

Family Support Program Guidelines and Procedures

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Chapter I

The Family Support Program

CHAPTER I: PURPOSE AND AUTHORITY

1.01 Purpose

The Family Support Program provides individual supports and services to families that include a child with severe disabilities.

The program helps families cope with the specialized care needs of children whose disabilities seriously limit their capacity to care for themselves, to communicate, to move around, to learn and to become independent.

Families who have children with severe disabilities face experiences other families rarely encounter. The continuous care of their children puts pressure on all aspects of ordinary life. If a child has medical needs, the parent's caregiving could make the difference between life and death for their child. Meeting the needs of children with severe disabilities often places hardships on a family's emotional, physical, and financial resources.

The Family Support Program was designed to relieve some of the stress, to preserve the child's place in the family, and ensure that parents get the help they need without having to give up parental responsibilities and control.

In the past, parents were often advised to place their child in an institution where professional help could be provided. Little or no services were offered to the family if their child remained at home. Today attitudes are more positive and realistic. People have a better understanding of the importance of meeting children's needs within the context of their families and of supporting parents in their caregiving role. Today people understand that **all children belong in families and need loving, enduring relationships.**

The Family Support Program was created *to enable parents of children with disabilities to care for their children in their own homes rather than placing them in institutions or other out of home placements, thereby enhancing the quality of life; to improve the availability and coordination of community services to families; and to increase the control of families over the types of services and goods provided to them, s.46.985(2), Wisconsin statutes.*

1.02 Authority

- A. State Statute The Family Support Program which began as a demonstration project of the Wisconsin Council on Developmental Disabilities in 1984 with nine (9) volunteer counties, was authorized in Wisconsin statute, s.46.985 (Appendix A) in 1985. The program was gradually implemented in the remaining counties and achieved statewide status in 1991.
- B. Administrative Rules As part of the state legislation authorizing the Family Support Program, s.46.985(2)(a), the Department was required to develop and promulgate rules for implementing the program in consultation with county departments, providers of educational and other services, and families of children with disabilities. A Statewide Family Support Program Advisory Committee worked with the Division of Supportive Living to develop the administrative rules for the program. Administrative Rule HFS 65, *Supportive Services for Families with Disabled Children* (Appendix B) was promulgated in January 1987.
- C. Guidelines These *Guidelines* have been developed and are periodically updated by the Department to clarify and interpret statutes and rules governing the program. The current *Guidelines* were written with the advice of a statewide committee made up of county Family Support Program providers, parents, advocates, and state staff. A roster of committee members is shown in Appendix C.
- Within the Department of Health and Family Services, the Division of Supportive Living (DSL), Bureau of Developmental Disabilities Services is responsible for oversight and statewide administration of this program. Within each DSL Region, an Assistant Area Administrator is assigned as regional contact person for this program. Names of the Family Support Program regional contacts and counties assigned are shown in the Family Support Program Directory in Appendix C.
- D. Cost Sharing The Department was required by Family Support Program legislation, s.46.985(2)(a)8, to develop criteria for determining a family's ability to bear the cost of services and goods it needs. **ABILITY TO PAY INSTRUCTIONS** for determining the parental share in the cost of services and supports for children with disabilities living at home are promulgated by the Department and updated annually. **ABILITY TO PAY INSTRUCTIONS** and related forms are shown in Appendix D.
- E. Training/ Technical Assistance Consultation and technical assistance are available to county agencies on an ongoing basis from the Division of Supportive Living, Office of Strategic Finance – Area Administration, and the Bureau of Developmental Disabilities Services.

The Bureau of Developmental Disabilities Services coordinates major conferences annually on supports and services to children with disabilities and their families. DSL regional contact people also convene regional meetings quarterly or as agreed upon by participating agencies in each region.

F. Funding Funds for this program are a capped amount designated by legislative budget as part of state general purpose revenue (GPR). These GPR funds are part of the total Community Aids to counties and require the same county matching funds as all Community Aids. The total state allocation for county Family Support Programs is distributed on a formula basis to county Community Boards or Human Service agencies established under s.46.23, S.51.42, or s.51.437. The formula includes factors such as population of children in the service area, number of low-income families and prevalence of severe disabilities.

G. County Program Each county or group of counties is required to create a local Family Support Advisory Committee, designate a Family Support Program Coordinator, develop an annual Family Support Program plan, and implement that plan to the extent that federal and state funds are available.

H. State Appeals Statute s.46.985(6)(h) authorizes program participants the right to a state appeal through a state fair hearing process under s.227.42 in certain limited situations as follows:

1. A family may appeal a denial of eligibility for services provided through the Family Support Program;
2. A family may appeal a termination of Family Support services.

The Secretary of the Department of Health and Family Services has designated the Division of Hearings and Appeals as responsible for processing requests for hearings.

The above actions as well as any other concerns shall be subject to appeal through a local grievance procedure.

Chapter II

CHAPTER II: ADMINISTRATION

2.01 County Department

- A. Responsibility The County Department or Human Services Department designated under s.46.23, s.51.42, or s.51.437, Wisconsin statutes, shall have the following responsibilities:
1. create a Family Support Advisory Committee with responsibilities as specified in 2.02, *Family Support Program Guidelines and Procedures*;
 2. appoint members of the committee in accordance with section 2.02, *Family Support Program Guidelines and Procedures*;
 3. administer the Family Support Program or designate a human service agency in the service area to administer the program within the limits of state and federal funds allocated for this purpose;
 4. establish policies to be followed that ensure that the program uses existing county resources to the greatest extent possible;
 5. coordinate the administration of the program with the administration of other publicly funded programs that serve children with disabilities and their families, including the Community Options Program under s.46.27; the Community Integration Programs under sections 46.277 and 46.278; the social services, mental health and developmental disabilities programs under sections 49.52, 51.42 and 51.437; the independent living center program under s.46.96; the Wisconsin Medicaid program under sections 49.45 to 49.47; and the Birth to 3 under s.51.44(5)(a), Wisconsin statutes.
 6. approve and submit the annual Family Support Program plan.
- B. Delegation The County Department responsibilities may be delegated to the agency designated to administer the Family Support Program.

2.02 Family Support Advisory Committee

A. Membership At a minimum the committee shall consist of:

1. Parents of children with disabilities including, if possible, parents of families that participate in the program or parents on a waiting list for Family Support services. For the advisory groups, "parents of children with disabilities" means parents of children under the age of 21. In other words, the agency should recruit parents of children under age 21 who are eligible for the Family Support Program. This will assure that the focus of the local Family Support Advisory Group will be on issues in services to children in the age group served by the program and their families.

The parents should also be representative of the various disability, racial and ethnic groups in the service area.
The parent members must make up a majority of the membership of the committee.

2. Persons from the service area representing **a)** the county department of human services or community programs under s.46.23, 51.42 or 51.437; **b)** the county department of social services under s.46.215 or 46.22; **c)** school districts, and **d)** public health agencies. At least one of the committee members must be a person who provides community social services to children with disabilities or families eligible for the program, such as the Family Support Program coordinator or the Birth to 3 Program coordinator.

B. Added
Members

Statute specifies the minimum representation on the committee as stated above, but also requires an unspecified number of people from the community who provide services or supports for children with disabilities and their families. This addition was intended to invite committee membership from other public and private providers for the purposes of coordination and consultation among various individuals in the children's services system in each service area.

The county agency is responsible for specifying who should be asked to participate on the committee from among the persons in the service area who provide social or educational service to children with disabilities other than the providers specified in paragraph 2, above. For example, people from the medical community, educators, people from the community recreation program, or from voluntary agencies.

- C. Existing Committee An existing committee may be designated as the Family Support Advisory Committee **provided that the membership of the group meets the criteria in 2.02 A, above.** A subcommittee of an existing committee may also be created, if it meets the membership requirements of this section.

If an existing committee or subcommittee of an existing group is designated as the Family Support Program advisory committee, the purpose, responsibilities, and membership requirements stated in s.46.985 and the *Family Support Program Guidelines* must be maintained. The focus of this group is on the needs of young children with disabilities and their families, rather than adults with disabilities. **If an existing group is designated, the membership of the committee should be made up of parents of children under age 21 and of people in the service system that work with these children and their families.**

The Family Support Advisory Committee can be the primary coordinating mechanism among a variety of programs which provide one or more services to children and families. So, for example, an interagency coordinating committee for Birth to 3 services may also serve as the local Family Support Advisory group if all other membership requirements are met.

- D. Chairperson The committee must have a chairperson. The selected chairperson may not be a staff person from the administering agency.

- E. Purpose The primary purpose of the committee is to provide oversight and direction to the Family Support Program in the local community and to assist in the development of the annual program plan. The committee may also serve a broader function of reviewing services and supports available to children with disabilities and their families in the service area, identifying needs, and developing ways of meeting those needs.

Historically community services for people with developmental disabilities have focused resources primarily on adult services. Services to children and families require a different focus that considers the family as a unit. The local Family Support advisory committee can provide a forum for families to discuss the needs in general and to explore ways that those needs can be met through public or private services, generic community resources or voluntary parent to parent activities. In this way the committee can act as a resource for advocacy on behalf of children in the service area for improved access to community activities, resources, programs and services.

- F. Responsibility The advisory committee must be an ongoing committee that meets at least quarterly. The local Family Support Program advisory committee shall have the following responsibilities:
1. monitor, on a regular basis, the implementation and operation of the county's Family Support Program to assure compliance with applicable statutes, guidelines and procedures;
 2. assist in the development of any special county policies for the Family Support Program (e.g. criteria used to prioritize families to be served from waiting list, transportation issues, etc.);
 3. ensure coordination of the Family Support Program with other local and statewide services for children with disabilities and their families;
 4. monitor and recommend use of Medicaid Case Management funds in Family Support;
 5. assist in the development of plans and requirements for quality assurance, including family satisfaction;
 6. serve as a forum for assessing service and other needs of children with disabilities and their families and improving the resources available to families;
 7. assist in the development and approve the Annual Family Support Program plan for the service area; and
 8. perform other functions as the county so designates for children's services.
- G. Limitations The committee should not undertake activities, which by their nature and purpose would create a conflict of interest for family members who, are participating in the program. For example, the committee **should not** be charged with making **case by case** decisions for Family Support funding, since participating families might be affected by such decisions.

