



December 31, 2013

**New York State  
Office of  
Children &  
Family  
Services**

Elane M. Daly, B.S.N., Director  
Cayuga County Health and Human Services Department  
160 Genesee St.  
Auburn, NY 13021-3424

<http://ocfs.ny.gov>

Dear Ms. Daly:

**Andrew M. Cuomo**  
*Governor*

**Gladys Carrión, Esq.**  
*Commissioner*

**Capital View Office Park**

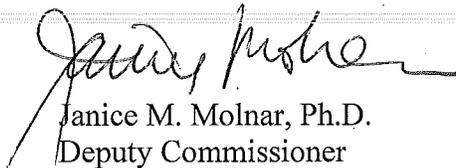
52 Washington Street  
Rensselaer, NY  
12144-2834

This letter is in response to your request to amend Cayuga County Department of Health and Human Services 2013 Children and Family Services Annual Plan Update. Cayuga County proposed to pay an enhanced rate of up to 15% higher than the applicable market rates to registered Family Day Care and Group Family Day Care providers who provide care during non-traditional hours. Cayuga County also proposed to change the source of information regarding criminal history of Legally Exempt Child Care providers. A release is currently sent to the Cayuga County Sheriff's Department. The county is proposing that the release be sent to the Director of the Cayuga County Case Integrity Unit who will conduct the local criminal background checks.

Your proposed amendment has been reviewed and approved. It is effective January 1, 2014. For your records, the approved amendment in Appendices N, Q, and T are attached.

If you have any questions about this approval or the child care section found in your district's 2013 Children and Family Services Annual Plan Update, please contact Mr. Michael Miller at (518) 408-3395 or by e-mail at [Michael.Miller@ocfs.ny.gov](mailto:Michael.Miller@ocfs.ny.gov).

Sincerely,



Janice M. Molnar, Ph.D.  
Deputy Commissioner  
Division of Child Care Services

Attachments: Appendices N, Q, and T



An Equal Opportunity Employer

**APPENDIX N**  
**District Options (Required)**

---

Districts have some flexibility to administer their child care subsidy programs to meet local needs. Check which options that your district wishes to include in your county plan. Complete the attached appendices for any area(s) checked.

1.  The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
2.  The district is using Title XX funds for the provision of child care services (complete Appendix P).
3.  The district has chosen to establish additional local standards for child care providers (complete Appendix Q).
4.  The district has chosen to make payments to child care providers for absences (complete Appendix R).
5.  The district has chosen to make payments to child care providers for program closures (complete Appendix S).
6.  The district has chosen to pay for transportation to and from a child care provider (complete Appendix T).
7.  The district has chosen to pay up to 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix T).
8.  The district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix T).
9.  The district has chosen to pay up to 75% of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 hours of training, which has been verified by the Legally-Exempt Caregiver Enrollment Agency (complete Appendix T).
10.  The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
11.  The district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix U).
12.  The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U)
13.  The district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).
14.  The district has chosen to pay for breaks in activity for low income families (non public assistance families). Complete Appendix U.

15.  The district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification, and/or enrollment forms (attach copies of the local equivalent forms your district uses).

*Any previous approvals for local equivalent forms will not be carried forward into this county plan. Therefore, any local equivalent forms a district wishes to establish or renew must be included in this plan and will be subject to review and approval by OCFS.*

**APPENDIX Q**

**Additional Local Standards for Child Care Providers (Optional)**

The district may propose local standards in addition to the State standards for legally-exempt providers who will receive child care subsidies. This appendix must be completed for **each** additional standard that the district wishes to implement.

1. Check or describe in the space provided below the additional local standards that will be required of child care providers/programs.

- Verification that the provider has given the parent/caretaker complete and accurate information regarding any report of child abuse or maltreatment in which they are named as an indicated subject
- Local criminal background check
- Requirement that providers that care for subsidized children for 30 or more hours a week participate in the Child and Adult Food Care Program (CACFP)
- Site visits by the local district
- Other (please describe):

2. Check below the type of child care program to which the additional standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

- Legally-exempt family child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
  - Provider's household member age 18 or older
- Legally-exempt in-home child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
- Legally-exempt group providers not operating under the auspices of another government agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
- Legally-exempt group providers operating under the auspices of another government or tribal agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer

3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.

