



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

Division of Juvenile Corrections / Administrator's Office

## ADMINISTRATOR'S MEMO TO COUNTIES

MEMO # 21-01

**DATE:** July 6, 2021

**TO:** County Departments of Human/Social Services Directors

**FROM:** Ron Hermes, Administrator 

Lance Horozewski, Assistant Administrator 

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

This memo is to inform you of the new daily rates for juvenile correctional services provided by the state and to explain in detail the policies that govern state charges.

### **Key Changes to Billing Policies from Previous Years**

The Division of Juvenile Corrections (DJC) will reimburse county facilities for Serious Juvenile Offenders (SJOs) and youth under the guardianship of the Wisconsin Department of Children and Families (DCF) that are held, on the behalf of DJC, in county detention facilities pending admission to Lincoln Hills/Copper Lake Schools.

Reimbursement of secure detention costs for county youth will continue to be the fiscal responsibility of the county and will not be reimbursed.

### **Daily Rates**

#### **Juvenile Correctional Facility Rates**

Under s. 301.26 (4), Wis. Stats., the Division of Juvenile Corrections is required to bill counties for juvenile correctional services provided to delinquent youth placed with the Department by the courts. The daily rate for services provided to youth in a Juvenile Correctional Facility (JCF)<sup>1</sup> is established in the biennial budget. As of today, the 2021-23 biennial budget has not been passed into law. Once enacted, a separate memo outlining the JCF rates will be sent. Consistent with previous years, the Division of Juvenile Corrections will delay invoicing for all services until the new JCF rates are enacted.

<sup>1</sup> Includes placements at Type 1 facilities and the Grow Academy.

## Community Supervision Daily Rates

Daily rates for supervising youth in the community are calculated on an annual basis and approved by the Legislative Joint Committee on Finance. The Joint Committee on Finance approved two rates for community supervision services provided by the state during state fiscal year (SFY) 2022 including a “home” supervision rate and an “alternate care” supervision rate.

A home rate will apply to each youth receiving community supervision services residing at home, a foster home, a treatment foster home, or in certain transitional living placements. An alternate care supervision daily rate will apply to each youth residing in a residential care center, group home, or in certain other transitional living placements. Please note that the alternate care supervision rate is assessed for the costs of supervision and services provided by the State. Additional charges from the alternate care provider would apply and are discussed in following sections.

The per person daily cost for the community supervision services for SFY 2022 are shown below:

### Community Supervision Daily Rate

	Dates of Service	
	7/1/21 to 6/30/22	7/1/22 to 6/30/23 <sup>1</sup>
Alternate Care Supervision	\$102.00	TBD
Home Supervision	\$237.00	TBD

1. SFY 2023 community supervision rates will be communicated to counties in a subsequent memo during CY 2022.

## **Billing Policies**

### **I. Charges for Youth in Type 1 Juvenile Correctional Facility Status**

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

- A. In the JCF on a court placement order;
- B. In the JCF on an administrative detention pending revocation;
- C. Absent from the JCF receiving special treatment services. The JCF charge will continue until the youth is released to community supervision from the treatment unit or the JCF, 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. Temporarily absent from a JCF on an approved leave. There is no state community supervision 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. If a youth is discharged from the JCF placement while absent, the charge will continue until the Division of Juvenile Corrections is notified by the county.
- E. On a trial visit to the youth's home (not an alternate care facility). If the youth is receiving state community supervision while on a trial visit, the home placement daily rate will be charged (please refer to Section II).

## **II. Charges for Youth under Community Supervision**

### **A. Youth Released to State Community Supervision**

A county will be billed a daily rate for supervision each day the state provides supervision for a youth placed by the county. Youth residing at home, foster home, treatment foster home, or in certain transitional living placements will be charged the home supervision daily rate. Youth placed in a residential care center, group home, and certain transitional living placements will be charged the alternate care supervision daily rate.

Community supervision rates are suspended when a youth becomes AWOL from community supervision or is held in secure detention.

Community supervision rates are suspended and a county is billed the JCF rate when a youth is placed temporarily in a JCF.

Any time a youth under community supervision requires placement in an alternate care facility, the county will be billed the additional costs for alternate care services detailed in Section III.

### **B. Interstate Compact Youth in Other States**

Counties with Wisconsin youth residing in other states having their case managed by the state as specified in the Interstate Compact for Juveniles will be billed the alternate care supervision daily rate.

### **C. Secure Detention**

DJC will reimburse secure detention costs for SJOs and youth under the guardianship of DCF that are held in a county detention facility on the behalf of DJC. Reimbursement will be limited to the days these youth are held by the county on behalf of DJC and will be at the detention facility's published daily rate.

Counties will be directly responsible to pay for secure detention costs for county youth on state community supervision.

State community supervision rates are suspended when a youth is held in secure detention.

For reimbursement, please submit invoices to [DOCDJCCOBusinessOffice@wisconsin.gov](mailto:DOCDJCCOBusinessOffice@wisconsin.gov) by the 5<sup>th</sup> business day of the following month to allow for prompt payment. Invoices should contain:

- Youth name
- DOB
- Dates of placement at your facility due to youth held on behalf of DJC or due to the changes in admission policies at LHS/CLS
- Daily rate
- Total amount based on days and daily rate

Additionally, if placements include new SJO commitments or those under State guardianship, please provide documentation of the status.

### **III. Charges for Youth 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. The state will charge counties an amount equal to the amount the provider charges the Department for that type of care. Alternate care facility charges are in addition to the supervision rate. Alternate care facility charges include care in:

- Residential Care Centers (RCC), including Type 2;
- Group Homes (GH);
- Treatment Foster Homes (TFH);
- Foster Homes (FH); and
- Transitional Living Placements (Tier 1, Tier 2, Tier 3)<sup>2</sup>

Any of the alternate care providers may be reimbursed for temporary absences of clients from their programs when a state community supervision 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.

#### **B. Trial Visit to Alternate Care**

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

### **IV. Charges for Youth Placed at the Grow Academy**

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<sup>2</sup> Transitional Living Placements are further categorized based on the level of service received from the alternate care provider.

Counties will be charged the JCF daily rate for youth placed at the Grow Academy, regardless of the placement type. Billing policies will be the same as those outlined in Section I, with the following addition:

- Counties will not be charged the daily rate when a Grow Academy youth becomes AWOL or is held in secure detention, unless the Grow Academy is operating at capacity. If the county wishes the Grow Academy to hold a spot for an absent youth, and the Grow Academy is operating at capacity, the county will be charged the daily rate during the absence.

### **Services Not Charged to Counties**

As specified in statute, state correctional services for certain youth are not the financial responsibility of counties.

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. All state service charges for these youth are paid directly by the Division of Juvenile Corrections through the Serious Juvenile Offender (SJO) appropriation as prescribed in s. 301.26 (4) (cm) Wis. Stats.
- Wards of the state -- Youth under the guardianship of the Wisconsin 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 Brooke Richardson at [DOCDJCCOBusinessOffice@wisconsin.gov](mailto:DOCDJCCOBusinessOffice@wisconsin.gov) or (608) 240-5911. Counties who are interested in state community supervision services or who have questions on community supervision should contact Tim Reneau-Major, Director, Office of Budget & Programs at (608) 240-5920 or [TimothyJ.ReneauMajor@wisconsin.gov](mailto:TimothyJ.ReneauMajor@wisconsin.gov).

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