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A resolution by Supervisor Lipscomb, Sr., requesting the Milwaukee County Department of Child Support Services discontinue the discretionary practice of pursuing birth cost recovery collections in child support cases in Milwaukee County effective May 1, 2020, and earmarking \$250,000 in Org. Unit 1840-1945 Appropriation for Contingencies to offset the loss of related revenues, by recommending adoption of the following:

A RESOLUTION

WHEREAS, File No. 19-969, adopted by the Milwaukee County Board of Supervisors on December 19, 2019, requested the Milwaukee County (the County) Department of Child Support Services (CSS) to outline the fiscal and racial impacts of discontinuing the practice of Birth Cost Recovery (BCR) and how its elimination can be implemented in the County; and

WHEREAS, BCR is a practice pursued by CSS at the request of the State of Wisconsin (the State) Department of Children and Families (DCF) to recover from the father up to half the medical costs that a mother incurs at childbirth, which is allowed, but not required, under Title IV-D of the Federal Social Security Act; and

WHEREAS, Section 433.153 of the Code of Federal Regulations authorizes incentive payments to local child support agencies equal to 15 percent of the amount collected from BCR with the remaining 85 percent returned to state and federal governments as reimbursement for expenses incurred by the Medicaid program; and

WHEREAS, in File No. 20-131, CSS provided the total BCR collections, total amount remitted to the State, and total amount retained by CSS for Fiscal year 2018 and projected totals for Fiscal Years 2019 and 2020 as outlined below:

Fiscal Year	Total BCR Collections	Total Remitted to the State	Total Retained by CSS
2018 (Actual)	\$2,451,833	\$2,084,058	\$367,775
2019 (Projected)	\$2,300,000	\$1,955,000	\$345,000
2020 (Projected)	\$2,166,666	\$1,841,666	\$325,000

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; and

35 WHEREAS, CSS reports the racial demographics of child support participants as
36 49.2 percent Black, 13.5 percent White, 12.1 percent Hispanic, three percent other, and
37 22.2 percent no racial data obtained; and
38

39 WHEREAS, as part of their analysis, CSS staff reviewed that in 59 percent of the
40 274 paternity judgements there were no BCR expenses assessed, and in 41 percent of
41 the cases, BCR expenses were assessed in a range of \$100 to \$2,000, payable in
42 weekly increments of \$1 to \$23 per week; and
43

44 WHEREAS, the 2020 Adopted Budget for Dane County, Wisconsin, eliminated
45 the policy of BCR as part of their "Access to Opportunity Initiative" to alleviate financial
46 stress for parents and address barriers that disproportionately impact low income
47 families; and
48

49 WHEREAS, Advocacy & Benefits Counseling for Health, Incorporated (ABC for
50 Health, Inc.) reports BCR policy affects a significant amount of the State's most
51 vulnerable population, including unmarried women, fathers, infants, and families of color
52 living in poverty; and
53

54 WHEREAS, in 2015, ABC for Health, Inc., further reported approximately 25,000
55 of the 67,000 births in the State were paid by BadgerCare Plus, of which 69 percent
56 were to unmarried mothers, subjecting 17,106 fathers to potential BCR judgments; and
57

58 WHEREAS, the collection of an additional five percent of a father's income can
59 create a financial hardship, resulting in a decline of compliance with their child support
60 order, and negatively impact a father's relationship with the child's mother or the child;
61 and
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63 WHEREAS, BCR is a harmful practice to vulnerable communities within the
64 County and should not be continued; and
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66 WHEREAS, the Committee on Health and Human Needs, at its meeting of
67 May 20, 2020, recommended adoption of File No. 20-266 (vote 2-1); now, therefore,
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69 BE IT RESOLVED, the Department of Child Support Services (CSS), shall no
70 longer participate in the birth cost collection program effective May 1, 2020, which
71 operates at the discretion of Milwaukee County; and
72

73 BE IT FURTHER RESOLVED, the Department of Administrative Services,
74 working in conjunction with the Office of the Comptroller, is authorized and directed to
75 process an appropriation transfer of \$250,000 from the unallocated account of Org. Unit
76 1840-1945 Appropriation for Contingencies to an allocated account within the same
77 fund earmarked for the CSS, who may request the funds via an appropriation transfer at
78 the end of 2020 to the extent the department needs the monies to achieve a balanced
79 budget for the year; and
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81 BE IT FURTHER RESOLVED, CSS shall provide a report to the Milwaukee
82 County Board of Supervisors for consideration in the September 2020 meeting cycle on
83 the effects of the policy change within the department and compliance rates on child
84 support collections.

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