

## **Emergency Justification**

This emergency rule is necessary for the preservation of the general welfare of the families of New York State. First, this rule revises the applicability of Part 415 of Title 18 of the New York State Codes, Rules and Regulations to clarify that the authorization and payment requirements of Part 415 apply only to child care services provided under the portion of the Block Grant for Child Care allocated to social services districts to provide child care assistance to families receiving family assistance and to other low-income families, as defined in Social Services Law section 410-u, and Title XX of the Federal Social Security Act. This revision is necessary to expeditiously expand access to child care assistance and allow the New York State Office of Children and Family Services to obligate and liquidate funds allocated to the Block Grant for Child Care in accordance with timelines under the federal Coronavirus Aid, Relief, and Economic Security Act, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, the American Rescue Plan Act, and New York State budget appropriations. Second, this rule revises the sliding fee scale for families receiving child care services that are required to pay an income-based portion of a family share. Previously, social services districts had the option to choose an income factor of 10 to 35 percent; districts will now have to choose an income factor of at least 1 but no more than 10 percent. This revision is necessary to implement a statutory amendment to Social Services Law section 410-x(6).