

Wisconsin Child Care Regulatory System (WISCCRS)

User Guide

Enforcements

August 8, 2014



WISCONSIN DEPARTMENT OF
CHILDREN AND FAMILIES

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Enforcements

This module captures information on how to enter Enforcement Actions into WISCCRS. Below is a list of enforcement action types that can be entered for each provider type:

Licensed providers:

- Denial
- Direct Forfeiture
- Forfeiture
- Orders Letter
- Order with Direct Forfeiture
- Revocation
- Summary Suspension
- Warning Letter
- Second Probationary License due to Noncompliance

Certified providers:

- Denial
- Revocation
- Suspension
- Warning Letter

Unregulated providers:

- Direct Forfeiture
- Forfeiture
- Orders Letter
- Order with Direct Forfeiture

Violations can be attached to an enforcement action. Enforcement actions against licensed facilities are displayed on the Child Care Public Search the day after they are entered into WISCCRS. Enforcement actions against unregulated and certified providers are not displayed on the Child Care Public Search site.

Enforcements can now have multiple reasons (tags) associated with their issuance. Also, for caregiver related enforcements, the agency can now add 'Due to' (applicant, non-client resident and employee) to indicate if the enforcement was due to an offense committed by either the provider or another individual subject to the caregiver law.

Enforcement Details by Provider Type

Below are tables that explain the options for all provider types:

Licensed and Unregulated Providers

Enforcement Action	Tags – Tags are not displayed on the Child Care Public Search. Multiple reasons can be chosen.
Denial	Caregiver Law
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar Bar with Rehab Bar Licensee Pending Charges of a serious crime
	Other Reasons - Lic
	CBU Conviction Substantially Related Tax Delinquency Non-Compliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Direct Forfeiture	
	Noncompliance CBU Unregulated
Forfeiture	
	CBU Unregulated
Orders Letter	
	CBU Unregulated
Order with Direct Forfeiture	
	Noncompliance CBU Unregulated

Revocation	Caregiver Law
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar Bar with Rehab Bar Licensee Pending Charges of a serious crime
	Other Reasons - LIC
	CBU Conviction Substantially Related Tax Delinquency Non-Compliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Summary Suspension	Caregiver Law
	Conviction Substantially Related Noncompliance Failure to Provide Environmental Protections Subject of State/County Government Investigation
Warning Letter	
	No Access No Phone DOR CBU
Second Probationary License due to Noncompliance	No Tags available

Certified Providers

Enforcement Action	Tags - Multiple reasons can be chosen
Denial	Caregiver law
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar Bar with Rehab Bar Licensee Pending Charges of a serious crime
	Other Reasons - Cert
	Conviction Substantially Related Non-Compliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Revocation	Caregiver law
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar Bar with Rehab Bar Licensee Pending Charges of a serious crime
	Other Reasons - Cert
	Conviction Substantially Related Non-Compliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Suspension	
	Pending charge of a serious crime Pending substantially related charge Noncompliance No access
Warning Letter	
	No Access No Phone

Add New Enforcement

To add an enforcement action, click on the Enforcement link in the left-side navigation menu. Then click on Add New Enforcement link. The following screen will display.

Below is a table that explains each field in detail.

Field Name	Description
Enforcement Action (mandatory field)	Choose the enforcement type. All possible values for both licensing and certification are listed in Enforcement Details by Provider Type table.
Due to	If the enforcement relates to the caregiver law, choose the person from the pull down menu who had the offense that caused the enforcement. Values are: <ul style="list-style-type: none"> Applicant/Licensee (provider) Non-client Resident Employee (certification only)
Mailing Date (mandatory field)	Enter the date the enforcement notice was sent.
Mail Received Date	If the enforcement notice was mailed as a certified letter, enter the date the mail receipt was signed.
Unclaimed	Check if the certified letter was returned as unclaimed.
Appeal	Check when appeal request is received (if applicable). See Appeal section for further information.
Hearing Date	Enter the date of the Hearing (if applicable).
Decision Date	Enter the date of the appeal decision (if applicable).

Decision	Enter the result of the appeal. Choices are: <ul style="list-style-type: none"> • Not Upheld • Stipulation • Tax clearance (licensing only) • Upheld • Withdrew
Closed Date	Enter the date the Enforcement is closed.
Comments	Enter comments pertaining to the enforcement action.
Tags	The tags are used to add more detail to an enforcement action. Once the Enforcement Action is chosen, tags available for the specific action will appear. The caregiver related tags are the same for both certification and licensing. See Enforcement Actions by Provider Type table for further information on all possible tags. To add a tag, click on the tag or drag it to move it into the Tag area.

