

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: December 20, 2017

TO: Supervisor Theodore Lipscomb, Sr., Chairman, Milwaukee County Board of Supervisors
Members of the Health and Human Needs Committee

FROM: Jeanne Dorff, Interim Director, Department of Health and Human Services
Prepared by: Mark Mertens, Delinquency and Court Services Administrator

SUBJECT: **Report from the Interim Director, Department of Health and Human Services, on the meeting with the State of Wisconsin Department of Children and Families (DCF) concerning the development of a Type II residential facility**

Issue

At its last meeting in December, the Health and Human Needs Committee requested that the Department of Health and Human Services (DHHS) provide an update on a recent meeting with the State Department of Children and Families (DCF).

Discussion

Meeting with State DCF

On December 6, DHHS representatives met with staff from DCF to discuss the development of a Type II residential facility. The DCF officials present at the meeting included the Deputy Secretary, Assistant Deputy Secretary, DCF legal counsel, licensing and budget staff as well as DCF legal counsel. Milwaukee County staff included DHHS Interim Director, DCSD Administrator, Deputy Corporation Counsel, and DHHS Senior Budget Analyst.

The meeting was extremely productive and intended to address questions from both the State and DHHS concerning the level of security being proposed for the residential facility, licensing and reimbursement structure. The following issues were covered with next steps being identified:

- “Staff Secure” Facility – DHHS and DCF discussed the concept of a staff secure facility. Currently, a “*secure* residential care center” does not currently exist in Wisconsin as there is no current administrative code detailing the specifications of such a facility. For this reason, DCSD has been pursuing a “staff secure” option. The term, “staff secure” denotes a lower ratio of youth to staff. Exits may be alarmed but there are no locks on the doors and no restraints are used. DCSD is proposing a 4:1 ratio of youth to staff. Although this concept has been implemented in other systems around the country, DCF was unfamiliar with it and asked for more information. Legal Counsel at DCF was concerned about the use of the term “staff secure,” since there is case law

indicating that “staff secure” facilities are the equivalent of “secure” facilities. The DCSD Administrator clarified that the intent of increasing the staff ratio in the program is primarily intended to enhance treatment delivery. Milwaukee County will discontinue the use of the term “staff secure” in the interest of clarity.

- Licensing – State DCF licensing officials are reviewing DCSD’s request to operate a type II facility at 4769 N. 32nd Street in Milwaukee. As part of this process, the proposed facility will be noticed and a 30-day public comment period is required. It is anticipated that this notice will run two consecutive weekends in January 2018.
- Reimbursement Structure – There are still some outstanding issues with regard to reimbursement. Because the programming and facility components were bid out separately, additional discussion is needed to develop one combined daily rate. Separate RFPs were issued because no responses were received when DHHS issued an RFP for both the programming and facility. DCF indicated it would internally discuss some options with its fiscal and contract staff. We anticipate a response by early January 2018.
- DHHS also requested more information on the reimbursement of start-up costs related to the RTC. These costs need prior approval from DCF and the start-up period cannot exceed 180 days.

Youth Aids Surplus Estimate

Finally, the Health and Human Needs Committee requested that DHHS provide an estimate on the 2017 surplus in Youth Aids. The amount anticipated to be unclaimed against the department’s contract of \$35.5 million is about \$4.7 million. Please note that this amount could change once 2017 costs are finalized throughout the close process. The major contributing factors to this surplus include the decline in the number of youth placed at the State institutes as well as the delayed implementation of the type II residential facility. The average daily population (ADP) in November for Lincoln Hills, Copper Lake and Mendota Juvenile Treatment Center was 56 and the budget assumed an ADP of 87. The 2018 Budget reflects an ADP of 55.

Recommendation

No action is needed. This report is for information only.



Jeanne Dorff, Interim Director
Department of Health and Human Services

cc: County Executive, Chris Abele

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