



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

FROM: Junior Martin, Director
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Division of Early Care and Education
Department of Children and Families

DECE/BCCSA OPERATIONS MEMO

No: 22-25
DATE: 11/02/2022

Child Care

SUBJECT: Changes to Wisconsin Shares Inclusion Rate Policy

CROSS REFERENCE: [Wisconsin Shares Handbook](#),
Section 2.4.7.1 Inclusion Rate for Children with Disabilities
Wisconsin Shares Inclusion Rate Request form (DCF-F-2976-E)
Wis. Admin. Code DCF ss. 201.02(20) and 201.06(7)

EFFECTIVE DATE: December 1, 2022

PURPOSE: This Operations Memo updates the Wisconsin Shares inclusion rate policy and informs local agency staff that the Wisconsin Shares Inclusion Rate Request form has been revised as described later in this memo and is available in the forms repository.

BACKGROUND: Wisconsin Administrative Rule DCF s. 201.06(7) states that on a case-by-case basis, a child care administrative agency may set a rate higher than the maximum rate for the care of a child with a disability. The Child Care Help Desk received feedback from local agencies requesting clarifications related to this policy. This memo clarifies the method of communication to the parent regarding approval or denial, that the provider rationale for the higher rate must be detailed and specific, and the effective date of the inclusion rate.

POLICY: The following policy will be added to the Wisconsin Shares Handbook with the next release. New policy is highlighted in yellow and policy with a ~~red strikethrough~~ is being deleted.

16.4.1 Inclusion Rate

(Formerly Section 2.4.7.1 Inclusion Rate for Children with Disabilities)

Parents of children with disabilities may be eligible for a higher subsidy amount ("inclusion rate") to reflect the offset any increased costs the child care provider may incur in providing care to a child with a disability. Not all children with a disability require the child care provider to

have specialized training, to provide any additional services, or to make environmental adaptations. However, when a request for an inclusion rate is submitted, the local agency may consider additional subsidy amounts ~~for providers caring for a child with a disability~~ on a case-by-case basis. The [Wisconsin Shares Inclusion Rate Request form \(DCF-F-2976-E\)](#) must be completed to request and document a higher subsidy amount for a child with a disability.

The ~~subsidy adjustment~~ inclusion rate ~~should~~ must support the child care provider's additional expenses in caring for the child (e.g., specialized training, services, one-on-one staffing for the child, and/or environmental adaptations), but must not include healthcare services such as, occupational therapy, physical therapy, or nursing care. It is the provider's responsibility to comply with all aspects of the Americans with Disabilities Act (ADA). For more information on how the ADA applies to child care providers, please visit <https://www.ada.gov/childqanda.htm>.

The parent must provide documentation from a physician, psychologist, special educator, or other ~~licensed~~ qualified professional showing that: ~~of the disability and identify the specific additional care that is needed for physical, behavioral, or educational needs.~~

- The child has a disability; and
- Identifies the specific emotional, behavioral, physical, or personal needs of a child requiring more than the usual amount of care and supervision for the child's age in the child care setting.

The parent may provide copies of the following supporting documentation to identify and clarify the specific accommodations that are needed within the child care setting:

- An Individualized Family Service Plan (IFSP) from the Birth to 3 Program
- An Individualized Education Program (IEP) from a school district
- A 504 plan (a plan developed to ensure accommodations are provided to allow the child to participate fully in school)

The child care provider must document the specific additional child care expenses that are necessary to meet the child's needs in the child care setting. This must be written on or added as an attachment to the Wisconsin Shares Inclusion Rate Request form before the parent submits the request to the local agency.

~~After the child care provider has completed the "Provider Rationale" section, the parent is responsible for submitting the form to the local agency or uploading the document via the Parent Portal. Agency workers must not include health information or diagnosis in case comments (see 1.1.4).~~

~~If a child age 13 or older has a verified disability but the provider does not incur extra costs to provide care, CSAW will use the provider's price or county maximum rate for 12-year-old children, whichever is less, and in this situation the agency worker will not need to use an Override price.~~

~~Form DCF-F-2976 must be completed to request and document a higher subsidy amount for a child with a disability.~~ If a higher subsidy amount is approved by the local agency, the effective date is the date that the form is approved and signed by the local agency and is valid ~~for one (1) year~~ until the renewal following the 12th month. ~~If the form expires or the override price ends~~

during the 12-month eligibility period, the override price will remain in CSAW until the next renewal or there is a change in child care providers. A Post-Load Benefit Correction (PLBC) may be necessary if benefits have already been issued for the current month.

A new form must be completed ~~every twelve months~~ annually to evaluate the ongoing and changing needs of the child to determine any adjustments to the costs incurred by the provider. Also, if the child changes child care providers, a new form ~~must also be completed if there is a change in child care providers~~ is required to determine the document and verify the costs incurred by for the new child care provider, as each child care provider may have different circumstances to meet the needs of the child.

In addition to providing the local agency with a statement by a physician or medical provider that the child has a disability, the following supporting documentation helps to identify and clarify the specific accommodations that are needed.

- ~~An Individualized Family Service Plan (IFSP) from Birth to 3.~~
- ~~An Individualized Education Program (IEP) from a school district.~~
- ~~A 504 plan (child has an alternative plan in place to provide some assistance to participate fully in school).~~

The child care provider must provide the rationale for additional costs incurred by the program and identify the specific additional care that is needed for physical, behavioral, or educational needs.

The approval or denial must be noted in case comments and reason for the higher subsidy amount must be documented on the Wisconsin Shares Inclusion Rate Request form, ~~DCF-F-2976~~ and supporting documentation must be scanned into ECF. ~~or uploaded by the parent via the Parent Portal.~~ A copy of the Inclusion Rate Request form showing the approval or denial and the reason for a denial must be provided to the parent.

~~This form also includes an option for the child care provider to request training and technical assistance from the local Child Care Resource and Referral Agency or YoungStar Technical Consultant regarding child care for children with disabilities.~~

The hourly rate for any authorized hours above 50 hours per week will be paid at the county's hourly maximum rate for that provider rather than the higher approved inclusion rate.

Note: Local agencies must use the approved higher subsidy amount in CSAW as an Override Provider Price Type when writing the authorization; see the CSAW Authorizations User Guide for more information. The hourly rate for any authorized hours above 50 hours per week will be paid at the county's hourly maximum rate for that provider rather than the higher rate.

FORM REVISIONS: The [Wisconsin Shares Inclusion Rate Request form \(DCF-F-2976\)](#) has been revised and includes the following changes:

- Added to the Provider Rationale section that the rationale must include an explanation of any specialized training, services, or environment adaptations and that if the rationale is not descriptive the higher amount may be denied.
- Added to the Provider Rational section the higher rate must not be used to cover healthcare services.

- Added to the Agency Use Only section that the inclusion rate effective date is the date the form is approved by the local agency.

CONTACTS:

For Wisconsin Shares policy questions outside of Milwaukee County contact your Bureau of Regional Operations (BRO), Child Care Coordinators at BROCCPolicyHelpDesk@wisconsin.gov.

For Program Integrity technical assistance, Child Care CARES/CWW and CSAW Processing Questions statewide, and policy questions in Milwaukee County, contact the Child Care Help Desk at: childcare@wisconsin.gov or 608-422-7200.

DCF/DECE/BCCSA/ET