Violations may be attached to an enforcement action. If the provider location has had rule violations in the past 90 days these violations will be displayed on the bottom of the enforcements screen and may be attached to the enforcement. Older violations can be viewed and added by clicking on the Show Violations prior to 90 Days link. Select the violation(s) from the displayed list to attach them to the enforcement. Violations can also be attached later by clicking on the Modify (pencil) icon to access the Modify Enforcement screen.

NOTE: The Non-compliance Issue Date must be entered on the Modify Site Visit screen before a violation can be attached to the enforcement.

Violations					
Violation Type	Rule #	Rule Description	Detection Date	Detection Type	
<input type="checkbox"/>	250.05	250.05(3)(j)	Supervision Of Children While Outdoors	08/01/14	Site Visit
<input type="checkbox"/>	250.07	250.07(5)(c)	Meals & Snacks - Minimum Meal Requirements	08/01/14	Site Visit

[Show Violations prior to 90 Days](#)

If no violations are attached to an enforcement action, the system will display the informational alert displayed below:

 **Error - The Following Problems Have Occurred**

 **Enforcement Action:** Violations were not attached to this Enforcement Action.

There are some enforcement actions (denials, Tax Delinquency, caregiver related actions, etc) that cannot be tied to an administrative rule. In these cases, ignore the informational alert and click Add to process the screen.

Display Violations and Tags

If a previously entered enforcement has a  symbol preceding the Enforcement Action type, this means violations or tags are attached to the Enforcement.

Provider is both certified and licensed																					
Provider/Loc Number 2800039622 / 001 Facility Number 1122590 Facility Address 311 Rosy Ln Madison, WI 46879	Name May Flower Applicant/Loc Number 2800077421 / 001 Facility Name May Flowers																				
Licensor Name	Certifier Name Dane Certifier																				
Enforcements																					
Add New Enforcement																					
<table border="1"> <thead> <tr> <th>Enforcement ID</th> <th>Action Type</th> <th>Date Mailed</th> <th>Appeal</th> <th>Date Closed</th> <th>Updated Date</th> <th></th> <th></th> <th></th> <th>Documents</th> </tr> </thead> <tbody> <tr> <td>2000000667</td> <td>Warning Letter</td> <td>08/01/14</td> <td>No</td> <td></td> <td>08/01/14</td> <td></td> <td></td> <td></td> <td>Documents</td> </tr> </tbody> </table>	Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date				Documents	2000000667	Warning Letter	08/01/14	No		08/01/14				Documents	
Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date				Documents												
2000000667	Warning Letter	08/01/14	No		08/01/14				Documents												
Add Related Enforcement																					

Click on the sign to expand the details. Click on the sign to hide the details.

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Add Related Enforcement																																												

Modifying an Enforcement

If the enforcement must be modified, click the pencil icon on the Display Enforcement screen. The following screen will display:

Enforcement ID 2000000667		Enforcement Action Warning Letter	
Modify Enforcement			
Due to: <input type="text"/> Mailing Date: 7/15/2014 Mail Received Date: 7/17/2014 Unclaimed: <input type="checkbox"/> Appeal: <input type="checkbox"/> Hearing Date: <input type="text"/> Decision Date: <input type="text"/> Decision: <input type="text"/> Closed Date: <input type="text"/> Tags: <input type="text"/> Noncompliance <input type="text"/> DOR	Comments - <div style="border: 1px solid gray; height: 100px; width: 100%;"></div> 0 of 3000 characters.		

NOTE: The Enforcement Action cannot be modified. If wrong type was chosen, the entire enforcement must be deleted and re-entered.

Enforcements Resulting from a Complaint Investigation

Enforcements can be entered:

- 1) In conjunction with a complaint through the link on a Complaints screen or
- 2) Without a complaint by selecting Enforcement from the Navigation Menu.

Complaints							
New Complaint							
Complaint Type	Complaint Received Date	Complaint Status	Date of Occurrence	Assigned To	Complainant	Updated Date	Requires Immediate Attention
License	04/25/11	Pending				07/19/11	No
Complainant Referral Investigation Visits Enforcement Print Intake Form							

If the enforcement was entered from the Enforcement link in the Complaints module, the complaint header will be shown on the New Enforcement screen.

