



# Office of Children and Family Services

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Commissioner

## Local Commissioners Memorandum

<b>Transmittal:</b>	24-OCFS-LCM-16-R1 ( <b>Revised, October 31, 2024</b> )
<b>To:</b>	Local Departments of Social Services Commissioners
<b>Issuing Division/Office:</b>	Division of Child Care Services Division of Administration
<b>Date:</b>	<b>R1: October 31, 2024. Original publication date: July 1, 2024</b>
<b>Subject:</b>	<b>New York State Child Care Block Grant Allocations October 1, 2024-September 30, 2025</b>
<b>Contact Person(s):</b>	<p>Program Questions</p> <ul style="list-style-type: none"> <li>Child Care Assistance Program, OCFS Division of Child Care Services <a href="mailto:ocfs.sm.districtsupport.subsidy@ocfs.ny.gov">ocfs.sm.districtsupport.subsidy@ocfs.ny.gov</a></li> </ul> <p>Claiming Questions</p> <ul style="list-style-type: none"> <li>Regions 1-5 Justin Gross: 518-408-4970 <a href="mailto:otda.sm.Field_Ops.I-IV@otda.ny.gov">otda.sm.Field_Ops.I-IV@otda.ny.gov</a></li> <li>Region 6 (NYC) Michael Simon: 212-961-8250 <a href="mailto:Michael.Simon@otda.ny.gov">Michael.Simon@otda.ny.gov</a></li> </ul> <p>WMS/Services Questions</p> <ul style="list-style-type: none"> <li>Service Portal: <a href="https://nysitsm2.service-now.com/sp">https://nysitsm2.service-now.com/sp</a></li> <li>1-844-891-1786, <a href="mailto:fixit@its.ny.gov">fixit@its.ny.gov</a></li> </ul> <p>Chat: <a href="https://chat.its.ny.gov">https://chat.its.ny.gov</a></p>
<b>Attachments:</b>	<p><i>Attachment A: New York State Child Care Block Grant Social Services District Allocations 10/1/2024-9/30/2025 (Revised)</i></p> <p><i>Attachment B: New York State Child Care Block Grant Maintenance of Effort Level</i></p> <p><i>Attachment C: Attachment for U.S. Department of Health and Human Services Grants</i></p>

R1: This Local Commissioners Memorandum (LCM) is being revised and reissued on October 31, 2024, to reflect the allocation of an additional \$8.4M for the period of October 1, 2024, through September 30, 2025. Changes are reflected in Attachment A.

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform local departments of social services (LDSSs) of their allocations and maintenance of effort (MOE) levels for the New York State Child Care Block Grant (NYSCCBG) Child Care Assistance Program (CCAP) for the period October 1, 2024, through September 30, 2025.

Please note the change in methodology for this allocation period.

## II. Background

In order for an LDSS to participate in the NYSCCBG CCAP, the commissioner of the LDSS must agree to comply with the program requirements of the NYSCCBG as set forth in Title 5-C of Article 6 of the Social Services Law; Title 18 of the New York State Code of Rules and Regulations (18 NYCRR) Parts 358, 404, 405, 407, 415, and 628; and New York State Office of Children and Family Services (OCFS) policy directives, including Administrative Directives (ADMs), LCMs, and Informational Letters (INFs). Title 5-C of Article 6 of the Social Services Law, section 410-v provides that the part of the block grant determined to be available to the LDSS for child care assistance shall be apportioned among the LDSSs in accordance with an allocation plan developed by OCFS and approved by the Division of the Budget. The allocation plan must be based, at least in part, on historical costs and on the availability and cost of, and need for, child care assistance in each social services district. Additionally, Social Services Law section 410-x(4), requires OCFS to establish in regulation the applicable market-related payment rates for state and federal reimbursement for payments made under the NYSCCBG. The amount to be paid or allowed for child care assistance funded under the NYSCCBG shall be the actual cost of care but no more than the applicable market rate established in regulations. LDSSs must pay the applicable market rate unless the actual cost of care is less, in which case LDSSs must pay the actual cost of care. The LDSS also must agree to comply with the requirements for the federal Child Care and Development Fund (CCDF). LDSSs provide such legal assurances as part of the submission of their Child and Family Services Plans.

