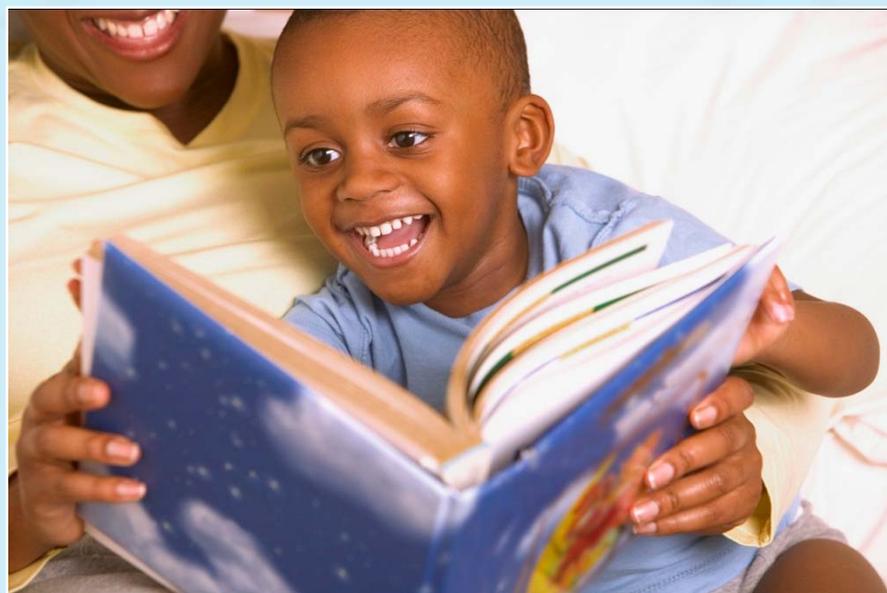




# Welcome to the Child Care Subsidy Training Program



## Presenters:

Jill Finnegan

Lakia Green



## **This training program is delivered under contractual agreement with:**

- **NYS Office Of Children & Family Services, Division of Child Care Services**
- **NYS Office of Children & Family Services, Bureau of Training**

# Getting to Know You!

## Introductions:

- Your name
- What agency/county you represent
- Current position
- How long you've been in this job
- Surprise question



# Pre-Training Assessment

Please complete the Pre-Training Assessment:

- Record your answers on the answer sheet provided
- Do not write on the pre/post-training assessment document
- Do not share answers with others



# Unit 1: Screening and Application

- Lesson 1: Overview of the Child Care Subsidy Program
- Lesson 2: The Application Process

# Lesson 1

## Overview of the Child Care Subsidy Program



# Lesson 1



- Describe the legislative intent of the New York State Child Care Block Grant and its relationship to Welfare Reform
- Describe the philosophy of the Child Care Subsidy Program as it relates to temporary assistance and low-income clients.
- Identify the policies and regulations governing Child Care Subsidy Program

# Child Care Subsidy Program

The Child Care Subsidy Program is designed to assist Temporary Assistance and Low-Income Families with paying for child care while they participate in approved activities designed to move them toward financial independence.



# District's Role

- Determining and monitoring programmatic, residency, and income eligibility
- Determining correct payment amounts and monitoring payments for child care
- Ensuring the rights and responsibilities of Child Care Subsidy families guaranteed by law
- Assisting other agencies in ensuring certain health and safety standards for child care are met



# Goals of Child Care Subsidy Program

- Remove child care as a barrier to working
- Give TA and low-income families the opportunity to make informed decisions about their child care
- Encouraging personal responsibility
- Setting minimum health and safety standards for certain types of child care

# Directives Governing Child Care Programs



- Federal Law
- Social Services Law
- NYS Regulations (18 NYCRR Title 18, Part 415 & Part 404)
- Administrative Directives (ADM)
- Informational Letters (INF)
- Local Commissioner Memorandums (LCM)

# New York State Code, Rules and Regulations, Title 18



We will be specifically reviewing:

- Part 415 – *Child Care Services*
  - R&R - Tab 1, Part 1
  
- Part 404 – *Determination and Redetermination of Eligibility for Social Services*
  - R&R - Tab 1, Part 2

# New York State Code, Rules and Regulations



18 NYCRR Part 415.2(a)(3)(vii)(b)(2)

**415.2(a)(3)(vii)(b)(2)**

(Sm. Letter) (Number) (Roman Numeral) (Sm. Letter) (Number)

What does **415.4(a)(1)(iv)** discuss?

# ADMs, LCMs, and INFs



Policy releases providing guidance in administration of the Child Care Subsidy program:

- Lists of many of the ADMs, LCMs, and INFs
  - PM - Tab 1, p. 7-9
- Policy Directives
  - R&R - Tabs 2-9

# Policy Directives



09-OCFS-ADM-05

(year) (office) (type) (#)

# Policy Directives



09-ADM-05

(year) (type) (#)

# Rules and Regulations of Note



Please mark the following rules and regulations in your manual:

<b>TAB NUMBER</b>	<b>RULE OR REGULATION</b>
1	18 NYCRR 404
3	05-OCFS-ADM-03
3	Memorandum
4	03-OCFS-INF-07
4	02-OCFS-INF-05

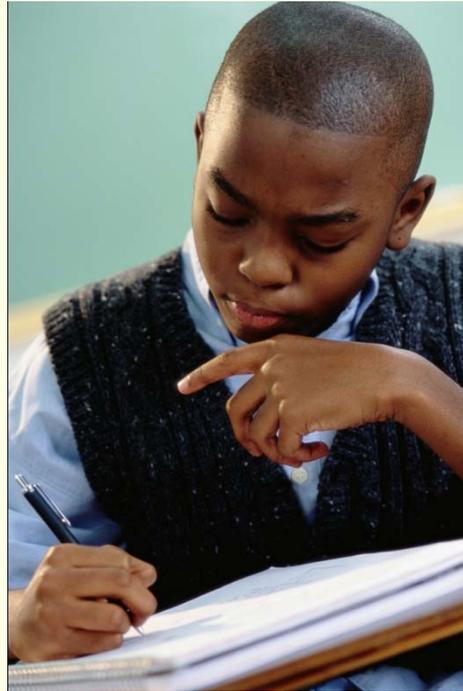
# Objectives Review



1. What is the goal of the NYS Child Care Subsidy Program?
2. What are the two main New York State Code, Rules, and Regulations that govern the Child Care Subsidy Program?
3. What does parental choice mean?
4. Where can you find the most recent policy updates?
5. What is the main purpose of the Child and Family Services Plan?

# Lesson 2

## The Application Process



# Lesson 2



- Describe the purpose and structure of the *Common Application* as it relates to the child care subsidy program
- Describe the purpose of the *Application For Child Care Assistance*
- Describe client's rights and responsibilities in the application process
- List temporary assistance and non-temporary assistance families' rights and responsibilities when receiving child care assistance
- Inform clients about their rights and responsibilities and about the different types of child care providers available to them

# The Common Application

- Temporary Assistance
- Medical Assistance
- Medicare Savings Program
- Food Stamps Benefits
- Services, Including Foster Care
- Child Care Assistance

LDSS-2021 Statewide (Rev. 1/01) DO NOT WRITE IN THE SHADED AREAS OF THIS APPLICATION PAGE 1

CENTER OFFICE	APPLICATION DATE	UNIT ID	WORKER ID	CASE TYPE	SERV. IND.	CASE NUMBER	REGISTRY NUMBER	VERG.	DISTRICT	SUFF.	PS	PS	CATEGORY	LANG.	NUMBER	REUSE	INDICATOR
CASE NAME																	
EFFECTIVE DATE																	
DISPOSITION																	
REASON CODE																	
WITHDRAWAL																	
SIGNATURE OF PERSON WHO OBTAINED ELIGIBILITY INFORMATION																	
DATE																	
ELIGIBILITY DETERMINED BY (WORKER)																	
DATE																	
ELIGIBILITY APPROVED BY (SUPERVISOR)																	
DATE																	
FORM OF																	
DATE RECEIVED BY AGENCY																	
EMPLOYED BY SOCIAL SERVICES DISTRICT																	
PROVIDER AGENCY SPECIFY																	
TR AUTHORIZATION PERIOD																	
SI AUTHORIZATION PERIOD																	
FS AUTHORIZATION PERIOD																	
SERVICES AUTHORIZATION PERIOD																	

**NEW YORK STATE**  
**APPLICATION FOR: TEMPORARY ASSISTANCE (TA) - MEDICAL ASSISTANCE (MA) - FOOD STAMP BENEFITS (FS) - SERVICES (S), including Foster Care (FC) - CHILD CARE ASSISTANCE (CC)**  
 We are committed to assisting and supporting you in a professional and respectful manner with your goal of achieving self-sufficiency. You, in turn, must be committed to becoming self-sufficient and must be responsible for participating in activities to reach self-sufficiency including work activities. Whenever you see "Temporary Assistance" or "TA" on the application, it means "Family Assistance" and "Safety Net Assistance". We call both Public Assistance Programs "Temporary Assistance". These TA Programs are meant to assist you only until you can fully support yourself and your family. Please refer to the "How to Complete" instruction book (Pub-1301 Statewide) when completing this application.