2.03 Administering Agency

- A. Choosing the Administering Agency The county department may administer the Family Support Program or may contract with another agency to administer the program. The county department retains ultimate responsibility for appropriate administration of the program according to legislation, administrative rules and program guidelines.
- B. Responsibility The minimum responsibility of the administering agency is to:
1. cooperate in the development of the program plan (see Chapter III);
 2. provide information about the program and other programs for children with disabilities in the service area;
 3. implement the program in accordance with the program plan; and
 4. designate one of its employees as the service coordinator for each participating family.
- C. Family Support Service Coordinator The administering agency must appoint a staff person as Family Support Program Coordinator. This person may perform administrative tasks for the program as well as provide service coordination for families participating in the program. The administrative and service management duties may be split among more than one staff person. Whatever the designation of responsibilities, the agency must provide to the Department the names of staff people performing these tasks. A single point of contact or access to the Family Support Program must be established and publicized within the service area so that families who are referred will get adequate information in a timely way.
- D. Qualifications of Service Coordinators Service coordinators in the Family Support Program must have demonstrated qualifications and skills in meeting the needs of children with disabilities and their families. They must have the ability to help parents and other family members identify their concerns, strengths and priorities, and also have considerable knowledge of community resource alternatives for children of different ages and with various types of disabilities and conditions. The service coordinator should have the ability to work with others in public and private service systems to negotiate a plan that meets the needs of the family.

- E. Coordination The administering agency under the guidance of its advisory committee and the county structure within which it works is responsible for coordination of its services for children and families. Such coordination requires consideration and decisions about which program should assume the role of central point of contact for the family, and the extent and nature of involvement by other programs and their staff. Consideration of these issues requires familiarity with the eligibility requirements of other programs, knowledge of the roles of other staff people and the limitations of resources.

2.04 Family Support Program County Allocations

- A. Distribution of funds The Department allocates Family Support Program funds to counties on a formula basis from a total amount of money set by the legislature for this purpose. The Family Support Program funds are part of state Community Aids, and are listed under a separate schedule for the Family Support Program in the State/County contract. A separate Appendix of the state/county contract covers the conditions under which this program is funded.
- B. County Match As part of the total Community Aids funds distributed to counties, the Family Support Program funds require the same percent of county matching funds as all Community Aids. In 1997 the rate for county matching of state funds is 9.89% of total Community Aids funds received. However, the counties are required to account for the bottom line total match for all Community Aids. The match does not necessarily revert back to each specific program within Community Aids.
- C. Carryover Family Support funds are allocated and expended on a calendar year basis. At the end of the fiscal year the county may carry over a total of 3% in Community Aids. Family Support funds may be included as a portion of this carryover. As applies to all programs which are funded through Community Aids, Family Support program funds may be carried over to the next fiscal year at a rate as high as 25% of the Family Support Program allocation, as long as the total carry over does not exceed 3% of Community Aids.
- D. County Service Expenditure Maximum The statute for this program states that at a minimum, counties agreeing to administer this program, are required to do so up to the limits of state and federal funds provided for this purpose. Counties may, however, provide added funds to serve more families and/or to pay for administrative costs of the program.

2.05 Use of Funds

- A. Services Family Support Program funds are designated for the purpose of purchasing services and goods needed by families and identified in each family's individual service plan. See Chapter V for a description of the process of assessing need and service plan development.
- B. Administration Up to ten percent (10%) of a county's total Family Support allocation may be used to pay for staff salaries and other administrative costs directly associated with the operation of the program. For example, funding for administration may be used for salary and fringe benefits of the program coordinator and/or service coordinator, travel of program staff, travel of advisory committee members, secretarial assistance, printing, photocopying, etc.
- C. Payments for Services Payments for services to families may take a variety of forms depending on the needs and desires of the family. A voucher method or another method, which ensures an auditable record of all services and goods purchased with Family Support funds may be used. The county may pay the vendor directly, may reimburse the family for completed services or may provide the family with an advance payment for approved services. If the family chooses to make direct payment for goods and services and is reimbursed by the Family Support Program, the agency should collect receipts from the family, or provide some auditable record of purchased services.
- Careful tracking of receipts is advisable to provide adequate documentation for audit purposes. Receipt collection will also assure that payments received by families through the program clearly are service funds that are not considered income or assets to the family. Families should also be advised to keep receipts for their own records. Receipts held by the administering agency may be originals or copies of originals.
- D. Purchasing Procedures There is a waiver of contract in the *Allowable Costs Policy Manual* which is intended to minimize the bureaucratic steps needed to purchase services and goods for families. The *Allowable Cost Policy Manual* (2/95) under Section III, 4. (page B3-5) states:
"All care and services purchased by the department, a county social service department, a county department of public welfare, or a board established under s. 46.23, 46.036, 51.42 or 51.437 shall be authorized by a written contract with the provider. For purchase of \$10,000 or less, the requirement for a written contract may be waived upon written request to the appropriate DHFS contract administrator".

All client services must be authorized in writing by the purchasing agency. The authorization may be for an individual client or target group of client and must be consistent with the requirements of the funding source. Whether for an individual or for a group of clients, the authorization procedure must be established through written policy and be on file (page B3-11).

The Department has approved the waiver of contract for the target group of families participating in the Family Support Program. This means, for example, that if it is indicated in a family service plan that a child needs "special clothing," the agency may reimburse the family for the purchased items or may provide the family with an advance payment for the purchase. **No contract between county and vendor is required.** This waiver covers all purchases made by families participating in the program.

E. Disregard of
Family Support
as Income

Services which families receive through the Family Support Program are not considered income benefits and therefore should not be reported as such to the Internal Revenue Service. Family Support Program benefits are also disregarded when determining eligibility and benefits under Wisconsin's income maintenance and Medicaid programs. For example, benefits in services and goods received by a family through the Family Support Program must be disregarded if a family applies for Wisconsin Works (W2) established under the Temporary Assistance for Needy Families (TANF) block grant, and complementary programs such as food stamps or the Women Infants and Children (WIC) nutrition program, as well as Medicaid programs such as BadgerCare.

The rationale for this policy is that families who participate in the Family Support Program receive **social services** based on an individual family service plan. Such services provided through this program are similar to those funded through Title XX social services. Neither are considered taxable income to the family regardless of the method of payment for the services. In other words, the disregard of Family Support as income applies whether services are paid for by the family and the family is then reimbursed by the agency, the family is given the payment in advance for services to be purchased by them, or the agency pays the vendor directly.

Note that the *Family Support Program for families who have children with severe disabilities*, established under s.46.985 Wisconsin Statutes must be distinguished from Family Support under s.767.261 Wisconsin Statutes which covers alimony and child support. Child support and alimony may, depending on the circumstances, be either included or excluded from gross income for federal tax purposes.

- F. Establishing the Grant Amount
- The amount of Family Support dollars each family receives is based on **1)** family need identified in the service plan, **2)** availability of resources from other programs and/or community resources to meet the needs; and **3)** the annual maximum in Family Support funds per child with disabilities.

The parameters for determining the grant amount are established in the Family Support Program administrative rule:

HFS 65 (8) ESTABLISHING THE GRANT AMOUNT, the annual grant to the family must be no less than the amount needed to meet the family's unmet needs as determined through the needs assessment, but may not exceed the lesser of the following:

(a) The level of financial need for goods and services determined according to the individual family needs assessment less the family's adjusted annual ability to pay; or

(b) A sum of \$3,000 for each child with a disability in the family, unless a larger amount is authorized by exception described in HFS 65.06. (See section G., below.)

Assessing Need and Planning Services

The first step in determining the grant amount for each family is to talk with the family about their concerns, resources and priorities as described in Chapter V under 5.02 Assessment, and 5.03 Service Plan Development. The **services and goods identified in the individual family service plan and agreed upon by the family and a representative of the agency** are the basis on which the amount of funds required of the Family Support Program is established.

Once the service needs are identified and agreed upon by the family and the agency, the agency may use whatever funding sources are available to provide the services identified, consistent with the agency's role in coordinating funding sources. (See Chapter II, section 2.01, A. 5.) The cost of the services identified in the service plan, and not funded through other sources, establishes the grant amount unless this amount exceeds \$3,000 in any 12-month period.

Maximum Per 12 Month Period

Family Support Program legislation, s.46.985(6)(g), establishes a cap on the amount of funds which may be expended per family, per child with disabilities. The amount that may be paid or expended on behalf

of a family through the Family Support Program **may not exceed** \$3,000 in any 12-month period for **each** child who meets the definition of disability established by the program.

Maximum When Parents Share Joint Custody

In situations where the parents are divorced, sharing joint custody, and are caring for their child on an equal basis, the capped amount for each individual parent is \$1,500. However, the parents and the Family Support Coordinator may work out any mutually agreed upon service plan within the general parameters of the funding maximums.

Establishment of the annual maximum on funds available per family is not meant to suggest that families are entitled to the maximum \$3,000, per child, regardless of whether or not specific needs have been identified. The service plan agreed upon by the parents and a representative of the administering agency is the primary factor in determining the grant amount. Families may receive funding from the Family Support Program for services with a total cost under the \$3,000 cap set by law, if the service plan indicates a lesser amount is needed. However, the agency should base the grant amount on all of the needs identified and agreed upon in the service plan **up to the \$3,000** established in statute.

G. Procedures
for Exceeding
the Maximum

Occasionally, the administering agency may have reason and resources to exceed the annual \$3,000 payment for services to a family. In these situations, the agency must request a waiver of the \$3,000 maximum. The request should be made in writing, in advance of expenditure of funds, to the DSL Assistant Area Administrator designated as Family Support Program contact person in their region. (See Appendix C for a list of the names, addresses and telephone numbers of the regional contact people and the counties to which they are assigned.)

At a minimum the request must contain the following information:

1. the name or HSRS identification number of the eligible child;
2. the needs identified during the assessment process that must be met and cannot be met through other resources;
3. a description of other resources used to help meet the needs;
4. the amount of funds needed and requested from the Family Support Program and a statement on whether these funds are available to serve the family.

The Division of Supportive Living Assistant Area Administrator must respond to the request in advance of expenditure of funds for this purpose.

