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**State of Wisconsin
Governor Scott Walker**

**TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators**

DECE/BECE OPERATIONS MEMO			
No:	16-04		
DATE:	03/7/2016		
CC	<input checked="" type="checkbox"/>	FS	<input type="checkbox"/>
W-2	<input type="checkbox"/>	BC+	<input type="checkbox"/>

FROM: Mark Andrews, Director
Bureau of Early Care Regulation
Division of Early Care and Education
Department of Children and Families

SUBJECT: Changes to Chapter DCF 202 – Child Care Certification

CROSS REFERENCE: [2015 Wisconsin Act 132](#)

EFFECTIVE DATE: MARCH 1, 2016

PURPOSE:

This Operations Memo provides notice to child care certification workers regarding changes to Administrative Code Chapter DCF 202 – Child Care Certification.

BACKGROUND

2015 Wisconsin Act 132 amends DCF 202 as follows:

- Repeals inconsistent and outdated components of DCF 202.
- Refers to “certification agencies” rather than “county and tribal agencies.”
- Clarifies requirements for “operators” versus “providers.”
- Updates DCF 202.08 Standards for Family Child Care and In-Home Child Care.

Definitions:

DCF 202.02(3) “Certified child care operator” or “operator” means an individual, corporation, partnership, limited liability corporation, non–incorporated association, or cooperative that has legal and financial responsibility for the operation of a child care program and for meeting the requirements under this chapter.

DCF 202.02(3k) "Child care provider" or "provider" means a certified child care operator or an employee or volunteer of the child care operator who provides care and supervision for infant, preschool, or school-age children on behalf of the operator.

POLICY:

The [2015 Wisconsin Act 132](#) provides a complete summary of repealed and amended administrative code. Notable amendments to DCF 202.08 Standards for Family Child Care and In-Home Child Care include the following:

1. The requirement for tuberculosis screening has been amended to be consistent with child care licensing requirements by eliminating the requirement at recertification and adding a requirement for screening of all child care providers (i.e. substitutes, volunteers, employees), in addition to the applicant/operator. The requirement does not include emergency back up providers.

DCF 202.08 (1) (a) 3. Each family and in-home child care operator shall demonstrate that he or she is free from tuberculosis prior to initial certification and recertification. ~~The~~ Each family and in-home child care provider shall demonstrate that he or she is free from tuberculosis prior to the date the provider begins working with children. For a child care operator, including a child care provider who is also a child care operator, the certification agency may accept results of a test administered up to 12 months before the application date. For a child care provider who is not also a child care operator, the certification agency may accept the results of a test administered up to 12 months before the date the provider began working with children.

Certification workers shall no longer require operators to submit tuberculosis screening documentation at recertification, effective immediately.

Certification workers shall notify currently certified operators with agency-approved providers of the requirement for all providers to submit documentation of tuberculosis screening. Certification workers may provide notice to operators using a letter drafted by the certification worker or a template drafted by the department. The template is located on the Certification SharePoint site in the Partner Standardized Formats and Templates file.

Certification agencies shall require certified operators with agency-approved providers to submit evidence of tuberculosis screening for the approved provider(s) by August 1, 2016. The certification agency may accept the results of a test administered up to 12 months prior to August 1, 2016.

2. The requirement for posting emergency telephone numbers has been amended to include the telephone number for the [child protective services agency](#).

DCF 202.08 (2) (g) The home shall have at least one telephone in working order with a list of emergency numbers posted by each telephone, including numbers for the rescue squad, police, fire station, emergency medical care, child protective services agency, and poison control center. The certifying certification agency may prohibit the use of a cellular phone as a primary phone. If a cellular phone is used as a primary phone, it shall be operational during the hours of child care.

3. DCF 202.08(2)(a)2m. has been repealed as it is outdated.

2m. Notwithstanding subd. 2., child care operators who hold a certification under s. 48.651, Stats., on June 1, 2008, are not required to comply with subd. 5. until June 1, 2010.

- The requirement regarding a child’s health examination report has been amended to require the report to be on an electronic printout or on a department provided form and adds a “note” regarding the department’s form.

DCF 202.08 (4) (b) The physical examination report shall be made on an electronic printout from a licensed physician, physician assistant, or health check provider or on a form provided by the department that is signed and dated by a licensed physician, a ~~physician’s~~ physician assistant, or a health check provider.