<input type="checkbox"/> CHECK EACH PROGRAM YOU OR ANY HOUSEHOLD MEMBER ARE APPLYING FOR <input type="checkbox"/> Temporary Assistance <b>And</b> Medical Assistance <input type="checkbox"/> Medicare Savings Program <input type="checkbox"/> Food Stamp Benefits <input type="checkbox"/> Services, including Foster Care <input type="checkbox"/> Child Care Assistance <input type="checkbox"/> DO YOU WANT TO RECEIVE NOTICES IN: <input type="checkbox"/> SPANISH AND ENGLISH <input type="checkbox"/> ENGLISH ONLY <input type="checkbox"/> WHAT IS YOUR PRIMARY LANGUAGE? <input type="checkbox"/> ENGLISH <input type="checkbox"/> SPANISH <input type="checkbox"/> OTHER (specify)	<input type="checkbox"/> DO ANY OF THESE APPLY TO YOU? <input type="checkbox"/> Pregnant <input type="checkbox"/> Victim Of Domestic Violence <input type="checkbox"/> Need To Establish Paternity <input type="checkbox"/> Need Child Support <input type="checkbox"/> Drug/Alcohol Problem <input type="checkbox"/> Fuel Or Utility Shutoff <input type="checkbox"/> No Place To Stay/Homeless <input type="checkbox"/> Urgent Personal Or Family Problems <input type="checkbox"/> Fire Or Other Disaster <input type="checkbox"/> Have No Job <input type="checkbox"/> Serious Medical Problem <input type="checkbox"/> Recently Lost Income <input type="checkbox"/> Pending Eviction <input type="checkbox"/> No Food <input type="checkbox"/> Need Foster Care <input type="checkbox"/> Need Child Care <input type="checkbox"/> Other
---	--

**APPLICANT INFORMATION** PLEASE PRINT CLEARLY

FIRST NAME (PT) LAST NAME (PT) PHONE NUMBER (AREA CODE) ( ) ( )

HOUSE NO. STREET ADDRESS APT. NO. CITY COUNTY STATE ZIP CODE

CARE OF NAME (Complete if you receive your mail in care of another person) APT. NO. CITY COUNTY STATE ZIP CODE

MAILING ADDRESS (if different from above) APT. NO. CITY COUNTY STATE ZIP CODE

AGENCY HELPING APPLICANT/CONTACT PERSON AREA CODE PHONE NO.

HOW LONG HAVE YOU LIVED AT YOUR PRESENT ADDRESS? YEARS MONTHS IS THIS A SHELTER? YES NO ANOTHER PHONE NUMBER WHERE YOU CAN BE REACHED? PHONE NUMBER (AREA CODE) ( ) ( )

FORMER ADDRESS APT. NO. CITY COUNTY STATE ZIP CODE

If You Are Applying For Food Stamp Benefits (FS), you have the right to turn in this application the same day you get FS, must have at least your Name, Address (if you have one) and Signature below when you turn it in. If you are eligible, you will get FS back to the date you filed. You may be able to get FS quarter if you have title or no income or liquid resources, or if your rent and utility expenses are more than your income and liquid resources. Talk to your worker if you have questions about this.

FS APPLICANT-REPRESENTATIVE SIGNATURE DATE SIGNED

# The Application Packet

- Common Application
- How To Complete the Social Services Application
- (TA Applicants) Important Information About Child Care

- Application for Child Care Assistance
- How To Complete the Application for Child Care Assistance

- Book 1 - What You Should Know About Your Rights and Responsibilities
- Book 2 - What You Should Know About Social Services Programs
- Book 3 - What You Should Know if You Have an Emergency

# Sections Relevant to Child Care Subsidy

Common Application →

DO NOT WRITE IN THE SHADED AREAS OF THIS APPLICATION

LDS5-2921 Statewide (Rev. 5/02) PAGE 1

CENTER OFFICE	APPLICATION DATE	UNIT ID	WORKER ID	CASE TYPE	SERV IND	CASE NUMBER	REGISTRY NUMBER	VERS	DISTRICT	SUFFIX	FS SUFFIX	CATEGORY	LANG	NUMBER REUSE INDICATOR	
CASE NAME							EFFECTIVE DATE	DISPOSITION	SERVICES TRANSACTION TYPE			NEW OPENING <input type="checkbox"/> REOPEN <input type="checkbox"/> RECERTIFICATION <input type="checkbox"/>			
ELIGIBILITY DETERMINED BY (WORKER)		DATE	ELIGIBILITY APPROVED BY (SUPERVISOR)		DATE	FORM OF	DENIAL REASON CODE	WITHDRAWAL	SIGNATURE OF PERSON WHO OBTAINED ELIGIBILITY INFORMATION						
I CONSENT TO WITHDRAW MY APPLICATION. I UNDERSTAND THAT I MAY REAPPLY AT ANY TIME.										DATE RECEIVED BY AGENCY	EMPLOYED BY: <input type="checkbox"/> SOCIAL SERVICES DISTRICT				
Signature <input checked="" type="checkbox"/> Date															
TA AUTHORIZATION PERIOD			MA AUTHORIZATION PERIOD			FS AUTHORIZATION PERIOD			SERVICES AUTHORIZATION PERIOD						
FROM	TO	FROM	TO	FROM	TO	FROM	TO	FROM	TO	FROM	TO	FROM	TO	TO	

NEW YORK STATE  
APPLICATION FOR: TEMPORARY ASSISTANCE (TA) - MEDICAL ASSISTANCE (MA) - FOOD STAMP BENEFITS (FS) - SERVICES (S), including Foster Care (FC) - CHILD CARE ASSISTANCE (CC)

We are committed to assisting and supporting you in a professional and respectful manner with your goal of achieving self-sufficiency. You, in turn, must be committed to becoming self-sufficient and must be responsible for participating in activities to reach self-sufficiency including work activities. Whenever you see "Temporary Assistance" or "TA" on the application, it means "Family Assistance" and "Safety Net Assistance". We call both Public Assistance Programs "Temporary Assistance". These TA Programs are meant to assist you only until you can fully support yourself and your family. Please refer to the "How to Complete" instruction book (Pub-1301 Statewide) when completing this application.

CHECK EACH PROGRAM YOU OR ANY HOUSEHOLD MEMBER ARE APPLYING FOR <input type="checkbox"/> Temporary Assistance <input checked="" type="checkbox"/> Medical Assistance <input type="checkbox"/> Temporary Assistance <input type="checkbox"/> Medical Assistance <input type="checkbox"/> Medicare Savings Program <input type="checkbox"/> Food Stamp Benefits <input type="checkbox"/> Services, including Foster Care <input type="checkbox"/> Child Care Assistance	DO ANY OF THESE APPLY TO YOU? <input type="checkbox"/> Pregnant <input type="checkbox"/> Victim Of Domestic Violence <input type="checkbox"/> Need To Establish Paternity <input type="checkbox"/> Need Child Support <input type="checkbox"/> Drug/Alcohol Problem <input type="checkbox"/> Fuel Or Utility Shutoff <input type="checkbox"/> No Place To Stay/Homeless <input type="checkbox"/> Urgent Personal Or Family Problem <input type="checkbox"/> Fire Or Other Disaster <input type="checkbox"/> Have No Job <input type="checkbox"/> Serious Medical Problem <input type="checkbox"/> Recently Lost Income <input type="checkbox"/> Pending Eviction <input type="checkbox"/> No Food <input type="checkbox"/> Need Foster Care <input type="checkbox"/> Need Child Care <input type="checkbox"/> Other
DO YOU WANT TO RECEIVE NOTICES IN: <input type="checkbox"/> SPANISH AND ENGLISH <input type="checkbox"/> ENGLISH ONLY WHAT IS YOUR PRIMARY LANGUAGE? <input type="checkbox"/> ENGLISH <input type="checkbox"/> SPANISH <input type="checkbox"/> OTHER (specify)	
APPLICANT INFORMATION PLEASE PRINT CLEARLY FIRST NAME M1 LAST NAME MARITAL STATUS PHONE NUMBER ( ) AREA CODE HOUSE NO STREET ADDRESS APT NO CITY COUNTY STATE ZIP CODE CARE OF NAME (Complete if you receive your mail in care of another person) MAILING ADDRESS (IF DIFFERENT FROM ABOVE) APT NO CITY COUNTY STATE ZIP CODE AGENCY HELPING APPLICANT/CONTACT PERSON: AREA CODE PHONE NO	
HOW LONG HAVE YOU LIVED AT YOUR PRESENT ADDRESS? YEARS MONTHS IS THIS A SHELTER? <input type="checkbox"/> YES <input type="checkbox"/> NO ANOTHER PHONE WHERE YOU CAN BE REACHED NAME PHONE NUMBER ( ) AREA CODE	
DIRECTIONS TO HOME FORMER ADDRESS APT NO CITY COUNTY STATE ZIP CODE	

If You Are Applying For Food Stamp Benefits (FS), you have the right to turn in (file) this application the same day you get it. It must have at least your Name, Address (if you have one) and Signature below when you turn it in. If you are eligible, you will get FS back to the date you filed. You may be able to get FS quickly if you have little or no income or liquid resources, or if your rent and utility expenses are more than your income and liquid resources. Talk to your worker if you have questions about this.