H. Limitations

Family Support Program funds may not be used for:

1. purchase of land or buildings, including any increase in square footage of the home;
2. case management or service coordination;
3. care or services, including respite services, in an institution, or payment for a family's share in the cost of such services;
4. a county may not take all or a portion of the Family Support dollars to start up new programs or to increase funding of existing programs in standard program categories other than Family Support.

For a discussion of the types of services that may be appropriately funded under this program, see Chapter V, Section 5.04, Services to Families.

2.06 Coordination of Funds

A. Responsibility

The administering agency carries out many of the service coordination functions required of the county under *HFS 65.05 (5)*, coordinating publicly funded programs for children with disabilities. The agency must appoint a staff person whose responsibilities include coordinating the Family Support Program and the use of its funds with other publicly funded programs. The Family Support Coordinator is responsible to know the programs and funding sources available to serve the family and to coordinate those funding sources according to the requirements in these guidelines.

B. Family Support as Gap-Filling

Family Support funds are intended to be used in conjunction with the family's own resources, including third party payers such as insurance and Wisconsin Medicaid, and income sources such as SSI and other earned and unearned income, as well as with other programs for which the child or family may be eligible.

Families may receive funds through the Family Support Program in addition to other benefits to which the child and/or the family may be entitled, such as Social Security, Supplemental Security Income (SSI), Wisconsin Medicaid, food stamps, Temporary Aid to Needy Families

(TANF), the Women Infant and Children (WIC) nutrition program, energy assistance and rent subsidies.

C. Multiple
Funding
Sources

County agencies and their contracted administering agencies manage multiple funding sources to assist people in their service area. In coordinating these funds, the local agency retains discretion over which program(s) should be used to meet the needs of a particular child and family. In general, Family Support Program funds are coordinated with other long term support funding such as the Wisconsin Medicaid Program, the Community Integration Programs (CIP-1A and CIP-1B), the Community Options Program (COP), and the Birth to Three Program. In addition a child and family may be eligible for services through county programs such as respite, child care, child welfare or Family Based Services. A family may be eligible for the Family Support Program, but receive all or a portion of the services they need through one or more of these other programs.

It is the responsibility of the Family Support Program Coordinator to work with the various programs and funding sources to make maximum use of all available and appropriate resources to serve the needs of the family.

1. Wisconsin Medicaid

Most children who are eligible for the Family Support Program are also eligible for Wisconsin Medicaid (MA). A child may be eligible for Medicaid through the SSI program, the CIP programs, Healthy Start, TANF, BadgerCare, or the Katie Beckett Program. If a child has Medicaid coverage through any of these programs, medically necessary services that would be covered by Medicaid should be billed to that program rather than the Family Support Program. For example, diapers for a child over the age of four years are a covered service under Medicaid. Therefore, Family Support funds should not be used for this item.

If the service coordinator believes a child would be eligible for Wisconsin Medicaid through one of the above programs, the agency may require that the parents apply for Medicaid on behalf of their child before using Family Support funds for medically needed services. The Family Support funds should not be used solely because it may be more convenient for the family to use Family Support funds than it is to use the MA card.

2. Other County, State, & Federal Programs

Family Support Program funds may not be used to replace any other state and federal funds or any county funds that are currently being provided to a family under any program, s.46.985 (7)(b). This means that the county agency cannot deny a family eligibility for the local respite program solely because the family is receiving funding for respite through Family Support. Also, if children or parents are receiving services through other sources, such as county mental health services, or child day care, Family Support funds may not be used to replace local, state or federal funding for these services.

3. The Birth to Three Program

Family Support Program funds may not be used for any of the early intervention entitlement services listed in a child's Individual Family Service Plan (IFSP). These services, as identified in HSF 90.11, include all Birth to 3 early intervention core services such as evaluation, assessment, service coordination, procedural safeguards, and any of the other early intervention services described in HSF 90.11(4), as early intervention entitlement services. Family Support funds may be used to purchase additional services for eligible children and their families, which are not entitled early intervention services, such as items in the "other services" section of the IFSP. For further clarification on distinguishing the use of Family Support and Birth to 3 Program funds, see Appendix D, DSL INFO MEMO 93-10.

4. Juvenile Justice Services

When a child is adjudicated delinquent, Family Support funds may not be used to serve the family. The Youth Aids Program is designed to promote community-based services as an alternative to institutional services for youth adjudicated delinquent. Use of Family Support Program funds for this target group would violate the non-supplanting requirements stated in section 2.05 G. 4., above.

5. Child Welfare Services

If a family is involved with the child welfare services system on a voluntary or involuntary basis and one or more of their children have a severe disability which meets the requirements of the Family Support Program, the Family Support service coordinator may be asked to participate in service planning and provision. Usually, the Family Support coordinator is not the lead worker in these situations, but can bring expertise on the needs of the child and family related to the child's disability.

If the Child Protective Services section of the county agency is working with a family, the Family Support Program may not be used to pay for intensive in-home services and other supports that would ordinarily be paid for through Family Based Services.

If a child is in an out of home placement, the Family Support Program may not be used to purchase services aimed at the reunification of the child and family, unless the child will be returning home within 6 months and there is a written plan for reunification. See Chapter IV, section 4.04, A. Living at Home.

2.07 Setting Priorities for Available Funding

A. Responsibility Wisconsin Administrative Code, *HFS 65.05* states that the

*(a) Administering agency shall allocate available funding to families who meet eligibility requirements under s. HFS 65.04 on a **first-come, first-served basis**, except that an amount of funds may be reserved to ensure provision of goods and services to the following families:*

- 1. families in a crisis situation;*
- 2. families considering out-of-home placement for a child; and*
- 3. families planning to bring a child home from an out-of-home placement.*

(b) An administering agency may not provide supportive services for a family whose disabled child is at least 21 but less than 24 years of age unless a request is submitted under HFS 65.07 and is approved by the Department.

If the administering agency sets aside a portion of the Family Support Program funds for families in crisis, the agency must develop criteria and procedures for determining if a family is in crisis and the extent of their need. The agency may prioritize the waiting list for these crisis funds, based on severity of need and other factors so that families most in need can be served with the limited dollars.

The administering agency should request assistance and advice from the local Family Support advisory committee in developing criteria which will be used to determine whether a family is in crisis. The advisory committee should also advise the administering agency regarding the criteria and method for prioritizing needs of families on the waiting list.

If the administering agency, with advice from the local advisory committee, develops waiting list policies including procedures for determining how to prioritize needs, making one-time-only purchases, and other issues that may arise, **the policies must be written and must be included in the annual Family Support Program County Plan.**

B. Continuity
of Services

Families participating in the Family Support Program may continue in the program as long as their needs continue and funding remains available. Service agreements between the agency and the family extend over the period of a year since, by state/county contract, services cannot be authorized beyond the current year. However, services can continue from year to year according to criteria established in the county's Family Support plan, if the child and family needs remain, funding is available, and the administering agency approves the service plan.

It is the responsibility of the administering agency, with advice from the local Family Support advisory committee, to decide how available funding should be used for families currently on the program and families with high needs not yet on the program. If a portion of Family Support funds are to be set aside for: *1. families in crisis; 2. families considering out-of-home placement for their child; and 3. families planning to bring a child home from out-of-home placement*, the plan must specify the amount of set-aside funds and their intended purpose. The annual Family Support plan should also include criteria for determining which families will receive continued services from year to year and the criteria for determining under what circumstances a family on the waiting list might receive services as a priority over another family served during the previous year.

A plan for set aside funds would not preclude changing the plan so that other uses of the set-aside funding can be made during the year.

For example, funds set aside for families in crisis or families considering out-of-home placement for their child may be periodically reassessed. The administering agency with advice from the local advisory committee may determine whether the money should continue to be held or whether participating families or families on the waiting list can be served with the funds.

2.08 Funding of Last Resort

Family Support funds are the funding of last resort. Where other programs are also defined as funding of last resort, they are to be used before Family Support Program funds. This means that other sources of funding must be investigated as part of the funding package before determining that the service plan requires the use of Family Support dollars.

When funds for other programs are committed to current participants, or with reasonable documentation, are projected to be fully expended prior to the end of the year, then a determination may be made that funding from Family Support is needed.

If a child is eligible for both the Family Support Program and the Community Options Program, **the county department or its designated administering agency must decide which program should be used to meet the family's needs.** Agencies may use one or both programs to meet the service needs of the family.

2.09 Cost Sharing

Although income of the child and family is not considered for the purpose of determining child and family eligibility, the legislature has required the Department to develop in administrative rule:

Criteria for determining a family's ability to bear the cost of the services and goods it needs which shall take into account the family's size, family income, the number of disabled children in the family and the medical and other expenses related to the exceptional needs of the disabled child, s.46.985(2)(a)8.

The administrative rules, which were written pursuant to this legislation, are found in *HFS 65(7)*, shown in Appendix B.

For each family participating in the Family Support Program, the administering agency must determine a family's ability to bear the cost of services. Instructions for determining a parent's share in the cost of

services and supports received when the family has a child with disabilities living at home are published in the manual entitled *Ability to Pay Instructions*, Appendix D. The procedures include provision of a *Declaration of Income* form, DSL-465, for the parents to fill out and sign, and an *Ability to Pay - Worksheet 1* for the Family Support service coordinator to use in figuring the family's ability to share in the cost of needed services and supports.

When a child is eligible for more than one long-term support program, the Ability to Pay Determination will vary but the assessment of family ability to pay is figured only once. If a child is eligible for Family Support and Birth to 3, the administering agency which is responsible for coordination of services is responsible for deciding which program will take the lead in figuring the family's ability to pay and which program will receive any cost share payments. The cost share for the Community Integration Programs (CIP), the Community Supported Living Arrangements (CSLA), and the Community Options Program (COP), supercede the Family Support Program Ability to Pay. Therefore, if a child is eligible for one of these programs, the Ability to Pay is not completed for Family Support.

2.10 Confidentiality

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| A. | Release of Information | Consent to share information with others must be obtained from Family Support Program applicants before or during the assessment of need. |
| B. | County Form | The county or administering agency's release of information form should include agencies that are commonly used during the assessment and service planning steps of the program. |

A release of information form must be completed for each Family Support Program participant and maintained in the person's file. The form must contain the following:

1. name of the program releasing information;
2. name or title of the person or organization to which the disclosure is to be made;
3. purpose or need for disclosure;
4. extent or nature of information to be disclosed;
5. name of the applicant/participant;

6. time period during which the consent is effective;
7. date on which the consent is signed;
8. signature of the applicant/participant or parent/guardian; and,
9. a statement which indicates that the applicant/ participant may revoke consent.

