

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: August 24, 2017

TO: Theodore Lipscomb, Sr., Chairman, Milwaukee County Board of Supervisors

FROM: Jeanne Dorff, Interim Director, Department of Health and Human Services
Prepared by: Dennis Buesing, Contract Administrator - DHHS

SUBJECT: **Report from the Interim Director, Department of Health and Human Services, requesting approval to administer a new appeal process for individuals barred or restricted under the Milwaukee County Caregiver Policy**

ISSUE

Milwaukee County Resolution File No. 99-233, passed by the Milwaukee County Board of Supervisors in 1999, requires the Department of Health and Human Services (DHHS) to restrict or deny any prospective providers from working under a DHHS contract with children and/or youth if an individual was found with any disqualifying criminal convictions as listed in the resolution.

Currently, there is no provision in the resolution for individuals to obtain a rehabilitation review hearing if restricted or denied as a service provider for a DHHS contracted agency.

BACKGROUND

The resolution included a list of convictions that would bar an individual from providing direct service to children and youth (see Attachment 1). The provisions of the resolution include convictions that are not listed as barred offenses outlined in State Department of Health Service (DHS) 12, Offenses Affecting Caregiver Eligibility.

In early 2017, an individual provider who was barred under this resolution, contacted DHHS inquiring about having the restriction lifted. DHHS has no process for an individual to appeal a restriction under the current policy.

In accordance with Wis. Stat. 50.065(5), the State Department of Health Services (DHS) and Department of Children and Families (DCF) have a well-established process which allows individuals with a barred conviction or finding of abuse, neglect or misappropriation to apply for a rehabilitation review. The rehabilitation review is an opportunity for a caregiver to provide clear evidence that a repeat of the conduct that led to conviction is unlikely and that clients will remain safe under their care.

In collaboration with the Office of Corporation Counsel, DHHS has developed a policy and procedure (see Attachment 2 – DHHS Rehabilitation Review Process) to allow individuals to apply for a rehabilitation review. The policy is based on a similar procedure used by the state agencies.

Recommendation

It is recommended that the Milwaukee County Board of Supervisors authorize the Interim Director of DHHS, or her designee, under the direction and supervision of the Office of Corporation Counsel, to administer the DHHS Rehabilitation Review Process as outlined in Attachment 2.

Fiscal Impact

Adoption of this resolution will have no fiscal impact. A fiscal note form is attached.



Jeanne Dorff, Interim Director
Department of Health and Human Services

Attachment (2)

cc: County Executive Chris Abele
Raisa Koltun, County Executive's Office
Kelly Bablitch, County Board
County Supervisor Supreme Moore-Omokunde
Lisa Wozny, Fiscal & Management Analyst, DAS
Erica Hayden, Research & Policy Analyst – Comptroller's Office
Colleen Foley, Office of Corporation Counsel