



July 24, 2013

New York State  
Office of  
Children &  
Family  
Services

[www.ocfs.state.ny.us](http://www.ocfs.state.ny.us)

Ms. Patricia Carey, Commissioner  
Tompkins County Department of Social Services  
320 West State St.  
Ithaca, NY 14850

Andrew M. Cuomo  
*Governor*

Dear Commissioner Carey:

Gladys Carrión, Esq.  
*Commissioner*

This letter is in response to your request to amend Tompkins County's 2013 Child and Family Services Plan. Your request to change your districts recertification period from 6 months to 12 months in Appendix M has been reviewed and approved. It is effective July 24, 2013. For your records, the approved amendment in Appendix M is attached.

Capital View Office Park  
52 Washington Street  
Rensselaer, NY  
12144-2834

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

Sincerely,

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

Attachment: Appendix M



**Tompkins County**  
**DEPARTMENT OF SOCIAL SERVICES**

320 West Martin Luther King Jr. / State Street  
Ithaca, New York 14850  
dsainfo@tompkins-co.org

July 23, 2013

Mr. Michael A. Miller, LMSW  
Children & Family Services Specialist 1  
NYSOCFS-Division of Child Care Services  
52 Washington St.  
Rensselaer, NY 12144-2834

Dear Mr. Miller,

We request to implement the changes to Appendix M—Districts recertification period for child care assistance is every 12 months, rather than 6 months and recipients must provide documents used to verify continued need every 12 months rather than 6 months.

Attached is a copy of one of the notices.

No comments were received.

Thank you.

Very truly yours,



Maryanne Banks  
Director of Services

## Public Comment Sought on DSS Services Plan

For the next 30 days, the Tompkins County Department of Social Services will accept comments from the public on amendments to the following changes to the Child and Family Services Plan:

The district's recertification period for child care assistance is every 12

months, rather than 6 months. (Appendix M, page 6)

Recipients must provide documents used to verify continued need every 12 months, rather than 6 months (Appendix M, page 7)

The additional local standard - verification provider gave accurate and complete information regarding indicated reports of child abuse or maltreatment - is applied to providers, providers' employees, providers' volunteers, and household members age 18 or older in legally exempt family child care programs and legally exempt in home child care programs; and is not

applied to providers, providers' employees, and providers' volunteers of legally exempt group providers operating and not operating under the auspices of another government agency and/or tribal agencies. (Appendix Q1, page 13)

Reviews of this additional local standard are conducted at re-enrollment as well as at initial enrollment (Appendix Q1, page 16, #6)

Please contact Maryanne Banks (274-5297) or Cindy Mott (274-5293) Tompkins County Department of Social Services, 320 W. Martin Luther King, Jr./State St. Ithaca, NY 14850.

## PEDIATRIC CARE AT CAYUGA MEDICAL CENTER



## KIDS CARE

Seeing patients evenings and weekends

To better meet the needs of our community, we offer after-hours outpatient pediatric

## Gardens 4 Humanity Volunteer Work Party

Wednesday, May 15, 9 a.m.

Enfield location-call for directions. Last year, the Gardens 4 Humanity program purchased a large quantity of standing deer fencing, for reuse in local community and neighborhood gardens. Volunteers are needed to help take down and remove the last of this fencing on Wednesday morning - you don't need to have volunteered with GAH previously - new volunteers are welcome! Bring your work gloves! Car pool will leave at 9 a.m. sharp from Cornell Cooperative Extension of Tompkins County, 615 Willow Avenue, Ithaca. If you want to drive yourself, please call Josh Dolan at 607-280-8498 for directions. Hope to see you there!

Like news? Looking for involved community members to contribute stories. Please e-mail Glynis Hart at editor@flan.org. Include a daytime phone number.

Open Your Heart...  
Open Your Home...  
Become a Foster Parent

## APPENDIX M

### Reasonable Distance, Very Low Income, Family Share, Case Closing and Openings, Recertification Period, Fraud and Abuse Control Activities, Inspections (Required)

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#### Reasonable Distance

Define "reasonable distance" based on community standards for determining accessible child care.