Chapter III

CHAPTER III: FAMILY SUPPORT PROGRAM PLAN

3.01 General Requirements

- A. Development The county department (or administering agency) participating in the Family Support Program shall develop and ensure compliance with the county Family Support Program plan. The county agency must have a process in place to obtain assistance and advice for the Family Support Program Plan from the Family Support Advisory Committee.
- B. Maintenance The administering agency must keep a record of the Family Support Plan and keep a copy of it within the agency. A current copy must be on file with the Department.
- C. Availability The county's Family Support Program plan and the Department's *Family Support Program Guidelines and Procedures* must be made available to all interested parties, including the general public, upon request.

3.02 County Family Support Program Plan

- A. Contents The Family Support Program plan for each service area must include the following as specified in s.46.985(3)(b):
1. a description of the proposed program;
 2. the estimated number of families that will be assessed and served;
 3. a list of specific groups, if any, that will be given priority for available funding, and the criteria used to determine how the agency is making decisions on priority;
 4. a description of the outreach procedures that will be used to ensure that the program will be made available to children with physical, emotional and cognitive impairments;
 5. the procedures that will be used to determine family needs;
 6. a description of the methods that will be used for developing and monitoring service plans and for coordinating the provision of services and goods to participating families;
 7. a description of the methods that will be used to promote and enhance informal support and advocacy systems for families; and

8. a description of the method that will be used to monitor the program.

The plan may also include other information required by the Department for its annual report to the legislature, such as:

1. a summary description of the previous year's program;
2. identification of unmet service needs;
3. number of families on waiting lists for services; and
4. membership and mailing addresses of the local advisory committee.

The local advisory committee may also wish to specify additional sections of the plan such as:

1. identification of resources to families and children; and
2. identification of resource needs in the service area.

- B. **Monitoring** The county Family Support Plan must include a monitoring plan the Program for the program. This plan shall include an annual:

1. review of the county's Family Support Program Plan;
2. determination of client satisfaction at the assessment, service plan, and service stages of the program. At a minimum, this must involve contact with a random sample of parents participating in the program;
3. review of any grievances, including revisions of policies and procedures where necessary;
4. review of the number and types of denials of assistance from the program, reasons for denial, and actions planned to address the issues raised;
5. identification of the role of the Family Support Advisory Committee, the administering agency and any others involved in monitoring the program.

3.03 Family Support Program Plan Update

- A. Contents A comprehensive Family Support Plan must be submitted every third year using the format defined by the Department. During the intervening two years submission of a limited plan to the Department is required. The limited plan must summarize annual Family Support data and describe any significant programmatic changes made by the county. (see Appendix E).
- B. Local Approval The Family Support Program Plan and subsequent Updates must be approved by the Local Family Support Advisory Committee and shall be signed by its chairperson and the lead agency director.
- C. Annual Submittal The Family Support Program Plan and Updates must be submitted at least 30 days prior to the beginning of the calendar year for which the Family Support Plan or Update applies, unless the Department has specified a later date. The Family Support Plan or Update should be submitted to the DSL Regional Office contact for the Family Support Program assigned to the county (see Appendix C) and one copy sent to the Family Support Program Manager in the Bureau of Developmental Disabilities Services.

3.04 Plan Review

After receiving a complete Family Support Plan, the DSL Regional Office contact person for the Family Support Program will:

1. Review the plan for consistency with program requirements, approve the Family Support Program Plan and issue an approval letter; or
2. Conditionally approve the Family Support Program Plan and issue a conditional approval letter. Conditions placed on the Family Support Plan or Update must be met within a specified period as determined by the DSL Regional Contact for the Family Support Program; or
3. Not approve the Family Support Plan. The Department shall give reasons in writing for the non-approval.

3.05 Amendments

Significant changes to the Family Support Program Plan must receive prior approval by the Department. When a major program change is to be initiated during the course of the year, an amended plan must be

submitted to the Department through the same process of submittal as the original plan.

"Significant program change" means any policy changes which will affect services to families, such as elimination of a particular service, setting funding limits below the \$3,000 maximum per year, prioritizing needs or services, etc.

Other changes to the Family Support Plan may be made at any time during the year. When such changes occur they should be sent to the DSL Assistant Area Administrator with a copy to the Bureau of Developmental Disabilities Services.

Chapter IV

CHAPTER IV: ELIGIBILITY

4.01 Fiscal Responsibility

- A. Residency The county where the child and the child's family physically reside and intend to remain is responsible for providing a determination of eligibility, an assessment, service plan, and services.

If a family moves from one county to another within the state, the family must apply for the Family Support Program in the county of new residency. The previous county is not required to provide services to the family once they have changed residency. However, at the discretion of the administering agency, the previous county of residency may continue to provide services to help the family during the transition.

- B. Residency in In all situations where primary custody is with **one** of the two parents, Two Homesthe **primary caregiver** is eligible to receive Family Support services from the county in which they reside. The non-custodial parent may be served only if there is a mutual agreement with the custodial parent, and the administering agency.

In situations where parents share **joint custody and equal time** in the care of their child, both parents are eligible to receive Family Support services. (See section 2.05, F, Establishing the Grant Amount, for clarification of the amount of Family Support Program funding each parent is eligible to receive.)

When both parents sharing joint custody of their child reside within the same county, the parents should apply jointly to the Family Support Program or in a mutually agreed upon way on behalf of the child.

When parents share joint custody and equal time in the care of their child and the parents reside in two separate counties, **each** parent may be eligible for the program **in the county of their residence**.

4.02 Family Eligibility

A family is eligible to receive services and goods from the program if the family meets all of the following requirements specified in s.46.985 (5) Wisconsin Statutes and HFS 65.04(1):

- (a) *The parent has a child with disabilities whom the parent wants to keep at home or return to the home from an institution or other out-of-home placement;*
- (b) *The parent will be able to take care of the child at home if financial, physical or other barriers are reduced or eliminated and adequate community support services are provided;*
- (c) *The family resides in a service area which has a Family Support Program; and*
- (d) *The family agrees to provide to the administering agency information necessary for assessing the family's ability to pay under HFS 65.05(7).*

4.03 Eligibility May Change

In order for a family to be eligible for Family Support, **all of the criteria for eligibility must be met.** If one of the criteria is not met for a period of time or on an ongoing basis, the family may become ineligible during that time. For example, a child may be placed in foster care, a group home or some other out-of-home placement, the family may move out of state, or the child's condition may improve. These changes can affect the family's eligibility for Family Support program services. The parent must report any changes that might affect eligibility to the administering agency within 10 days.

4.04 Definitions

- A. Family/Parent ***Family*** means a group that lives together and consists of at least one child with a severe disability and his or her parent(s). ***A parent***, if not the birth or adoptive parent, may be a guardian, legal custodian or a person acting in place of a parent. This, however, does not include foster parents or any other providers of alternate care such as group home providers or child caring institutions. Funds to support caregivers in these situations are foster care payments, which are determined by the child placing agency, typically the county department of social services.

Parents whose child has been adopted and who are receiving monthly subsidy payments through the Wisconsin Adoption Assistance Program and/or Medicaid for the child through that program, are also eligible to

be served by the Family Support Program, if other eligibility requirements are met.

- B. Living at Home *Living at home* means that the child's family is eligible for Family Support only while the child resides in the family home. If a child is placed out of the home for 30 days or more, this is considered an out-of-home placement. Such placements include voluntary and involuntary arrangements such as residential school services, hospitalizations, or inpatient care at a mental health institute, hospital or state center. Any continuous stay out of the child's home for 30 days or more in a hospital, nursing facility, foster care, group home or other paid arrangement is considered not *living at home*.

Child Returning Home

An exception to the above is when the child is in an out of home placement and Family Support funds are used to prepare the home and family for *the return of the child from placement*. In order to use Family Support funds, there must be an agreed upon, written plan for the child's return home within six (6) months. The agreement between the parents of the child and the child placing agency must include a date for return home and a list of the services that will be provided through Family Support and other sources to **facilitate the return home**.

If the child is placed out of home under Chapter 48, the service agreement must be written in the child's permanency plan. If a child is returning home from a state center for developmental disabilities or a mental health facility, the agreement must be written in the family's individual service plan.

Foster Care Providers as Respite Providers

Foster care providers are sometimes used as intensive ongoing respite providers to help families with children who have very high care needs and whose parents are unable to provide their total care. This type of arrangement may be used and the child's family may remain eligible for assistance through the Family Support Program, if they continue to care for the child more than 50 percent of the time. This means that during any single month, the child is in the parent's home more than 50% of the time **and** the parents retain responsibility for all major decisions regarding the care of their child.

While Family Support funds **may not be used** to pay for the foster care payments used for intensive ongoing respite, Family Support funds may

be used to help the natural family with other support needs, such as equipment, housing modification, and so forth.

C. Severe
Disability

To help define the meaning of "disabled child" the Legislature included the following definition of "disabled" in the enabling statute s.46.985(1)(d), Wisconsin Statutes:

"Disabled" means having a severe physical, emotional or mental impairment which is diagnosed medically, behaviorally or psychologically, which is characterized by the need for individually planned and coordinated care, treatment, vocational rehabilitation or other services and which has resulted or is likely to result in substantial* limitation on the ability to function in at least 3 of the following areas:

1. ***self care*** - age appropriate daily activities enabling a child to meet basic life needs for food, hygiene, and appearance;
2. ***receptive and expressive language*** - age appropriate communication involving verbal and nonverbal behavior enabling a child both to understand others and to express ideas and information to others;
3. ***learning*** - age appropriate general cognitive competence and ability to acquire new behaviors, perceptions, and information; apply experiences to new situations;
4. ***mobility*** - age appropriate ability to use fine and gross motor skills; ability to move one's person from one place to another with or without mechanical aids;
5. ***self-direction*** - age appropriate management and taking control over one's social and personal life; ability to make decisions affecting and protecting one's self-interest;
6. ***capacity for independent living*** - age appropriate ability to live without extraordinary assistance;
7. ***economic self-sufficiency*** - age appropriate ability to function in the work place.

s.46.985(1)(d), Wisconsin statutes (descriptions added).