## III. Program Implications

### A. ALLOCATION INFORMATION

Attachment A provides LDSS allocations for the NYSCCBG child care assistance funds for the period beginning October 1, 2024, and ending September 30, 2025 (FFY 2025). Any portion of an LDSS's NYSCCBG allocation for FFY 2024 (October 1, 2023, through September 30, 2024) that is not claimed by the LDSS by March 31, 2025, will remain available to the LDSS through the end of FFY 2025 (September 30, 2025). This would include any Temporary Assistance for Needy Families (TANF) funds transferred from an LDSS's Flexible Fund for Family Services (FFFS) allocation for the period October 1, 2024, to September 30, 2025. However, claims for expenditures for October 1, 2023, through September 30, 2024, cannot be rolled forward into the next FFY.

The initial FFY 2025 allocation methodology ensured that all districts received at least an amount equal to the most recent FFY 2024 allocation. Any FFY 2024 unclaimed allocation will continue to be available to districts in FFY 2025.

- For districts with rollover into FFY 2024 that exceeded 95% of the final FFY 2023 claims that were due March 31, 2024, allocations were maintained at the FFY 2024 level with the expectation that districts will continue to use their rollover.
- For districts that had FFY 2024 claiming trends that indicated a higher allocation was needed, the FFY 2025 allocation was increased accordingly to continue to support actual claiming trends and to support market rate implementation.

With the publication of this LCM, OCFS has allocated \$1.215B for FFY 25 from the \$1.799B enacted budget for the NYSCCBG CCAP. The remaining \$584M will be used for the purposes of making supplemental allocations to districts for FFY 2024, and FFY 2025.

The need for supplemental FFY 2024 and FFY 2025 allocations is evaluated on a quarterly basis, with any supplemental allocation based primarily on need as demonstrated through actual claims submitted.

Additional factors that may be considered when making supplemental allocations will include, but not be limited to, the amount of rollover funds available to a district, a significant change to the available child care capacity within a geographic region and seasonal trends observed during past allocation periods.

This revised LCM is the first release of supplemental allocations to districts for FFY 2025. These additional funds have been allocated to LDSSs that have spending patterns that indicate additional supplemental funds are necessary to support recent increases in utilization of CCAP. The methodology addresses the most immediate need of districts based on actual claims to date and considers projected rollover. Districts with projected rollover into FFY 2025 exceeding \$6M did not receive additional allocations at this time.

The following districts are receiving additional allocations upon release of this revised LCM: Allegany, Chenango, Clinton, Delaware, Essex, Franklin, Fulton, Genesee, Otsego, Rockland, St. Lawrence, Suffolk, Sullivan, Wayne, and Wyoming.

Based on the initial allocations and any subsequent revisions, LDSSs are expected to have sufficient funds available to continue to open cases and maintain eligibility for families that remain eligible at the end of their current authorization period. OCFS recognizes that program changes may change spending patterns and will continue to monitor spending over the course of this allocation period to support LDSSs implementing these changes. However, it is the responsibility of the LDSS to monitor spending and communicate any anticipated funding needs to OCFS over the course of the allocation period, including whether the county plans to update its Child and Family Services Plan to be able to initiate waitlists, if necessary. This also includes, but is not limited to, notifying OCFS when an LDSS establishes a waitlist, if identified as an option in the LDSS's Child and Family Services Plan, or denies a child care assistance application(s) for a non-guaranteed family at the case determination due to a lack of available funds.

While the NYSCCBG allocation is the primary resource available to LDSSs in meeting their child care assistance needs for low-income families and individuals on public assistance, all LDSSs can utilize additional funds from the FFFS for child care assistance costs. Additional information on utilizing FFFS funds may be found in 24-OCFS-ADM-15, *2024-2025 Flexible Fund for Family Services*.

