



**Office of Children
and Family Services**

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Acting Commissioner

October 14, 2015

Mr. Kevin M. McGuire, Commissioner
Westchester County Department of Social Services
112 East Post Rd., 5th Floor
White Plains, NY 10601

Dear Commissioner McGuire:

This letter is in response to your request to amend Westchester County's 2015 Child and Family Services Plan Annual Plan Update. Westchester County Department of Social Services proposed to amend Appendix M to include Inspections of Child Care Provider Records and Premises.

This request has been approved and is effective October 14, 2015. If you have any questions about this approval or the child care section found in your district's 2012-2016 Child and Family Services Plan, please contact Mr. Michael Miller at (518) 408-3395 or Michael.Miller@ocfs.ny.gov.

Sincerely,

A handwritten signature in cursive script that reads "Rhonda Duffney".

Rhonda Duffney, Director
Child Care Subsidy Unit

Enc: Appendix M

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APPENDIX M

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

Reasonable Distance

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

The following defines “reasonable distance”:

One and one half hours commute each way

Describe any steps/consultations made to arrive at your definition:

This timeframe was determined by considering the time it take for an individual to travel from outer most part of the northern region of Westchester County to the most southern region that borders Bronx, NYC. The analysis included various modes of transportation supported by information gather from the trip planner application provider by the Bee Line system, Metro North and MapQuest. This reasonable distance determination would allow ample time and distance opportunities for all persons seeking work within Westchester County and the surrounding areas, Bronx and parts of Connecticut.

Very Low Income

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

“Very Low Income” is defined as 175% 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: **27%**

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.

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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:

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- 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.

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- 1) The district will open cases from the lowest income to highest income.
- 2) The district will open 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:
Up to 175% - Band 1
Up to 200% - Band 2
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:
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

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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.

When the Childcare Subsidy Unit worker receives a complete application, and there is an indicator present, the case will be referred to the Audit & Review Unit within 2-3 business days. The Childcare Subsidy Unit (CCSU) worker will complete the Childcare FEDS Referral Form (copy attached) for every application submitted for Childcare Subsidy Assistance. When one or more indicator is identified, the eligibility worker in CCSU will schedule an appointment for the applicant to be seen by the BCR Audit & Review Unit in 7 days. After scheduling the appointment, the Childcare Subsidy Unit worker will mail the appointment letter to the customer and scan all documents. The Childcare Subsidy Unit will forward a list to BCR Audit & Review Unit via e-mail of all Childcare FEDS appointments scheduled that day.

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.

Concerning a specific sampling methodology for the cases indicated above, the unit strives to audit all current child care subsidy situations that it can identify. This is accomplished by regularly reviewing the aforementioned report. Cases that have been investigated within the past 90 days are excluded from current audits. All others are subject to possible review.

Verification of participation in any required activities (other than employment) is generally applicable only on TA cases, as Child Care Subsidy Assistance service cases rarely involve customers who require such assistance for reasons other than work-related needs. Whenever applicable, however, the unit investigators will verify the current compliance status of all customers who are obligated to participate in any required activities.

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.

The sampling methodology pertaining to the determination of which caregivers of subsidized child care services will be reviewed by the Audit & Review Unit of BCR is similar to that of the child care subsidy cases described above. The unit strives to review all such caregivers, in turn, by identifying them via lists obtained or derived from several source. In addition to the lists of currently contracted providers compiled each year in the agency's Central Office, a list of non-contracted providers has been assembled by the members of the A&R Unit.

Careful review of the caregiver's attendance forms and other related documents to verify whether or not child care was actually provided on the days listed on the attendance forms is being done on all applicable providers. Currently, A&R Unit staff is auditing 40% of all subsidized child care slots when the number identified is ten or more for any provider, and 100% of those that number is less than ten in the period selected for audit.

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With regards to section 415.4 subdivision (m)(3), the Audit and Review Unit will compare the attendance records of the providers reviewed each month with child and adult care food program inspection forms were available.

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.