* The term ***substantial*** implies a severe impairment, one that restricts the child's ability to engage in everyday activities or perform daily

functions considered typical for the child's age. The restriction causes parents or other caregivers to help complete these functions either (1) because the child needs help beyond the age at which such assistance would be expected, or (2) assistance must be provided in a significantly different manner than is ordinarily provided. An example of help provided in a significantly different manner is a child under age two who typically would need to be fed by a parent, but is fed per gastrostomy, which is a significantly different manner than bottle or spoon feeding.

D. Verifying the
Child's
Condition

To verify the child's diagnosis, and the severity of a child's functional limitations, the service coordinator may:

1. gather information from the parents;
2. observe the child either in the home and/or at school; and
3. review medical reports, school records, Multi-Disciplinary Team Reports, reports from therapists, and any other relevant documentation.

4.05 FSP FUNCTIONAL SCREEN

To assist the service coordinator in reviewing the child's functional limitations, the Family Support Program FUNCTIONAL SCREEN is used. The screen must be used to establish that each applicant child is severely disabled by the requirements specified in statute for this program, s.6.985(1)(d) Wisconsin Statutes. See Appendix F for the **Family Support Program FUNCTIONAL SCREEN**.

The screen is intended to clarify how the agency makes decisions regarding whether or not children have severe disabilities which meet the definition for Family Support established in statute. For example, there are children who have disabilities or serious medical problems, but who do not meet the criteria for Family Support Program. The following are a few examples of children who have a **significant disability** and yet may not meet Family Support Program criteria due to the requirement for "substantial functional limitation" in at least **three areas of major life activity**:

- children who are deaf, hard of hearing, or communication impaired and medically stable whose major need for intervention is speech and language therapy;

- children who are visually impaired or blind and medically stable whose primary needs are for educational adaptations such as adaptive written or auditory information;
- children with mild cognitive delays (an overall score of 70 or above on the WISC-R) whose physical condition does not significantly interfere with age appropriate activities;
- children with medical needs such as seizure disorder or asthma which are stable and controlled by medication and/or treatment;
- children with behavioral problems such as hyperactivity or attention deficit disorder whose condition is controlled with medications;
- children with serious medical needs which require treatment episodically but the condition does not significantly interfere with the child's daily functioning.

4.06 Other Considerations in Determining Severity of Disability

Although a diagnosis is required as one step in eligibility determination, eligibility does not necessarily begin when a diagnosis of a condition is made. Eligibility begins when a child's functional limitations are substantial and affect the child's current level of participation in major life activities as compared with the criteria in the relevant functional screen.

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| A. | Conditions Which Worsen Over Time | If a child has a degenerative or other condition that results in worsening of the child's functional abilities over time, eligibility begins when the child's functional limitations are substantial. However, the exact point in time when the condition changes from having <i>some</i> limitations to having <i>severe</i> functional limitations may be difficult to predict. The administering agency, at its discretion and after considering the full range of information and resources available, may for treatment reasons consider the child eligible in advance of the time that <i>severe</i> functional limitations are evident. The agency may take into consideration in making its decision: predictable outcomes of the condition, the age of the child, the needs of the family, the resources available, and any other relevant information. |
| B. | Conditions which Improve Over Time | Children under eight years of age who have disabling conditions or severe medical needs which meet the criteria for having severe functional limitations according to the relevant functional screen, but the condition might improve over time, may be determined eligible on a |

time-limited basis. For these young children, there may be uncertainty about whether the condition will persist and how long it will last. **If the severe functional disability is expected to last for at least one year or longer**, the child can meet the criterion of having a “severe functional impairment” as least on a time limited basis.

These decisions are made at the discretion of the administering agency, based on the needs of the family, the age of the child, the resources available, and any other relevant information. At each review date, the Family Support service coordinator can reassess the child’s functional abilities to determine if enough improvement has been made to no longer consider the child as having severe functional limitations. If, as the child grows older, the condition improves or remains mild or moderate, the agency may determine that the child is no longer eligible for Family Support based upon functional abilities.

4.07 Age of Child

The Family Support Program is intended to be a caregiver support program for the family while their child is growing from the time of birth and throughout the elementary and high school years. For this reason eligibility ends when the young person reaches age 21 or completes the final year of high school, whichever comes first.

The administering agency should work with the family to help them access the adult services system beginning around the time of the child's 16th birthday or earlier as resources permit.

HFS 65.05(2)(b) An administering agency may not provide supportive services for a family whose disabled child is at least 21 but less than 24 years of age unless a request is submitted under s.HFS 65.07 and is approved by the Department. (See section 4.08.)

4.08 Eligibility Between End of High School and Age 24

- A. Special Circumstances Under some circumstances families may continue to receive assistance through the Family Support Program after their son or daughter finishes high school or reaches age 21. The administering agency reviews individual situations to determine if there is a need for continued Family Support services, a lack of alternative resources and sufficient Family Support funds to pay for the services needed. The administering agency is responsible for deciding whether or not to request a waiver of eligibility for these young people and their families.
- B. Procedures for Requesting Eligibility for Young Adults Requests to use funds for young adults, who have not reached age 24 and are living with their parents, must be submitted by the administering agency in narrative form to the DSL Area Administrator designated as contact person for the Family Support program. The request should be submitted and a response given to the administering agency **in advance** of the expenditure of funds.

At a minimum the request shall contain the following information:

- a. the name or HSRS identification number of the person to be served;
- b. the needs identified during the assessment process that must be met and cannot be met through other resources;
- c. a description of other resources which have been explored to meet the young person's needs;
- d. a description of efforts being made to help the person's transition to adult living and other age appropriate activities;
- e. the anticipated length of time that Family Support funds will be needed for the person; and
- f. the reasons that appropriate adult services are not adequate to assist the young person and the family.

4.09 Family Income

For the purposes of determining eligibility for the Family Support Program, there are no limits on family income. However, there is a system of determining a parent's share in the cost of services and supports provided through this program. Requirements for cost sharing are set in Administrative Rule, *HFS 65.05(7)* (Appendix B). Procedures

for determining a family's ability to pay and grant size are discussed in detail in the *Ability to Pay Instructions* (DSL-939-I) (Appendix D). This manual may be ordered from the DHFS forms center. Ordering procedures are shown in Chapter VII, Program Administration, section 7.05 of this manual.

4.10 Limits of Available Funds

Eligible families are served by the Family Support Program within the limits of the funding available within the county in which they reside and apply for assistance. Because funding is limited, eligibility is not a guarantee that a family will receive services. Counties may have waiting lists for services and assessments. The agency may also prioritize these lists based on severity of need and other factors. Other funding sources may also pose restrictions on who can and cannot receive help through Family Support or provide other avenues of support.

See section **2.05 Use of Funds** for specific parameters on the use of Family Support funds and coordination with other services.

4.11 Eligibility Redetermination

Whenever a change occurs which might affect the child or the family's eligibility, the situation should be reviewed to determine **current** eligibility of the child.

Each year at the time of service plan development, the criteria for eligibility must be reviewed. This may be done formally or informally, as needed, according to the judgement of the service coordinator.

4.12 Notification of Eligibility and Appeal Rights

The administering agency is responsible for notifying the parents **in writing** of the child's eligibility for Family Support Program services. The agency must inform the parents of the approval or disapproval of their application within 30 days of receipt of their application, s.46.985(6)(a) Wisconsin Statutes.

The administering agency must include in all letters of denial of eligibility a notification to the parents of their right to appeal the denial decision with the information they will need to file the appeal. See Appendix H for sample letter of denial and Chapter VI, Rights, Grievances, Appeals.

If the staff know at the time of approval of eligibility that eligibility may be time limited, they should inform the parents in the letter that if circumstances change the child's eligibility will be reconsidered. Such **prior notice is not required** for reconsideration, since many unpredictable factors might lead to a change in eligibility status at some time in the future. However, parents should be notified that if circumstances affecting the eligibility status of the child do change, the parents are required to report those changes to the administering agency in a timely manner.

Chapter V

CHAPTER V: IMPLEMENTATION

5.01 Referral and Intake

- A. Procedures County procedures should include a description of the Family Support Program and other services for children with disabilities and their families, specific services provided, eligibility criteria for each program or service, and a description of how referrals are made to the Family Support Program.
- B. Referral Anyone may make a referral to the Family Support Program. Those agencies or individuals that refer families on a regular basis, such as schools, parent groups, etc., should be informed by the administering agency how to make appropriate referrals to the Family Support Program.
- C. Outreach Procedures for outreach should be in place and described in the county Family Support Program Plan to ensure that the program will be known and made available to children with physical, emotional and/or cognitive impairments and their families. The procedures should include plans for reaching diverse groups in the service area.
- Each county must have a brochure available to send to potential Family Support Program applicants. The brochure must give a description of the Family Support Program, eligibility requirements for the program, and indicate a contact person. Such brochures are available in English and Spanish upon request from the State Forms/Publications Center. See Chapter VII for instructions to order Family Support Program brochures.
- D. Application The administering agency must use some form of written application to the Family Support Program so that any family who would like to may apply for Family Support services. The application should include the child's name and identifying information, the date of the application (date the application is received in the agency), and the signature of the parent.
- E. Intake The administering agency must specify the staff person(s) responsible for intake. These people have the following responsibilities:
1. take referrals and applications for the Family Support Program;
 2. determine whether families are eligible according to criteria shown in Chapter IV;

3. notify families regarding eligibility or denial of eligibility within 30 days after receipt of the application;
4. inform families of their rights and responsibilities verbally and in writing; and either
5.
 - a. notify each family of the availability of program funds and arrange a plan for assessment of needs consistent with the urgency of the situation; or
 - b. notify parents of their status on a waiting list, and refer them to other programs as appropriate.

F. Waiting List

A list of eligible applicants to the program must be maintained by the administering agency including both applicants who are served and those waiting for services. Applicants to the Family Support program who are placed on a waiting list for services must be determined eligible for the program prior to being placed on the list.

The total number of unserved eligible families is reported at the end of November each year in the annual Family Support plan. Waiting lists for each service area are part of the data used in budget development on a local and statewide basis.