An LDSS may spend no more than 5% of its FFY NYSCCBG allocation, including any funds transferred from FFFS, for administrative activities. Administrative activities do not include the costs of providing direct services such as eligibility determinations and redeterminations; preparation and participation in judicial hearings; child care placements; the recruitment, licensing, inspection, review, and supervision of child care placements; rate setting for contract development; resource and referral services; training; or the establishment and maintenance of computerized child care information systems.

An LDSS, at its option, may make payments for eligible families to be transported to and from a child care provider. An LDSS will be reimbursed for transportation expenses charged by a child care provider that are separate and apart from the regular rate charged by the provider. The LDSS may plan to use other providers of transportation services. Expenditures for transportation are reimbursed as a program cost under the LDSS's NYSCCBG allocation if the provision of transportation services is included in the LDSS's Child and Family Services Plan.

## **B. ELIGIBLE FAMILIES**

Effective October 1, 2023, there was a change to eligible families as defined in 18 NYCRR 415.2. LDSSs must use the funding allocated in this directive to fund child care assistance to families who are eligible in accordance with the applicable rules at the time of the application.

### **C. PARENTAL CHOICE**

LDSSs must inform parents or caretakers requesting NYSCCBG services that they may either:

- choose to have care provided by one of the child day care providers with whom the LDSS has contracted for the provision of child care services; or
- request a child care certificate, which enables the parents or caretakers to select from a full range of child care arrangements, including care by licensed or registered child care providers and providers of legally exempt child care.

The child's parent(s) or caretaker(s) must be given discretion in selecting or arranging for the purchase of child care services from any eligible provider. The case record should document that the parent(s) or caretaker(s) has been apprised of the full range of providers eligible for payment and of their right to elect to use a child care certificate. LDSSs must allow parents to select, and have a method to pay, any and/or all legally operating eligible providers with whom they do not contract. A contract may not be made a condition of receiving payment from NYSCCBG funds.

### **D. REIMBURSEMENT**

Claims for expenditures for child care services for families receiving public assistance will be reimbursed at 75% with NYSCCBG funds, up to the LDSS's NYSCCBG allocation ceiling. Claims for expenditures for child care for all other eligible families will be reimbursed at 100% with NYSCCBG funds, provided that the LDSS's MOE is met, up to the LDSS's NYSCCBG allocation ceiling.

### **E. MAINTENANCE OF EFFORT**

Each LDSS must maintain local spending for child care services at a level established by OCFS in accordance with state statute. The MOE for each LDSS is listed in Attachment B and is unchanged from the previous year.

The MOE was calculated by totaling the LDSS share of expenditures in FFY 1994-95 for child care services claimed under the following categories: State Low-Income Day Care Program and Administrative Costs, Transitional Child Care, At-Risk Low-Income Child Care, Child Care and Development Block Grant, Emergency Assistance to Families, Job Opportunities and Basic Skills (JOBS) related to child care, and employment-related child care. The MOE for those LDSSs participating in the Child Assistance Program (CAP) was adjusted to reflect the LDSS share for FFY 1996-97 CAP child care expenditures included in their NYSCCBG allocations.

Each LDSS must meet its MOE level in cash in FFY 2024-25 and in each subsequent FFY. The MOE is met by the 25% local share of claims for expenditures for public assistance recipients, as reported on Schedule H, *Non-Title XX Services for Recipients*, and any other non-Title XX expenditures that are allowable but not reimbursed under the NYSCCBG allocation. Claims submitted under NYSCCBG will be processed to ensure that the LDSS's MOE requirement is met. Claims for administrative costs exceeding the 5% administrative cap will not count toward meeting the MOE and will not be eligible for federal and state reimbursement.