FS APPLICANT REPRESENTATIVE SIGNATURE DATE SIGNED

# Client & District Responsibilities and Client Rights

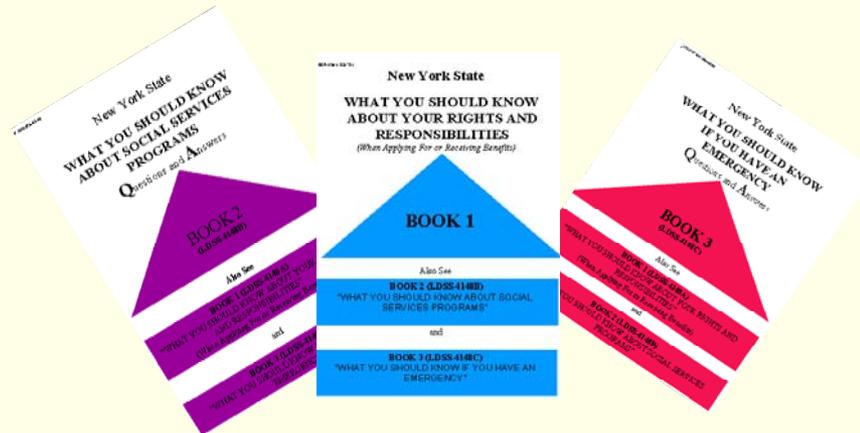


Using your combined experiences, your manuals, and the materials provided please list:

- The client's responsibilities,
- The local district responsibilities
- The client's rights OR
- The district specific content of the Child and Family Services Plan

# Client Responsibilities

- Outlined In Books 1, 2, and 3, and Important Information About Child Care for TA clients
- Complete the application
- Select a provider, if selecting a legally-exempt provider, supply documentation to verify the provider's eligibility



# Client Responsibilities

## Temporary Assistance Families

No family share is required, unless they are reimbursing for an overpayment



## Low-Income Families

Pays a family share based upon the family's income

**Income changes must be reported immediately to the Local District**

# TA Client Requirements when Locating a Provider

TA clients must:

- Let the caseworker know what they have done
- Ask for assistance if they need help
- Demonstrate their inability to find appropriate, accessible, affordable, or suitable child care
- Follow up on the mandated referrals they have been given



# Local District Responsibilities at Application

- Assist clients in the application process
- Provide educational information about different types of providers and the criteria for selection
- Provide clients with mandated referrals to providers only if the parent can not locate a provider 415.8(f)
- Make timely eligibility decision and send a timely notice of the decision
- Inform clients of their rights and responsibilities

# FEDS/EVR Referral



**FEDS** – Front End Detection System

**EVR** – Eligibility Verification Review

*R&R - Tab 1, 415.4(m)(1), p. 38*

*R&R - Tab 4, 02-OCFS-INF-05*

# Making the Eligibility Decision



- Eligibility decisions must be made within **30 calendar days** of the date of application
- Provide written notice of the eligibility decision within **15 calendar days** of when determination is made



# Client's Rights

Rights shared by TA and Low-Income Clients:

- Parental Choice in selecting a provider
- Non-discrimination rights
- Right to look at their records
- Right to Conference or Fair Hearing

# Rights Specific to TA Clients

TA clients have specific rights related to work requirements and receiving assistance, including the following:

- To be excused from work if they meet specific criteria
- To demonstrate the inability to locate appropriate, accessible, suitable and/or affordable child care
- To receive two choices of eligible providers, when they cannot find one of their own, at least one must be licensed or registered

# Determining Availability of Child Care for a TA Client

Temporary Assistance, employment, or child care worker might determine if child care meets the following standards to be excused from work because the availability of child care is not:

- **Appropriate**
- **Accessible**
- **Affordable**
- **Suitable**

*R&R - Tab 1, 415.8, p. 45*

# Practice: Assisting the TA Client with the Availability of Child Care



Read the case study, [PM, Tab 1, p. 28](#)

- What factors do you need to consider?
- What has to be verified
- What could you do to help the client find child care?

# Objectives Review



1. In what ways can clients submit their applications ?
2. What are the 5 parts of the application packet?
3. What are the 5 main responsibilities of the LDSS?
4. How do we inform clients of their rights and responsibilities?
5. Under what circumstances can a TA client be excused from their work requirement as it relates to child care?



# Unit 2: Programmatic and Income Requirements

- Lesson 1: Categories of Eligible Families
- Lesson 2: Income and Residency Requirements for Low-Income Families

# Lesson 1

## Categories of Eligible Families



# Lesson 1



- Distinguish TA families from non-TA families
- Identify the category of an eligible family
- Describe criteria for qualifying under Title XX money.
- Determine the category of eligible family for which the family qualifies.

# Child Care Definitions



- Child Care Services
- Eligible Child
- Caretaker & caretaker relative
- Person in loco parentis
- Child Care Services Unit
- Working or seeking work
- Eligible providers

R&R - Tab I, 415.1

R&R – Tab 3, 05-OCFS-ADM-03, p. 7

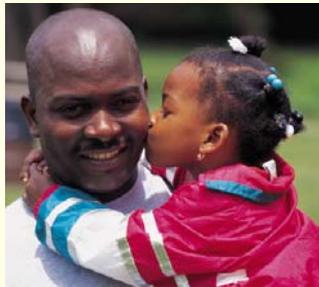
# What are Child Care Services?

Child care provided to an eligible child either in or away from the child's residence for less than 24 hours a day.



# Who is an Eligible Child?

An eligible child resides with the parent/caretaker who meets the program and eligibility requirements.



# Who is an Eligible Child?

- A child under 18 who has special needs or is under court supervision
- A child under 19 who has special needs or is under court supervision AND is in secondary school

R&R – Tab 1, 415.1(b) (1)-(3)

R&R – Tab 3, 05-OCFS-ADM-03, p. 7

# Who is a Caretaker?

- Parent
- Legal guardian
- Caretaker relative
- Any other person in loco parentis to the child



# Who is a Caretaker Relative?

A caretaker relative is a person related to the parent of the child by blood, marriage, or adoption within the third degree of consanguinity



*R&R – Tab 1, 415.1(e)*

*R&R – Tab 3, 05-OCFS-ADM-03, p. 7-8*

# Who is a Person in Loco Parentis?

Any person who lives with a child who has assumed responsibility for the day-to-day care of the child.

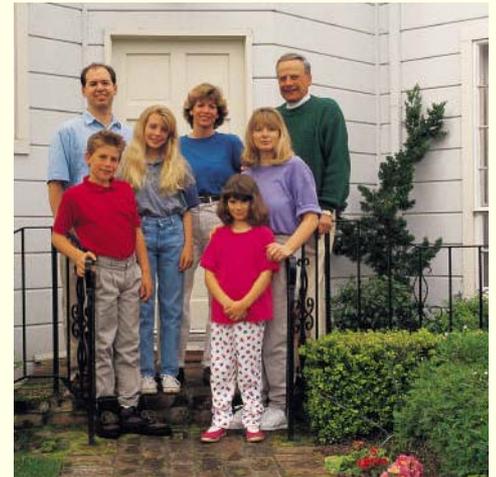


*R&R – Tab 1, 415.1(f)*

*R&R – Tab 3, 05-OCFS-ADM-03, p. 13*

# What is the Child Care Services Unit?

The adults and children residing in the same household who are considered when making a determination whether the family is income eligible for child care services.



*R&R – Tab 1, 415.1 (1)*

*R&R – Tab 3, 05-OCFS-ADM-03, p. 11-12*

# Engaged in Work

For TA families,  
defined by the  
district's OTDA  
approved  
employment plan



For low-income  
families, the  
individual is  
earning minimum  
wage (or its  
equivalent)

*R&R – Tab 1, 415.1(o) (2)  
R&R – Tab 3, 05-OCFS-ADM-03,  
p. 12*

*R&R – Tab 1, 415.1(o) (1)  
R&R – Tab 3, 05-OCFS-ADM-03,  
p. 12*

# Seeking Employment

For TA recipients, approved activities must meet the OTDA standards defined in their individual employment plan



# Seeking Employment

For low-income families, seeking employment means:

- In-person job applications
- Job interviews
- Seeking work through the Department of Labor
- District approved activities



*R&R – Tab 3, 05-OCFS-ADM-03, p. 12*

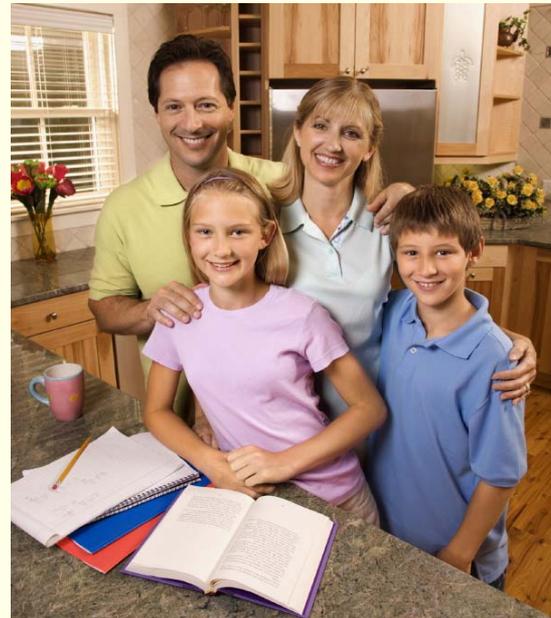
# Who is an Eligible Provider?

- Licensed Providers
- Registered Providers
- Legally-Exempt Providers enrolled by an Enrollment Agency



# Who is NOT an Eligible Provider?

- People in the same TA filing unit with the child
- Adult members in the same CCSU as the child, other than the child's siblings
- Parent or stepparent



# Eligible Families

Eligible families under the NYS Block Grant:

- I. Families eligible for child care guarantee
- II. Families eligible when funds available
- III. Families eligible when funds available AND included in Child and Family Services Plan

Families may also be eligible under Title XX

# I. Child Care Guarantee

- TA families participating in a **required activity**.
- TA families **engaged in work**.
- **Transitional** child care services.
- Working families choosing **child care in lieu of TA**.

Tab 3, 05-OCFS-ADM-03, p. 20

# “In Lieu of” Eligibility Requirements

- Apply for and be found **Temporary Assistance-eligible**.
- Earn at least minimum wage or, if in an exempt job, work a minimum # of hours per week.
- Choose to receive Child Care Subsidy rather than Temporary Assistance.

*R&R Manual, Tab 4, 04-OCFS-ADM-01*

# “In Lieu of” Earnings Requirement

Minimum Gross Earnings (for parents earning at least minimum wage)

- \$127 per wk or \$550 per month for single parents
- \$181 per wk or \$784 per month for 2-parent families

Minimum # of Work Hours (for parents in jobs exempt from minimum wage rules)

- 17.5 hours per week for single parents
- 25 hours per week for two-parent families

Parents may be employed less hours provided their income is at least the amount above.