The administering agency makes decisions on whom to serve first, based on the requirements in *HFS 65* and the policies of the agency as written in the annual Family Support Program plan. See Chapter III for a description of the responsibilities for writing the plan. The local advisory committee advises the agency about whether or not to prioritize the waiting list. If the agency decides to prioritize the list, the criteria for prioritization should be written in the annual plan. Such a policy should cover a number of possible circumstances. For example, if a family drops out of the program for a year or more, the agency should be able to inform the family how this would affect their future status on the waiting list.

5.02 Assessment of Family Needs

A. Responsibility

*If the administering agency approves an application under the eligibility criteria shown in Chapter IV, it shall arrange for an assessment of the family's needs, except that an administering agency is not required to do an assessment **if no program funds are available to provide services and goods to additional families**, s.46.985*

An offer of a Family Support assessment should include an explanation, preferably in writing, of:

1. the purpose of the in home visit and assessment and the need to include the child with disabilities in the visit;
2. the role of the family in identifying their own concerns, resources, and priorities;
3. the right of the family to have other persons of their own choosing involved in the assessment process; and
4. the parent's right to decide after the assessment and service plan are completed whether or not to accept the services offered.

B. Notification The administering agency must notify the parents in writing about whether or not the agency will proceed with an assessment. The Family Support Coordinator arranges with the parents for a mutually agreeable date to complete the assessment. If, for whatever reason, the agency is unable to complete the assessment, they must notify the family in writing of the denial of an assessment and the reasons for the denial.

C. Accommodating Diversity The assessment shall be offered and developed in a manner that provides parents an opportunity to participate in and benefit from the assessment. Communication aids such as taped or braille material, and interpreters for persons with hearing impairments, or for parents who speak languages other than English, must be provided at no cost to the family.

D. Purpose Assisting families who have a child with disabilities will mean something different for each child and family served. The purpose of the assessment is to find out more about the individual family and to help the parents understand the various options that the service system and the community may have for them. The purpose of the assessment is for the Family Support service coordinator and the parent(s) to work in partnership to:

- (1) identify the individual concerns, resources, and priorities of each family, and
- (2) identify the different options possible for meeting the family's needs, including informal supports, formal community resources and other public programs, and well as resources which may need to be developed.

- E. Timeline An applicant who is not denied an assessment has the right to receive an assessment within 45 days of the approval of the application. The agency should have procedures in place to handle emergency situations.
- A full in home assessment should be conducted at least once per year to assure that families are being served appropriately. Discussion of child and family needs may change over time, particularly as children transition from one age or program grouping to another. It is important to anticipate these changes and help families to plan for the adjustments that parents and children will undergo.
- F. Procedures Each assessment shall be completed in accordance with county assessment procedures described in the county Family Support Program Plan and the requirements of s.46.985(6)(b) and *HFS* 65.05(3). These regulations require that the county assessment procedures include a process that will ensure:
1. that the assessment is conducted by a representative of the administering agency who is a person (or persons) knowledgeable about the child's condition and the related needs of the family;
 2. that one or both parents participate in the assessment to the greatest extent possible and provide all necessary information;
 3. that, at the family's request, other persons are present who are knowledgeable about the child's condition and can identify and assist the family in assessing the social, psychological and medical needs of the child and other family members;
 4. that during the assessment process, the child is seen by the person or persons conducting the assessment; and
 5. that the assessment takes place in the family home with the child present unless the family chooses another setting, but at a minimum face to face contact is made as part of the assessment.
- G. Content The format of the questions asked at the assessment is not prescribed. County agencies have developed assessment formats to guide the gathering of information and assure that all areas of potential concern are explored. See Appendix I for samples of methods for gathering and recording information.
- A thorough process would include a discussion of the following:

1. the child's functional abilities including: self-care, mobility, communication, intellectual capacity, emotional/behavioral status, cultural and age appropriate behaviors, health and physical status, and for older children, ability to work;
2. family life including a general idea of variations in family routine and needs over the day/week/month/year, any concerns of siblings, extended family members, and any particular factors that may cause concern such as age, health, etc. of child, parents, or other family members;
3. the physical environment, any concerns with physical accessibility, safety, transportation, including effects of the physical environment on both caregiver and child;
4. identification and potential for enhancement of informal resources, extended family, friends and neighbors;
5. current services to the child and family beginning with private and public medical insurance coverage, and other public or voluntary programs in which the child or family participates, and the child's school program;
6. medical information such as primary physician, most recent evaluation, special medical services; and
7. discussion and identification of concerns, resources, and priorities of caregivers, child, and siblings.

5.03 Service Plan Development

- A. Responsibility The administering agency is responsible, **within the limits of state and federal funding provided**, to assure that a written service plan be developed within 60 days after receipt of the family's application. Parents take the lead in identifying and prioritizing services and supports they need. A representative of the administering agency must approve of the services identified in each family's service plan.
- B. Service Planning Service planning includes the use of a range of funding sources starting with the family's own insurance and/or Wisconsin Medicaid. The Family Support service coordinator provides information and assists families in accessing existing services and community resources. Staff and family discuss ways that services provided might best fit with the family's own supports and resources. When needed, funding from Family Support is used to buy goods and services identified in the plan

but unavailable through other sources. Staff can help families learn about and use supportive services available to them in their community, can coordinate services and can advocate on behalf of the child and family.

The administering agency is responsible for coordination of funds and making the final decision on which funding sources are used to meet the needs identified in the service plan. See section 2.06 for Coordination of Funds and 2.05 F., G., and H. for use of Family Support funds.

Each service plan must include the following:

1. a description of the child, the child's family;
2. a description of the child's current living situation (physical environment, support network);
3. a description of the services and goods the family receives that are or may be provided through public or private funding sources other than the program;
4. a description of the unmet supportive goods and services needs;
5. a description of services and goods that are projected to be funded by the Family Support Program during the year, the estimated duration of services and an estimate of the annual cost of services, including a description of the types of services and service providers **preferred by the parents**, and if applicable, a statement of the reason(s) the administering agency decided not to honor the applicant's preferences for a particular service or service provider; and
6. a written service plan agreement signed by the parent(s) and by a representative of the administering agency. The agreement should include in writing any restrictions or specifications that the agency has conveyed verbally to the family. (An example of such a specification might be when funds remain unspent over the first six months of the year, the agency may reallocate these unspent funds to another family in need.) This agreement which describes how Family Support funds are to be spent serves as the written approval of the service plan.

- C. Notification The administering agency must notify the parents in writing within 30 days of the date of the completion of the service plan regarding:

1. approval for services and when they will begin; or
 2. denial or modification of services and the reasons for denial or modification; and
 3. whether or not the family is on a waiting list for services, and an *estimated* timetable of when the family can expect to be served.
- D. Plan Review After the initial assessment, service plans must be reviewed at least every 6 months. Between the dates of plan reviews, the agency may revise the service plan on an as needed basis. If the family's situation changes or needs change, parents may request a change in the service plan. Interim modification in the service plan can be noted in the child's file and formally entered in the plan at the 6-month review date.
- E. Waiting List The administering agency must provide an opportunity for any eligible family who is denied services to be placed on a waiting list for services, if the agency has expended all service funds or reasonably projects that all service funds are committed to current Family Support Program participant families. See section 2.08 for procedures for setting priorities for available funding.

5.04 Services to Families

- A. Purpose of Services The Family Support Program was created to assist families in ways that the service system had previously been unable to do. The program begins with the goal of relieving some of the stress for families who have a child with severe disabilities, and keeping family life as "ordinary" as possible. The Family Support Program is intended to enhance the ability of families who have children with disabilities to function as other families do.

At the time of the assessment, parents and others present should be encouraged to think about the family's strengths, concerns and priorities. They need to think broadly about what kinds of support would be needed to help the child participate in the ordinary life of the community, to make friends and to contribute. *Parents should also be encouraged and supported in seeking the things their child and family needs from the community at large.* This means thinking creatively from the point of view of the family rather than thinking first about a menu of services.

For example, a family may want help in thinking through how their child can more actively participate in school activities. Adaptive equipment for the child may be needed to support the child's

participation. Transportation and other support arrangements may need to be made to allow the child to stay after school to participate in school sponsored programs or to attend athletic or social activities. Or the child may need a companion to go along to after school activities. The Family Support staff person can help the family think about arranging supports for ordinary activities in ways that are typical of other families in the community.

As much as possible assistance to families should be arranged so that the people in families who have a child with severe disabilities will get their needs met in ways that other people in their community meet their own day to day needs. For example, all parents spend time away from their children as well as time together caring for them. Children go off to school, to local recreation programs and to their friends' homes. Arranging regular outings for a child with severe handicaps will diminish the need for parents to use respite. So, for example, Family Support funds may be used to purchase membership at a community recreation program that allows the child to participate on a regular basis and to meet children without disabilities, as well as to allow the parents some time of their own.

Another example is a family who enjoys bicycle outings. The birth of their child with severe physical disabilities could limit the family's time together. Rather than choosing child care or respite, the family may prefer to purchase a bike trailer so that the child with a disability can participate in ordinary family life, including outdoor recreation.

The Family Support Program focuses on the whole family. That is, the child with a disability is seen as part of the family unit, all of whose members need support as they live with and care for the child. *Examples* of services that benefit other family members are respite for the parents and counseling or training for parents and/or siblings.

The Family Support Coordinator is also responsible for helping families to understand the possibilities and limitations of the service system. It is important to let parents know which programs a child may be eligible for and also what exactly those programs can and cannot offer. The service coordinator can help families make informed decisions about what to include in the service plan.

B. Service
Coordination

Service coordination, case management or "service brokerage" is the linchpin for all other services and supports that a family may need or desire. The primary responsibility of the Family Support service coordinator is to get to know the child and family. The service

coordinator and parents work together to understand the family's individual situation. The service coordinator can assist parents in identifying both the long and short-term goals of the child and family. The service coordinator can help the family in gaining access to resources that will meet the identified needs through a variety of community services, other public programs or the Family Support Program.

Family focused service coordination means that assistance is offered in a way that meets the individual situation. All efforts are made to ensure that services are provided in a way that causes the least emotional turmoil and loss of time to the family.

Funding Case Management Services

Staff who provide case management services may be funded in part from the 10% of the county Family Support allocation set aside for administration of the Family Support Program.

