Scott Walker
Governor

Edward F. Wall
Secretary

State of Wisconsin
Department of Corrections

Division of Juvenile Corrections
3099 E. Washington Avenue
Post Office Box 8930
Madison, WI 53708-8930
Telephone (608) 240-5900
Fax (608) 240-3370

Cari J. Taylor
Administrator

ADMINISTRATOR'S MEMO TO COUNTIES

MEMO # 13-08

DATE: July 15, 2013

TO: County Departments of Human/Social Services Directors

FROM: Cari J. Taylor, Administrator

SUBJECT: **Daily Rates and Billing Policy for State Juvenile Correctional Services**

This memo is to inform you of the new statutory daily rates for State juvenile correctional services during the current biennium, and to explain in detail the policies that govern State charges to counties for juvenile correctional services under Youth Aids.

Statutory Daily Rates

Under s. 301.26 (4), Wis. Stats., the Division of Juvenile Corrections is required to bill counties for juvenile correctional services provided by the Department of Corrections to delinquent youth placed with the department by the courts. The 2013-15 biennial budget, 2013 Wisconsin Act 20, specifies the daily rates the State charges counties and other payers for services in a juvenile correctional institution, other out-of-home placement services and community supervision programs. The new statutory daily rates are shown in the following table:

Charges for State Juvenile Correctional Services

Statutory Rates in s. 301.26 (4) (d)	**Dates of Service**	
Service	**7/1/13 to 6/30/14**	**7/1/14 to 6/30/15**
Juvenile Correctional Institution	$ 294.00	$ 301.00
Corrective Sanctions Program	$ 125.00	$ 128.00
State Aftercare	$ 41.00	$ 41.00

Charges for Alternate Care Facilities

The per person daily cost assessment to counties for care in an alternate care facility, including foster home, group home, residential care center for children and youth, or transitional living placement shall be an amount equal to the amount the provider charges the Department for that care.

Charges to Counties

I. Charges for Youth in Type 1 Juvenile Correctional Institution (JCI) Status

Counties will be charged the Juvenile Correctional Institution (JCI) daily rate for youth placed in JCIs (Copper Lake School, Lincoln Hills School, and the Juvenile Treatment Center at Mendota Mental Health Institute). The county will be billed for each day a youth is:

A. In the JCI on a court placement order;

B. In the JCI on an administrative detention pending revocation;

C. Absent from the JCI receiving special treatment services. The JCI charge will continue until the youth is released to community supervision from the treatment unit or the JCI, without limitation as to number of days of leave. Examples are youth placed into a medical hospital or a mental health treatment unit (other than MJTC).

D. Original adult court jurisdiction under s. 938.183, for youth under age 18. For youth who received a juvenile disposition in lieu of an adult sentence from the adult court, the language of s. 301.26 (4) (a) of Wisconsin Statutes requires that the county's Youth Aids be billed for services until the youth reaches age 18.

E. Temporarily absent from a JCI on an approved leave. During temporary absence, the charge will continue for up to 14 consecutive days or until the youth returns to the JCI, whichever occurs first. There is no state aftercare provided or charged during these absences. Examples are absent for court visit, absent to an approved jail or secure detention, and absent for other "off-grounds" reasons authorized by the Department.

F. Absent without leave (AWOL) while in Type 1 JCI status. For a youth who has absconded while on Type 1 status, the charge will continue for 14 consecutive days or until the youth is returned to the JCI, whichever occurs first.

G. On a trial visit to the youth's home (not Alternate Care). If the youth is receiving state supervision while on a trial visit, the state Aftercare daily rate will be charged (Please refer to Section II).

II. Charges for Youth under Community Supervision

A. Youth Released to State Aftercare Supervision

A county will be billed the Aftercare daily rate each day the state provides aftercare supervision for a youth placed by the county. The county will be billed the aftercare rate up 14 consecutive days each time a youth becomes AWOL from aftercare supervision.

Any time a youth under Aftercare supervision requires placement in an Alternate Care setting the county will be billed the additional costs in Section III for the alternate care service.

B. Youth Placed in or Transferred to the Corrective Sanctions Program

Counties are billed the statutory daily rate for youth in the Corrective Sanctions Program. The Corrective Sanctions daily rate is suspended and a county is billed the JCI rate when a Corrective Sanctions youth is placed temporarily in a JCI. The county will be billed for Corrective Sanctions supervision up to 14 consecutive days each time a youth becomes AWOL from Corrective Sanctions supervision.