# “In Lieu of” Earnings Requirement

1<sup>st</sup> Parent employed earning Minimum Gross Earnings (at least minimum wage)

- \$127 per wk or \$550 per month

2<sup>nd</sup> Parent in a job exempt from minimum wage rules and being paid less than minimum wage

Minimum # of Work Hours

- 7.5 hours per week or \$54.50 per week

Parents may be employed for fewer hours provided their income is at least the amount above.

# Criteria for Receiving Transitional Child Care

- Family received TA, or child care in lieu of TA, for 3 out of 6 months
- Child under 13
- Income is 200% of State Income Standard or less
- Meets case closure criteria

*PM, Tab 2, p. 12-13*

# Transitional Child Care Services

## Temporary Assistance

### Case closed due to:

- Increased income from employment or child support
- Voluntary closing AND income ineligible for TA
- Cases reaching 5-year limit
- Former Child Assistance Program cases

## Low-Income Families

“In Lieu Of” cases that become income ineligible

Eligible for Transitional Child Care for 12 months from the closing of the TA case

# Eligible Families

Eligible families under the NYS Block Grant:

- I. Families eligible for child care guarantee
- II. Families eligible when funds available
- III. Families eligible when funds available AND included in Child and Family Service Plan

## II. Families Eligible When Funds Available

<b>TA Families</b>	<b>TA and Low-Income Families</b>	<b>Low-Income Families</b>
<ul style="list-style-type: none"><li>• Older child with special needs or under court supervision</li><li>• Parent incapacitated or has duties away from home</li></ul>	Teen parent attending high school or equivalency program	Working and meeting income requirements

Tab 3, 05-OCFS-ADM-03, p. 21

# TA Families Needing Care for an Older Child

When Child:	When Parent:
<ul style="list-style-type: none"><li>• Is under court supervision, or</li><li>• Has special needs</li></ul>	<ul style="list-style-type: none"><li>• Engaged in work</li></ul>

## Older child:

- Over 13 but under 19 **or**
- 19 if still in secondary school

# Eligible Families

Families eligible under the NYS Block Grant:

- I. Families eligible for child care guarantee
- II. Families eligible when funds available
- III. Families eligible when funds available AND included in Child and Family Service Plan

Tab 3, 05-OCFS-ADM-03, p. 22  
CFSCP, Appendix G-2

# III. Families Eligible When Funds Available and in the Child and Family Services Plan

## District Options:

- Additional approved activity (TA)
- Sanctioned TA parent
- Care to protect child
- Emergency of short duration
- Parent has duties away from home
- Education programs beyond high school
- Low-income families participating in activities as selected in the district's county plan
- Dislocated worker

*Tab 1, 415.2(a)(3)*

*Tab 3, 05-OCFS-ADM-03, p. 22-24*

# Families Who Need Care to Protect the Child

<b>TA and Low-Income Families</b>	<b>Low-Income Families</b>	<b>All Families Without Regard to Income</b>
<ul style="list-style-type: none"><li>• Parent in substance abuse program</li><li>• Homeless or receiving domestic violence services</li><li>• Certain short-term emergencies</li></ul>	<ul style="list-style-type: none"><li>• Caretaker physically or mentally incapacitated</li><li>• Caretaker has family duties away from home</li></ul>	<ul style="list-style-type: none"><li>• Families with open Child Protective Services case</li></ul>

# District Options

- In Category III, the LDSS may choose to limit eligibility within these families
  - Time limits
  - Restrict programmatic and/or income eligibility
  - Set aside funds for specific families
- LDSS may **not** set time limits or restrictions on Category II families



# Child Care Block Grant Eligible Families

- I. Families eligible for child care guarantee
- II. Families eligible when funds available
- III. Families eligible when funds available and included in the Child and Family Services Plan

# Title XX

If the family is listed in the Child and Family Services Plan,  
and:

- The child is in need of care as a preventive service

or

- The family meets any of the criteria for eligible families under Child Care Block Grant

CFSP, Appendix G-7

# Additional Coverage Under Title XX

- A child who turns 13 during a school year may receive child care services through the end of the school year if care is being provided by a licensed/registered caretaker that is under contract with the Local District
- You may be switching from Block Grant to Title XX for the additional time



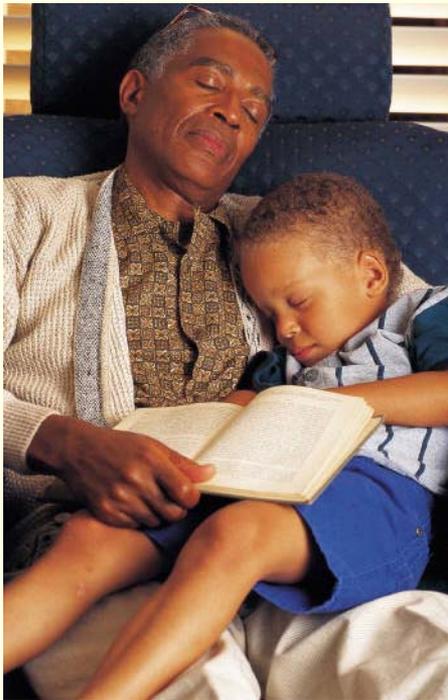
# Priority Populations

- Priority populations can be used to determine how the district will open or close cases if the district has insufficient funds
- Districts must give priority to families with children who have special needs and “very low-income” families
- Districts must provide subsidies to Category I families, regardless of the amount of funds available

# Practice: Determining Category of Eligible Family



Review the case studies in [PM Tab 2, p. 21-22](#) and determine what category of eligibility the family qualifies for. Assume that income eligibility has been established.





# Objectives Review

1. What is the definition of an eligible child?
2. What are the three categories of eligible families?
3. In general, what types of families are guaranteed Child Care Subsidy under the NYSCCBG?
4. What are the criteria for being eligible for Title XX funds?
5. What document should a worker reference to determine which families fall under Category III?

# Lesson 2

## Income and Residency Requirements



# Lesson 2



- Describe residency requirements for low-income families
- Determine Child Care Services Unit (CCSU) based on household composition
- Determine Income Eligibility
- Calculate Family Share

# Residency Requirements

- The child needs to be legally residing in the United States and the county where payment is being made
- There are no residency requirement for parents, caretakers, or providers

# Determining Child Care Services Unit (CCSU)

- Details of the CCSU reviewed in the following case studies...\*



# 18, 19, 20 Year Old

## Residing with parents and siblings...



- LDSS option to include any or ***all*** 18-20 year olds in Child Care Services Unit

**OR**

- Include any or all 18-20 yr. olds in the Child Care Services Unit only if it is beneficial to the family

*Tab 1, 18 NYCRR 415.1 (l)*

# Practice: Determining CCSU



Review the case studies on [PM, p. 27-28](#) and determine:

- Who is a member of the CCSU
- Who is not a member of the CCSU

# Determining Income Eligibility

- Evaluate income sources
- Separate excluded from countable income
- Convert income to monthly figure and calculate eligibility and family share

# Calculating Income Eligibility

- Separate countable from excludable
  - PM, Tab 2, p. 30 - 31
- Convert income to monthly and then yearly amount
  - PM, Tab 2, p. 34
- Round the yearly amount
  - PM, Tab 2, p. 34
- Compare annual income to 200% state standard (or less, if in your CFSP)
  - PM, Tab 2, p. 36



# Determining Income Eligibility

## Stephanie



- Step 1: Separate Countable from Excluded income
  - Income
    - \$340.00/week UIB
    - \$110.00/week Child Support
    - ~~◦ \$374.00 income tax refund~~
  - $\$340.00 + \$110.00 = \$450.00$
- Step 2: Convert Income to Monthly Gross Income
  - $\$450.00 \times 4.333 = \$1,949.85$
- Step 3: Convert Monthly Gross Income to Yearly Gross Income
  - $\$1,949.85 \times 12 = \$23,398.20$
- Step 4: Round
  - 23,398
- Step 5: Compare to 200% State Income Standard
  - \$23,398 vs. \$37,060

# Calculating Family Share

- Subtract the (100%) State Income Standard from the countable family income
- Multiply remainder by LDSS multiplication factor (10 to 35%) (defined by each LDSS in CFSP)
- Divide that amount by 52 and round to determine weekly family share

# Determining Family Share Stephanie



- Step 1: Subtract 100% of the State Income Standard from the family's Annual Gross Income
  - $\$23,398.20 - \$18,530 = \$4,868.20$
- Step 2: Multiply the remainder by 10-35% per your CFSP
  - $\$4,868.20 \times 25\% = \$1,217.05$
- Step 3: Divide by 52 to determine weekly share
  - $\$1,217.05 \div 52 = \$23.4048$
- Step 4: Round **\$23.50**

# Practice: Determine Income Eligibility and Family Share



Review the [PM, p. 39-41](#) and determine:

- What are countable vs. excluded incomes?
- How do I convert to annual gross?
- How do I properly round?
- Where do I find 100% and 200% state income standards?



# Objectives Review

1. What are the US residency requirements for low-income families?
2. What are the county residency requirements for low-income families?
3. What factors do we consider when we determine the Child Care Services Unit?
4. What resources can we use to help us determine income eligibility?
5. What are the 4 steps to calculating family share?



