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NEW YORK STATE  
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### Local Commissioners Memorandum

<b>Transmittal:</b>	12-OCFS-LCM-01
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Child Care
<b>Date:</b>	February 3, 2012 (Revised February 8, 2012)
<b>Subject:</b>	<b>Changes to the Legally-Exempt Child Care Provider Enrollment Process</b>
<b>Suggested Distribution</b>	Directors of Social Services and Temporary Assistance Child Care and Temporary Assistance Staff Accounting and Child Welfare Supervisors LAN Administrators
<b>Contact Person:</b>	See page 11
<b>Attachments:</b>	Attachment A: <a href="#">OCFS-LDSS-4699, Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (Rev. 6/2011)</a> Attachment B: <a href="#">OCFS-LDSS-4700, Enrollment Form for Provider of Legally-Exempt Group Child Care (Rev. 6/2011)</a> Attachment C: <a href="#">OCFS-2114 (9/2011), District Notification To Legally-Exempt Caregiver Enrollment Agency</a> Attachment D: <a href="#">Model Non-disclosure Agreement for District and Contractor</a> Attachment E: <a href="#">Model Non-disclosure Agreement for District and Contractor's Employee</a> Attachment F: <a href="#">OCFS-LDSS-4699.1, Employment of Minors Form (Rev. 9/2010)</a> Attachment G: <a href="#">OCFS-LDSS-4699.1A, Employment of Minors, Information (Rev. 9/2010)</a> Attachment H: <a href="#">OCFS-LDSS-4699.2A, Parental Responsibilities When Employing a Legally-Exempt In-Home Child Care Provider (Rev. 8/2010)</a> Attachment I: <a href="#">OCFS-4915, History of Criminal Convictions and Parental Acknowledgment (7/2010)</a> Attachment J: <a href="#">OCFS-4916, History of Day Care Enforcement and Parental Acknowledgment (7/2010)</a> Attachment K: <a href="#">OCFS-4917, History of Termination of Parental Rights and/or Court-Ordered Article 10 Removal and Parental Acknowledgment (7/2010)</a>
<b>Attachments Available Online:</b>	Attachments A, B, F, G, H, I, J and K are available at the OCFS Forms website: <a href="http://www.ocfs.state.ny.us/main/forms/">http://www.ocfs.state.ny.us/main/forms/</a> All of the attachments are available, listed with this policy, at the OCFS policies

websites: <a href="http://ocfs.state.nyenet/policies/external">http://ocfs.state.nyenet/policies/external</a> (intranet) <a href="http://www.ocfs.state.ny.us/main/policies/external">http://www.ocfs.state.ny.us/main/policies/external</a> (internet)
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## I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform the Social Services Districts (districts) of changes in the Legally-Exempt Child Care Provider (LECCP) enrollment process and of planned enhancements to the Child Care Facility System (CCFS) that will impact district procedures. This LCM also clarifies the districts' roles and responsibilities in the enrollment of LECCPs for the purpose of providing child care subsidized by the New York State Child Care Block Grant (NYSCCBG). New and revised enrollment forms, to be distributed by districts to applicants and recipients of child care services who choose to use an LECCP, are provided, as is a new state form for notifying legally-exempt caregiver enrollment agencies (enrollment agencies) of district decisions relevant to enrollment. Finally, we discuss a 2010 change in Social Services Law Section 410-x, subdivision 7, which allows a district to suspend the eligibility of an LECCP who is the subject of a report of child abuse or maltreatment that is under investigation by Child Protective Services (CPS).

## II. Background

The federal guidelines require that all states have requirements in place designed to protect the health and safety of children applicable to the providers who serve children under the Child Care and Development Fund (CCDF), one of the primary federal sources for the NYSCCBG. In NYS, to provide child care services under the NYSCCBG, all child care providers must demonstrate they meet basic health and safety standards through one of the following processes: Licensing, Registration or Enrollment.

New York State Social Services Law (SSL) §390 defines "child day care" and mandates which providers must be licensed or registered to operate a child care program in New York State. Providers and programs not required to be licensed or registered have come to be known as "legally-exempt." In accordance with federal guidelines, the enrollment process was developed to establish a set of health and safety requirements for the otherwise unregulated "legally-exempt" child care providers (LECCP) and programs to establish their eligibility to provide subsidized child care services.

## III. Program Implications

### *Jurisdiction*

Prior to the release of this LCM, the enrollment agency with jurisdiction for the enrollment of LECCPs outside of New York City was the district where the child resided, usually the district issuing the subsidy. Effective upon release of this LCM, *the enrollment agency with jurisdiction will change to the enrollment agency serving the district where the child care site is located.* **This change takes place immediately for all newly enrolling LECCPs. For LECCPs who are currently enrolled, the enrollment agency must transfer the child care provider's enrollment to the appropriate enrollment agency at the next case action, or at re-enrollment.**

This jurisdictional change is reflected on page one of the revised enrollment forms. Districts must make corresponding changes in the cover letter given to applicants/recipients of child care assistance to

instruct them to return the enrollment packet to the enrollment agency serving the county where the child care site is located. Please refer to Attachment A, OCFS-LDSS-4699, Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (Rev. 6/2011) and Attachment B, OCFS-LDSS-4700, Enrollment Form for Provider of Legally-Exempt Group Child Care (Rev. 6/2011).