### **F. SYSTEMS INFORMATION**

Procedures for the authorization of payment for child care services in the Welfare Management System (WMS) are as follows:

For child care payments for eligible families applying for or receiving public assistance, the LDSS can

continue to use the DSS-3209, *IM/WMS Authorization*. The LDSS may, at its option, use the DSS-2970, *WMS Services Authorization*, to authorize payment for child care for public assistance families. Purchase of Service Type Suffix Code (Data Element #23021) value "S-Block Grant DC 75%" designates child care services funded under the NYSCCBG for public assistance applicants/recipients and reimbursed at 75% federal and state share, up to the LDSS's allocation ceiling.

The LDSS has the option to authorize payments for child care for NYSCCBG eligible families not in receipt of public assistance on the DSS-3209 for Supplemental Nutrition Assistance Program and Medical Assistance-only cases.

For all other eligible families, the LDSS must authorize payment in WMS Services by using Purchase of Service Type Suffix Code value "R-Block Grant DC 100%" on the DSS-2970, *WMS Services Authorization*, which designates child care services funded under NYSCCBG for non-public assistance families and reimbursed at 100% federal and state share, up to the LDSS's allocation ceiling.

In circumstances of an adult-only public assistance case in which the children are not included in the public assistance filing unit, child care payment is authorized as a public assistance family and reimbursed at 75% federal and state share. For cases in which children are in receipt of public assistance but the caretaker is not included in the public assistance filing unit, child care is authorized in WMS Services and reimbursed at 100% federal and state share, up to the LDSS's allocation ceiling.

WMS Services continue to support the monitoring of the issuance and return of child care certificates. Instructions for the child care certificate are included in [92 LCM-138, \*Child Care Certificate Program\*](#), and in the *BICS Operations Manual*, page A-62, BICS Production Request 32, Request for Self-Selected Day Care Certs, in the edition dated April 1, 2005. Information is also provided in the *Benefit Issuance Control Subsystem (BICS) Services Payments Processing (BSPP) Manual*, Chapter 2, Authorizations, and Self-Selected Day Care Certificates.

## G. CLAIMING INSTRUCTIONS

NYSCCBG expenditures for child care assistance for families receiving public assistance are claimed on Schedule H, *Non-Title XX Services for Recipients* (LDSS-4283), column 17 (Day Care Block Grant 75%). NYSCCBG program expenditures for child care assistance for all other eligible families are claimed on Schedule H, column 16 (Day Care Block Grant 100%). Please refer to the *Fiscal Reference Manual*, Volume 2, Chapter 3, for detailed instructions for completing Schedule H.

NYSCCBG child counts and expenditures also must be reported on the Schedule G-2, *Summary of All Payments for Day Care* (LDSS-2109). Expenditures made under the service types allowed must be reported on the Schedule G-2, via the Automated Claiming System. The BICS Schedule G-2 report provides the information needed to file the report. Please refer to the *Fiscal Reference Manual*, Volume 2, Chapter 3, for Schedule G-2 instructions.

Administrative expenditures for the NYSCCBG that are not direct charged on the Schedule D-2 are claimed in accordance with the Services Random Moment Survey (RMS) as Child Care Block Grant costs on line 6, section 1A (associated central services costs are claimed on line 4, section 2) of the Schedule D-2, *Allocation for Claiming General Services Administration Expenditures* (LDSS-2347B). Instructions for completing the Schedule D-2 are contained in Chapter 9 of the *Fiscal Reference Manual*, Volume 3 (Cost Allocation Plan).

Claiming instructions for LDSS administrative expenditures related to the training of employees that are claimed on the Schedule D-6, *Reimbursement Claim for Training* (LDSS-2347-C), for the NYSCCBG program are provided in Chapter 13 of Volume 3 of the *Fiscal Reference Manual*.

The *Fiscal Reference Manual* (FRM) is available here: FRM Vol. 2 and 3 – <https://intranet.otda.ny.gov/bfdm/finance/>.

