




Division of Safety and Permanence

DSP Informational Memo Series 2023-07i

May 10, 2023

To: DCF/DMCPS Administrator
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Wendy Henderson 
Administrator

Re: **COVID-19 Public Health Emergency Expiration Guidance**

PURPOSE

This communication is intended to provide updated guidance to child welfare agencies regarding the expiration of the COVID-19 emergency declarations. This document is meant to replace all prior DCF guidance issued by DCF with regards to the COVID-19 emergency declarations.

BACKGROUND

In early 2020, there were multiple declarations of emergency due to the COVID-19 pandemic, including a declaration of a Public Health Emergency by the United States Department of Health and Human Services (DHHS) and major disaster declarations by the Federal Emergency Management Agency (FEMA).

Based on the emergency declarations referenced above, the federal Administration for Children and Families' Children's Bureau (Children's Bureau) issued guidance and permitted flexibilities with respect to certain requirements. The Wisconsin Department of Children and Families (DCF) also provided guidance relating to COVID-19 and child welfare practice.

In March of 2020, many local child protective services and youth justice agencies began completing certain face-to-face contacts with children, youth and families through technology in order to reduce the risk of exposure to COVID-19. Guidance from the federal government, state and local public health, state emergency and executive orders, and the Department of Children and Families (DCF) authorized this process.





The Children’s Bureau granted flexibility to states in meeting the requirement under federal law of ensuring that not less than 50 percent of the total number of monthly caseworker visits during a federal fiscal year occur in the residence of the child to allow states to include monthly caseworker visits that occurred by means of video conferences to be “in the child’s residence” for the purpose of meeting the federal requirement. See [federal guidance on background checks and caseworker visits - Stafford Act flexibility](#). The Children’s Bureau also issued guidance on the use of technology to meet monthly contact requirements. See [Federal Child Welfare Policy Manual, Title IV-B, Section 7.3, Question Number 8](#).

INFORMATION SUMMARY

The DHHS Public Health Emergency and the FEMA major disaster declarations related to COVID-19 will expire on May 11, 2023. See [Updates on COVID-19 Flexibilities DCL-23-04 Dear Colleague Letter](#). On April 17, 2023 the Administration for Children and Families released informational memo [ACYF-CB-IM23-05](#) stating the Children’s Bureau has determined the flexibilities afforded to Title IV-B/IV-E agencies would remain available through June 30, 2023. The extension beyond May 11, 2023 is intended to allow agencies time to complete revised guidance regarding the expiration of the flexibilities in response to the COVID-19 pandemic. Therefore, all federal and state guidance based on those **emergency declarations are no longer effective June 30, 2023**.

Specifically, **the use of technology will no longer be permissible to meet face-to-face contact requirements**. Child welfare professionals may still use technology as supplemental contacts in addition to the required face-to-face contacts. Requirements outlined below in the following practice areas must resume:

1. **Child Welfare Practice- Face-to-Face Placement Requirements**
All in-person face-to-face requirements outlined in the [Child Protective Services Access and Initial Assessment Standards](#), [Wisconsin Ongoing Services Standards](#) and statute must resume as in-person. The use of video technology no longer meets requirements for in-person contacts.
2. **Kinship Care- Initial Applications and Renewals**
Initial and renewal kinship care applications require an in-person walk-through of the home. A virtual walk through of the home no longer meets requirements.
3. **Foster Care Licensing Requirements- Initial Applications and Renewals**
[The Structured Analysis Family Evaluation \(SAFE\) Home Study Assessment](#) tool provides an allowance for licensors to conduct the SAFE questionnaires and interviews via Skype or other video communication methods. During the licensing process licensors are required to meet the following face-to-face contact requirements:
 - a. At least one scheduled on-site visit to assess the home to ensure that it meets the requirements pursuant to [Wis. Admin. Code ch. DCF 56](#).



- b. At least one scheduled in-home interview for each household member to observe family functioning and assess the family’s capacity to meet the needs of a child or children in foster care.

With the expiration of the emergency declarations, **extraordinary or exceptional payments and expenses related to COVID-19 will also discontinue.**

1. Uniform Foster Care Rate Setting

During the public health emergency there was the option to reimburse foster parents in the exceptional rate narrative for COVID-19 related costs, such as childcare, additional supervision and time by the foster parent, and personal incidentals related to cleaning supplies, food and other expenses. With the expiration of the emergency order, **COVID-19 related expenses are no longer an eligible expense under Title IV-E** and should be removed from the exceptional portion of the foster care rate. Agencies should direct questions about allowable expenses to their identified agency rate setter. Additional information about allowable expenses can be found in the [Foster Care Rate Setting Policy DCF-P-5611](#).

2. COVID-19 Related Extraordinary Payments

An extraordinary payment is a payment for “administrative” costs beyond those costs already factored into a provider’s administrative rate. With the expiration of the COVID-19 Public Health Emergency, extraordinary costs related to COVID-19 will no longer be allowed. Guidance on how to view [COVID-related extraordinary payments](#) will continue to be available on the knowledge web in the event payment corrections need to be made for an allowable period.

- REGIONAL OFFICE CONTACT: DCF Area Administrator
- CENTRAL OFFICE CONTACT: Program & Policy Analyst-Adv.
Bureau of Permanence and Out-of-Home Care
DCFDSPPGeneralFosterCare@wisconsin.gov
- MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>
- RESOURCES: [Stafford Act flexibility](#)
[Federal Child Welfare Policy Manual, Title IV-B, Section 7.3, Question Number 8](#)
[Updates on COVID-19 Flexibilities DCL-23-04 Dear Colleague Letter](#)
[ACYF-CB-IM23-05](#)
[Child Protective Services Access and Initial Assessment Standards](#)
[Wisconsin Ongoing Services Standards](#)





[The Structured Analysis Family Evaluation \(SAFE\) Home Study Assessment](#)

[Wis. Admin. Code ch. DCF 56](#)

[Foster Care Rate Setting Policy DCF-P-5611](#)

[COVID-related extraordinary payments](#)