



TO: **Child Care Eligibility and Authorization Workers  
and Supervisors  
Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff  
Training Staff  
Child Care Coordinators**

DECE/BCCSA OPERATIONS MEMO

No: 21-09

DATE: 03/23/2021

Child Care

FROM: Junior Martin, Director  
Bureau of Child Care Subsidy Administration  
Division of Early Care and Education  
Department of Children and Families

**SUBJECT: Updates to Wisconsin Shares Handbook Chapters 1, 2, and 4**

**CROSS REFERENCE:** [Wisconsin Shares Handbook](#)  
Operations Memo [19-42](#), [20-03](#), [20-06](#), [20-J2](#), [20-26](#), [21-01](#), [21-03](#),  
[21-05](#), [21-06](#), [21-07](#), [21-08](#)

**EFFECTIVE DATE:** April 1, 2021

**PURPOSE:** This Operations Memo informs local agencies of updates that will be made to Chapters 1, 2, and 4 of the Wisconsin Shares Handbook on April 1, 2021.

**BACKGROUND:** The Wisconsin Shares Handbook will be updated with the Operations Memos published from November 2019 to the current date. Additional updates will also be made for minor clarifications of policy. Local agency staff are strongly encouraged to thoroughly review the new Chapters 1, 2, and 4. Each change from the previous online version is highlighted in yellow in the online and PDF versions of each chapter. Text removed from the Handbook is indicated with ~~red strikethrough~~ in the PDF version only.

**POLICY:** The changes listed below will be incorporated and published in the Wisconsin Shares Handbook on April 1, 2021. Changes that do not reference an Operations Memo are clarifications that were not published in an Operations Memo.

**Note:** These updates apply to standard Wisconsin Shares policies. Local agencies should continue to follow any temporary policies and processes that were implemented due to COVID-19 as described in CARES Worker Web (CWW) Process Help.

**Chapter 1:**

**1.2.1 Application Process:** Clarified that the application and approval process is a two-step process; the application and eligibility determination process is described in Chapter 1 and the authorization process is described in Chapter 2.

**1.2.2 Request for Assistance (RFA):** The following policy currently in Section 1.7.4 was added to Section 1.2.2, but the policy has not changed: Foster parents, interim caretakers, guardians, and relatives with court-ordered placement who are receiving the Kinship Care payment may also apply with the assistance of the Child Welfare agency using the Wisconsin Shares Child Care Registration form (DCF-F-2835).

**1.2.4 Interactive Interview:** Removed requirement that agency workers immediately generate the Case Summary upon completion of the interview in order to align with Income Maintenance (IM) programs. Agency workers must still generate the Case Summary and present it to the parent after the interview, but can wait until outstanding verification, such as income verification, has been received by the local agency before providing the parent with the Case Summary. This ensures that the information on the Case Summary that the parent receives is accurate. Clarified that the Good Cause Notice must only be provided to the applicant for his or her biological or adopted children.

**1.2.5 Signature Requirements:** Revised to indicate that signatures from individuals other than the applicant, spouse, or non-marital co-parent, such as an authorized representative for another assistance program, are not allowed in accordance with Operations Memo 21-07.

**1.2.6 Initial Eligibility Determination:** Clarified that when an agency worker completes the initial eligibility determination, a summary of the interview must be documented in case comments in accordance with Operations Memo 21-01.

**1.3.1.2 Shared Placement of Children:** Added that shared placement schedules must be documented in case comments in accordance with Operations Memo 21-01.

**1.3.5 U.S. Citizen or Qualified Immigrant:** Added chart that provides the Registration Status Code shown in CWW associated with each qualified immigrant status.

**1.3.6 Social Security Numbers (SSN):** Added emphasis that parents are not required to provide an SSN for themselves; however, doing so will allow existing data exchanges to be completed and reduce the amount of verification that a parent is required to submit.

**1.3.7.3 Good Cause Notice:** Revised to indicate that the acknowledgement that a parent completes in ACCESS – Apply for Benefits (AFB) or Add a Program (AAP) meets the requirement to provide the parent with the Good Cause Notice at application in accordance with Operations Memo 20-26.