Local social services staff

Provide the name of the unit and contact person:

Cayuga County Case Integrity Unit - Thomas Ryan, Director

Contracted agency

Provide the name of the agency and contact person:

4. Are there any costs associated with the additional standard?

Yes  No

**Note:** Costs associated with the additional standard cannot be passed on to the provider.

5. Describe the steps for evaluating whether the additional local standard has been met.

The authorization for local criminal history background checks will be included in legally-exempt enrollment packages and returned to the enrollment agency.

If a provider or for legally-exempt family child care provider, or a member of the provider's household 18 years of age or older refuses to sign an authorization for a local criminal background check, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency. If a provider does not comply, the parent is sent Notice by the enrollment agency that their provider can not be considered a legally exempt provider.

The Enrollment Agency will notify the district when the release has been signed and the signed release will be faxed to the Director of the Cayuga County Case Integrity Unit. The Director of the Cayuga County Case Integrity Unit will conduct the local criminal history check and fax the results to the Supervisor of the Day Care Unit. This information will be faxed to the Enrollment Agency.

6. Indicate how frequently reviews of the additional standard will be conducted. Check all that apply.

Legally-Exempt Programs:

Initial enrollment                       During the 12-month enrollment period  
 Re-enrollment                                 Other

7. In the space below, described the procedures the district will use to notify the Legally-Exempt Caregiver Enrollment Agency (EA) as to whether the legally-exempt provider is in compliance with the additional local standards: Districts must notify the EA within 25 days from the date they received the referral from the EA. (Districts need to describe this procedure only if the additional local standard is applied to legally-exempt child care providers.)

The District will notify the Enrollment Agency by faxing the results the release and results of the criminal history check to the Enrollment Agency.

8. Describe the justification for the additional standard in the space below.

Improves accuracy of self reported criminal history.

**APPENDIX T**

**Transportation, Differential Payment Rates, enhance Market Rate for Legally-Exempt and In-Home Providers, and Sleep (Optional)**

---

**Transportation**

Describe any circumstances and limitations your county will use to reimburse for transportation. Include what type of transportation will be reimbursed (public vs. private) and how much your county will pay (per mile or trip). Note that if the county is paying for transportation, the Program Matrix in WMS should reflect this choice.

**Differential Payment Rates**

Indicate the percentage above the market rate your county has chosen.

- Accredited programs may receive a differential payment up to \_\_\_\_\_ % above market rate.
- Care during non-traditional hours may be paid up to 15% above market rate.
- Limitations to the above differentials:

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is more than 15% above the applicable market rate, describe below why the 15% maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

**Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers**

Indicate if the district is electing to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers who have annually completed 10 or more hours of training and the training has been verified by the legally-exempt caregiver enrollment agency.

- No.
- Yes. Our market rate will not exceed 75% of the child care market rate established for registered family day care.

**Sleep**

The following describes the standards that will be used in evaluating whether or not to pay for child care services while a parent or caretaker that works a second or third shift sleeps, as well as any limitations pertaining to payment:

Parent or caretaker works 3rd shift and no one else available to care for the child

Indicate the number of hours allowed by your district (maximum number of hours allowed is eight).

Maximum of 6 hours



# Cayuga County Health and Human Services Department

*"We promote and protect the health and well-being of the individuals, families and the community we serve."*

Elane M. Daly, B.S.N.  
Director

December 17, 2013

Ms. Janice Molnar  
Office of Children and Family Services  
Division of Child Care Services  
52 Washington Street  
Room 309 South  
Rensselaer, NY 12144

Re: Amendment to the Children and Family  
Services 2013 Annual Plan Update

Dear Ms. Molnar:

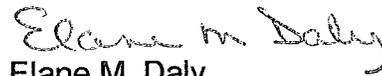
The Cayuga County Department of Health and Human Services is requesting to amend its Children and Family Services 2013 Annual Plan Update. The Cayuga County Department of Health and Human Services is proposing to pay an enhanced rate of 15% higher than the applicable market rates to registered Family Day Care and Group Family Day Care providers who provide care during nontraditional hours. Cayuga County is also proposing to change the source of information regarding criminal history of Legally Exempt Child Care Providers. A release is currently sent to the Cayuga County Sheriff's Department. The Agency is proposing the release be sent to the Cayuga County Case Integrity Unit, which has access to the Unified Court System, a more comprehensive database. If approved, these changes would take place effective January 1, 2014.