# Unit 3: Verification and Re-Determination

Lesson 1: Verification and Documentation of Eligibility

Lesson 2: Redetermining Eligibility

# Lesson 1

## Verification and Documentation of Eligibility



# Lesson One



- Describe the purpose of verification and documentation
- Determine if a family meets the verification requirements under which they are eligible
- Describe guidelines for adequate documentation
- Document a low-income case

# District Verification of Eligibility

## The Verification Process:

- Verify Income
- Verify Programmatic Eligibility
- Verify Special Needs
- Document Child Care Cases

*R&R, Tab 3, 05-OCFS-ADM-03, p. 16*

# Documentation and Verification for Temporary Assistance Clients

TA Client Information	Examples of Documentation to Verify Information
Income	Pay stubs, tax papers
Reason for child care	Work or school schedule
Special needs, if applicable	Medical records
Keep LD informed of changes	Any relevant documents

- If the agency already has the verification documents on file then they can not ask for them again.
- Verifying is an on-going process. District verifies income, continuing need for care, and changes
- You can not require only 1 type of documentation

# Verification and Documentation for Low-Income Clients

Low-Income Client to Verify	Examples of LD Documentation
Identity	Social Security card, photo id
Household composition	Social security cards, birth certificates
Age of children	Birth certificates, baptismal records
Relationship of caretaker to child	Birth certificates, court papers
Absence of parent/caretaker	Court papers, deployment papers
Resident status of child	Birth certificate, citizenship papers
Income	Pay stubs, tax papers
Reason for child care	Work or school schedule
Special needs, if applicable	Medical records

**You cannot require only 1 type of documentation**

# District's Responsibility

- Evaluate documents presented for verification
- Provide assistance in locating documents
- Document the case record (comment sheet)
- Complete shaded areas of the Common Application, unless using CCS application

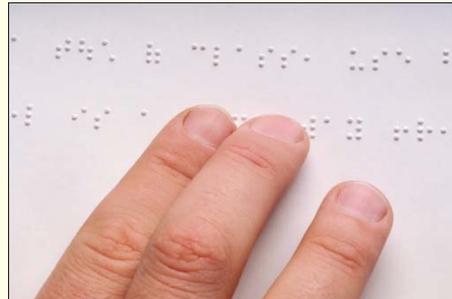
# Verification of Programmatic Eligibility

The district reviews documentation submitted by the client, and determines if the client fits the criteria of one of the three categories of eligible families:

- I. Families Guaranteed Child Care
- II. Families Eligible When Funds Are Available
- III. Low-Income Clients Listed in Child and Family County Services Plan

# Verification of Special Needs

Families who have a child with special needs must provide proof of that need given by an appropriate specialist.



*R&R, Tab 9, 91-ADM-34*



# Guidelines for Using Application to Document Low-Income Cases

All eligibility factors should be documented such as:

- Family size
- Amount and source of all income
- Need for services
- All requisite programmatic factors

# Objectives Review



1. Why do we verify the information we are given?
2. Why is documentation important in the process?
3. Name 3 things that we ask applicants to verify.
4. What resources do we have to assist us in the verification process?
5. What skills do we need practice in order to fully document our case record?

# Lesson 2

## Redetermining Eligibility



# Lesson 2



- Take appropriate case actions as circumstances change
- Verify eligibility at redetermination
- Send appropriate notices to client
- Communicate effectively with Enrollment Agency

# Changes in Client Circumstances Require

Redetermination of eligibility, potentially resulting in an:

- Increase
- Decrease
- Ineligibility of the Child Care Subsidy

# Redetermination



As often as case factors indicate

OR

At least every 12 months

# What to Review at Redetermination

1. What is the District's role in redetermination?

R&R, Tab 1, 18 NYCRR 415.4, p. 21

2. What is the Client's role in redetermination?

3. What is the Provider's role in redetermination?

# Practice: Determining What Verification is Needed



Review the case studies on [PM, p. 32-34](#) and determine:

1. What documentation is needed?
2. What information is going to be effected by the life changes?
3. What new documentation will be needed?

# Notifications



- Approval of Your Application, LDSS-4779
  - Within 15 days or during face-to-face interview
- Denial of Your Application, LDSS-4780
  - Within 15 days
- Notice of Intent to Change, LDSS-4781
  - 10 days before change goes into effect
- Notice of Intent to Discontinue, LDSS-4782
  - 10 days before case closes
- Delinquent Family Share Model, LDSS-4783



# Objectives Review

1. What action do we take when we are notified of a change in client circumstances?
2. What types of changes should we review?
3. When do we send notification to families of changes in their benefits?
4. Why do we want to communicate with the Enrollment Agency?



# Unit 4: Payment Processing

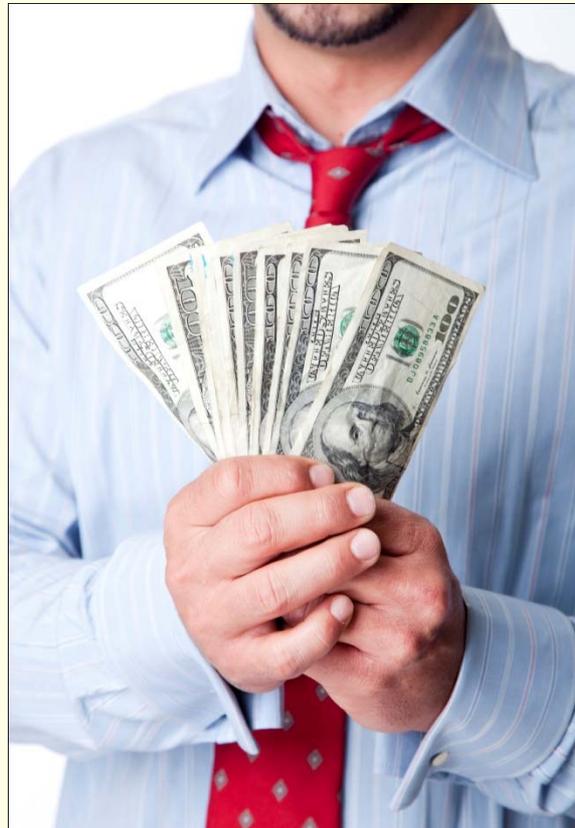
Lesson 1: Determining Payment Amounts

Lesson 2: Monitoring Payments

Lesson 3: Handling Child Care Overpayments

# Lesson I

## Determining Payment Amounts



# Lesson I



- Determine Market Rate
- Determine Rates for Specialized Circumstances
- Identify policies related to Family Share
- Complete Payment Lines

# Actual Cost of Care

The actual cost of care is:

- The rate charged by the provider for non-subsidized care,

**Or**

- Up to the applicable market rate,

**Or**

- The contracted rate amount when negotiated less than the market rate

If a provider (without a contract) cares only for subsidized children and can prove their costs are higher than the market rate, the district may approve the higher rate under certain circumstances (see [R&R, Tab 2, 10-OCFS-LCM-01, p. 3](#) for more information)

# Determining Duration of Care

When determining which duration of care applies based on hours and days worked, the following rules apply:

- The week starts on Monday
- Days counted for 5 days of weekly rate only include the days worked

*R&R, Tab 1, 18 NYCRR 415.9*

*PM, Tab 4, p. 7-8*

# Differential Payment Rates

Districts which select this option in their CFSP are allowed to pay up to 15% above the market rate for:

- Providers who have been accredited by a nationally recognized child care organization
- Providers who provide care during non-traditional hours

# Special Needs

Districts are allowed to make higher child care payments for children with special needs

- Covered expenses: R&R, Tab 9, 91-ADM-34, p. 5-6

# Statewide Limits

The payment of higher rates for child care services for children with special needs:

- Can only be made when a child meets one or more definitions of special needs

**AND**

- The provider has additional costs as a result of caring for such children

# Excessive Hours by a Single Provider

When the care exceeds one weekly rate, the additional child care services are based on the actual cost of the additional care up to the applicable rates



# Transportation Fee

A fee for transportation can be paid for transportation to and from a child care provider, for eligible families.

Payment is for expenses for transportation that are separate from the regular rate charged by the provider.



The district may select the option to pay in its CFSP.

# Client Residence Change

(Family who is Category I. Guaranteed CC services)

- The former district pays for the **month of the move** and **the first full month thereafter**



- The new district picks up payments beginning with the **second full month** the family lives in the district

January

February

March



# Client Residence Change

(Family who is Category II. Eligible when funds are available)

- The former district is no longer responsible for the child care services payment as soon as the family moves
- The parent has to re-apply in the new district if child care is still needed

# Jurisdiction (Special Circumstances)

- Client participating in an approved activity in another county
  - District requiring or approving the activity is responsible for child care services
  - Market rate is determined by where care is provided
- Child placed in foster care in another county
  - District placing the child is responsible for child care services
  - Market rate is determined by where care is provided

# Practice: Determining Market Rate



Review the cases on [PM, Tab 4, p. 14-16](#), and determine the applicable market rates.



# Policy Related to Family Share

Family share is:

- The weekly amount paid towards child care cost by the parent or caretaker
- Required of all low income families
- The family share is applied per family regardless of the number of children in care

# Policy Related to Family Share – Payment

- Family share can be paid to either the provider or the district.
- The family share is always deducted from the provider's cost of care, regardless of who is collecting the family share.