Any time a Corrective Sanctions youth requires placement in an Alternate Care setting the county will be billed the additional costs in Section III for the alternate care service.

C. Interstate Compact Youth in Other States

Counties are billed the Aftercare daily rate for Wisconsin youth residing in other states having their case managed by the State as specified in the Interstate Compact for Juveniles.

D. Secure Detention

As prescribed in s. 301.26 (2)(c) of Wisconsin Statutes, when a youth is held in secure detention, a county will be directly responsible for the basic care and supervision costs associated with the youth detained. This includes the cost of transportation. If a youth on State Aftercare or Corrective Sanctions supervision is placed in detention, the applicable statutory supervision rate is charged for the first 14 days of the placement.

III. Charges for Youth in Aftercare Status Placed in an Alternate Care Facility

A. Alternate Care Facilities

As part of community supervision, the state may place the supervised youth into an alternate care facility. As noted on p. 2 of this memo under Charges for Alternate Care Facilities, the state will charge counties an amount equal to the amount the provider charges the Department for that type of care. In addition, the applicable supervision rate (Aftercare or Corrective Sanctions Program) will be charged. This includes care in:

- Residential Care Centers (RCC), including Type 2
- Group Homes (GH)
- Treatment Foster Homes (TFH)
- Foster Homes (FH)
- Transitional Living Placements

B. Trial Visit to Alternate Care

The county will be billed the applicable alternate care rate and the aftercare rate for youth on trial visit to an alternate care placement. These rates would not be charged in the case of a youth who will be transferred to county aftercare, when the county is supervising the trial visit and paying the alternate care provider directly.

C. Other Treatment Facilities

The county will be billed the statutory daily rate for aftercare supervision. Any additional expense the state pays the facility for services for a youth will be billed to the county under "Other Costs" on the monthly Youth Aids bill. Any cost borne by another agency will not be billed to the county under Youth Aids.

Any of the alternate care providers may be reimbursed for temporary absences of clients from their programs when a state aftercare staff has approved the absence. No payment for an absence in excess of 14 consecutive days or 14 days within the month will be approved for a facility. Paid absences to alternate care providers will be billed as service days to the counties.

Services Not Charged to Counties

As specified in statute, State correctional services for certain youth are not the financial responsibility of counties. All State service charges for these youth are paid directly by the Division of Juvenile Corrections through the Serious Juvenile Offender appropriation as prescribed in s. 301.26 (4) (cm) of Wisconsin Statutes. As noted in this section of statutes, the Serious Juvenile Offender appropriation is to fund state correctional services only. When a youth is held in secure detention, the county remains directly responsible for the costs associated with the youth detained, including transportation.

The categories of youth for whom direct state payment is made are:

- Serious Juvenile Offenders -- Youth adjudicated delinquent for a specific serious felony offense committed on or after July 1, 1996, who are placed by the court in the Serious Juvenile Offender (SJO) Program under s. 938.34 (4h) as a disposition.

- Original adult court jurisdiction under s. 938.183, age 18 and older -- Youth who received a juvenile disposition in lieu of an adult sentence from the adult court. The language of s. 301.26 (4) (a) requires that the county's Youth Aids be billed for services until the youth reaches age 18. Youth aged 18 and older will not be billed through Youth Aids.

- Wards of the state -- Youth under the guardianship of the state Department of Children and Families at the time they are adjudicated delinquent [s. 301.26 (4) (c)].

If you have any questions regarding state charges, monthly billing statements, or billing policies, please contact Wendy Darnell (608) 240-5911. Counties who are interested in state Aftercare services or who have questions on Aftercare should contact Shelby McCulley, Director, Office of Management & Budget at (608) 240-5957.

cc: Edward F. Wall, Secretary, DOC
Deirdre Morgan, Deputy Secretary, DOC
Scott Legwold, Assistant Deputy Secretary, DOC
Fredi-Ellen Bove, Administrator, DCF/DSP
Diane Bloecker, Director, Child Welfare Licensing Section DCF/DSP
John Tuohy, Director, Bureau of Regional Operations, DCF/DES
Chris Craggs, DHS Area Administrator
Greg Van Rybroek, Director, DHS/MJTC
DHS/DCF Area Administrators
DHS/DCF Human Service Area Coordinators
DOC/DJC Management staff
County Youth Aids contacts
Court-attached juvenile court intake offices
Type 2 RCC Providers