

**ORDER FOR DEPARTMENT OF CHILDREN AND FAMILIES ADMINISTRATIVE
RULE SUSPENSION AND EMERGENCY ORDERS**

Under the authority of Wis. Stat. § 323.12(4) and the public health emergency declared in Executive Order #72, I, Governor Tony Evers, order the suspension of certain Department of Children and Families administrative rules and order companion directives as follows:

Admin. Rule: **Wis. Admin. DCF § 56.02(2)(b)7.a.**

Description of Rule: Sets requirements for the panel size responsible for approving exception requests in foster care system.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 52.21(8)(a)**

Description of Rule: Requires health and dental exam within certain timeframes and circumstances for children and youth placed in residential care centers.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 52.45(1)(a) and (b)**

Description of Rule: Requires ongoing physical and dental exams HealthCheck program recommended frequencies for children and youth placed in residential care centers.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 57.19(7)**

Description of Rule: Requires health examination within a certain timeframe for children placed in group homes.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 57.26**

Description of Rule: Requires dental examination within a certain timeframe for children placed in group homes.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 52.12(1)(c)2. and 3.**

Description of Rule: Sets hour limits on staff scheduling in residential care centers.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 202.08(5)(c) (see Emergency Rule 1918, § 79)**
Description of Rule: Restricts hours of care for individual in-home or family child care providers.
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 201.039(1), (5) to (9)**
Description of Rule: As to the child care subsidy program:
(1) Establishes standards for assessing child care needs.
(5) Establishes requirements for authorizing payment for child care services provided in a child's home.
(6) Prohibits payment for child care services where the provider is a parent of the child or resides with the child.
(7) Establishes requirements for authorizing payments for care of a child whose parent is a child care provider.
(8) Prohibits payment for child care services by a certified provider if the child's parent or a person who resides with the child is employed at the same location.
(9) Sets hour limits hours of child care per child per day
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 201.08**
Description of Rule: Authorizes DCF to set a schedule for parent copayments for parents who receive a child care subsidy.
Status: Suspended
Companion Order: The Secretary of the Department of Children and Families may impose an amended copayment schedule and may waive copayments for some or all groups in the existing schedule.

Admin. Rule: **Wis. Admin. DCF § 251.055(1)(b) to (e) and (i) (see Emergency Rule 1918, § 246)**
Description of Rule: Establishes standards for supervision in group child care centers.
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 250.055 (see Emergency Rule 1918, § 145)**
Description of Rule: Establishes standards for supervision and grouping of children in family child care centers.
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 251.055(2)(b) to (d) (see Emergency Rule 1918, § 246)**

Description of Rule: Establishes standards for grouping of children in group child care centers.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 251.06(1) (see Emergency Rule 1918, §§ 247-249)**

Description of Rule: Establishes building requirements for group child care centers.

Status: Suspended, except for the first sentence of Wis. Admin. DCF § 251.06(1)(a), which states, “The building in which a center is located shall comply with applicable state and local building codes.”

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 250.06(1) (see Emergency Rule 1918, § 146)**

Description of Rule: Establishes building requirements for family child care centers.

Status: Suspended, except for the first sentence of Wis. Admin. DCF § 250.06(1)(a), which states, “Family child care centers located in a building that is not a one or 2-family dwelling shall conform to the applicable Wisconsin commercial building codes.”

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 251.04(1)**

Description of Rule: Requires group child care centers to comply with the restrictions for care in their license.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 250.04(1)**

Description of Rule: Requires family child care centers to comply with the restrictions for care in their license.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 202.08(6)(b)**

Description of Rule: Sets limits on the number of children that may be in the care of a certified family child care operator.

Status: Suspended

Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 250.03(9)**

Description of Rule: Defines “family child care center” or “center.”

Status: Suspended

Companion Order: “Family child care center” or “center” shall be defined as a facility where a person provides care and supervision for at least 4 children.

Admin. Rule: **Wis. Admin. DCF § 202.08(6)(e)2.**
Description of Rule: Restricts when a certified in-home child care operator may care for children who do not reside in the home.
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 251.07(5) (see Emergency Rule 1918, §§ 279-288)**
Description of Rule: Sets requirements for meals and snacks provided in group child care centers.
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 251.05(3)(d) to (g), (i), and (j) (see Emergency Rule 1918, § 245)**
Description of Rule: Sets requirements and qualifications for certain staff at group child care centers, including:
(d) administrators
(e) center directors
(f) child care teachers
(g) assistant child care teachers
(i) substitutes
(j) volunteers and student teachers
Status: Suspended
Companion Order: None

Admin. Rule: **Wis. Admin. DCF § 250.05(3) (see Emergency Rule 1918, § 144)**
Description of Rule: Sets requirements and qualifications for family child care centers.
Status: Suspended
Companion Order: All family child care center providers shall comply with the requirements of Wis. Admin. DCF § 251.05(a) to (c) (see Emergency Rule 1918, § 245).

Admin. Rule: **Wis. Admin. DCF § 250.05(2) (see Emergency Rule 1918, § 144)**
Description of Rule: Sets requirements for family child care center staff recordkeeping.
Status: Suspended
Companion Order: Family child care centers shall comply with Wis. Admin. DCF § 251.05(2)(a)1. (see Emergency Rule 1918, § 245) for staff records.

Admin. Rule: **Wis. Admin. DCF § 251.05(2) (see Emergency Rule 1918, § 245)**
Description of Rule: Sets requirements for group child care center staff recordkeeping.
Status: Suspended
Companion Order: Group child care centers shall comply with Wis. Admin. DCF § 251.05(2)(a)1. for staff records.

Admin. Rule: **Wis. Admin. DCF § 251.04(6) (see Emergency Rule 1918, §§ 239-241)**
Description of Rule: Sets requirements for group child care center child recordkeeping.
Status: Suspended
Companion Order: Group child care centers shall comply with Wis. Admin. DCF § 251.04(6)(a)1. and 2. (see Emergency Rule 1918, § 135) for children's records.

Admin. Rule: **Wis. Admin. DCF § 250.04(6) (see Emergency Rule 1918, §§ 135-137)**
Description of Rule: Sets requirements for family child care center child recordkeeping.
Status: Suspended
Companion Order: Family child care centers shall comply with Wis. Admin. DCF § 251.04(6)(a)1. and 2. (see Emergency Rule 1918, § 135) for children's records.

Admin. Rule: **Wis. Admin. DCF § 152.06(2) and (3)**
Description of Rule: Regulating when a lien threshold has been met or exceeded and setting a lien amount.
Status: Suspended
Companion Order: None

Nothing in this order removes, suspends, or alters a child care provider's obligation to comply with local and state building code requirements.

The provisions contained in this order are subject to further guidance and recommendations from the Wisconsin Department of Health Services.

This order shall remain in effect for the duration of the public health emergency declared in Executive Order #72, or until subsequent superseding emergency orders are issued.



Tony Evers
Governor
State of Wisconsin

3/15/20
Date