**1.3.8.2 High School:** Renumbered to 1.3.8.6.1.

**1.3.8.3 Employment:** Renumbered to 1.3.8.2.

**1.3.8.3.1 Employed by a Child Care Provider:** Renumbered to 1.3.8.2.1. Corrected that an employer must file a Wisconsin New Hire report on the employee within 20 days of the hiring date rather than 30 days.

**1.3.8.3.2 Self-Employment:** Renumbered to 1.3.8.2.2. Moved the criteria for determining the validity of self-employment if it is questionable to Section 1.5.8 Contradictory or Questionable Information.

**1.3.8.3.3 On-Call Employment:** Renumbered to 1.3.8.2.3. Added an example to demonstrate this policy.

**1.3.8.4 Participation in a Tribal TANF Program:** Renumbered to 1.3.8.3.

**1.3.8.5 Participation in a W-2 Placement:** Renumbered to 1.3.8.4.

**1.3.8.6 FoodShare Employment and Training Program (FSET):** Renumbered to 1.3.8.5.

**1.3.8.6 Education:** Created new section to combine all education activities under one section.

**1.3.8.6.1 High School:** Previously Section 1.3.8.2. Minor wording changes for clarity; there are no changes to this policy.

**1.3.8.6.2 Basic Education:** Previously Section 1.3.8.7.

- Reworded “high school or course of study meeting the standards established by the state superintendent of public instruction for the high school equivalency” to simply General Education Development (GED) or High School Equivalency Diploma (HSED). This is not a change to policy.
- Moved authorization policy regarding study time for parents with a verified disability or parents who are participating in W-2 or Tribal TANF and have study time included in their Employability Plan (EP) or Individual Self-Sufficiency Plan (ISP) to Section 2.4.3 Approved Activity Schedules.
- Revised to indicate that documenting the local agency’s determination that education will help the parent maintain employment in case comments is a best practice rather than required in accordance with Operations Memo 21-01.
- Added reference to Approved Activity Search Periods (ACTS) for parents who are unable to maintain employment while participating in education.

**1.3.8.6.3 Technical College or Course of Study Leading to Employment:** Previously Section 1.3.8.8.

- Moved authorization policy regarding study time for parents with a verified disability or parents who are participating in W-2 or Tribal TANF and have study time included in their EP or ISP to Section 2.4.3 Approved Activity Schedules.
- Revised to indicate that documenting the local agency’s determination that education will help the parent maintain employment in case comments is a best practice rather than required in accordance with Operations Memo 21-01.

**1.3.8.6.4 Online Education:** Previously Section 1.3.8.9.

- Moved authorization policy regarding course credit hours and school schedule being part of the authorization assessment and study time for parents with a verified disability or parents who are participating in W-2 or Tribal TANF and have study time included in their EP or ISP to Section 2.4.3 Approved Activity Schedules.
- Added the policy from 1.3.8.6.2 and 1.3.8.6.3 regarding the 24-month time limit and 20 hours per month work requirement as this still applies even if the parent is completing basic or post-secondary education online.
- Moved authorization policy regarding authorized hours being limited to one (1) hour per week per enrolled credit and travel time policy to Section 2.4.3 and 2.4.3.10, respectively.

- Revised to indicate that documenting the local agency's determination that education will help the parent maintain employment in case comments is a best practice rather than required in accordance with Operations Memo 21-01.

**1.3.8.6.5 Education Tracking:** Created new section describing when education counts towards the 24-month time limit and when it does not. Added references to the Parent Education Tracking page in the Child Care Statewide Administration on the Web (CSAW) system.

**1.3.9.2 Activity Break Periods:** Added existing policy from Section 1.3.9.2.1 that a parent who experiences a temporary break that will last more than three (3) months is eligible for a Temporary Break Period (TBRK) for the first three (3) months of the temporary break if all other criteria in Section 1.3.9.2.1 are met.

**1.3.9.2.1 Eligibility for an Activity Break Period:** Revised to indicate that agency workers must change the parent's approved activity to ACTS or TBRK following a reported change in approved activity and that if a parent completes a renewal but subsequently loses their approved activity or starts a temporary break during the renewal month, eligibility must be denied because the parent does not have an approved activity for the first month of the eligibility period in accordance with Operations Memo 21-08.

**1.3.9.2.3 Ending an Activity Break Period:** Clarified that a parent must have an approved activity for the first month of the new eligibility period following a completed annual eligibility renewal regardless of whether the renewal is completed early, timely, or late in accordance with Operations Memo 21-08.

