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 | INFORMATIONAL LETTER |  
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TRANSMITTAL: 94 INF-55

TO: Commissioners of  
 Social Services

DIVISION: Services and  
 Community  
 Development

DATE: November 23, 1994

SUBJECT: Child Care Regulations Guide

SUGGESTED

DISTRIBUTION: Directors of Services  
 Child Care Coordinators  
 Child Care Staff  
 Staff Development Coordinators

CONTACT PERSON: Dee Woolley, Bureau of Early Childhood Services  
 1-800-343-8859, extension 432-2541  
 Userid #89a800

ATTACHMENTS: Child Care Regulations Guide (available on-line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
93 INF-5		358 404 415			

The purpose of this informational letter (INF) is to provide social services districts with a child care regulations guide. This guide will assist social services districts in fulfilling their responsibility to notify applicants for, and recipients of, child care services of the legal authority which supports a case action.

Part 358 of the Department's regulations requires that the regulatory citation(s) supporting any action taken by a social services district on a client's case be included in the notice sent to the client. On January 21, 1993, the Department released 93 INF-5 entitled "Child Care: Revised Client Notification Forms" which introduced model notices which may be used by social services districts to provide notification to clients in accordance with Section 358 of the Department's regulations. Each of the model child care notices includes a section, "The Law(s) and/or Regulation(s) which allows us to do this is: \_\_\_\_\_," which workers are to complete by inserting the appropriate regulation number(s).

Several social services districts have contacted the Department to request assistance in identifying applicable regulatory citations associated with the common reasons for the denial of a request for services or the discontinuance or change of a client's child care benefits. The Department has developed the "Child Care Regulations Guide" (attached) in response to these requests.

The "Child Care Regulations Guide" identifies regulatory citations for the most common reasons for taking an action. The "reasons" listed are only clues to the proper regulatory citation(s). Alone they may not provide sufficient explanation of the action(s) taken by the social services district. Social services districts retain the ultimate responsibility for ensuring that the reason(s) and regulation(s) cited is/are accurate in the particular case action.

Questions regarding this INF may be directed to Dee Woolley of the Bureau of Early Childhood Services at 1-800-342-8859, extension 432-2541 or dial direct (518) 432-2541. Ms. Woolley also may be contacted on-line, Userid #89A800.

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Frank Puig  
Deputy Commissioner  
Division of Services and Community  
Development

CHILD CARE REGULATIONS GUIDE

<u>REASON FOR DENIAL OF SERVICES</u>	<u>APPLICABLE REGULATION</u>
1. Not programmatically eligible	404.4 & 415.2* *See note on back.
2. Not financially eligible	404.5 & 415.3
3. Failure to provide information needed to make a determination	404.1(e) & 415.4(a)
4. Provider selected is not eligible for payment	415.1(h)
5. Child not eligible (age)	415.1(b)
6. Child not eligible (not dependent)	415.7(c)(2) - TCC 415.8(c) - JOBS and Employment-related
7. No funds available	415.0

<u>REASON FOR DISCONTINUANCE OF BENEFITS</u>	<u>APPLICABLE REGULATION</u>
1. Not programmatically eligible	404.4 & 415.2* *See note on back.
2. Not financially eligible	404.5(b) & 415.3
3. Failure to provide information needed to make a determination	404.1(e) & 415.4(a)
4. Provider selected is not eligible for payment	415.1(h)
5. Failure to pay parent fee	404.6 & 415.4(d)
6. Failure to recertify	415.4(b)
7. Child no longer eligible (ages out)	415.1(b)
8. Child not eligible (not dependent)	415.7(c)(2) - TCC 415.8(c) - JOBS and Employment-related
9. No funds available	415.0

(OVER)

REASON FOR CHANGE IN BENEFITS	APPLICABLE REGULATION
1. Change in parent fee	415.4(d)
2. Change in applicable market rate	415.6(e) & 415.9
3. Child no longer eligible (ages out)	415.1(b)
4. Child not eligible (not dependent)	415.7(c)(2) - TCC 415.8(c) - JOBS and Employment-related
5. Change in duration of care needed	415.6(e) & 415.9
6. Change in type of provider used	415.6(e) & 415.9
7. Change in rate charged by provider	415.6(e) & 415.9
8. Change in child's age affecting applicable market rate	415.6(e) & 415.9

NOTE: The following program-specific citations also may be appropriate:

Transitional Child Care	415.7
JOBS-related and Employment-related Child Care	415.8
At-Risk Low Income Child Care	415.10
Child Care and Development Block Grant services	415.11