The following defines "reasonable distance": Any distance requiring less than 45 minutes travel time from parent or caretaker's home to reach the child care provider and is 25 miles or less, and when combined with the travel necessary to reach work or a work related activity, is less than an hour and 15 minutes. In the case of a parent or caretaker who must walk with a child under the age of 6 to and from the child care provider or to transportation that will take them to and from the child care provider (such as a bus stop), reasonable distance will not exceed one half mile. Consideration will be made for factors such as the need to walk in non-daylight hours and the type of walkway (ie country road with no sidewalk). The definition of reasonable distance will include reasonable accomodation for caretakers and children with disabilities or health problems, and the age of the child.

Describe any steps/consultations made to arrive at your definition: This has been our existing definition for some time.

#### Very Low Income

Define "very low income" as it is used in determining priorities for child care benefits.

"Very Low Income" is defined as 200% of the State Income Standard.

#### Family Share

"Family share" is the weekly amount paid towards the costs of the child care services by the child's parent or caretaker. In establishing family share, your district must select a percentage from 10% to 35% to use in calculating the family share. The weekly family share of child care costs is calculated by applying the family share percentage against the amount of the family's annual gross income that is in excess of the State Income Standard divided by 52.

Family Share Percentage selected by the county 20%.

**Note:** The percentage selected here must match the percentage selected in Title XX Program Matrix in WMS.

#### Case Closings

The district must describe below how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe below how districts will select cases to be closed in the event that there are insufficient or no funds available.

1. Identification of local priorities in addition to the required federal priorities (select one).

The district has identified local priorities in addition to the required federal priorities (Complete Section 2)

The district has not identified local priorities in addition to the required federal priorities (Complete Section 3).

2. Describe how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe in the space below how the district will select cases to be closed in the event that there are insufficient or no funds available.

a. The district will select cases to be closed based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will close cases from the highest income to lowest income.

2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

b. The district will select cases to be closed based ONLY on categories of families.

No.

Yes. List the categories in the order that they will be closed, including the optional categories selected in Appendix L:

c. The district will select cases to be closed based on a combination of income and family category.

No.

Yes. List the categories and income groupings in the order that they will be closed:

d. The district will select cases to be closed on a basis other than the options listed above.

No.

Yes. Describe how the district will select cases to be closed in the event that there are insufficient funds to maintain the district's current case load:

e. The last cases to be closed will be those that fall under federal priorities. Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income  Rank 1  Rank 2

Families that have a child with special needs  Rank 1  Rank 2

3. If all NYSCCBG funds are committed, case closings for families that are not eligible under a child care guarantee and are not a federally mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time the family has received child care services, but must be consistent for all families.
- a. Identify how the district will prioritize federal priorities. Cases that are ranked 1 will be closed last.
- Very low income     Rank 1     Rank 2
- Families that have a child with special needs     Rank 1     Rank 2
- b. The district will close cases based on the federal priorities and the amount of time the family has been receiving child care services.
- Shortest time receiving child care services
- Longest time receiving child care services
4. The district will establish a waiting list for families whose cases were closed because our county did not have sufficient funds to maintain our current caseload.
- No.
- Yes. Describe how these cases will be selected to be reopened if funds become available:

**Case Openings**

Describe below how priority is given to federally mandated priorities and how the district will select cases to be opened in the event that insufficient funds are available.

1. The first cases to be opened will be those that fall under the federal priorities.
- Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be opened first.
- Very low income     Rank 1     Rank 2
- Families that have a child with special needs     Rank 1     Rank 2
2. The district will select cases to be opened based ONLY on income.
- No.
- Yes. Check 1 or 2 below.
- 1)  The district will close cases from the highest income to lowest income.
- 2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

3. The district will select cases to be opened based ONLY on category.
- No.
- Yes. List the categories in the order that they will be opened, including the optional categories selected in Appendix L:
- The district will open category II cases and then category III cases
4. The district will select cases to be opened based on a combination of income and category of family.
- No.
- Yes. List the categories and income groupings in the order that they will be opened:
5. The district selects cases to be opened on a basis other than the options listed above.
- No.
- Yes. Describe how the district will select cases to be opened in the event that there are not sufficient funds to open all eligible families:
6. The district will establish a waiting list when there are not sufficient funds to open all eligible cases.
- No.
- Yes. Describe how these cases will be selected to be opened when funds become available:

The district's recertification period is every  six months  twelve months

#### **Fraud and Abuse Control Activities**

**Describe below the criteria the district will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payment in addition to procedures for referring such applications to the district's front-end detection system.**

Below is a list of identified indicators of high risks and actions DSS takes to verify client is adhering to requirements.

- o Working off the books: Clients must have some way of verifying they are receiving valid payment usually by a notarized statement and DSS making direct contact with the person.
- o Self-employed without adequate business records: Individual must provide a tax return demonstrating three months of self-employment.
- o PO Box used as a mailing address without cause: Client must verify their residence with a lease, mortgage or tax bill.

- o Client unsure of address: FEDS referral made to the investigation unit.
- o Documentation to verify identity is suspect: Require photo ID or birth certificate.
- o Documentation or information provided is inconsistent with application: FEDS referral made to the investigation unit
- o Previous case closings: case records are tracked
- o Overpayment resulting from investigation: overpayment is rolled into current parent fee until paid off
- o Application inconsistent with prior case: FEDS referral made to the investigation unit
- o Children under six with no birth certificate: DSS applies for birth certificate for them
- o Provider lives in the same household as parent: verify provider is not a parent
- o No absent parent information or information is inconsistent with application: cross check with Child Support

**Describe the sampling methodology used to determine which cases will require verification of an applicant's or recipient's continued need for child care, including, as applicable, verification of participation in employment, education, or other required activities.**

TCDSS reviews all cases at recertification for verification of continued need for child care. Hence, every twelve months the client must provide all documents to verify their participation in employment, education or required activities and continued need for child care. The department tracks cases that have no set schedule to provide verification for child care. The department requires clients to turn in their monthly pay stubs and work schedules for verification and/or class schedule for education courses.

For clients engaged in classes the department requires that they submit their class schedule to compare days they are receiving day care. For the classes that attendance can be tracked, e.g. ESL, the department requires that they provide signed attendance forms.

**Describe the sampling methodology used to determine which providers of subsidized child care services will be reviewed for the purpose of comparing the child care provider's attendance forms for children receiving subsidized child care services with any Child and Adult Care Food Program inspection forms to verify that child care was actually provided on the days listed on the attendance forms.**

Three times a year the Enrollment Agency will visit providers and will complete the Monitoring Checklist, documenting children in attendance at time of the visit. The EA will send the Monitoring Checklist to the Examiner at DSS in charge of fraud. Three times per year the examiner will review Monitoring Checklist and children in attendance and compare those to child care subsidy attendance records to verify whether child care was actually provided on the days listed on the attendance forms.

## Inspections of Child Care Provider Records and Premises

The district may choose to make announced or unannounced inspections of the records and premises of a provider/program that provides child care for subsidized children for the purpose of determining whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district Per 18 NYCRR 415.4(h) (3). Does the district choose to make inspections of such child care providers/programs?

No.

Yes. Provide the details of your inspections plan below.

A. The following *types* of subsidized child care providers/programs are subject to this requirement:

Legally-Exempt Child Care

In-Home;

Family Child Care;

Group programs not operating under the auspices of another government agency

Group programs operating under the auspices of another government agency

Licensed or Registered

Family Day Care;

Registered School Age Child Care

Group Family Day Care;  Day Care Centers;  Small Day Care Centers;

B. The district  *does* OR  *does not*:

Reserve the right to make inspections *PRIOR* to subsidized children receiving care in a **home** where the inspection is for the purpose of determining whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district.

C. The district will report violations of regulations as follows:

- Violations by a licensed or registered child care provider will be reported to the applicable Office of Children and Families (OCFS) Regional Office.
- Violations by an enrolled or enrolling legally-exempt child care provider will be reported to the applicable Enrollment Agency.