**1.4.1.1 Maximum Gross Income for Initial Eligibility:** Updated dollar amounts to align with the 2021 Federal Poverty Level in accordance with Operations Memo 21-03.

**1.4.1.2 Maximum Gross Income for Ongoing Case:** Updated dollar amounts to align with the 2021 Federal Poverty Level in accordance with Operations Memo 21-03.

**1.4.2 Income that is Included in the Financial Eligibility Test:** Revised to indicate that any educational grants and scholarships provided by public or private organizations that are not used for tuition and books are counted as income in accordance with Operations Memo 20-03.

**1.4.3 Income that is Not Included in the Financial Eligibility Test:** Revised to indicate that any educational aid received under any state or federal program is disregarded as income regardless of how the funds are used in accordance with Operations Memo 20-03, as are any educational scholarships or grants provided by public or private organizations that are used for tuition and books.

**1.4.5.4 Self-Employment Income:** Removed the reference to the specific line number on tax form 1040 for the Qualified Business Income Deduction.

**1.4.6 Asset Testing:** Clarified that the asset limit is assets that *exceed* \$25,000; families with assets at or below \$25,000 pass the asset test.

**1.5.1 Documentation:** Added reference to new Section 1.9 for required eligibility case comments and Section 2.4.1 for required authorization case comments in accordance with Operations Memo 21-01.

**1.5.8 Contradictory or Questionable Information:** Moved policy from Section 1.3.8.3.2 for validity of self-employment to this section. Clarified that employment with an employer who pays in cash **and** does not provide any source of employment verification listed in Section 1.5.12 is not considered valid employment for the purposes of an approved activity for Wisconsin Shares.

**1.5.9 Required Verification:** Clarified that local agencies must resolve any items that are questionable as described in Section 1.5.8 before the eligibility determination can be completed.

**1.5.10 Non-Financial Eligibility Verification:**

- Added that Consular IDs can be used as identity verification for undocumented immigrants in accordance with Operations Memo 21-06.
- Clarified the statuses that are acceptable when using the Online Wisconsin Department of Motor Vehicles (DMV) Driver's License query to verify identity in accordance with Process Help Release 20-04.
- Clarified that a parent does not need to provide a Social Security card, only the SSN which is verified through the Social Security Administration (SSA) data exchange. However, if the SSA data exchange returns a mismatch record, the parent may need to provide a Social Security card or another official government document with the SSN displayed.
- Clarified that there is no difference between the verification allowed for kinship placements for which the relative volunteered to have the child placed with him or her (voluntary guardianships) or Chapter 48 guardianships (or substantially similar Wisconsin tribal law) and the verification allowed for foster care, subsidized guardianships, interim caretaker placements, and relatives with court-ordered placement of a child.

**1.5.11 Approved Activity Verification:**

- Clarified that parents can self-declare schedules for basic or post-secondary education online classes only if the class does not have set log in times. Clarified that teen parents only need to provide proof of enrollment in high school or a GED or HSED program; they do not need to provide class schedules.
- Clarified that for children placed in out-of-home care whose eligibility is based on their biological or adoptive parents' income at the time they were removed from the home, the caretakers' employment verification does not need to contain wages or salary information because it is not used to determine eligibility. All other verification requirements listed in Section 1.5.12 must be met to verify the parent's approved activity.
- Removed policy related to verification of self-employment and replaced with reference to new Section 1.5.12.1 as all sources of financial verification of self-employment also verify self-employment as an approved activity.
- Moved process for verifying changes in approved activities during ongoing eligibility to new Section 1.5.11.2.

**1.5.11.1 Self-Declaration of New Employment:** Clarified that this section only applies to new employment and that the justification for applying this policy must be documented in case comments in accordance with Operations Memo 21-01.

**1.5.11.2 Ongoing Approved Activity Verification:** Created new section to provide further clarification on the two-step verification process when a parent reports a change in approved activity during ongoing eligibility. Revised to indicate that if a parent reports the end of one

approved activity and the start of a new approved activity but does not provide verification then the parent's approved activity must be changed to ACTS. Added examples to demonstrate this policy.

