



State of Wisconsin  
Department of Health Services

Scott Walker, Governor  
Linda Seemeyer, Secretary

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January 10, 2018

Mr. Patrick E. Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Mr. Jeff Renk  
Senate Chief Clerk  
Room B20 Southeast, State Capitol  
Madison, WI 53702

Dear Mr. Fuller and Mr. Renk:

Wisconsin Act 27, the 1997-1999 Biennial Budget, established requirements to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated caregivers conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. The Department of Health Services (DHS), the Department of Children and Families (DCF) and, for certain child care providers, counties and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to DHS and/or DCF, counties, or school boards for a waiver of the employment or licensing bans upon evidence of rehabilitation.

Wisconsin Stat. § 50.065(5g) directs DHS to submit an annual report to the legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the DHS report for 2017.

Questions about this report should be referred to DHS Chief Legal Counsel Sandra Rowe at 608-266-0355.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Seemeyer".

Linda Seemeyer  
Secretary



**2017 Annual Report on Rehabilitation Review Requests under Wis. Stat. § 50.065(5g)**

**Requests received by the Department of Health Services**

11	Pending requests at start of 2017	3	Application withdrawn
<u>48</u>	Requests received in 2017	19	Approvals with standard conditions
<b>59</b>	<b>Total requests</b>	1	Partial approval and denial
		19	Denials (13 were for not providing the required information)
		2	Not required to pursue rehabilitation approval
		2	Deferral
		<u>13</u>	Requests being screened for completeness or awaiting scheduling
		<b>59</b>	<b>Total</b>

Additionally, 1 prior approval from 2009 was withdrawn

Reasons for Approval	Reasons for Denial
<p>The applicants demonstrated sufficient evidence of rehabilitation in the areas of position-related offense factors and the applicant’s personal development and progress. Where applicable, standard conditions include: no (further) law violations, no (further) acts or threats of violence toward others, no offenses that led to arrest or conviction or findings by a government agency of misconduct.</p>	<p>The following reasons may relate to more than one individual or an individual may have been denied for more than one reason.</p> <ul style="list-style-type: none"> <li>▪ Violated conditional approval by working as a caregiver without direct supervision.</li> <li>▪ Displayed questionable veracity due to the disparity between facility records, police reports, Findings of Fact by Division of Hearings and Appeals, and/or information submitted with application and the version of events given during panel meetings.</li> <li>▪ Presented with heightened opportunity to commit similar offenses due to nature and scope of proposed contact with vulnerable persons.</li> <li>▪ Failed to show an understanding of the severity of actions and to recognize the impact it had on others.</li> <li>▪ Did not provide sufficient evidence of rehabilitation, such as counseling, public or community service, volunteer work, training or course work relating to sensitivity, clients rights, respect in the workplace, and/or boundaries.</li> </ul>