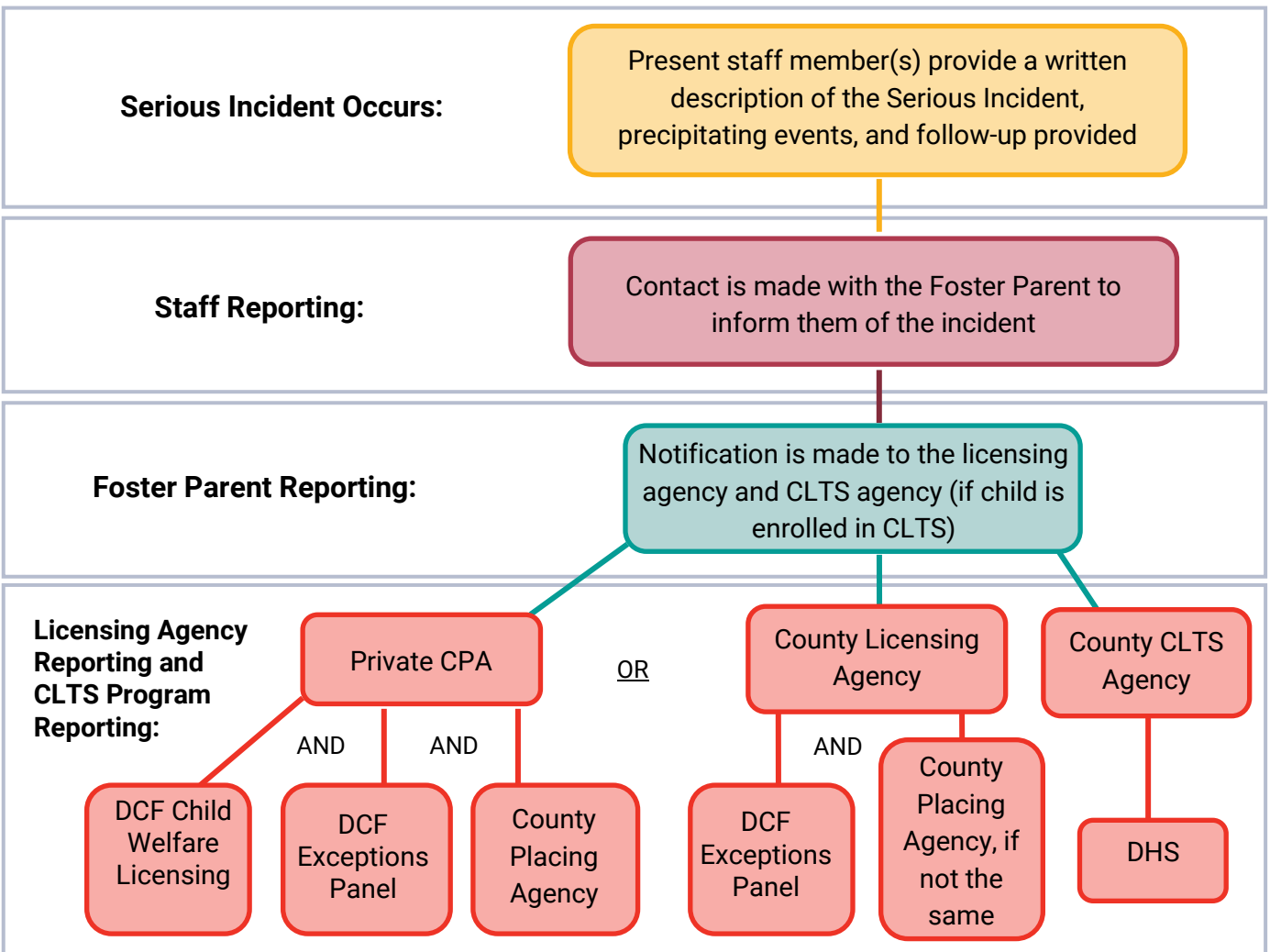
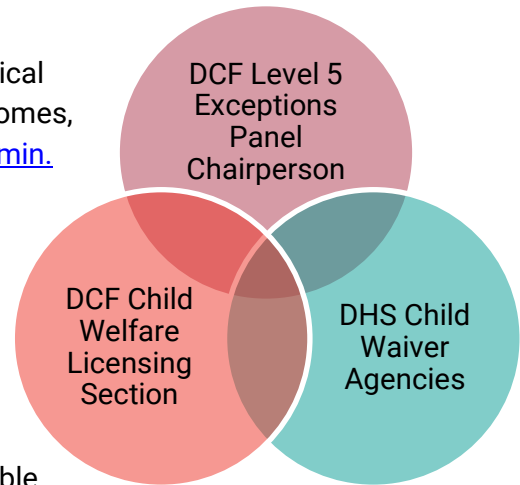
Treatment Team Planning and Collaboration