**1.5.12 Financial Eligibility Verification:** Clarified that for caretaker parents of children in out-of-home care whose eligibility is based on their biological or adoptive parents' income at the time they were removed from the home, the caretakers' employment verification does not need to contain wages or salary information for the purpose of verifying participation in an approved activity. All other requirements for each type of verification listed must be met. Moved policy for verifying self-employment to new Section 1.5.12.1.

**1.5.12.1 Self-Employment Financial Eligibility Verification:** Moved existing policy from Section 1.5.12 to this section. There are no changes to this policy.

**1.5.12.1 Ongoing Financial Verification:** Renumbered to 1.5.12.2.

**1.5.12.2 Verifying Income from Employment that Ended Prior to the Application Date:** Renumbered to 1.5.12.3.

**1.5.12.3 Verifying Employment Income for a SWICA Discrepancy:** Renumbered to 1.5.12.4. Revised to indicate that there are certain times when a discrepancy in income would not have changed the parent's eligibility or subsidy benefit, if the income was below 85% SMI, in accordance with Operations Memo 20-J2. CWW will no longer generate a SWICA discrepancy if the discrepancy occurs during those times.

**1.7 Foster Care, Subsidized Guardianship, Interim Caretaker, and Relatives with Court-Ordered Placement who Receive the Kinship Care Payment:** Clarified that for Wisconsin Shares, relatives with court-ordered placement includes a relative with legal placement under Wis. Stat. Chs. 48 or 938 or substantially similar Wisconsin tribal law.

**1.7.1 Financial Eligibility:** Revised dollar amounts to align with the 2021 Federal Poverty Level in accordance with Operations Memo 21-03.

**1.8.1 Reporting Requirements:** Clarified that parents are informed of their rights and responsibilities for reporting changes through their Notice of Eligibility. The Notice of Eligibility is automatically mailed from CWW after eligibility is confirmed at application, renewal, and when any change is made to the case that impacts eligibility.

**1.9 Eligibility Comments:** Created new section to combine all the required eligibility case comments under one section in accordance with Operations Memo 21-01.

## **Chapter 2**

**2.1.1.2.1 In-Home Certified Providers:** Clarified that Section 2.3.4 provides policy regarding when a child may receive an authorization to an in-home certified provider while Section 2.4.7.3 provides policy regarding minimum wage when in-home care is provided for 15 hours or more per week.

**2.1.1.4 Child Care Regulation Outside of the State:** Clarified that the local agency must enter the out-of-state provider's prices into CSAW.

**2.1.2.2 Wisconsin Shares Participation Contract:** Updated name from "Bureau of Early Learning and Policy (BELP), Quality Initiatives Section" to "Bureau of YoungStar, Strategic Quality Initiatives Section." Updated address to the department's Post Office box number as documents are not returned in person.

**2.3.1 Parental Choice:** Summarized in introduction when parents may not receive an authorization for their child to attend a specific provider location. There are no changes to this policy.

**2.3.5 Two-Day Time Frame to Issue Authorization:** Reworded for clarity. There are no changes to this policy.

**2.3.6 Authorization Begin Dates at Application and Renewal:** Removed policy regarding an authorization assessment being timely if it is completed within one (1) calendar month of the start date of the new eligibility period. An authorization assessment is considered timely if it is completed with 30 calendar days of the Request for Assistance (RFA) date or the start date of the new eligibility period following a completed annual eligibility renewal.

**2.3.7 Authorization Begin Dates During Ongoing Eligibility:** Added new policy that an authorization must be completed within 30 calendar days of an authorization end date in order for the new authorization to be backdated to the previous authorization. Revised to indicate that if the parent requested and provided all the necessary information for the authorization assessment timely but the agency worker was unable to complete the authorization timely, the authorization may still be backdated to the day after the last day of the previous authorization. Added examples to demonstrate this policy.

**2.3.8 Authorization End Dates:** Clarified that shorter authorizations must be written in accordance with Sections 2.3.9 and 2.3.10.

**2.3.9 Consecutive Authorization Periods:** Clarified when gaps between authorizations may occur. Added examples to demonstrate this policy.

**2.3.10 Short-Term Authorizations:** Clarified that when a short-term authorization is created, the Child Care Need schedule must only reflect the actual days that care is needed.

