



201 East Washington Avenue, Room E200
P.O. Box 8916
Madison, WI 53708-8916
Telephone: 608-266-8787
Fax: 608-422-7158

Governor Tony Evers
Secretary Emilie Amundson

Division of Safety and Permanence

REQUEST FOR NEED DETERMINATION **RESIDENTIAL CARE CENTER FOR CHILDREN AND YOUTH**

Instructions: Before a residential care center can apply for a new license or to increase bed capacity, a Needs Determination request must be submitted and approved by the Department, per DCF 52.61. Review the language below along with all of administrative rule DCF 52 and submit the required Need Determination documents for approval. Once you have received a Need Determination approval letter from the Department, you will receive instructions on how to obtain a Residential Care Center for Children and Youth applications. Please direct all questions to the DCFCWLNeedsDetermination@wisconsin.gov.

STEP 1: Review the Administrative Rule:

DCF 52.61 CERTIFICATION OF NEED REQUIREMENT. (4) No person may apply for a license under s. DCF 52.62 (1) to operate a new residential care center for children and youth or for a license amendment under s. DCF 52.62 (3) to expand the bed capacity of an existing residential care center until the department has reviewed the need for the additional placement resources which would be created and has certified to the applicant in writing that a need exists for the proposed new placement resources.

(5) DEMONSTRATION OF NEED. To enable the department to make a determination of need for a new residential care center for children and youth or for additional beds at an existing residential care center for children and youth, **the applicant shall submit all of the following documents and information to the department:**

(a) A detailed plan for the operation of the proposed residential care center which includes all of the following:

1. The number, sex, and age range of the children to be served.
2. The type or types of needs or disabilities of children to be served.
3. The center staffing, including a list of full-time and part-time positions by job titles and numbers.
4. A description of the proposed program and treatment goals.
5. A proposed budget, including the current or projected per diem rate.
6. The location of the center and a drawing of the layout of the physical plant.

(b) A detailed written description of the methodology and findings which document the reasons why the unserved children under par. (a) cannot be served satisfactorily in less restrictive settings such as is in their own homes with treatment services provided to the children and their families, in specialized treatment foster homes or in group homes.

(c) Documentation meeting the criteria in sub. (7) (a) 2. that existing Wisconsin residential care center placement resources are not adequate to meet the needs of Wisconsin children who require the type or types of care and treatment services the applicant proposes to provide. No beds occupied or to be occupied by children who are placed primarily for educational purposes may be

considered in determining need under this section. Of the remaining beds, for purposes of determining need and establishing waiting lists, not more than 40% shall be considered available for out-of-state children.

(d) Information that supports the probability that a new or expanded center will be used by Wisconsin placement resources, and that an expanded center will attain and maintain an average monthly occupancy rate of 80% or more over the first 2 years of operation and that a new center will have an average monthly occupancy rate of not less than 80% at the end of the second year.

STEP 2: Submit the required Need Determination documents: Send all of the documents outlined in DCF 52.61 along with the name and phone number of your local newspaper electronically to the following email address: DCFCWLNeedsDetermination@wisconsin.gov

STEP 3: The Department shall review the applicants' documents and information for completeness and may ask the applicant for additional information.

STEP 4: The Department will publish in the state journal and a local newspaper a summary of your proposed request.

STEP 5: After the ads have run for two consecutive weeks, the Department is required to wait 30 days for any public comments on the ads. If no comments are received, the Department may proceed with the certificate of needs determination process. The Department then has 90 days to provide written notice to the applicant regarding the certificate of need. Refer to DCF 52.61 (6) for additional information.

STEP 6: If the Department determines there is a need for the proposed facility or increased bed capacity, you will receive certification of need letter. This letter allows you to submit an initial application for a probationary license to operate a new residential care center or amend your current license to increase the bed capacity of the existing facility. If the Department determines there is not a need for the proposed facility you will receive a denial letter. The letter will contain information on how to file an appeal of this determination.

STEP 7: If the Need Determination is approved, the applicant will receive instructions with the approval letter on the next steps for applying for a license or amending their current license.

Additional Relevant Information:

- A certification of need allows an applicant to apply for a residential care center license. It does not guarantee that the Department will issue a license nor does it guarantee any placements.
- The complete administrative rule can be found at Wisconsin Legislature: Chapter [DCF 52](#)
- Questions concerning this process should be emailed to DCFCWLNeedsDetermination@wisconsin.gov