

OCFS Division of Child Care Services
Regulations for Applicability of Part 415/Sliding Fee Scale Revision

Part 415 of Title 18 of the New York State Codes, Rules and Regulations (NYCRR) is hereby amended to read as follows:

Section 415.0 of Title 18 NYCRR is amended to read as follows:

Applicability. This Part governs the authorization and payment of publicly funded child care services for children [under any provision of the Social Services Law or] pursuant to 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 to the extent of appropriations made available therefor.

Paragraph (3) of subdivision (e) of section 415.3 of Title 18 NYCRR is amended to read as follows:

(3) The sliding fee scale developed by the social services district must be calculated by subtracting the state income standard, as defined in section 415.1(k) of this Part, for the specific family size of the eligible family from the annual gross income of the eligible family, multiplying the remaining income by a factor of at least 1 but no more than 10 [to 35] percent, as selected by the social services district and included in the district's consolidated services plan or integrated county plan, and dividing the product by 52 to determine a weekly family share. The same percentage factor must be used for all families receiving child care services that are required to pay an income-based portion of a family share.