**2.3.11 Backdated and Retro Authorizations:** Retitled to **Backdated Authorizations**. Removed policy regarding retro authorizations.

**2.4 Authorization Assessment:** Clarified that past non-participation in W-2 activities must not factor into the number of child care hours to be authorized regardless of whether W-2 granted good cause for the non-participation.

**2.4.1 Authorization Comments:** Revised to include all authorization comments that are required in accordance with Operations Memo 21-01.

**2.4.2 Length of Authorization:** Clarified that if an authorization is less than 12 months, agency workers must document in case comments the reason that the authorization is less than 12 months in accordance with Operations Memo 21-01.

**2.4.2.1 Authorizations Based on Assessment Results:** Clarified that if a reported change is not one (1) of the situations specified in this section, the policy in Section 2.4.2.2 Authorizations Based on Continuity of Care must be followed. Added examples to demonstrate how this policy applies to Activity Break Periods.

**2.4.2.2 Authorizations Based on Continuity of Care:** Clarified that authorized hours must be based on continuity of care for all reported changes that are not listed in Section 2.4.2.1. Clarified that while any change that results in a change in child care need must follow the continuity of care policy, a change in child care need that results in the authorization no longer aligning with the provider's hours of operations must be based on the assessment results (see 2.4.2.1).

**2.4.3 Approved Activity Schedules:**

- Revised to indicate that agency workers must document the start and end times of the parent's work or other approved activity schedule in case comments in accordance with Operations Memo 21-01.
- Moved policy from Sections 1.3.8.6.2, 1.3.8.6.3, and 1.3.8.6.4 regarding study time for parents with a verified disability or parents who are participating in W-2 or Tribal TANF and have study time included in their EP or ISP to this section. There are no changes to this policy. Clarified the meaning of "verified" disability.
- Moved policy from Section 1.3.8.6.4 regarding the one (1) hour per week per enrolled credit authorized hours limit for self-paced online education and the requirement for the parent to provide a planned log in schedule for the agency worker's use in writing an authorization to this section. There are no changes to this policy.
- Clarified that approved activity verification (i.e. class schedule, W-2 EP, etc.) is collected during the eligibility determination process (see 1.5.11), so agency workers should not need to collect it again to write the authorization.

**2.4.3.1 Correlation Between Approved Activity Verification and Schedule:** Clarified that agency workers may request additional verification if the answers a parent provides to resolve a discrepancy are questionable.

**2.4.3.2 Authorizing for Gaps Between Approved Activities:** Revised to indicate that agency workers must document a summary of the justification for the inclusion of gaps between activities or sleep time in case comments in accordance with Operations Memo 21-01.

**2.4.3.4 Authorizations During an Activity Break Period:** Created subsections to better organize these policies. Clarified that when an authorization ends during an Activity Break Period authorized hours must be reduced if the criteria in Section 2.4.2.1 for an authorization based on the assessment results are met and that if eligibility is ending according to adverse action due to a parent's permanent loss of or temporary break in approved activity after adverse action during the renewal month, agency workers must manually delete any authorizations created for the new eligibility period (see 1.3.9.2.1) in accordance with Operations Memo 21-08.



**2.4.3.4.1 Ending Authorizations During or Following an Activity Break Period:** Renumbered to 2.4.3.4.4.

**2.4.3.4.1 (New) Authorization Assessments During an Activity Break Period:** Clarified that authorization assessments must still be completed during an Activity Break Period according to the criteria in Sections 2.4.2.1 and 2.4.2.2 and that authorized hours must be reduced if an authorization assessment results in an authorization which must be based on the assessment results in accordance with Operations Memo 21-08. Added examples to demonstrate this policy.

**2.4.3.4.2 No Increased Hours During an Activity Break Period:** Previously included in Section 2.4.3.4. There are no changes to this policy.

**2.4.3.4.3 No New Authorizations During an Activity Break Period for Children Not Previously Authorized:** Previously included in Section 2.4.3.4. Revised policy to indicate that a child must have an authorization that started prior to the day the parent lost their approved activity or began an absence from their approved activity in order for the authorization to continue during an Activity Break Period in accordance with Operations Memo 21-08. Added examples to demonstrate this policy. Removed policy regarding the 24-month education time limit as this is included in Section 1.3.8.6.5.