After the development of the home and placement of the child, collaboration and communication between all the agencies must continue. This collaboration is to provide oversight and ensure the child's needs are met in the Level 5 Foster Home. The expectations for this continued collaboration which requires development, implementation and maintenance of a treatment team and treatment plan for the child is outlined in [Wis. Admin. Code s. DCF 56.17\(1\)](#). The child's treatment team is to meet formally to review the treatment plan, share information, exchange ideas and opinions, and discuss ongoing needs and strengths **at least every 3 months** from the date of distribution of the treatment plan as pursuant to [Wis. Admin. Code s. DCF 56.17\(2\)\(g\)](#).

The supervising agency shall determine if more frequent treatment team meetings are necessary. The full list responsibilities of the Supervising Agency child welfare professional are pursuant to [Wis. Admin. Code s. DCF 56.15\(3\)](#). At a minimum, the child's treatment team shall consist of the child, the child's parent or guardian, the foster parent, and at least one representative each from the supervising and placing agencies. At least one member of the treatment team shall have clinical training in a field related to the primary goals of the child.

Incident Reporting

Depending on the agencies involved, different serious or critical incident reporting requirements exist. In all Level 5 Foster Homes, serious incident reporting requirements pursuant to [Wis. Admin. Code s. DCF 56.06](#) must be followed. For Level 5 Foster Homes, the licensing agency shall immediately notify the DCF Level 5 Exceptions Panel Chairperson of any serious incidents in this section that is reported by the foster parent. CLTS Program Incident Reporting requirements must be followed for all CLTS Program participants. If the licensing agency is a private CPA, the CPA must **also** follow all Serious Incident Reporting Requirements that are reportable pursuant to [Wis. Admin. Code ch. DCF 54](#) set forth in [Child Welfare Licensing Memo Series 2022-01-lic Serious Incident, Exception Request, and Shelter Care Extension Submissions](#). This memo does not supersede or negate any serious incident reporting requirements pursuant to [Wis. Admin. Code ch. DCF 56](#). **All agencies involved with a Level 5 Foster Home must have a Memorandum of Understanding that outlines who will be responsible for incident reporting requirements.**



Serious Incident Occurs

Immediately following an incident, staff present in the home must document a written description of the serious incident, the precipitating event, and any follow-up that was provided after the incident. This documentation can be done on an agency form but must include all necessary information to report to the foster parent.

Staff Reporting

Staff must contact the foster parent immediately following a serious incident, and in some cases, while the serious incident is occurring. If possible, this notification should be at the same time that written documentation is provided so that the foster parent can report the incident to the licensing agency. Agencies must have a policy and procedure regarding reporting an incident to the foster parent. Staff must be trained on this documentation procedure to ensure thorough and timely reporting.

Licensee (Foster Parent) Reporting

The foster parent must immediately notify the licensing agency and County CLTS Program of the serious incident. This notification may need to occur outside of business hours. It may be necessary to provide the documented preliminary details and provide additional documentation once more information is received.

Licensing Agency Reporting

Licensing agencies have reporting requirements which differ based on the type of agency they are. All licensing agencies are required to report to the DCF Level 5 Exceptions Panel and the county placing agency immediately after learning of the incident. County licensing agencies can report the serious incident to the DCF Level 5 Exceptions Panel and county placing agency on an agency form but, must include all information required to be reported to the DCF Level 5 Exceptions Panel. Additionally, Private CPAs are required to report the serious incident to the DCF Child Welfare Licensing Section on the DCF form, *Serious Incident Report* ([DCF-F-CFS-2146-E](#)), within 48 hours of the serious incident.

CLTS Program Incident Reporting

The CLTS Support and Service Coordinator is required to follow all incident reporting requirements of the CLTS Waiver Program. Incidents must be reported to DHS in the manner prescribed by the [Wisconsin Department of Health Services Medicaid Home and Community Based Services Waiver Manual](#).