# Handling Delinquent Family Share



If family share is not paid:

- Provider must notify the district
- District must send written notice to the parent (OCFS-LDSS-4783, Delinquent Family Share for Child Care Benefits) including:
  - Warning of termination of services if non-payment continues
  - Time period when payment must be made **OR**
  - Time period within which payment arrangements can be made

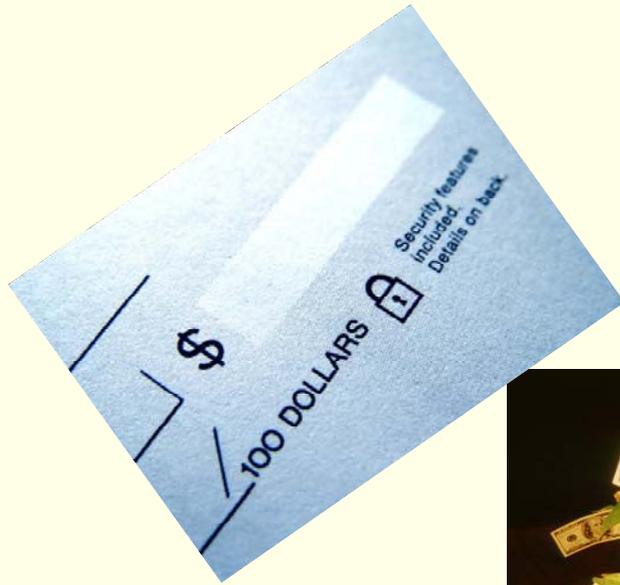
# Family Share - Termination

If a family share is not paid, services are terminated unless prior to termination:

- Full amount is paid      **OR**
- Satisfactory payment arrangements have been made

Failure to pay family share cannot be a basis for denial of services as part of a plan of protective services for a child or preventing foster care placement

# Selecting A Payment Method



# Completing Payment Lines

In writing payment lines, the following documents should be used:

<b>TA Families</b>	<b>Low-Income Families</b>
<ul style="list-style-type: none"><li>• The <i>Application Turnaround Document (LDSS-3636)</i></li></ul> <p><u>OR</u></p> <ul style="list-style-type: none"><li>• The <i>Authorization Change Form (LDSS-3209)</i></li></ul>	<ul style="list-style-type: none"><li>• The <i>Services Financial Eligibility Documents/Turnaround (SFED/T)</i></li></ul> <p><u>OR</u></p> <ul style="list-style-type: none"><li>• The <i>Services Authorization (LDSS 2970)</i></li></ul>

# Practice: Determining Payment Amount



Review the cases on [PM, Tab 4, p. 22-25](#), and determine the applicable market rates.



# Objectives Review



1. What 4 factors are used to determine market rate?
2. How often is market rate updated?
3. Where do we find the specialized market rates for each county?
4. Who does not have to pay a family share for child care?

# Lesson 2

## Payment Processing



## Lesson 2



- Monitor a child's attendance against the provider's billing and the parent/caretaker participation in approved activities to determine if payments should be made
- Describe guidelines for making payments when a child is temporarily absent from child care

# Reviewing Attendance Records

On a periodic basis, the districts need to monitor a client's participation in employment or an activity selected in the district's county plan.

Documentation must be submitted related to:

- Employment
- Training
- Approved Activity

# Reviewing Attendance Records (Continued)

In the review, the worker checks:

- The child's attendance against the parent's work or activity hours
- The child's attendance records against attendance records from other providers, in the case of multiple providers



# Child Care During Breaks In Activities

- Child Care must be provided for TA recipients during breaks in work or an approved activity.
- Payments during breaks are allowed for up to two weeks.
- Child Care may be authorized for up to one month, if child care would be lost.
- There are no limits to the number of allowed breaks as long as the TA recipient is participating in work or an approved activity, as required.

*R&R Manual, Tab 4, 04-OCFS-ADM-01*

## Practice: Determining if Attendance Record Warrants Payment

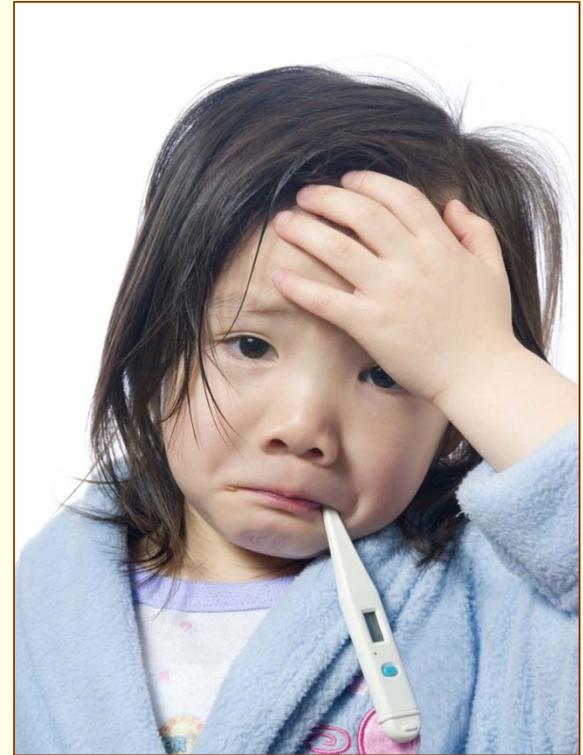


Directions:

- Review the cases on [PM, Tab 4, p. 31](#), and determine if the attendance record warrants payment

# Reimbursement for Temporary Routine Absences

- Districts have the option to pay for temporary absences from child care.
- Districts that choose to pay for temporary absences must indicate this option in their CFSP.
- Child care workers need to monitor temporary absences in order to determine whether the reimbursement is warranted.



*R&R Manual,  
Tab 3,  
05-OCFS-ADM-03,  
p. 67-70*

# Temporary Routine Absences (continued)

- Districts may choose to make payments to only those providers with which it has a letter of intent or contract or to all subsidized providers, except legally-exempt in-home and legally-exempt family child care.
- Districts must also specify in the written contract, agreement, or written notice to the providers that payment is allowable in cases of temporary absence from child care.

# Routine Absence Rules

- Under **NO** circumstances will reimbursement be permitted in excess of the limits **UNLESS** OCFS approves.
- Reimbursement is **NOT** available for a day of absence if:
  - The provider ordinarily charges on a day or part-day basis
  - and**
  - The needed care was received elsewhere.
- Providers who provide 30 or more hours of care over 5 or fewer days **CANNOT** be reimbursed.

# Identifying Base Period

Determine maximum temporary absence by:

- Date of child's admission to child care and ending (three or six months) of the period selected, OR
- Beginning with a fixed calendar date for all children entering child care and ending (three or six months) of the period selected
- All temporary absences should be computed using a quarterly or semi-annual cycle

# Limits for Absent Days

Payment maximum for temporary absence from child care is allowed **up to**:

- **12** days in any **one (1) calendar** month, and
- **12** days in any **three (3)month** period, if the district selects three-month period base, or
- **24** days in any **six (6)month** period, if the district selects six-month period base

# Limit for Maximum Absent Days

These limits are not additional but cumulative to routine limits:

- **Up to 12 days** in any **one (1) calendar** month period, plus up to 3 days for extenuating circumstances, and
- **No more than 12 days** in any **three (3) month** period plus up to 8 days for extenuating circumstances, if the district selects a three-month period base, or
- **No more than 24 days** in any **six (6) month** period, plus up to 16 days for extenuating circumstances if the district selects a six-month period base

# Verification Required For Payment for Absences

Any verification requirements or limitations would be determined by the district, as outlined in their CFSP.

Examples include:

- Court order
- Physician's letter
- Any other documents to show compliance with the definition of extenuating circumstances



# District Reimbursement Requirements

When an extenuating circumstance exists, and the district opts to make payments and claim reimbursement for a number of absences over the limit for extenuating circumstances, the district must:

- Submit request to OCFS
- Indicate # of additional absences
- List reason(s) why absences were necessary
- If approved, keep OCFS approval as part of the case record

# Reimbursement When A Program is Closed

Districts may also reimburse licensed, registered programs or enrolled legally-exempt group child care providers when care is not provided because of program closure due to:

- A state, federal or nationally recognized holiday
- Extenuating circumstances beyond the provider's control, such as natural disaster, severe weather
- Other emergency closing not due to a substantiated regulatory violation

# Policy Governing Payment

- Reimbursement is available only for subsidized children who would otherwise be present at the child care program.
- Reimbursement is not available for a day the program is closed if the provider ordinarily charges the clients on a day or part-time basis, and needed care was received elsewhere.
- The district must maintain a record of the payment to each provider.

# Payment to Child Care Providers For Program Closures

- The district must indicate in its CFSP whether or not they will pay for program closures
- The maximum number of program closures allowed annually are **5 days**
- The provider must also charge non-subsidized parents for program closures
- Legally-exempt providers are not eligible for program closures

# Practice: Temporary Absence from Child Care



Using the scenarios on [PM, Tab 4, 38-39](#), determine if the payment for temporary absences is allowed.



# Objectives Review



1. What information do you need to know in order to determine whether payment is warranted based on the child care attendance record?
2. Under what circumstances will the district pay for temporary absences in child care attendance?
3. What is the maximum number of allowed days to pay for absences, including extenuating circumstances, within one calendar month?
4. What types of providers are not eligible for payment when a program is closed?