**2.4.3.4.4 Ending Authorizations During or Following an Activity Break Period:** Renumbered from Section 2.4.3.4.1. Revised to indicate that agency workers must manually end authorizations if a case is closing due to the parent not being eligible for an Activity Break Period in the month following the annual eligibility renewal after the renewal has been completed in accordance with Operations Memo 21-08. Clarified that the parent's actual schedule following the break must be used for the authorization assessment that must be completed when the end of the parent's Activity Break Period is within their 12-month eligibility period (not crossing renewal).

**2.4.3.6 Authorizations for Ongoing Self-Employment:** Removed reference to inclement weather hours.

**2.4.3.7 Self-Employed Foster Parents:** Clarified that in these cases, authorizations must be based on the parent's stated need (up to 50 hours per week including travel time) regardless of the business being new or ongoing (this is not new policy).

**2.4.3.9 Sleep Hours for Third Shift Employment:** Clarified that the policy in Section 2.4.8 Maximum Hours Per Day must be followed when determining authorized hours for third shift employment. Added examples to demonstrate this policy.

**2.4.3.10 Travel Time:** Moved existing policy from Section 1.3.8.6.4 regarding travel time for parents participating in online education to this section. There are no changes to this policy.

**2.4.4.1 Shared Placement Authorizations:** Revised to indicate that shared placement schedules must be documented in case comments in accordance with Operations Memo 21-01.

**2.4.4.2 Co-located Head Start and 4K School Programs:** Revised to indicate that agency workers must document the Head Start or 4K schedule in case comments in accordance with Operations Memo 21-01. Clarified that for the purposes of Wisconsin Shares, 3K is considered to be regular child care and all hours are eligible for an authorization (this is not new policy).

**2.4.4.3 Authorizations for Children in Grades K through 12:** Revised to indicate that agency workers must document the child's school schedule (i.e. start and end times, short days on Fridays, etc.) in case comments in accordance with Operations Memo 21-01.

**2.4.4.4.1 School Closed Hours:** Clarified that the 10 calendar days to request additional school closed hours should begin on the day after the last day of the school closure or school closure period. A school closure period must have consecutive school closed days. Added examples to demonstrate this policy. Removed reference to inclement weather hours.

**2.4.6 Full- and Part-Time Prices and Full- and Part-Time Authorizations:** Retitled to **Provider Price Type**. There are no changes to this policy.

**2.4.7.1 Inclusion Rate for Children with Disabilities:** Added resource website for child care providers to learn more about how the Americans with Disabilities Act (ADA) applies to child care providers. Clarified that agency workers must not include health or diagnosis information in case comments in accordance with Operations Memo 21-01. Replaced the term "special needs" with "disabilities" throughout the section.

**2.4.7.2 Provider Discounts:**

- Defined discount as any price that a licensed provider charges the parent which is lower than their regular rate before any subsidy is applied and that a difference between the weekly provider price in CSAW and the amount the provider charges the parent based on their standard rate structure is not a discount.
- Clarified that only discounts that are consistently applied to the provider's regular rate should be entered into CSAW. A discount that is applied intermittently, such as a discount for making a full payment at the beginning of the month, is not considered a discount for the purposes of Wisconsin Shares. Added examples to demonstrate this policy.
- Clarified that a discounted price must be documented in case comments even if it is not used for the subsidy calculation in order to document that the parent reported the discount and that the agency worker attempted to enter it in CSAW in accordance with Operations Memo 21-01.

**2.4.8 Maximum of 75 Authorized Hours Per Week:** Repealed previous policy in accordance with Operations Memo 21-05, retitled to **Maximum Hours Per Day**. Revised to indicate that children may not be authorized for Wisconsin Shares for more than 12 hours per day unless written documentation is provided describing a parent's work schedule, travel time, or a combination of work and travel time that exceeds 12 hours. If documentation is provided, child care may be authorized up to the licensing limit per day for the child care provider type. Added examples to demonstrate these policies.

**2.4.9.1 Authorizations in Situations of Hardship:** Revised to indicate that there may be extenuating circumstances that prevent a parent from making a timely hardship authorization request that results in the parent notifying the local agency and requesting a hardship authorization beyond the 10-calendar day reporting timeframe and that agency workers may approve these requests on a case-by-case basis in accordance with Operations Memo 19-42. Revised to indicate that a hardship authorization must be documented in case comments in accordance with Operations Memo 21-01.