Follow up

The licensing agency must respond to serious incident reports as necessary to the situation, including reporting to CPS if necessary. Serious incident reports should be evaluated for patterns and identification of areas to improve. The serious incident report must be documented in the licensing file, child's case file, and incorporated into any data collection on incidents. The CLTS Program also have a responsibility to remediate and prevent future incidents to the extent possible. The CLTS Program partners with the licensing and placing agencies to develop plans that ensure child health, well-being and safety.

The DCF Level 5 Exceptions Panel will review reports received and follow-up as necessary. If concerns arise, the DCF Level 5 Exceptions Panel may require agencies to meet conditions to address serious or ongoing needs.

Transitions to Adulthood

Children placed in Level 5 Foster Homes often continue to reside in the home into adulthood. The child's team should initiate early planning to determine next steps in planning a transition to adult services.

- Initiate early collaboration between the CLTS Program, the child's parent/guardian, the Level 5 Foster parent, and the local Aging and Disability Resource Center (ADRC),
- Youth enrolled in the CLTS Program **must** be referred to the ADRC for completion of an adult long term care functional screen at the age of 17 years 6 months to determine eligibility for the adult long term care system,
 - **If eligible**, many youth continue to reside in their Level 5 Foster Home into adulthood
 - Level 5 Foster Homes may be dually licensed as Adult Family Homes. Guides on the following pages outline processes for dual licensure and placement.
 - **If not eligible**, the youth may be eligible for extension of out-of-home care pursuant to Wis. Stat. ch. 48 or [Wis. Admin. Code ch. DCF 21](#),
 - If the youth remains under an Extension of Out-of-Home Care, he/she may remain enrolled in the CLTS Program until discharge from their placement, and
 - Child's team should work to prepare that child for aging out of care and transition to other community supports and services.

Protective Equipment and Mechanical Restraints

Requests for the use of protective equipment and mechanical restraint must be preceded by documented attempts to use alternative behavioral strategies and assessment into the functions of and reasons behind the child or youth's behavior. Service providers, county agencies, families and participants must work together to evaluate and make changes to the support plan, individual service plan (ISP), and/or the manner in which the child's services are being delivered and identify other resources to prevent the need for use of restrictive measures. This evaluation should ensure that the support plan includes the appropriate positive behavioral interventions, supports, and other strategies to address the behavior of concern and that adequate referrals or connections are made to supports and services for the provider, participant, and family. If following this comprehensive evaluation, the team continues to feel that the use of protective equipment or mechanical restraint is the least restrictive intervention to maintain the participant's safety, an application for the use of protective equipment or mechanical restraint should be completed.

Application

Applications for the use of protective equipment or mechanical restraint may be submitted when a child's team determines there is a need for use of protective equipment or mechanical restraint. Applications for children enrolled in CLTS must be submitted to DHS using form [F-00926 Application for the Use of Protective Equipment or Mechanical Restraints- CLTS and CCOP](#), and follow all requirements outlined in [DHS P-02616 Instructions and Requirements for the Use of Protective Equipment in the Children's Long- Term Support Programs](#).

While the CLTS Program is most likely to complete and assemble the application for restrictive measures, the other agencies working with the home and child should be included in planning and must be in agreement with the support plan including the use of protective equipment or mechanical restraint. The Level 5 Exceptions Panel shall be informed if it is the agency's intent to apply for the use of protective equipment or mechanical restraints.

DCF and DHS Approvals

The use of protective equipment or mechanical restraint for a child placed in a Level 5 Foster Home must be approved by both DCF and DHS prior to use. If a child's team determines that the use of protective equipment or mechanical restraint is the least restrictive intervention to maintain the safety of a child placed in a Level 5 Foster Home, an exception request for the use of protective equipment or mechanical restraint is required to be submitted to the DCF Level 5 Exceptions Panel simultaneously with the Application for the Use of Protective Equipment or Mechanical Restraint to DHS. The use of the protective equipment or mechanical restraint is only allowable if approved by the DCF Level 5 Exceptions Panel and DHS. There will be conditions of the approval that will be monitored throughout the life of the approval.

The approval for the use of protective equipment or mechanical restraint can be rescinded by the DCF Level 5 Exceptions Panel or DHS upon determination that there has been a negative impact on the child, if there is any injury to the child or staff at the home, the restraint is used outside of the scope of the approval, or if the provisions of the approval are not fulfilled. If protective equipment or mechanical restraint is used outside the scope of an approval and/or results in an injury, agencies must submit an incident report to DCF and DHS within prescribed timelines.