## H. SUBAWARD INFORMATION

Title 45 U.S. Code of Federal Regulations Part 75 (45 CFR 75), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards*, section 352(a), states “all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, includes the changes in subsequent subaward identification.” Attachment C provides the required subaward information for subrecipients.

**/s/ Nora K. Yates**

**Issued by:**

Name: Nora K. Yates

Title: Deputy Commissioner

Division/Office: Division of Child Care Services

**/s/ Sharon Devine**

**Issued by:**

Name: Sharon Devine

Title: Deputy Commissioner

Division/Office: Division of Administration

**ATTACHMENT A**

**NEW YORK STATE CHILD CARE BLOCK GRANT  
SOCIAL SERVICES DISTRICT ALLOCATIONS  
10/1/2024-9/30/2025 (FFY 2025)**

<b>County</b>	<b>Allocation October 1, 2024 - September 30, 2025</b>
Albany	\$11,331,490
Allegany	\$737,580
Broome	\$11,511,886
Cattaraugus	\$4,027,514
Cayuga	\$2,570,583
Chautauqua	\$8,316,808
Chemung	\$3,379,343
Chenango	\$826,428
Clinton	\$3,139,909
Columbia	\$1,221,095
Cortland	\$2,080,043
Delaware	\$1,380,855
Dutchess	\$12,649,040
Erie	\$65,962,691
Essex	\$814,643
Franklin	\$1,571,032
Fulton	\$1,052,381
Genesee	\$1,713,141
Greene	\$473,896
Hamilton	\$84,202
Herkimer	\$2,056,307
Jefferson	\$5,536,447
Lewis	\$775,188
Livingston	\$3,218,396
Madison	\$2,697,868
Monroe	\$90,240,405
Montgomery	\$4,178,137
Nassau	\$130,005,918
Niagara	\$11,314,373
Oneida	\$17,032,118
Onondaga	\$44,547,673
Ontario	\$5,967,093
Orange	\$13,420,055
Orleans	\$715,275

<b>County</b>	<b>NYSCCBG CCAP Allocation October 1, 2024 - September 30, 2025</b>
Oswego	\$4,470,784
Otsego	\$1,668,262
Putnam	\$634,352
Rensselaer	\$8,588,196
Rockland	\$9,293,873
Saratoga	\$5,847,545
Schenectady	\$17,662,210
Schoharie	\$577,784
Schuyler	\$1,005,660
Seneca	\$1,578,525
Steuben	\$10,515,668
St. Lawrence	\$2,703,993
Suffolk	\$74,584,235
Sullivan	\$1,632,248
Tioga	\$2,618,504
Tompkins	\$4,629,010
Ulster	\$3,733,807
Warren	\$952,616
Washington	\$908,950
Wayne	\$1,732,865
Westchester	\$65,100,785
Wyoming	\$964,102
Yates	\$836,636
ROS	\$688,790,423
NYC	\$526,667,306
<b>TOTAL</b>	<b>\$1,215,457,729</b>



**ATTACHMENT B**  
**NEW YORK STATE CHILD CARE BLOCK GRANT**  
**MAINTENANCE OF EFFORT (MOE) LEVEL**  
**Federal Fiscal Year 1994-95 Basis**