Targeted case management services are a Medicaid reimbursable service for children eligible for Wisconsin Medicaid. Medicaid can be billed by the certified provider for case management services to eligible children who meet one of the target groups chosen by the county. Billable time includes time spent on the initial assessment of need and service plan development as well as ongoing case management services. See Part U of the ***Medicaid Provider Handbook*** for information on billing Medicaid for Targeted Case Management.

C. Allowable Services

A special strength of the Family Support Program is that it recognizes that each family has differing and unique needs that often cannot be met by a single agency or resource. Program funds, therefore, are not restricted to purchase of predetermined categorical services, but may be used for a wide range of services or goods that a family feels are necessary to support the child at home. Generally, Family Support funds are used to purchase those services or goods that help the family in its caregiving role. Family Support funded services often fit into a larger service picture which may include medical or therapeutic services funded by insurance or Wisconsin Medicaid, Birth to 3 Early Intervention, special education, and other community services.

The Family Support Program is based on the belief that parents of children with severe disabilities know their own needs and those of their children. For this reason, and because of the individuality of each family and child with disabilities, services available through the

program have been very broadly defined, leaving considerable leeway for families to choose the services or goods that they identify as needed to maintain their child at home.

Any service, or any portion of a service, that is documented as needed in a family's service plan and that is approved by the administering agency may be funded. Agencies should not categorically exclude any particular service prior to the individual assessment and development of a service plan.

D. Reporting of
Services

For the purpose of accountability, the following reporting categories were created to document how Family Support funds are being used to help families (See Section 7.04 on Reporting to the State). These categories are not intended as a set menu of available services, but are simply used in reporting as a way of providing a general picture of the types of services that families may need. **The list does not replace the process of helping the family think through what is needed in their particular situation and helping families to make informed decisions about how to get what they need** (See sections 5.02 Assessment and 5.03, Service Plan Development). The examples included under each category of service are **not exhaustive**.

1. *Architectural Modification of the Home*

Examples include but are not limited to ramps, door widening, room divider, stair glide, backyard fence, and bathroom modifications for accessibility. Does not include additions to the property, additional square footage on the house or purchase of property.

2. *Child Care*

Examples include but are not limited to after school programs, child care costs, child care for siblings so parents can spend time alone with their child with disabilities. In certain circumstances, parents could be paid to provide this service at the county's discretion.

3. *Counseling/Therapeutic Resources*

Examples include but are not limited to occupational, physical, speech and behavior management therapies for the child with

disabilities, other counseling and therapeutic resources for the child and other family members, not otherwise covered.

4. *Dental and Medical Care Not Otherwise Covered*

Examples include but are not limited to costs for dental care for the eligible child not covered by the family's insurance or Wisconsin Medicaid

5. *Diagnosis and Evaluation - Specialized*

Examples include but are not limited to specialized diagnosis or evaluation of the child, genetic counseling for the parents and siblings.

6. *Nutrition and Clothing - Specialized*

Examples include but are not limited to specially prepared foods, not otherwise covered, specially made clothes and footwear, also includes clothes needing replacement often due to the child's special needs.

7. *Equipment/Supplies - Specialized*

Examples include but are not limited to equipment personal to the eligible child such as positioning boards and special chairs, water or hospital beds, computers or communication boards, and also specialized household equipment such as an air conditioning unit or air purifier to help a child who has breathing problems, or intercom for nap or night time monitoring. Also includes equipment to help the child participate in family activities such as a bicycle trailer or specialized car seats so the child can safely attend family outings.

8. *Homemaker Services*

Examples include but are not limited to home chores, cooking, cleaning, managing finances.

9. *In-Home Nursing Services/Attendant Care*

Examples include but are not limited to help in feeding a child with specialized feeding needs, or attendant for a young adult,

help with bathing, dressing (In most cases Medicaid covers home health aids and personal care workers in the home).

10. Home Training/Parent Courses

Examples include but are not limited to individual training or workshops provided to parents in or out of the home, for such things as behavior management, helping the child to toilet train, teaching therapy skills, etc.; general training on child development, advocacy skills, new therapies, and others.

11. Recreation/Alternative Activities

Examples include primarily those activities aimed at the social integration of the child with the child's non-disabled peers, for example, fees for community recreation programs, scouting programs. May also include recreation opportunities for the family as a whole; for example, family membership in the local recreation clubs, program fee for family recreation or camping.

12. *Respite Care*

Examples include but are not limited to care of the child provided in or out of the home to relieve the parents of the ongoing caregiving responsibilities.

13. *Transportation*

Examples include mileage, food and lodging, related to the social, recreational or medical needs of the child. This does not include transportation costs covered by Wisconsin Medicaid.

14. *Utility Costs - Specialized*

Examples include but are not limited to long distance telephone calls to doctors and other resources, supplemental heating and air conditioning costs related to treating the child's special needs.

15. *Vehicle Modification*

Examples include but are not limited to van lifts, ramps, wheelchair tie-downs.

16. *Other Goods and Services as approved by DHFS*

Services or goods requested by families usually fit within the 15 categories specified above. If a service or item does not fit these categories, the local agency should request verbal approval from the Assistant Area Administrator assigned as contact person for the Family Support Program in their service area prior to approving the service. See Appendix C for the names and telephone numbers of the Family Support program contact people in the Bureau of Regional Operations.

Any service listed in the "other" category in reporting on the Family Support Program Module of HSRS should be followed by the **text, which describes what the service is.**

- E. Service Options Developing individual service plans that meet very specific family needs sometimes poses challenges for agencies whose billing and payments procedures are designed for larger contractual agreements. Most administering agencies have developed ways to solve these logistical problems with the help of people working in the accounting section of the agency. Following are some examples of options that have been developed.

Establish a budget: Payment for some services, such as *special dietary needs, transportation, specialized clothing, and recreation* might be better managed and paid for through an agreement with the family on a budgeted amount of funds for the particular purpose. For example, families often have numerous costs associated with transportation of their child with physical disabilities, including purchase and upkeep of a vehicle. The agency could establish a transportation budget for a family based on the expected use of the vehicle over the year and a reasonable per mile cost. The agency could develop a monthly budgeted amount to cover transportation costs throughout the year. This way, the agency leaves management of the care and upkeep of the vehicle to the parents, but covers a reasonable amount of the cost so that parents will have the resources to pay for whatever is needed when it is needed. A similar budget could be established for the extraordinary costs of specialized foods or clothing.

Family Chooses Provider: The agency may also pay a budgeted amount to the parents to cover respite costs so that the parents can choose and reimburse their own providers.

Combine resources: Services may be funded fully or in part with Family Support dollars. Funds may be coupled with resources from other programs or with the family's own resources. For example, the program has provided funding for material to build a small indoor elevator, while the father and uncle provided the carpentry and electrical work.

F. Limitations

Family Support services do not ordinarily include:

- basic living expenses such as food, utilities and rent;
- case management or service coordination services (paid through Family Support Program service funds);
- adult day services
- equipment or behavior management procedures which are primarily aversive in nature, such as restraints or time-out boxes
- care in institutions, including short-term respite

G. Coordination
of Services
and Other

A number of resources may be available to families. Public programs sometimes used by participating families are: Wisconsin Medicaid, the Medicaid Home and Community

Supports Based Waiver programs, the Community Options Program, the Program for Children with Special Health Care Needs, the Birth to 3 Early Intervention Program, county social services, child care, and local respite programs. Many Family Support staff help families to gain assistance from private and voluntary resources such as churches, Easter Seal Society, hospital telethons, Citizen Advocacy, and from service organizations such as Lions Club, Kiwanis, and others. These organizations have provided one-time items such as ramps and equipment, as well as ongoing personal support in the form of companionship and advocacy for children.

Finally, assistance to families from any outside public or private resources should be coordinated with and fully recognize all of the informal supports that the family has available. Relatives and friends may, for example, provide labor for housing modifications or to build a ramp. A neighbor might provide transportation to local recreation for the child with disabilities. Service planning should include a discussion of ways that formal services might best fit with the family's informal supports.

It is important to remember, however, that a balance must be struck between the formal and informal supports available. A family's preference in these matters should be considered in making decisions about how supports are provided. For example, if assistance is available to the family from friends and relatives, the Family Support service coordinator is cautioned not to over rely on this support for meeting all of the family's needs. A family may prefer to rely on the paid supports of a regular respite program, for example, and supplement this with help from friends, relatives and other unpaid, informal resources.

H. Additional Supports Bringing parents together who have similar experiences may also substantially assist many families as they cope with caring for their children. The Family Support coordinator can facilitate connection amongst families by informing them of existing parent groups. The Family Support worker may also assist in initiating parent to parent support groups in the service area by helping parents to contact one another on an individual basis or providing the organizational arrangements for such support groups. The local Family Support Advisory Committee may also work on developing support networks amongst parents of children with disabilities. The Family Support service coordinator can also assist the family by referring them to appropriate agencies, depending on the particular needs of the child and family. Examples include the Parent Education Project (PEP) which provides education and advocacy on school

services; the Wisconsin Coalition for Advocacy, the protection and advocacy organization for persons with disabilities; the Supplemental Security Income Program (SSI) for cash benefits and Medicaid to meet the needs of the child; Healthy Start or the Katie Beckett Program for Medicaid coverage; and other voluntary resources in their area such as churches, community organizations and so forth.

Chapter VI

CHAPTER VI: RIGHTS, GRIEVANCES, APPEALS

6.01 Notification of Rights

All Family Support Program applicants and participants must be notified of their rights in writing or other medium if needed to accommodate communication differences. Counties may develop their own papers on notification of rights and submit them as part of the Family Support annual plan (For a sample rights notification, see Appendix J). The explanation of rights should be provided to applicants and participants in a manner that they can understand.

Notification of rights should be made available at all steps in the process, including assessment, service planning, service delivery and particularly at the point of referral and intake when a family may be told that they are not eligible for the program. The parents must receive written notice of (a) the county grievance procedures and (b) their right to a fair hearing under Section 227.44 of the Wisconsin Statutes. If a child meets the state definition of developmental disability or mental illness, the child's access to services is also protected under s.51.61, Wisconsin statutes.

Applicants and program participants must be fully informed of the county's grievance and state appeals procedures, including assistance from the Family Support Program coordinator or service coordinator regarding who to contact, time limits, and other relevant information. Information on the right to appeal must include the name and address of the DHFS Division of Hearings and Appeals.