NOTE: The department’s form, Child Health Report – Child Care Centers, or an electronic printout from a medical professional may be used to document a health examination. Information on how to obtain the department’s form is available on the department’s website, <http://dcf.wisconsin.gov>, or from the certification agency.

- Requirements for operators versus providers has been clarified as follows:

DCF 202.04 (6) (a) The ~~county or tribal~~ certification agency responsible for certification of ~~a provider an operator~~ shall be determined by the geographic area in which the child care is provided.

DCF 202.04 (6) (b) Certification issued to ~~a provider an operator~~ by a ~~county or tribal~~ certification agency shall be accepted as valid by all other agencies authorized to certify providers.

DCF 202.08 (1) (b) 2. b. A ~~county or tribal~~ certification agency may require up to 5 hours of annual continuing education by a Level I (regular) certified ~~provider operator~~ each year following Level I (regular) certification.

DCF 202.08 (2) (o) If the child care is provided in a rental property, the ~~provider operator~~ shall obtain permission from ~~his or her~~ the landlord to operate a child care business.

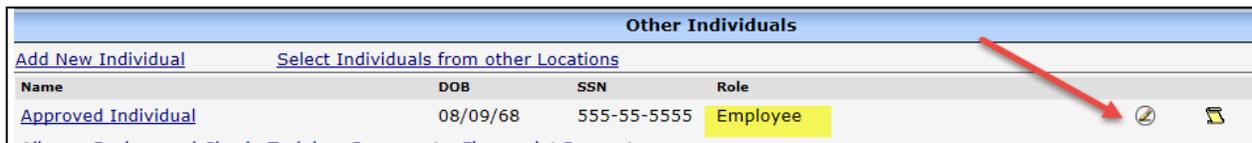
AUTOMATION:

Certification workers may use a newly published Webl report called “Certification Providers TB Test” to identify individuals who are required to submit documentation of tuberculosis screening. The Webl report is located in the WISCCRS “Background Checks Folder.” The report identifies individuals in WISCCRS if the “TB Test Date” field is blank for the following “roles”:

- Applicant/Licensee
- Employee
- Volunteer
- Student Intern
- Other (including other role description)

Provider Number	Location Number	Category Code	Business Name	Facility Name	Applicant Name	Caregiver Name	Role	Other Role	Age in Years	TB Test Date	Birth Date	Category Begin Date	Category End Date
██████	001	PROC		██████	██████	██████	EMPLOYEE	Substitute	63		██████	02/17/2015	02/28/2017
██████	002	REGC		██████	██████	██████	EMPLOYEE	Assistant	28		██████	12/01/2015	11/30/2017

Certification workers shall document the “TB Test Date” for individuals using the Individuals Module in WISCCRS:



New Individual Details	
First Name	Approved
Middle Initial	
Last Name	Individual
Suffix	
DOB	08/09/1968
SSN	555-55-5555
Gender *	<input type="radio"/> Male <input checked="" type="radio"/> Female
Race	Caucasian/ White
Role *	Employee
Other Role Description	
Relationship	
Lived Out Of State Within Past 3 Years? *	<input type="radio"/> Yes <input checked="" type="radio"/> No
Discharged From Military Within Past 3 Years? *	<input type="radio"/> Yes <input checked="" type="radio"/> No
TB Test Date	2/23/2016
Any Contact With Children? *	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown
Self-Disclosed CPS Substantiation	<input type="checkbox"/>
Self-Disclosed Criminal Record	<input type="checkbox"/>
Self-Disclosed IBIS Record	<input type="checkbox"/>
Apply CBC Fee to this location	<input type="checkbox"/>
Comments for this individual	
	0 of 300 characters.
	<input type="button" value="Add"/>

Although it is not a requirement to upload tuberculosis documentation in WISCCRS, medical / health records are confidential. See WISCCRS [User Guide – Documents](#) for instruction on how to upload records in to the Confidential Document Module.

CONTACTS:

For certification policy or automation questions contact Jolene Ibeling at Jolene.Ibeling@wisconsin.gov or 608-422-6027 or Bureau of Regional Operations: http://dcf.wisconsin.gov/regional_operations/pdf/contact_list.pdf.

*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, BC+ Core – BadgerCare Plus Core, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC – Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

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