



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Karen E. Timberlake, Secretary

March 22, 2022

Mr. Edward A. Blazel
Assembly Chief Clerk
17 West Main Street, Room 401
Madison, WI 53703

Mr. Michael J. Queensland
Senate Chief Clerk
Post Office Box 7882
Madison, WI 53707-7882

Dear Mr. Blazel and Mr. Queensland:

I am pleased to submit the Wisconsin Department of Health Services (DHS) Annual Report on Rehabilitation Review Requests in accordance with Wis. Stat. § 50.065(5g). As created by 1997 Wisconsin Act 27, this provision established requirements to strengthen protections for children and vulnerable adults in organized care settings. The provisions require, among other things, that designated entities conduct background checks on all new and existing staff and bar them from employing anyone who has committed certain crimes or acts. The Department of Health Services, the Department of Children and Families (DCF), and certain child care providers, counties, and local school boards must perform checks on a provider before issuing a license or other credential. Individuals who have committed prohibited crimes or acts may apply to DHS and/or DCF, counties, or school boards for a waiver of the employment or licensing ban upon evidence of rehabilitation.

Wisconsin Stat. § 50.065(5g) directs DHS to submit an annual report to the legislature that specifies the number of persons who have sought waivers of employment or licensing bans by requesting to demonstrate that they have been rehabilitated. The report must also specify the number of requests that were approved and the reasons for the success or failure of the requests. Attached is the DHS report for 2021.

Questions about this report should be referred to the DHS Chief Legal Counsel Sandra Rowe at 608-266-0355.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen E. Timberlake".

Karen E. Timberlake
Secretary-designee



**2021 Annual Report on Rehabilitation Review Requests
Under Wis. Stat. § 50.065(5g)**

Requests Received by the Department of Health Services

<table border="0"> <tr> <td style="padding-right: 10px;">13</td> <td>Pending requests at start of 2021</td> </tr> <tr> <td style="border-top: 1px solid black; padding-top: 5px;">42</td> <td style="border-top: 1px solid black;">Requests received in 2021</td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black; padding-top: 5px;">55</td> <td style="border-top: 1px solid black; border-bottom: 1px solid black;">Total requests</td> </tr> </table>	13	Pending requests at start of 2021	42	Requests received in 2021	55	Total requests	<table border="0"> <tr> <td style="padding-right: 10px;">2</td> <td>Applications withdrawn</td> </tr> <tr> <td style="padding-right: 10px;">18</td> <td>Approvals with standard conditions</td> </tr> <tr> <td style="padding-right: 10px;">1</td> <td>Approval with standard and additional conditions</td> </tr> <tr> <td style="padding-right: 10px;">1</td> <td>Partial approval and denial</td> </tr> <tr> <td style="padding-right: 10px;">16</td> <td>Denials (14 were for not providing the required information)</td> </tr> <tr> <td style="padding-right: 10px;">2</td> <td>No jurisdiction</td> </tr> <tr> <td style="padding-right: 10px;">2</td> <td>Not required to pursue rehabilitation approval</td> </tr> <tr> <td style="padding-right: 10px;">0</td> <td>Pending deferrals</td> </tr> <tr> <td style="padding-right: 10px;">13</td> <td>Requests being screened for completeness or awaiting scheduling or decisions</td> </tr> <tr> <td style="border-top: 1px solid black; padding-top: 5px;">55</td> <td style="border-top: 1px solid black;">Total</td> </tr> </table>	2	Applications withdrawn	18	Approvals with standard conditions	1	Approval with standard and additional conditions	1	Partial approval and denial	16	Denials (14 were for not providing the required information)	2	No jurisdiction	2	Not required to pursue rehabilitation approval	0	Pending deferrals	13	Requests being screened for completeness or awaiting scheduling or decisions	55	Total
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Reasons for Approval	Reasons for Denial
<p>The applicants demonstrated sufficient evidence of rehabilitation in the areas of position-related offense factors and the applicant’s personal development and progress. Where applicable, standard conditions include: no (further) law violations, no (further) acts or threats of violence toward others, no offenses that lead to arrest or conviction or findings by a government agency of misconduct.</p>	<p>The following reasons may relate to more than one individual or an individual may have been denied for more than one reason.</p> <ul style="list-style-type: none"> • Questionable veracity due to the disparity between events contained in investigations by governmental agencies and the version of events given during the panel meeting • Lack of accountability • Lack of remorse • Continued denial of the underlying incident • Opportunity to commit similar offenses in requested positions • Not enough time has passed between the documented misbehaviors and request for rehabilitation review • Failure to understand severity of actions and impact on resident(s)