



**Office of Children
and Family Services**

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Commissioner

June 16, 2021

Greetings,

Pursuant to section 101-a of the Executive Law and Article Two of the State Administrative Procedure Act, notice is hereby given of the filing of a Notice of Emergency Adoption and Proposed Rule Making that amends Part 415 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

These amendments are adopted as an emergency measure because time is of the essence. They are required on an expedited basis to maintain the general health, safety, and welfare of the children. They are necessary to expeditiously expand access to child care assistance and allow OCFS 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. These amendments also revise the sliding fee scale for families receiving childcare 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).

The Notice of Emergency Adoption and Proposed Rule Making was filed with the Department of State on June 16, 2021 and became effective immediately upon filing. It will appear in the State Register on July 7, 2021.

Please find enclosed a copy of the Notice of Emergency Adoption and Proposed Rule Making as well as a copy of the complete text of the rule.

Sincerely,

Frank J Nuara

Frank J. Nuara

Associate Attorney

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