The department shall set rates for certified child care providers following (unless the Lead Agency provides evidence in the Plan that such practices are not generally-accepted in the State or service area):

- on a part-time/full-time basis.

**Permanent Rule**

regardless of the number of children receiving care. Subsidy payments will no longer be determined on an hourly basis, and rates for in-home providers will be determined based on a maximum registration fee that must be set by a provider in a child care administrative agency upon request.

The emergency rules authorize the payment of the lower of a provider’s registration fee or the department’s maximum fee amount. The department shall set a schedule for maximum registration fee amounts in Table DCF 201.04. Maximum fee amounts shall fully cover mandatory registration fees charged by at least 75 percent of providers who respond to the survey conducted under s. DCF 201.06 (2).

The department may adjust Table DCF 201.04 to reflect any of the following: the fee amounts in the most recent survey of provider fees; increased alignment with provider fee practices; including variation in fee amounts based on region of the state, the child’s ages, or provider regulation type; a change in the funding available for the child care subsidy program; a change in costs due to a change in the consumer price index; a change in economic factors affecting the cost of child care to the state, such as an increase in demand for the child care subsidy program; insufficient funding to meet the needs of all eligible families applying for or receiving a child care subsidy; and the purposes of the child care subsidy program.

The department shall publish adjustments to the maximum registration fee schedule in the Wisconsin administrative register. The department will pay no more than 2 registration fees per child per month. Provider registration agreements between a provider and a parent must include any fees charged.

Each provider that charges a registration fee will be required to submit the amount of the fee to the department. The rule includes the current requirement that a provider submits a registration fee no more than once per 12-month period. The fee must be adjusted if the provider receives a change in their Federal subsidy program.

The department may adjust the maximum registration fee schedule in the Wisconsin administrative register. The department will pay no more than 2 registration fees per child per month. Provider registration agreements between a provider and a parent must include any fees charged.

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The rules make changes required for approval of Wisconsin’s 2022-2024 Child Care Development Fund Plan.

The statement of scope for this rule, SS 002-23, was approved by the governor on December 22, 2022. This emergency rule was approved by the Governor on September 14, 2023.

**Analysis Prepared by the Department of Children and Families**

The rules make changes required for approval of Wisconsin’s 2022-2024 Child Care Development Fund Plan.

**Table DCF 201.04 Maximum Registration Fee Schedule**

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<thead>
<tr>
<th>Effective October 1, 2023</th>
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<td>WNAXL-P</td>
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</tbody>
</table>

**Permanent Rule**

- **Decision 201.02 (18p) is created to read:**
  - DCF 201.02 (18p) “Registration fee” means a fee that a child care provider charges to enroll a child or to continue a child’s enrollment on an annual basis.

- **Decision 201.02 (18p) is created to read:**
  - DCF 201.02 (18p) “Registration fee” means a fee that a child care provider charges to enroll a child or to continue a child’s enrollment on a bi-annual basis.

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