The Public Notice was published in The Citizen on November 15, 2013. A copy is enclosed. There were no comments to that notice.

Ms. Janice Molnar  
Page Two  
December 17, 2013

Should you have any questions, please contact Karen Stewart at (315) 253-1377 or [Karen.Stewart2@dfa.state.ny.us](mailto:Karen.Stewart2@dfa.state.ny.us). Thank you for your consideration of this request.

Very truly yours,

  
Elane M. Daly  
Director

/mbn

Enclosure

CC: Rhonda Duffney

aren't yet sure if the "associate" was part of the alleged scam or a victim of it, so they are not identifying the person.

Humberstone was charged with third-degree grand larceny and arraigned in the Town of Ira Court, where he was remanded to the Cayuga County Jail without bail.

Police said that Humberstone and his associate may have solicited tens of thousands of dollars in "loans" from as many as 40 people across northern Cayuga County, and the sheriff's office wants to talk with anyone who has been approached by a man asking for money or claiming to be helping with a legal settlement.

Anyone with information is asked to contact Lt.

**Homemade THANKSGIVING Pies**

Taking orders  
11/11/25  
(315) 252-5580

PIGS IN THE BLANKET  
WEDNESDAY & THURSDAY

**JL Maggie's**

15 Burt Avenue Auburn, NY  
Tues.-Fri. 6:30am-5pm Sat. 9am-1pm

Complimentary Exam & Consult  
No Referral Necessary

**Duthie Orthodontics**

Conveniently Located in Auburn  
185 Genesee Street | 315-253-8171 | www.DuthieOrthodontics.com  
Invisalign Certified

Call for an appointment today

**PUBLIC NOTICE**

The Cayuga County Department of Health and Human Services requests public comments regarding its proposed amendments to its Child and Family Services Plan 2013 Annual Plan Update. Cayuga County is proposing to pay an enhanced rate of 15% higher than the applicable market rates to registered Family Day Care and Group Family Day Care providers who provide care during nontraditional hours. Nontraditional hours are child care services provided during evening, early morning, night, or weekend hours. Between the hours of 6am to 6pm on weekdays are considered traditional hours. Cayuga County is also proposing to change the source of information regarding criminal history of Legally Exempt Child Care Providers. A release is currently sent to the Cayuga County Sheriff's Department. The Agency is proposing the release be sent to the Cayuga County Case Integrity Unit, which has access to the Unified Court System, a more comprehensive database.

The Child and Family Services Plan Update will be available for public review upon request from Friday, November 15, 2013 up to and including Saturday, December 14, 2013.

Interested parties may contact Karen Stewart at **253-1377** to schedule a review date and time.

The Annual Plan Update is also available to view at the Office of Children and Family Services website: <http://ocfs.ny.gov>.

**PUBLIC THEATRE**

**SPECIAL SCREENING INEQUALITY FOR ALL**  
\*NOVEMBER 15/16  
SUNDANCE AWARD WINNER

**FREE ANGELA AND ALL POLITICAL PRISONERS**  
NOVEMBER 22/23

**WE STEAL SECRETS**  
DECEMBER 6/7

\*\$10; 8PM ONLY

\$6 • FRI 1/8PM & SAT 8PM

auburnpublictheater.org  
15 EXCHANGE ST.  
DOWNTOWN AUBURN  
(315) 253-6669

**Do You Own a Home or Condo Out of State?**

Consider a revocable trust to avoid additional court expense

Call today for a free consultation

71 Genesee St., Auburn (315) 252-1234  
rgalbato@galbato.com  
free parking in rear

**GALBATO LAW FIRM**

**AUBURN**  
64 Columbus  
315-253-1377

Take-Out Daily!  
HOMER BREAKFAST ALL DAY

**\$1.00**  
Any Pie \$10.00

**Pick-Wecker**  
Saturday, Sunday, Monday

**STY COR AF LI SPI \$5 with 25% OFF 6883 North 7 E 8:00 Yard C DI**