Complaint ID 2000505320	Received Date 5/7/2013
Assigned To Dane Certifier	Status Closed
Enforcement ID 2000000646	
Enforcement Action Warning Letters	
Modify Enforcement	
Mailing Date * 8/8/2014	Due to: [dropdown]
Mail Received Date [dropdown]	Comments - [text area]
Unclaimed <input type="checkbox"/>	

Related Enforcements

There will be times when multiple actions are initiated that pertain to an Enforcement action. Use the 'Add Related Enforcement' link to create a related action. For example, a forfeiture may be assessed to a licensed program for failure to comply with an order, or the license/**certification** may be revoked as a result of a previous enforcement action. Related Enforcements will be listed under the same Enforcement ID.

Enforcements						
Add New Enforcement						
Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date	
1000039726	+ Summary Suspension	07/04/11	No		07/21/11	[edit] [delete] [refresh]
	+ Forfeiture		No		07/21/11	[edit] [delete] [refresh]
	+ Stipulation		No		07/21/11	[edit] [delete] [refresh]
Add Related Enforcement						

Forfeiture Fee – Licensing only

In order to add a fee to a forfeiture enforcement, click on the Forfeiture link after expanding the violations.

Enforcements						
Add New Enforcement						
Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date	
2000000667	Warning Letter	08/01/14	No		08/01/14	Documents
Add Related Enforcement						
2000000668	Forfeiture	08/01/14	No		08/01/14	Documents
Reason: Noncompliance						
Violation Type	Rule #	Rule Description	Detection Date	Detection Type		
250.05	250.05(3)(j)	Supervision Of Children While Outdoors	08/01/14	Site Visit	Forfeiture	

New Fee screen will open. The Transaction Type will be defaulted to Forfeiture Fee; enter the fee amount and comments as needed.

New Fee/Adjustment

Type * Forfeiture Fee

Amount *

Comments

0 of 300 characters.

The Forfeiture Fee will appear in the Transactions list and is linked to the Enforcement action. If the Forfeiture Fee amount is changed or withdrawn, it will be reflected on the Forfeiture Enforcement.

Enforcements						
Add New Enforcement						
Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated	
1000039722	Forfeiture	07/04/11	No		07/19/11	
Add Related Enforcement						
Violation Type	Rule #	Rule Description	Detection Date	Detection Type		
251.04	251.04 (2)(c)	Current, Accurate Information	02/01/11	Documentation Review	- \$50.00	

Appeals

If the applicant/provider appeals the enforcement, access the Modify Enforcement screen. On the Modify Enforcement screen, click on the Appeal check box. Once the outcome of the appeal is known, enter hearing date (if applicable) and decision on the appeal.

Modify Enforcement

Mailing Date * 7/1/2014	Comments - 7/1/14: Initial review request received. Decision: Upheld 7/20/14: Administrative Review Request received. Hearing scheduled for 8/15
Due to:	
Mail Received Date	
Unclaimed <input type="checkbox"/>	
Appeal <input checked="" type="checkbox"/>	
Hearing Date	
Decision Date	
Decision	
Closed Date	
134 of 3000 characters.	

According to Chapter 68, the certifying agencies may have a 2-step appeal process (initial and administrative review). If your agency uses both steps, please enter the details into the comments section of this screen.

Closing Enforcements

To close an enforcement action, access the Modify Enforcement screen and enter the Closed Date.

Delete Enforcement

Enforcements may be deleted if necessary by clicking on the Delete (trashcan) icon. The Confirm Delete box must be checked.

Enforcement ID 1000039727	Enforcement Action 2Nd Probationary License Due To Noncompliance
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Delete Enforcement

Mailing Date
Mail Received Date
Unclaimed No
Appeal No
Hearing Date
Decision Date
Decision
Closed Date
Comments
Confirm Delete * <input checked="" type="checkbox"/>

Attached Violations			
Violation Type	Rule #	Rule Group	Detection Date
251.04	251.04(2)(c)	(2) administration	02/01/11

All enforcements, except forfeitures with fees can be deleted.

In order to delete a forfeiture, first access the Transaction/Fee screen and withdraw the forfeiture fee. After the fee is withdrawn, the forfeiture can be deleted.

Enforcement History

To access the history screen, click on the ‘scroll’ icon on the Enforcements screen. The History screen highlights the latest changes. Click Next to view the older changes. The date, time and who updated the record is shown for each history screen.