The written notice informing persons of their right to a grievance or appeal must also include their right to contact the Wisconsin Coalition for Advocacy.

6.02 Grievances/Appeal Process

- A. State Appeals
1. State appeals are authorized under certain situations as follows:
 - a) a decision to deny a family eligibility for the Family Support Program; and/or
 - b) a decision to terminate services to a family already served by the program.
 2. Applicants and participants must be informed that a request for a fair hearing must be made within ninety (90) calendar days of the effective date of the denial or termination of services or of a
-

written decision under the county grievance process, whichever is later.

3. The applicant or participant parent(s) of the child with a disability is the only person who may file a request for a fair hearing. Whenever the administering agency receives a verbal request, the agency is required to put the request in writing immediately and have it signed by the applicant or participant parent. The Family Support Program administering agency must accept any request it receives and forward it to:

Division of Hearings and Appeals
5005 University Avenue, Suite 201
Madison, WI 53707-5400

The letter should include all of the following information:

- 1) name of the program (Family Support Program);
- 2) name of the petitioner (parent's name(s));
- 3) address and phone number of petitioner;
- 4) name of child with disabilities;
- 5) name of the agency administering the program;
- 6) what action has been taken (denial or termination of services);
- 7) effective date of action (date when family was informed of denial or termination); and
- 8) a brief statement of the reasons why the hearing is being requested.

There is a limitation to the length of time in which a family might petition for a fair hearing. Letters from families must be received in the Office of Administrative Hearings within 90 days of the date of denial or termination. Therefore, it is most important that the administering agency inform the family in writing at the time of denial or termination of their rights to seek a fair hearing under s. 227.44, of the procedures to be followed and of the time limitations for filing the request.

4. If the request for an appeal occurs within ten (10) calendar days of the effective date of the termination of services or of a written decision under the county grievance process, whichever is later, Family Support funded services must be continued throughout the appeal process.

5. The parent(s) may withdraw their request for a fair hearing at any time.
- B. County Grievances
1. The county grievance procedure includes, but is not limited to, the items that are appealable under the state fair hearing process. The county grievance procedure is intended to promote resolution of differences of opinion, or help clarify misunderstandings about eligibility, assessment, service planning or service issues on a less formal level than the state fair hearing process.
 2. The county's grievance procedure must, at a minimum, be a two step process based upon an impartial decision making model. The process must provide for timely responses to grievances, and at least one of the steps must be external to the administering agency.
 3. The county grievance procedure must be in writing and made available to parents at the time of application, upon denial of eligibility, and upon reduction or termination of Family Support Program services.
 4. The county grievance procedure must result in a dated, written decision and must inform the parent of the right to a state appeal when applicable.
 5. Copies of the written decision should be sent to the DSL regional office contact person for the Family Support Program and to the Bureau of Developmental Disabilities Services.

Chapter VII

CHAPTER VII: RECORDS, REPORTS AND PUBLICATIONS

7.01 General

Reporting for the Family Support Program is required by s.46.985(3)(f) statutes and *HFS* 65.05(9) Administrative Rules. Department representatives, as authorized by the Department Secretary, shall have access to all records and reports pertinent to the Family Support Program.

Each administering agency shall maintain records and submit reports prescribed by the Department.

7.02 Fiscal Records

The administering agency shall retain all fiscal records per county ordinance in accordance with Wisconsin statutes s.19.21(5). At a minimum, financial records shall be retained for seven (7) years from the date of reconciliation. The administering agency shall specify persons who are responsible for maintaining financial records.

7.03 Case Records

- A. Maintaining Records
- The administering agency shall maintain individual case records for participants who receive assessments, service plan development and/or services. The agency must specify persons who are responsible for maintaining case records.
- The administering agency shall retain all case records per county ordinance in accordance with Wisconsin statutes s.19.21(5). At a minimum, case records shall be retained for three (3) years from the date of case closure.
- B. Confidentiality
- Case records must be confidential and shall be protected from unauthorized examination in accordance with Administrative Rule *HFS* 92.
- C. Content
- At a minimum, each Family Support Program case record should include the following information and documentation, when applicable:
1. a copy of the person's application;
 2. a copy of the Family Support Functional Screen used in determining the child's eligibility and, if applicable, any supporting records;

3. identifying information, including a Medical Assistance number, if the child has one;
4. a copy(ies) of release of information form(s);
5. documentation of receipt of/review of rights by the parent(s), including appeal and grievance procedures;
6. a copy of the Family Support assessment;
7. a copy of the family's cost sharing Work Sheet with a copy of the parent's Declaration of Income;
8. a copy of the participant's current service plan, as well as any past service plans;
9. a copy of the service plan agreement;
10. entries in case records, including service plan reviews; and
11. a copy of any appeals or grievances filed.

7.04 Reporting to the State

A. General

County agencies are required to report both programmatic and fiscal information to the Department. Reporting procedures for the Family Support Program are shown in the Human Services Reporting System (HSRS) Manual in the chapter covering the Family Support Program Module of HSRS. This chapter is shown in Appendix K along with the HSRS Family Support Program Module reporting form, DSL-468. See section 7.05 in this chapter for information on ordering copies of the HSRS Manual and reporting forms.

Data from the HSRS Family Support Program Module provides certain information about the children and families served including the level of need of each child and information about other factors which may indicate risk for out of home placement of the child. In addition, the reporting tracks the use of Family Support dollars and shows other programs that families are using.

Data retrieved from these reports are used in preparation of the annual report for the Family Support Program required by s.46.985(2)(e), to be submitted to the governor and each house of the state legislature. In addition, information from the HSRS Family Support Program Module

is used for the purposes of planning for this and other programs serving children with disabilities, at both the state and local levels. These data are used in development of county and state budget proposals are made available to other units of state and county government, community programs, advocacy groups, and the general public upon request.

B. Reporting
Frequency

Data for the HSRS Family Support Program Module must be entered at least once after the end of each calendar year. There is no requirement for monthly or semi-annual updates of the FSP Module of HSRS. However, the option to use the HSRS automated reporting system on a monthly basis is available to all county agencies using the Human Services Reporting System (HSRS).

The Module provides the option for local agencies to monitor actual expenditures for each family on a monthly basis. An agency could use the system in this way to keep track of individual family and overall program expenditures as the year progresses, to more easily update and revise service plans and to plan for expenditure of any unspent funds in the last quarter of the fiscal year.

Service coordinators may begin to gather information at the time of the initial assessment and development of the service plan and/or at the six-month review date. Basic information regarding the child and family remains on the HSRS data reporting system from year to year unless changes occur that require the information to be updated. Information that is required to be entered annually at the end of each year are the questions in fields 28, 29 and 37.

C. Case Closure

If a participant no longer receives services other than service coordination provided directly by the administering agency, the participant should be reported as terminated on the HSRS Family Support Program Module (or other equivalent system as approved by the Department). Families receiving service coordination, other county services, but **who are not receiving services funded through the Family Support program**, should not be reported on the HSRS Family Support Module. However, the agency may keep the family on their own records as continuing with the Family Support Program, if they are planning to continue services to the family in the future and want to retain the family's place within the program.

If a family receives a service(s) funded through Family Support at any time during the calendar year, the administering agency should report child and family information on the HSRS reporting system at least until the close of that reporting year.

D. Administrative

Administrative costs that would fall within the 10% allowed for the

Costs program are reported to the Bureau of Developmental Disabilities Services separately at the end of the year at the request of the Department.

E. Fiscal Reports Use of the Family Support funds should be reported on the monthly 600, (CARS 577) and 942 forms according to the schedule outlined in the State/County contract.

7.05 Forms/Manuals

A. Responsibility The Bureau of Developmental Disabilities Services is responsible for review and update of all Family Support Program technical assistance manuals, brochures, guidelines, forms, etc.

B. Ordering Procedures Forms and publications may be ordered by sending a **Forms/Publications Requisition**, DMT-25 with the title and quantity needed to:

DSL Forms/Publications
 PO Box 7850
 Madison, WI 53707-7850
 (608) 266-8481

If a Family Support administering agency does not have these DMT-25 ordering forms, they may be obtained from the Division of Supportive Living at the address and phone number shown above.

C. Titles/Updates The following publications and forms are available upon request from the Division of Supportive Living for Family Support Program administering agencies. **Review dates of each publication are shown to indicate times to reorder forms and other publications.**

I.D. NUMBER	TITLE	REVIEW DATE
PSL-595	<u>FSP Guidelines and Procedures</u>	December Annually
PSL-558	WI Administrative Code <i>HFS 65</i> <u>Supportive Services for Families With Disabled Children</u>	No revisions unless rule change required
PSL-2006	<u>FSP Directory of Service Providers</u>	January Annually

PSL-2026	<u>FSP Brochure- English</u>	No revisions unless needed
PSL-2027	<u>FSP Brochure-Spanish</u>	No revisions unless needed
DSL-939-I	<u>Ability to Pay Instructions</u>	November Annually if needed
DSL-939	<u>Ability to Pay - Work Sheet I</u>	November Annually
DSL-465	<u>Declaration of Income</u>	November Annually if needed
DSL-468	<u>HSRS-FSP Module/User Manual</u>	October Annually if needed
DSL-851	<u>FSP FUNCTIONAL SCREEN</u>	As needed
DSL-851-A	<u>NEWBORNS AND YOUNG INFANTS (BIRTH TO AGE 1)</u>	
DSL-851-B	<u>OLDER INFANTS AND TODDLERS (AGE 1 TO AGE 3)</u>	
DSL-851-C	<u>PRE-SCHOOL CHILDREN (AGE 3 TO AGE 6)</u>	
DSL-851-D	<u>SCHOOL-AGE CHILDREN (AGE 6 TO AGE 12)</u>	
DSL-851-E	<u>YOUNG ADOLESCENTS (AGE 12 TO AGE 17)</u>	
DSL-851-F	<u>OLDER ADOLESCENTS (AGE 17 TO AGE 21 OR GRADUATION FROM HIGH SCHOOL)</u>	
DSL-851-G	<u>SCREENING FOR SEVERE EMOTIONAL DISTURBANCES (ALL AGES)</u>	

Appendices

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Family Support Program Legislation

HFS 65 Administrative Rules

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FSP Directory of Service Providers

Ability to Pay Instructions
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