Renewals

If the child's team determines that there is a continued need for protective equipment or mechanical restraint after a prior approval, a renewal application must be submitted prior to the expiration date. The application should be submitted no later than 45 days before the date of the expiration in order to ensure timely approval of the renewal request. The DCF Level 5 Exceptions Panel will review the renewal application and evaluate the progress towards the reduction or elimination of the restrictive measures. The Panel will also review the summary data on the use of the approved protective equipment or mechanical restraint.

Restrictive Measures

Restrictive measures are methods of interfering with a person's free movement in response to a medical need or complex behaviors. Restrictive measures encompass any type of manual restraint, isolation, seclusion, protective equipment, or mechanical restraint for behavioral purposes or medical purposes.

- Isolation or seclusion may never be used.
- Protective equipment and mechanical restraint are eligible for approval for planned use.

Restrictive Measures may only be used when the child's behavior poses an imminent risk of serious injury to the child or others as outlined pursuant to [Wis. Admin. Code ch. DHS 94](#) and must always be considered a method of last resort. **The use of a restrictive measure by a service provider is a reportable incident, including the emergency use of a manual restraint.** All incidents must be reported to the DCF Level 5 Exceptions Panel pursuant to [Wis. Admin. Code s. DCF 56.06\(3\)](#) and the serious incident reporting requirements described above. The county must also notify DHS of any incident and complete an Incident Report in the online Children's Incident Tracking and Reporting (CITR) system within the timeframes prescribed in the CLTS Program Manual.

Prohibited Restrictive Measures

There are certain types of restrictive measures that are considered prohibited in any circumstances. Agencies must be aware of these prohibited practices and ensure these types of restraint are never used with any child. Isolation in an unlocked room and seclusion in a locked room may never be used in Level 5 Foster Homes. Other prohibited practices pursuant to [Wis. Admin. Code s. DCF 56\(1g\)](#) and [DCTS Memo Series 2021-15 Prohibited Restraints and Restrictive Measures in Community-Based Programs and Facilities](#).

Level 5 Foster Homes - Important Links

Chapter DCF 56 Administrative Code	http://docs.legis.wisconsin.gov/code/admin_code/dcf/021_099/56.pdf
Chapter DHS 94 Administrative Code	http://docs.legis.wisconsin.gov/code/admin_code/dhs/030/94/
Chapter DCF 12 Administrative Code	https://docs.legis.wisconsin.gov/code/admin_code/dcf/001_020/12
Wisconsin Ongoing Services Standards	https://dcf.wisconsin.gov/files/cwportal/policy/pdf/ongoing-services-standards.pdf
Wisconsin Access & Initial Assessment Standards	https://dcf.wisconsin.gov/files/cwportal/policy/pdf/access-ia-standards.pdf
Uniform Foster Care Rate Setting Policy	https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2012-11.pdf
DCF-F-CFS-2146-E: <i>Serious Incident Report</i>	https://dcf.wisconsin.gov/files/forms/doc/2146.docx
Wisconsin Department of Health Services Medicaid Home and Community Based Services Waivers Manual	https://www.dhs.wisconsin.gov/publications/p02256.pdf
Home and Community Based Settings Rule	https://www.dhs.wisconsin.gov/hcbs/faq.htm
Instructions and Requirements for the Use of Protective Equipment and Mechanical Restraints in Children's Long Term Support Program Manual.	https://www.dhs.wisconsin.gov/publications/p02616.pdf

Forms

DCF-F-2559-E: Initial Application for Certification and Child Placement Level 5 Foster Home	https://dcf.wisconsin.gov/files/forms/doc/2559.docx
DCF-F-5705-E: Renewal Application for Certification and Child Placement- Level 5 Foster Home	https://dcf.wisconsin.gov/files/forms/doc/5705.docx
DCF-F-5177-E: Pre-Approval to Begin Child Specific Planning for Level 5 Home	https://dcf.wisconsin.gov/files/forms/doc/5177.docx
DCF-F-5527-E: Application for Child-Specific Respite Services in Existing Level 5 Foster Home	https://dcf.wisconsin.gov/files/forms/doc/5527.docx
Licensing Forms and Publications	https://dcf.wisconsin.gov/cwportal/fc/forms
F-00926: Application for the Use of Protective Equipment or Mechanical Restraint - CLTS and CCOP	https://www.dhs.wisconsin.gov/library/f-00926.htm
F-01715: Calculating Expenses for a CLTS Foster Home Using Actual Expenses	https://www.dhs.wisconsin.gov/forms/f01715.xlsx
F-01721: Instructions-Calculating CLTS Foster Care Room and Board Expenses	https://www.dhs.wisconsin.gov/forms/f01721.pdf
F-7000: Approved CLTS Treatment Foster Care Administrative Rates	https://www.dhs.wisconsin.gov/publications/p00700.pdf
F-01716: Calculating Expenses for a CLTS Foster Home Using the Uniform Foster Care Brochure	https://www.dhs.wisconsin.gov/forms/f01716.xlsx