Enforcement Documents

Documents pertaining to enforcements can be uploaded into the enforcement module by clicking on the Documents link attached to each enforcement action.

Enforcement Reports

The enforcement reports in WebI will be modified to include the tags, due to and other details.

Enforcements and Category Status

If an applicant/provider is denied or revoked the regulatory approval, the agency must update the category status as explained in the [Various Changes in the Provider/Facility Records](#) user guide (Closing a Site section). The entry in the Enforcement module **does not** transfer the denial/revocation due to a barred offense on applicant/licensee to the IBIS system. Also, the enforcement module does not transfer information on revocations to the CSAW system. As soon as the revocation or suspension (certification) is entered into the Category screen, the authorizations end the following Saturday.

Enforcements - Unregulated Facilities – Licensing only

Forfeitures, direct forfeitures and orders can now be entered into WISCCRS and statute can be attached to an enforcement. Please see the [Unlicensed Provider Record](#) user guide for further information on how to create an unregulated provider record.

Below are steps on how to enter an enforcement action against an unregulated provider:

1. Enter a site visit.
2. Once the site visit has been entered, click on the Violations link on the right. Then click on New Violation link.

Site Visits							
New Site Visit							
	Type Of Visit	Date Of Visit	Visit Reasons	Date of Next Visit	Next Visit Reason	Rule Violated	Action
Follow-up	Unregulated	09/26/13	Unregulated Complaint Visit			No	Violations   

3. On the Violation Rules screen, the only option for unregulated providers is 48.65 (1). Click on 48.65(1).

Rules				
48.65				
Illegally operating pgm				
Violation type	Rule Group	Rule Number	Serious	Description
48.65	Illegally operating pgm	48.65(1) 		ILLEGALLY OPERATING PROGRAM

4. On the New Violation screen, enter the description.
5. Then click on the Enforcement link and choose the applicable enforcement.
 - a. Direct Forfeiture
 - b. Forfeiture
 - c. Orders Letter
 - d. Order with Direct Forfeiture
6. **Choose Unregulated tag from the Enforcement Reasons.**

New Enforcement

Enforcement Action * Forfeiture

Mailing Date: * 8/8/2014

Due to:

Mail Received Date

Unclaimed

Appeal

Hearing Date

Decision Date

Decision

Closed Date

Tags

Unregulated

Enforcement Reasons

CBU
Noncompliance
Unregulated

Comments -

0 of 3000 characters.



7. On the bottom of the screen, attach the violation to the enforcement by clicking the checkbox next to the violation.

Violations					
	Violation Type	Rule #	Rule Description	Detection Date	Detection Type
<input type="checkbox"/> 	48.65	48.65(1)	Illegally Operating Program	09/26/13	Site Visit

8. If the enforcement is a forfeiture, you can now add the fee by clicking on the Forfeiture link on the Enforcement screen.

Enforcements									
Add New Enforcement									
Enforcement ID	Action Type					Date Mailed	Appeal	Date Closed	Updated Date
2000000541	Direct Forfeiture - Unregulated Facility					09/26/13	No		09/26/13 Documents
Add Related Enforcement	Violation Type	Rule #	Rule Description	Detection Date	Detection Type				
	48.65	48.65(1)	Illegally Operating Program	09/26/13	Site Visit	Forfeiture			

- Just like with licensed forfeitures, the fee for unregulated forfeitures is automatically inserted into the Transaction module.

Fees/Adjustments						
New Fee/Adjustment						New Collection
Type	Amount	Balance	Creation Date	Comments	Status	
Forfeiture Fee	(\$100.00)	(\$100.00)	09/26/13	Enforcement Id:2000000541	Open	Documents
Total Amount Due:		(\$100.00)				

Child Care Public Search

Enforcement actions on **licensed** providers are transferred to the Public Search and are displayed two years from the Mailing Date. Enforcements on certified and unregulated providers are not displayed on the Public Search. Below is an example of a licensed enforcement.

Type of Regulation	Date	Type	Appeal	Decision	Violations**
Licensing	08/01/2014	Forfeiture	Yes		250.05(3)(j) (Supervision Of Children While Outdoors) on 08/01/2014: enter violation detail.
Licensing	08/01/2014	Warning Letter	No		250.05(3)(j) (Supervision Of Children While Outdoors) on 08/01/2014: enter violation detail. 250.07(5)(c) (Meals & Snacks - Minimum Meal Requirements) on 08/01/2014: enter details abt the violation.