# Lesson 3

## Handling Child Care Overpayments



# Lesson 3



- Determine whether an overpayment should be collected
- Identify the steps involved in recovering an overpayment
- Identify the types of situations in which benefits should be terminated or suspended
- Identify the two methods by which fraud is established

# Lesson 3 (continued)



- Identify district responsibilities when fraud occurs
- Determine whether or not the disqualification penalty can be applied in cases where A/R fraud has been established
- Identify the appropriate time to start the disqualification penalty and the length of time for which it should be applied

# Definition of Overpayment

Amount paid

— Amount that should have been paid

---

Overpayment

*R&R, Tab 3, 05-OCFS-ADM-03, 39-42*

# Occurrence of Overpayments

- Aid continuing / Parent loses fair hearing
- Failure to report changes
  - Parent
  - Provider
- Agency failure to take timely action
- Agency calculation error



# District Action to Correct

- District “must take all reasonable steps”
- Prompt
  - Within 60 days from when a parent/caretaker reports a change in circumstance
- If a district fails to act within 60 days, no recovery can be made

*R&R, Tab 3, 05-OCFS-ADM-03, p. 39*

# Recovery of Overpayments

The district must attempt to recover an overpayment when:

- The parent/caretaker is currently receiving benefits
- The cost of the recovery from a former recipient is less than or equal to the amount of overpayment
- The overpayment resulted from fraud

# Recovery Guidelines

- The recovery payments and timelines are reasonable, given the person's circumstances
- The recovery period should not exceed **12 months**
- The monthly recovery amount should not exceed **10% of monthly gross income**
- If the recovery amount would exceed 10% of monthly income, then the payment period must be extended or, in the case of hardship, the recovery amount must be lowered

# Practice: What Caused the Overpayment?



- Read the scenario on [PM, Tab 4, p. 47](#)
- Identify who causes the overpayment
  - Client
  - Provider
  - Agency
- Prepare to report your decision

# Mechanism of Recovery

- Repayment to district
- Increase in family share
- Decrease in payment to provider and increase in family share
- Parent *volunteers* to pay from their income



# Suspending or Terminating



- Districts suspend, terminate, or reduce benefits when a current recipient doesn't repay
- OCFS-LDSS-4782, *Notice of Intent to Discontinue Child Care Benefits* must be sent

District can not suspend, terminate, or reduce benefits if child care is being provided as part of child protective services

# Suspending or Terminating

A Temporary Assistance recipient can't be sanctioned for not participating in a work activity, if he/she doesn't have child care.

# Fraud

Fraud is:

- “Intentional misrepresentation”
- Established by voluntary admission or conviction



# Disqualification Penalties

Number of Admissions or Convictions	Dollar Amount Fraudulently Received	Length of Disqualification from Child Care Subsidy
1	-----	6 months
2	\$1,000-\$3,900	12 months
3	Over \$3,900	18 months
4 or more	-----	5 years

**The responsibility for the repayment of overpayments resulting from fraud lies with the recipient of child care services and members of the CCSU.**

# Fraud and Abuse Control Activities

Each district has an internal control plan, including:

- Front End Detection System indicators (FEDS)
- Eligibility Review Verification (EVR)
- Sampling methods for:
  - Attendance
  - Continued need



# Objectives Review



1. What are the steps to determine the overpayment amount and whether it should be recovered?
2. Under which three circumstances must an overpayment be recovered by the district?
3. What are the two methods by which fraud is determined for Child Care Subsidy?
4. Who is subject to a disqualification penalty?



# Unit 5: Provider Types and District Responsibilities

Lesson 1: Provider Information

Lesson 2: District Responsibilities Regarding Child Care Providers

# Lesson 1

## Provider Information



# Lesson 1



- Identify sources of information available to educate parents about provider types
- Explain the importance of making informed child care decisions
- Describe the difference between licensed, registered and legally-exempt providers

# Think about Child Care

## Brochures



## Video



## Child Care Facility System



## Child Care Resource and Referral Services



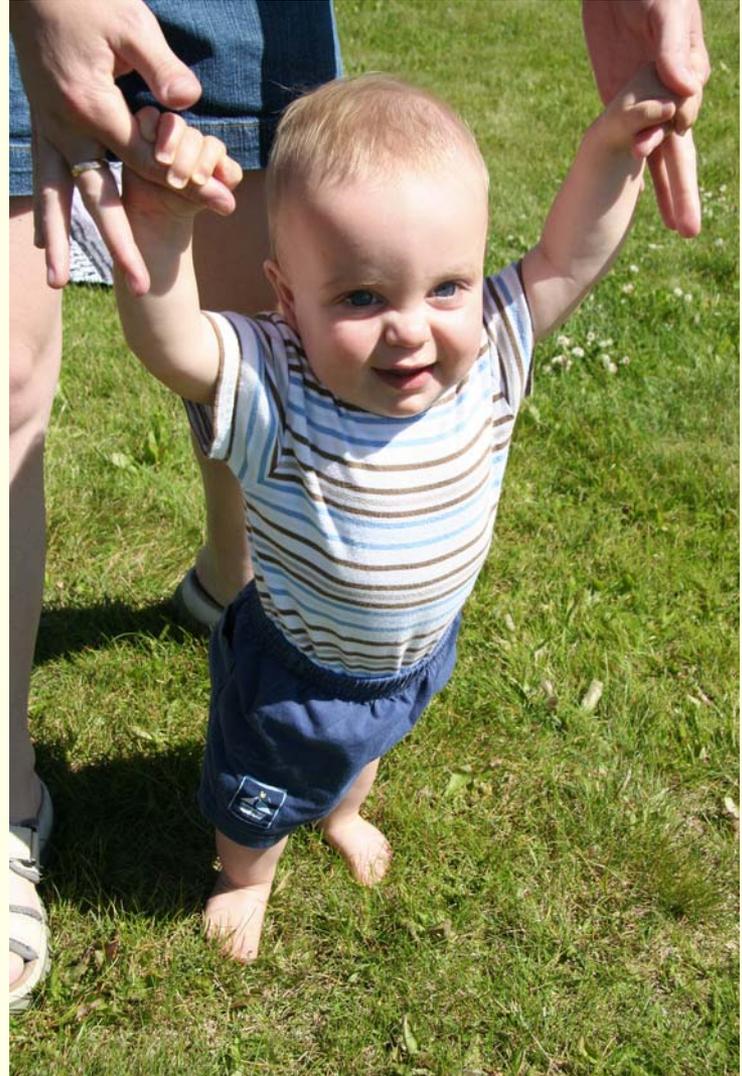
# Child Care Facility System

- Statewide database of providers
- Developed by OCFS
- Purpose: Track data for *Licensed, Registered and Legally-Exempt Providers*
- Users:
  - NYS Regional Offices
  - LDSS
  - CCR&Rs
  - Enrollment Agencies



# Provider Types

- Licensed
- Registered
- Legally-Exempt



# Examples of Licensed Providers

## Day Care Center

- Non-residence
- More than 6 kids
- More than 3 hrs /day



## Group Family Day Care

- Residence based
- No more than:
  - 8-12 full time and
  - 4 school-aged kids
- More than 3 hrs /day



# Examples of Registered Providers

## Family Day Care (FDC—residential)

Or

## Small Day Care Center (SDCC—non-residential)

- More than 3 hrs / day
- 3-6 full time kids
- FDCs may care for 2 school-aged kids if approved

## School Age Child Care (SACC)

- In a facility
- 7 or more school-aged kids
- Non-school hours



# Types of Legally-Exempt Providers

- Family Child Care
- In-home Child Care
- Group Child Care



# Additional In-Home Care Parent Responsibilities

When employing an in-home child care provider, the child's caretaker has to meet Federal and State requirements.



# Legally-Exempt Group Child Care

Legally-Exempt group child care providers include:

- Pre-K and nursery school
- Programs for school-age children
- After-school programs
- Summer Day Camps
- Some child care programs on federal/tribal property



# Questions for Parents

Age of children

Number of children

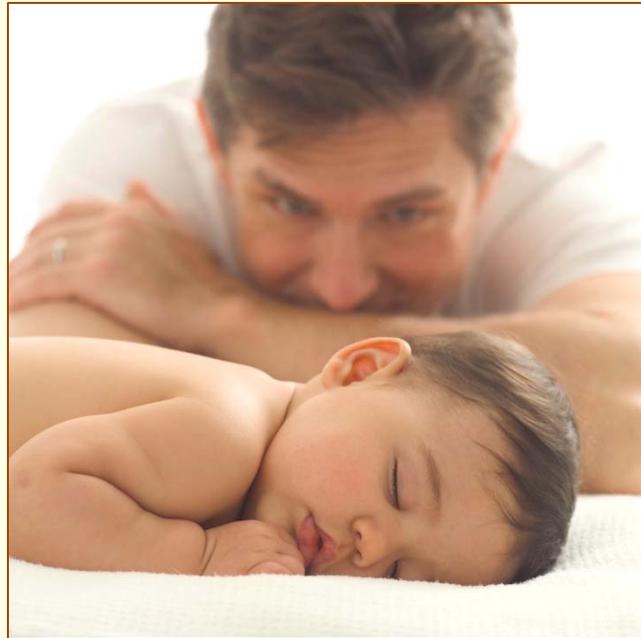
Number of hours

Relationship of children to provider



# Parent Responsibility

The parent is responsible for monitoring the quality of their child care.