**2.5.3.3 Exit:** Clarified that during the Exit copayment period, copayments adjust accordingly whenever income increases or decreases and that if the income remains above 200% FPL, the copayment will not remain at the lower level. Added an example to demonstrate this policy.

**2.5.4.1 YoungStar Quality Adjustments:** Created new section to describe how YoungStar quality adjustments impact the subsidy amount.

**2.6 Parent Share:** Clarified that providers are required to have a written payment agreement with all parents in accordance with Section 3.4.3.3 and that parents should compare this agreement that shows the provider's price to their subsidy notices that show their monthly subsidy amount to understand their out-of-pocket cost.

## **Chapter 4:**

### **Part A: Client Program Integrity**

**4.1. Program Integrity Unit Overview:** Revised the name of the bureau from Bureau of Program Integrity (BPI) to Bureau of Child Care Subsidy Administration (BCCSA).

**4.2.1.1 FEV Error-Prone Profile:** Added Gender Identification (including gender expression) to the list of characteristics that must not be used as part of a local agency's error-prone profile (EPP).

**4.2.4 Technical Assistance:** Added EBT card deactivations to the list of items local agencies should submit to the Technical Assistance (TA) mailbox.

**4.3.2 Data Exchanges:** Revised to include enhancements to State Wage Information Collection Agency (SWICA) policies and procedures for Wisconsin Shares client overpayments in accordance with Operations Memo 20-J2.

**4.5.1 Retractions:** Added information that funds issued for a period of time when a provider has a temporary closure of up to 14 consecutive calendar days due to a COVID-19 exposure will not be retracted from a parent's MyWICChildCare EBT card.

**4.5.2.2.1 Overpayment Period:** Added new policy to indicate that if a parent reported a permanent loss or temporary break in approved activity after adverse action in the month that an annual renewal was completed, and the local agency was not able to end the authorization until the following month, the parent would not be responsible for an overpayment for paying the following month's subsidy to their provider, unless it is determined that the parent committed an intentional program violation in accordance with Operations Memo 21-08.

**4.5.4.3.2 Intentional Program Violations (IPVs) from Other Income Maintenance (IM) or Wisconsin Works (W-2) Programs:** Created a new section which states that if a local agency has established an eligibility-based IPV, or received a signed Waiver of Fair Hearing for a different IM or W-2 program, the local agency may utilize the evidence and investigation findings as a part of the Wisconsin Shares IPV request. The local agency must complete the Client Intentional Program Violation Request form ([DCF-2893-E](#)) and include all evidence that pertains to the Wisconsin Shares overpayment and Child Care IPV. In lieu of completing the Investigation Timeline section of the request form, the local agency may direct the reviewer to the IM investigation findings and, if applicable, signed Waiver of Fair Hearing. Local agencies are required to submit the Wisconsin Shares overpayment calculations, Child Care notices, and a copy of CWW case comments with the request.

**4.5.4.3.2 Collusion:** Renumbered to 4.5.4.3.3.

**4.5.4.3.2.1 Cash Refunds or “Kickbacks”:** Renumbered to 4.5.4.3.3.1.

**4.5.4.3.2.2 Paying for Care for Children Not on the Case:** Renumbered to 4.5.4.3.3.2.

**4.5.4.3.2.3 Giving a MyWICChildCare EBT Card, Account Number, or PIN to a Provider or Other Individual:** Renumbered to 4.5.4.3.3.3.

