

Resolution No. 36-2012

Resolution to File Request For Waiver From State Mandate Pursuant to Section 66.0143-Mandate to Provide Certain Audit Reports Concerning Human Services Purchase of Care and Services Contracts Under Sections 46.036 and 49.34

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

- 1 WHEREAS, Wisconsin Statutes §§ 46.036 and 49.34 prescribes the manner in which the Polk County
2 Human Services Department may authorize and contract for client care and services; and
3
- 4 WHEREAS, Wis. Stat. §§ 46.036 (4)(c) and 49.34(4)(c) provides that contracts with providers must include
5 a provision that requires providers to, as a condition of reimbursement, provide the county, as purchaser,
6 with a certified financial and compliance audit report if the care and services exceeds \$25,000, unless said
7 state mandate is waived by the Wisconsin Department of Health Services and Wisconsin Department of
8 Children and Families; and
9
- 10 WHEREAS, Wis. Stat. §§ 46.036 (5m)(f) and 49.34(5m)(f) requires, among things, providers to provide to
11 any purchaser and the Wisconsin Department of Health Services and Wisconsin Department of Children and
12 Families any audit reports to any purchaser and the department according to standards specified in the provider's
13 contract and any other standards that the department may prescribe.
14
- 15 WHEREAS, the Polk County Human Services Department presently contracts annually with 20 to 25
16 providers that are paid between \$25,000 and \$100,000 per year; and
17
- 18 WHEREAS, pursuant to Wis. Stat. § 66.0143, allows a county to apply for and to receive a waiver from
19 those state mandates which do not relate to health or safety.
20
- 21 WHEREAS, said waivers are effective for four (4) years and may be renewed for additional 4 –year periods;
22 and
23
- 24 WHEREAS, the Polk County Human Services Department has successfully received waivers from the state
25 mandate set forth in Wis. Stat. §§ 46.036 (4)(c) and 49.34(4)(c), so as to only require certified financial and
26 compliance audit reporting for those purchase of care and service contracts that exceed \$75,000; and
27
- 28 WHEREAS the current waiver expires on December 31, 2012 and it in the interest of Polk County and the
29 clients served by the Polk County Human Services Department to apply for a waiver of the state mandate set
30 forth in Wis. Stat. §§ 46.036 (4)(c) and 49.34(4)(c) so as to require certified financial and compliance audit
31 reporting for those contracts for the purchase of care and service that exceed \$100,000.
32
- 33 WHEREAS, it is in the interest of Polk County and the clients served by the Polk County Human Services
34 department to apply for a waiver of the state mandates set forth in Wis. Stat. §§ Wis. Stat. §§ 46.036 (5m)(f)
35 and 49.34(5m)(f), such that only those contracts with the Polk County Human Services Department for the
36 purchase of care and service that exceed \$100,000 with require providers to provide the County audit reports
37
- 38 NOW, THEREFORE, BE IT RESOLVED that, in accordance with Wis. Stat. § 66.0143((2)(a)1. and 2., the
39 Polk County Board of Supervisors authorize the Polk County Human Services Department to file an

40 application for waiver of state mandate of the audit requirements set forth in Wis. Stat. §§ 46.036 (4)(c) and
41 (5m)(f) and 49.34(4)(c) and (5m)(f) on all purchase of care and services contracts through the Human
42 Services Department, that are less than \$100,000.00, instead of \$25,000 or more.

43
44 BE IT FURTHER RESOLVED that, in adopting this resolution, the Polk County Board of Supervisors
45 certifies that mandate for which the application of the waiver is authorizes does not relate to "health" or
46 "safety" as such terms are used in Wis. Stat. § 66.0143 (2)(a)1. and 2.

47
48 BE IT FURTHER RESOLVED, that the Polk County Human Services Department, the Polk County Clerk
49 and the Polk County Department of Administration are directed to collaborate to forward to the Wisconsin
50 Department of Revenue, the Wisconsin Department of Health Services and Wisconsin Department of
51 Children and Families a certified copy of this resolution and the necessary application for Local Appeal for
52 Exemption from State Mandates.

Funding Amount and Source: Not Applicable
Finance Committee Advised:
Finance Committee Recommendation: - Aacy P. Bergstrom, Chair
Date Submitted to County Board: _____
County Board Action: _____
Effective Date: Upon Passage

Submitted upon recommendation of the Polk County Human Services Board

George Stroebel
George Stroebel - Chair
Bill Alleva
Bill Alleva - Secretary
Marvin Caspersen
Marvin Caspersen
Russell Arcand
Russell Arcand
John Gyllen
John Gyllen

David Markert Ph.D.
Dr. David Markert - Vice Chair (citizen)
Brian Masters 8/28/12
Brian Masters
Kristine Kremer Hartung
Kristine Kremer Hartung
Tim Strobusch
Tim Strobusch

Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

Dana Frey
Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only

Jeffrey Lutz, Corporation Counsel

Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on September 18, 2012, the Polk County Board of Supervisors adopted the above-entitled resolution by a simple majority vote of ___ in favor and ___ against. *by unanimous voice vote*



William Johnson, IV, County Board Chair

Dated: 9-20-12

Attest: Carole Y. Wondra
Carole Wondra, Polk County Clerk

Dated: 9-20-12

STATE OF WISCONSIN)
) SS
C OUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the attached is a true and correct copy of Resolution No. 36-12 that was adopted by the Polk County Board of Supervisors on September 18, 2012.

Carole T. Wondra 9-20-12
Carole T. Wondra Date
Polk County Clerk