

## Forms and Questions

The Rehabilitation Review Application and Instructions are available on the internet at: <https://dcf.wisconsin.gov/rehab-review>

If you have additional questions about rehabilitation reviews for individuals seeking employment, regulatory approval or non-client residency for or in a DCF regulated business or home please contact:

**Department of Children and Families  
Office of Legal Counsel  
201 East Washington Ave, Room G200  
P.O. Box 8916  
Madison, WI 53708-8916**

**(608) 422-7041**  
[DCFMBREHAB@wisconsin.gov](mailto:DCFMBREHAB@wisconsin.gov)

### ***Certified Child Care***

Individuals seeking rehabilitation review approval to be a certified child care provider should contact the department of social or human services in the county where they live.

### ***Foster Care/Adoptive Parents***

Individuals seeking rehabilitation review approval to be licensed as a foster home or adoptive parents should contact the agency working with them on their application.

### ***Tribal Operated Business or Home***

Individuals seeking rehabilitation review approval for employment, non-client residency or contracted services in a tribal operated, DCF regulated business or home should contact the appropriate tribal agency.

### ***Day Care Providers Contracted Through School Boards***

Individuals seeking rehabilitation review approval to establish or be employed by a child care program that provides child care services under contract with a school board should contact the local school board.

## Contact Information

Questions about completing a review to work with adults?

**Department of Health Services**  
Office of Legal Counsel  
P.O. Box 7850  
Madison, WI 53707-7850

Phone: (608) 266-8428

[DHSRehabReviewCoordinator@wisconsin.gov](mailto:DHSRehabReviewCoordinator@wisconsin.gov)

<https://www.dhs.wisconsin.gov/olc/index.htm>

Questions about background checks on child care providers?

**Department of Children and Families**

Phone: (608) 422-7400

Questions about background checks on foster care providers?

**Department of Children and Families**

Phone: (608) 422-6937

Questions about a non-credentialed caregiver's substantiated finding of misconduct?

**Wisconsin Nurse Aide Registry**

Phone: (877) 329-8760

[https://www.asisvcs.com/services/registry/search\\_generic.asp?CP\\_Cat=0750NURSE](https://www.asisvcs.com/services/registry/search_generic.asp?CP_Cat=0750NURSE)

Other questions?

**See our web site:**

<https://dcf.wisconsin.gov/rehab-review>

DCF is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please contact **Wisconsin Relay Service (WRS) – 711 TTY**. For civil rights questions, call (608) 422-6889 or Wisconsin Relay Service (WRS) – 711 TTY.  
DCF-P-5282 (N. 03/2018)

# Rehabilitation Review Process



**Office of Legal Counsel**

## WISCONSIN CAREGIVER BACKGROUND LAW

Wisconsin's Caregiver Law may require that a person be barred from operating, working or residing in a licensed or certified facility because of certain crimes, acts or offenses.

Generally the Caregiver Law applies to:

- Any adult convicted of a serious crime
- Any juvenile adjudicated delinquent for committing a serious crime
- Anyone found to have abused or neglected a child
- Anyone found by a unit of government or a state agency to have abused or neglected a client
- Anyone found by a unit of government or state agency to have stolen the property of a client

Individuals with a bar may be banned from:

- Receiving a child care license or certification
- Receiving a shelter care, child placing agency, group home, residential care center for children and youth or foster home license
- Working or residing at any of the above facilities

For some offenses, a person may be permanently barred. For other offenses, a person will be barred unless they request and undergo a rehabilitation review.

The rehabilitation review allows a caregiver or resident to give evidence that:

- The person is not likely to do what led to the conviction(s) or finding(s) again
- And clients will be safe under the person's care

## What is a rehabilitation review and how does a person request one?

A person is barred from getting a license, certification, employment, contracts or permission to reside at certain Wisconsin Department of Children and Families regulated entities if the person has committed certain crimes, acts or offenses. A rehabilitation review approval can remove the bar.

To receive a rehabilitation review, the applicant must submit a Rehabilitation Review Application Packet. Rehabilitation Review Applications can be found on the DCF website at <https://dcf.wisconsin.gov/rehab-review/forms>. Applicants may also request an application by contacting the Rehabilitation Review Coordinator at 608-422-7041

## Rehab Review Process

DCF will appoint a rehabilitation review panel once the application and all the requested documents are received. The application will be denied if all requested documents are not provided within 90 days. The panel may also request information from other agencies or people who are familiar with the applicant. A rehabilitation review meeting will be scheduled after the panel receives all requested information. The applicant will receive notice of the date, time and location of the meeting by mail. The applicant is not required to appear at the meeting, but it is recommended that the applicant attends. At this meeting, the applicant will have the opportunity to answer questions from the panel. The applicant must provide evidence to convince the panel that the applicant has been rehabilitated. The panel will make a decision whether the applicant is present at the meeting or not. The applicant will receive the panel's decision in the mail. The panel's decision may be a rehabilitation approval, denial or deferral.

## Approval

The rehabilitation review panel may approve the rehabilitation review in whole or with limitations/conditions. Approval applies only to the specific program(s) the panel indicates in its decision. An approval does not ensure that the applicant will be hired by, receive permission to live at, or be licensed or certified by an entity. If a person fails to meet any of the conditions/limitations of the person's approval, the approval may be withdrawn.

## Denial

If the panel does not find enough evidence of rehabilitation, it will deny the applicant's request. The panel will provide its reasons for denial in writing and inform the applicant of the right to appeal the decision. If the applicant wants to appeal the panel's denial, the applicant must submit an appeal request in writing within 10 days of the decision. A person who appeals will bear the burden of proving that the agency abused its discretion in the decision making process. The applicant is not allowed to apply again for the same or similar reason for one year from the date of denial. This one year period applies even if the denial was for failure to submit all documentation.

## Deferral

A decision may be deferred up to six months. This is to allow the applicant time to gather more information, complete training or counseling or for other reasons requested by the panel.