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**Date:** November 4, 2009 DQA Memo 09-043

**To:** Community Based Residential Facilities CBRF 21  
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**From:** Kevin Coughlin, Director  
 Bureau of Assisted Living

**Via:** Otis Woods, Administrator  
 Division of Quality Assurance

**Notice of Implementation of Revisit Fee**

This memorandum outlines the implementation of an inspection (revisit) fee assessment for Community Based Residential Facilities (CBRFs), Adult Family Homes (AFHs), Residential Care Apartment Complexes (RCACs), and Adult Day Cares (ADCs), consistent with the enactment of the state budget bill, Wisconsin Act 28, which became effective June 29, 2009.

**CBRFs**

Section 50.03(5g)(cm), Wisconsin Statutes, was created to read: “If the department imposes a sanction on or takes other enforcement action against a community-based residential facility for a violation of this subchapter or rules promulgated under it, and the department subsequently conducts an on-site inspection of the community-based residential facility to review the community-based residential facility’s action to correct the violation, the department may impose a \$200 inspection fee on the community-based residential facility.”

**AFHs**

Section 50.033(3), Wisconsin Statutes, is amended to read in part: “...If the department or the licensing county department finds that a person is violating this section or the rules under [s. 50.02 \(2\) \(am\) 2.](#), the department or the licensing county department may institute an action under [sub. \(5\)](#). If the department takes enforcement action against an adult family home for violating this section or rules promulgated under [s. 50.02 \(2\) \(am\) 2.](#), and the department subsequently conducts an on-site inspection of the adult family home to review the adult family home's action to correct the violation, the department may impose a \$200 inspection fee on the adult family home.”

## RCACs

Section 50.034(10), Wisconsin Statutes, was created to read: “INSPECTION FEE. If the department takes enforcement action against a residential care apartment complex for a violation of this section or rules promulgated under [sub. \(2\)](#), and the department subsequently conducts an on-site inspection of the residential care apartment complex to review the residential care apartment complex's action to correct the violation, the department may impose a \$200 inspection fee on the residential care apartment complex.”

## ADCs

Section 49.45(47)(e) of the statutes is created to read: “(e) If the department takes enforcement action against an adult day care center for violating a certification requirement established under [s. 49.45 \(2\) \(a\) 11.](#), and the department subsequently conducts an on-site inspection of the adult day care center to review the adult day care center's action to correct the violation, the department may impose a \$200 inspection fee on the adult day care center.”

The Division of Quality Assurance will begin assessing an inspection (revisit) fee of \$200 against CBRFs, AFHs, RCACs, and ADCs for any enforcement action taken **on or after December 1, 2009 when an on-site inspection (revisit) is conducted**. Examples of enforcement action include: Forfeitures, No New Admit Orders, Comply with Department Orders, Special Orders. Additional information concerning the enforcement process can be found in the Division of Quality Assurance’s “*Guidelines for Assisted Living Enforcement*” at the following website:

<http://dhs.wisconsin.gov/publications/p6/p63200.pdf>

If you have any additional questions concerning the imposition of revisit fees, please contact your Assisted Living Regional Director:

[http://dhs.wisconsin.gov/rl\\_DSL/Contacts/alsreglmap.htm](http://dhs.wisconsin.gov/rl_DSL/Contacts/alsreglmap.htm)