<b>LDSS</b>	<b>MOE Amount</b>	<b>LDSS</b>	<b>MOE Amount</b>
Albany	\$1,019,127	Oneida	\$283,468
Allegany	\$68,895	Onondaga	\$1,204,201
Broome	\$518,534	Ontario	\$73,752
Cattaraugus	\$34,769	Orange	\$32,900
Cayuga	\$15,101	Orleans	\$36,152
Chautauqua	\$558,879	Oswego	\$41,453
Chemung	\$63,364	Otsego	\$28,900
Chenango	\$27,933	Putnam	\$62,728
Clinton	\$99,395	Rensselaer	\$164,819
Columbia	\$7,848	Rockland	\$235,830
Cortland	\$53,422	Saint Lawrence	\$101,658
Delaware	\$34,955	Saratoga	\$30,127
Dutchess	\$193,433	Schenectady	\$228,165
Erie	\$1,264,742	Schoharie	\$12,101
Essex	\$16,498	Schuyler	\$9,515
Franklin	\$26,381	Seneca	\$19,292
Fulton	\$38,407	Steuben	\$148,022
Genesee	\$49,813	Suffolk	\$692,326
Greene	\$20,310	Sullivan	\$28,491
Hamilton	\$2,738	Tioga	\$22,049
Herkimer	\$14,318	Tompkins	\$70,752
Jefferson	\$81,936	Ulster	\$208,356
Lewis	\$11,454	Warren	\$22,063
Livingston	\$76,936	Washington	\$32,583
Madison	\$12,147	Wayne	\$39,416
Monroe	\$4,221,021	Westchester	\$1,018,071
Montgomery	\$11,738	Wyoming	\$13,806
Nassau	\$1,574,621	Yates	\$11,683
Niagara	\$364,420		
		New York City	\$52,937,271
		State Total	\$68,293,085

**ATTACHMENT C****ATTACHMENT FOR U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES GRANTS**

Title 45 U.S. Code of Federal Regulations Part 75 (45 CFR 75), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards*, section 352(a) states “all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, includes the changes in subsequent subaward identification.”

(i)	Subrecipient's name	Attachment A
(ii)	Subrecipient's unique entity identifier	County LDSS office
(iii)	Federal Award Identification Number (FAIN)	2401NYCCDF2401NYCCDF 2401NYCCDM2401NYCCDM 2401NYCCDD 2501NYTANF2401NYCCDD
(iv)	Federal Award Date of award to the recipient by the HHS awarding agency	11/8/23 (2401NYCCDF232401NYCCDF) 10/13/23 (2401NYCCDM232401NYCCDM) 10/13/23 (2401NYCCDD232401NYCCDD)
(v)	Subaward period of performance start and end date	Section 3.A "Allocation Information"
(vi)	Amount of federal funds obligated to the subrecipient by this action by the pass-through entity to the subrecipient	Attachment A contains allocations from the NYS Child Care Block Grant, which consists of state funds, CCDF matching, mandatory and discretionary funds, and TANF transfers to CCDF discretionary funds.
(vii)	Total amount of the federal funds obligated to the subrecipient by the pass-through entity including the current obligation	Attachment A contains allocations from the NYS Child Care Block Grant, which consists of state funds, CCDF matching, mandatory and discretionary funds, and TANF transfers to CCDF discretionary funds.
(viii)	Total amount of the award committed to the subrecipient by the pass-through entity	Attachment A contains allocations from the NYS Child Care Block Grant, which consists of state funds, CCDF matching, mandatory and discretionary funds, and TANF transfers to CCDF discretionary funds.
(ix)	Federal award project description	Child Care Discretionary Funds (CCDD) and Child Care Mandatory (CCDF) and Matching (CCDM) Funds comprise the Child Care and Development Fund program. Program funds provide grants to states, territories, tribes, and tribal organizations serving federally recognized tribes (public institutions of higher education and hospitals are not eligible applicants) for child care assistance for low-income families.
(x)	Name of the HHS awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity	Awarding HHS Agency: Administration for Children and Families Pass-through: NYS Office of Children and Family Services  Shonna Clinton <a href="mailto:Shonna.Clinton@ocfs.ny.gov">Shonna.Clinton@ocfs.ny.gov</a>
(xi)	CFDA Number and Name	93.575 (Discretionary) 93.596 (Mandatory and Matching)
(xii)	Identification of whether the award is Research and Development (R&D)	N

<p>(xiii) Indirect cost rate for the federal award (including if the de minimis rate is charged per section 75.414)</p>	<p>Please see uniform guidance 45 CFR 75. However, please note that administrative costs are capped at 5%.</p>
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