**4.5.4.3.2.4 Issuing Payment for Child Care Not Provided:** Renumbered to 4.5.4.3.3.4.

**4.5.4.3.2.5 Shell Company:** Renumbered to 4.5.4.3.3.5.

**4.5.4.3.3 Administrative Hearing:** Renumbered to 4.5.4.3.4

**4.5.4.3.3.1 Waiver of Administrative Hearing:** Renumbered to 4.5.4.3.4.1.

**4.5.4.3.4 Subsequent IPVs:** Renumbered to 4.5.4.3.5.

**4.5.4.3.5 IPV Penalties:** Renumbered to 4.5.4.3.6.

**4.5.4.3.5.1 IPV Sanction Period:** Renumbered to 4.5.4.3.6.1.

**4.5.4.3.5.2 Imposing an IPV Penalty:** Renumbered to 4.5.4.3.6.2.

**4.5.4.3.6 IPV Approval Process:** Renumbered to 4.5.4.3.7.

**4.5.4.3.6.1 Approval Requirements for IPV:** Renumbered to 4.5.4.3.7.1.

**4.5.4.3.7 Additional Enforcement Actions:** Renumbered to 4.5.4.3.8.

### ***Part B: Provider Program Integrity***

**4.8.4 Requirement for Providers to Notify the Local Agency:** Added information regarding child care provider closures due to a COVID-19 exposure. A child care provider will not be required to return subsidy funds to the department for a temporary closure lasting up to 14 consecutive calendar days if the closure was due to a COVID-19 exposure. Any closures beyond 14 consecutive calendar days would require an explanation of circumstances by the provider for review and the provider is expected to adhere to the reporting requirements of Licensing and Certification. This policy is not limited to a single 14 consecutive calendar day COVID-19 closure in accordance with Operations Memo 20-25.

If a child care provider contacts their local agency to report a closure due to a COVID-19 exposure, the local agency should instruct the provider to contact their licenser or certifier to report the reason and timeframe for the closure.

If a child care provider previously returned funds to the Department through a Voluntary Repayment Agreement (VPA) for a closure due to a COVID-19 exposure, the provider may contact their local agency to request the funds be returned. The local agency should send this request to the Program Integrity Unit Technical Assistance Mailbox at: [DCFBPITArequest@wisconsin.gov](mailto:DCFBPITArequest@wisconsin.gov) or the [Technical Assistance Request Page](#) on the DCF Website.

Child care providers who choose to voluntarily return funds may complete the <https://dcf.wisconsin.gov/files/forms/doc/5178.docx> and return the form to the local agency.

**4.8.5 Provider Record Keeping System and Attendance Documentation Method:** Updated to state that providers are required to submit records to the local agency or the department within 24 hours after receiving a request for records.

**4.11.1.2.2 Provider Violations:** Added information regarding child care provider overpayments which state that child care provider temporary closures of up to 14 consecutive calendar days will not result in overpayment if the closure was due to a COVID-19 exposure. Added a note that a Voluntary Repayment Agreement (VPA) may not be utilized to return funds for a provider overpayment.

**4.11.1.2.2.7 Failure to Report a Child Who Has Not Attended Within the Previous 30 Days:** Added a note that as part of the department's response to COVID-19, March 2020 – June 2020, subsidy funds remaining on a client's EBT card were automatically paid to the provider's bank account by ACH transfer. These funds may be recovered through overpayment only if there is a determination of fraud or intentional program violation (IPV).

**4.11.1.2.2.10 Receiving and Retaining Payment for Care Not Provided:** An overpayment may be assessed if a child care provider received funds for a child's authorization and failed to provide the child care. The provider can voluntarily return the funds to the department.

### ***CONTACTS:***

For Wisconsin Shares Child Care policy questions, including Chapters 1, 2, 3, and 4, outside of Milwaukee County contact your Bureau of Regional Operations (BRO), Regional Child Care Coordinator at [BROCCPolicyHelpDesk@wisconsin.gov](mailto:BROCCPolicyHelpDesk@wisconsin.gov).

For Child Care CARES/CWW and CSAW Processing Questions statewide, and policy questions in Milwaukee County, contact the Wisconsin Shares Child Care Subsidy and Technical Assistance line at: [childcare@wisconsin.gov](mailto:childcare@wisconsin.gov) or (608) 422-7200.

For investigation, overpayment, and program integrity internal procedure development questions; written resource and subject matter expert requests; and VPAs and Retractions, please contact Program Integrity (PI) at: [DCFBPITArequest@wisconsin.gov](mailto:DCFBPITArequest@wisconsin.gov) or the [Technical Assistance Request Page](#) on the DCF Website.

For referrals regarding alleged client or provider child care fraud or other program integrity concerns, please submit a referral to the Child Care Fraud Mailbox at [DCFMBCHILDCAREFRAUD@wisconsin.gov](mailto:DCFMBCHILDCAREFRAUD@wisconsin.gov).

DCF/DECE/BCCSA/ERR & PZ