**Child Care Complaint Line for parents:  
1-800-732-5207**

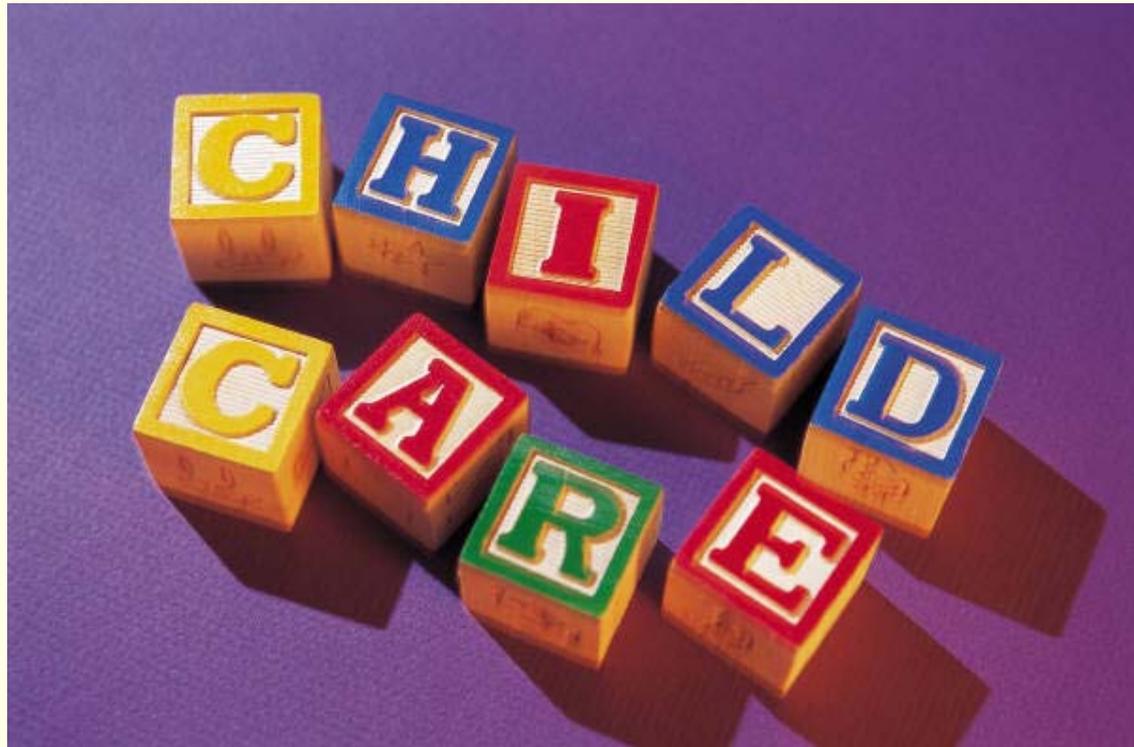
# Objectives Review



1. Name two resources that districts can provide for families searching for child care providers.
2. What information relevant to child care providers can be found in CCFS?
3. What are the three types of child care providers eligible to receive Child Care Subsidy Payments?
4. What additional responsibilities should parents consider when using a legally-exempt child care provider that provides care in the child's home?
5. What should parents do if they have a complaint about the care of their children?

# Lesson 2

## District Responsibilities Regarding Child Care Providers



# Lesson 2



- Explain the additional responsibilities the district has related to the Child Care Subsidy Program
- Identify the circumstances in which the district should authorize Child Care Subsidy payments to providers
- Determine how to handle payments to child care providers found to be noncompliant with Child Care Subsidy rules and regulations

# Enrollment Forms

If a parent wishes to use a legally-exempt provider:

- Provide enrollment form and attachments to parent
- Instruct parent to return completed packet to EA
- Refer parents who wish to utilize a legally-exempt provider to Enrollment Agency

# Enrollment Forms

- OCFS-LDSS-4699: *Enrollment Form for Provider of Legally-Exempt Family Child Care and In-Home Child Care* (revised 7/06)
- OCFS-LDSS-4700: *Enrollment Form for Provider of Legally-Exempt Group Child Care* (revised 7/06)

# Coordination with the Enrollment Agency



The local district should determine:

- The primary contact people from the district and the Enrollment Agency who will be involved in the enrollment process
- Which personnel to notify at the Enrollment Agency when a change in the parent/caretaker's benefits occur
- Procedures for communicating whether legally-exempt providers meet any additional local standards set forth in the district's Child and Family Services County Plan

# Coordination with the Enrollment Agency



The local district should determine:

- The process for handling requests and delivering the results of the child welfare database checks
- The process for conducting and communicating the results of a review of extenuating circumstances with the Enrollment Agency

# Changes in Subsidy Benefit Status

The local district should:

- Inform providers and EA of decisions on parent's child care subsidy case: Approved, Denied, Intent to Discontinue
- When parent case is approved, inform providers and EA of Child Care Subsidy Start Date



# Additional Standards for Providers

The local district may choose to establish additional standards for child care providers:

- District is responsible for verifying if providers meet standards outlined in CFSP
- Must develop a mechanism for informing other agencies if the provider meets standards

# Additional Standards for Providers

The local district may choose to require legally-exempt providers participate in the Child and Adult Food Program (CACFP), if:

- The provider gives 30 or more hours per week in child care
- The child care provided is to one or more subsidized children



# Local Child Welfare Database Check

- Search Local Child Welfare Database for provider history:
  - Court-ordered FCA Article 10 Removal
  - Termination of Parental Rights (TPR)
- Verify provider as responsible party
- Inform EA whether provider has met or not met each requirement
- Must return results within 15 days of receipt of request

# Local Child Welfare Database Check

- Optional use of COGNOS Impromptu Reports for Searching the Local Child Welfare Database
- These COGNOS reports utilize data recorded in the Child Care Review System (CCRS), a foster care tracking system.
- For details, refer to [PM, Tab 7, Guide To Enrollment, p. 27-30](#)

# Maintain Confidentiality



Local social services districts are prohibited from releasing any information contained in the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) pertaining to legally-exempt child care providers.



# Maintain Confidentiality

This practice is expressly prohibited by the Social Services Law (SSL 422-a and 424-a), unless it is for one of the statutorily listed exceptions. As such, the sharing of any SCR information, unless it is for a statutorily listed exception, is prohibited by law.

# Review of Extenuating Circumstances

The EA sends to the LDSS, when the review pertains to TPR or court-ordered Article 10 removal of a child:

- The request for extenuating circumstances review
- The enrollment form and attachments, including the required explanation of the TPR or court-ordered removal
- The signed parental acknowledgement form
- Any other pertinent information



# Review of Extenuating Circumstances

- The review of EC is an opportunity for a provider to establish to the satisfaction of the district that his/her enrollment will not jeopardize the health safety or welfare of children in the provider's care.
- The onus of proof is on the provider.

# Review of Extenuating Circumstances

District review includes:

- Review of:
  - Enrollment form and attachments,
  - Original incident and underlying cause
  - Explanation of extenuating circumstances
- Verification of original incident, underlying causes, and extenuating circumstances:
  - Provider must submit documentation
  - District may choose to review its own records
- Decision per Guide to Enrollment

# Review of Extenuating Circumstances



- Time frame: Within 60 days from receipt of request
- LD Actions:
  - Inform EA of whether provider meets or does not meet the enrollment requirement. (EA will make final enrollment decision and inform the provider, parent and LD.)
  - *If making an exception to the presumption against enrollment, LD also obtains the OCFS-LDSS 4699.4, Parental Acknowledgement, signed by the parent, and gives to EA.*

# Issuing Payments



- The provider's license or registration was suspended following a finding that the public health or a child's safety or welfare is in imminent danger
- The provider was issued a letter to revoke or deny the provider's child care license or registration and their hearing rights were exhausted
- The provider was issued a written notification that the provider's license or registration is no longer valid
- The provider is closed

# Issuing Payments

The district can only issue payments for legally-exempt providers when their status is listed as:

- Temporarily Enrolled
- Partial Approval
- Approved
- In Renewal
- Expired: In Renewal

# Payments Prior to Full Enrollment

Districts may request to make payments to legally-exempt providers prior to the provider's full enrollment if:

- The provider is already taking care of the parent/caretaker's subsidized children
- The district makes a written request to the Enrollment Agency
- The requested pay period is no more than 60 days prior to the provider's period start date, which marks the beginning of the provider's 12 month enrollment period
- No factors were present that would have precluded the provider from being eligible during the requested pay period

# Issuing Payments

Legally-Exempt providers are considered noncompliant when their status is listed as:

- Enrolled, Non-compliant (district choice to pay)
- Voluntary Inactive, Emergency Health and Safety Issues
- Closed: Terminated
- Closed: Voluntary
- Terminated: EC Review
- Expired

# Objectives Review



1. Why is communicating with Enrollment Agencies so important?
2. Identify the process for conducting the Child Welfare Database Check. For which checks is the local district responsible?
3. Under which circumstances may the district refuse to pay a licensed or registered provider?
4. For which payment statuses does the district have to pay legally-exempt providers?
5. For which payment statuses should the district not pay a legally-exempt provider?

# Housekeeping

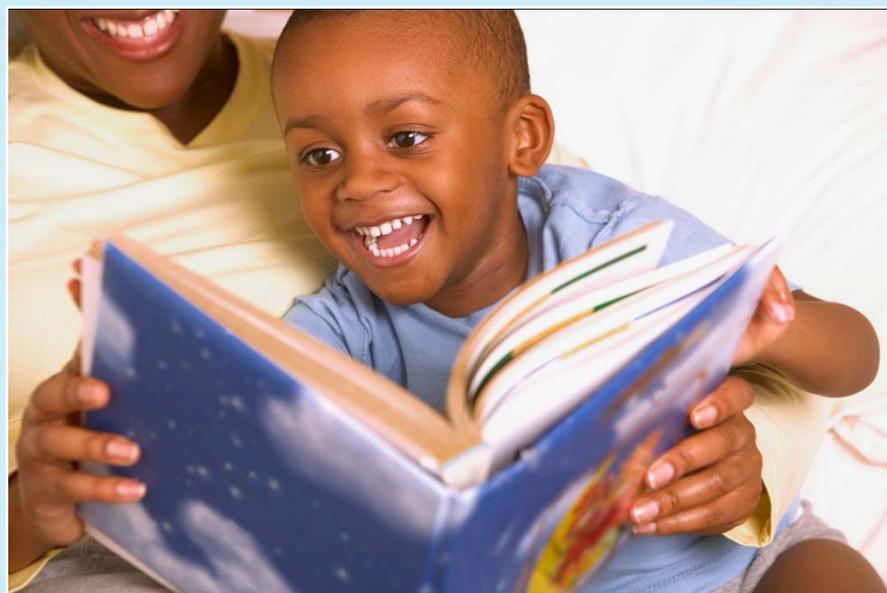
Please complete...

- Participant Reaction Survey
- Post Test

Please request a Travel Voucher if you need one.



# Thank you for attending the Child Care Subsidy Training Program



## Presenters:

Jill Finnegan

Lakia Green