Initial Application for Certification and Child Placement Level 5 Foster Home Checklist:

This checklist aligns with the **Initial Application for Certification and Child Placement Level 5 Foster Home (DCF-F-2559-E)** and can be used as a tool to verify all information is included in the application

I. License Information:

- Foster Care License (all information received)
- Name of LLC or Corporation
- Description of home modifications

II. Program Description:

- Description of population in L5 home
- Description of programming and services

III. Staff:

- Personnel policy verification
- Description of foster parent involvement / contacts
- Child to staff ratios
- Description of child specific training

IV. Background Checks:

- Foster parent background checks verification
- Program staff background checks verification

V. Communication

- Primary contact for DCF Panel
- Primary contact for DCF/DHS incident reports

VI. Child Specific Information:

- Description of how agency will support needs of child placed in home
- Description of home modifications/safety measures
- Description of transition plan
- Description of plan to support educational needs of child and services provided
- Description of formal community/county programs and services

VII. Child Specific Required Attachments:

- MOU
- Sample house schedule
- Behavioral Support/Crisis Plan
- Letters deeming appropriate placement
- End of Life preparations for terminally ill (if applicable)

After submission of the Initial Application for Certification and Child Placement Level 5 Foster Home, the DCF Level 5 Exceptions panel will schedule a virtual site visit. The site visit will be communicated through the licensing agency. It is requested that the ongoing child welfare professional, the foster parent, licensing professionals, and any other professionals working with the child, such as CCS and/or CLTS.

Professionals attending the virtual site visit can prepare to speak to the following information:

- The plan for the youth's transition to the Level 5 home and integration into the home community/neighborhood.
- The plan to support the youth's educational needs and include what school the youth will attend.
- The formal community/county programs and services that the youth will be engaged in while placed in the Level 5 home.
- Independent living skills that the youth will participate in while in the foster home.
- Community activities/involvement.
- Family Interaction and involvement at the level 5 foster home.
- The plan for transition to adult care if the youth, if moving into the adult care system within the next 2 years.
- For additional placements, how will they be considered
- Any remaining items needed for the application.

The virtual meeting will conclude with a "walk thru" of the foster home, led by the foster parent.

Renewal Application for Certification and Child Placement

Level 5 Foster Home Checklist:

This checklist aligns with the **Renewal Application for Certification and Child Placement Level 5 Foster Home (DCF-F-5705-E)** and can be used as a tool to verify all information is included in the application.

I. License Information:

- Foster Care License (all information received)
- Name of LLC or Corporation
- Description of additional home modifications

II. Staff:

- Personnel policy verification
- Description of foster parent involvement / contacts
- Description of child specific training
- Child to staff ratios

III. Background Checks:

- Foster parent background checks verification
- Program staff background checks verification

IV. Communication

- Primary contact for DCF Panel
- Primary contact for DCF/DHS incident reports

V. Child Specific Information:

- Description of how the home has supported the needs of child placed in home
- Description of program engagement youth has been engaged in
- Description of progress in school and community involvement
- Description of progress in developing independent living skills
- Description of family involvement since placement
- Description of anticipated changes to programming or support offered to the child over the next licensing period.

VI. Child Specific Required Attachments:

- Sample house schedule
- Behavioral Support/Crisis Plan
- Child's Treatment Plan
- Letters supporting continued placement
- End of Life preparations for terminally ill (if applicable)

After submission of the Renewal Application for Certification and Child Placement Level 5 Foster Home, the Level 5 Exceptions Panel will follow up with the licensing agency if there are questions or if additional information is needed.

A **virtual site visit is not required** for renewal applications, unless stability of the placement or programming in the foster home needs to be reviewed more specifically with the child welfare professionals, foster parent, and licensing agency. The DCF Level 5 Exceptions Panel will communicate with the licensing agency if a virtual site visit is needed for the review of the application.

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