The *district in which the LECCP resides* still remains responsible for conducting the state-required child welfare database check for the LECCP's history of termination of parental rights and court-ordered removal/placement of a child under Family Court Act Article 10, as well as the review of extenuating circumstances. For districts situated along the New York State border with other states and/or Canada, there will be times when the child care provider does not reside within New York State. In those situations, the enrollment agency will identify an otherwise affiliated district within New York State, usually the subsidy-issuing district, to perform the child welfare database check.

The *subsidy-issuing district* still remains responsible for evaluating the LECCP's compliance with any state-approved additional local standards for enrollment. Districts must inform the OCFS Division of Child Care Services (DCCS) if they intend to exempt child care providers who provide child care in a location out of the county, state, or country from any additional local standard for enrollment. This may be done by specifying the exemption in the Child and Family Services Plan.

### ***CCFS Enhancements***

At present, all districts, in collaboration with enrollment agencies, have processes in place to perform their roles related to legally-exempt child care subsidized under the NYSCCBG. However, CCFS enhancements planned by OCFS will drive changes in existing enrollment processes. Districts must assess the extent to which these changes will have an impact on their work processes for carrying out local responsibilities including, but not limited to, conducting the local child welfare database checks and authorizing child care payments. Upon the implementation of the planned CCFS enhancements:

- CCFS will automatically provide enrollment-related notifications, hereafter referred to as E-notices, directly to districts via E-mail delivered to the address created by the districts for this purpose. The E-notices will identify enrollment-related tasks which the district is required to perform. E-notices from CCFS to districts will not contain personal identifiers for either LECCPs or persons included on subsidy cases. Districts will be instructed to run a report in CCFS to retrieve the specific LECCP and subsidy case-level information required to complete the enrollment-related task.
- To the extent that CCFS performs an automated notification or referral function, enrollment agencies will be relieved of that notification responsibility. Enrollment agencies will no longer be required to routinely provide districts with copies of enrollment forms or notifications.
- Districts will have the option of updating a subsidy case decision directly in CCFS instead of informing the enrollment agency in writing.

CCFS will record when updates are made to the system and who makes them. This will eliminate the need to have some documents exchanged between the local districts and the enrollment agencies, thus saving time and money for districts and enrollment agencies.

### ***CCTA-CCFS Interface***

All child care providers providing care subsidized under the NYSCCBG must meet state health and safety requirements. Prior to issuing payments for child care services, local districts must verify that a child care provider was “eligible” to provide subsidized care during the period care was provided. With the exception of day care centers in New York City, CCFS is the system of record for all licensed, registered and enrolled child care providers in New York State. CCFS documents child care provider compliance with state health and safety requirements and other information necessary to determine provider eligibility for payment. With the advent of the Child Care Time and Attendance System (CCTA), the provider eligibility verification process is partially automated, as the nightly CCTA interface with CCFS draws the information needed to determine whether pending payments are payable (eligible), not payable (not eligible), or need review by the district.

### ***District Suspension of Legally-Exempt Child Care Provider Eligibility***

Social Services Law (SSL) § 410-x (7) permits districts to suspend an LECCP from providing child care services funded under the NYSCCBG when the LECCP is the subject of a report of child abuse or maltreatment under investigation by CPS. Districts that elect to suspend any of these providers must develop written local policy and procedures, in accordance with the guidance in this LCM, to support staff in their decision-making. The district must inform the applicable enrollment agency, in writing, at the start and end of each suspension. OCFS-2114 (7/2011), District Notification To Legally-Exempt Caregiver Enrollment Agency, included as Attachment C, may be used for this purpose. Upon receiving such notification, the enrollment agency documents the suspension in CCFS. The subsequent change in the provider’s CCFS record will be transmitted to CCTA during the nightly CCTA-CCFS interface and result in an advisement to the district to stop payment.

## **IV. Required Action**

### ***Receipt of CCFS E-notices, Retrieval of Reports, and Completion of Required Actions***

Automated CCFS E-notices sent to districts will be of two kinds: those containing a required action and those for informational purposes. When an E-notice contains a required action, the required action must be completed in the time frame indicated on the E-notice. E-notices will refer the district to a specific CCFS report for the confidential, provider-specific information needed to perform the task. To prepare, each local district must:

- Establish an E-mail account box solely for the purpose of receiving E-notices from CCFS. The E-mail address must be a single E-mail address that should be structured so that it is not subject to frequent change. It may represent a distribution list or mailbox. Access and management of the generic E-mail address is the responsibility of the district.
- Designate a primary contact person and a backup contact person who will be responsible for monitoring the mailbox.
- Within one month of the issuance of this LCM, notify Ann Haller, in writing, at the Division of Child Care Services, Child Care Subsidy Unit, at [Ann.Haller@ocfs.state.ny.us](mailto:Ann.Haller@ocfs.state.ny.us) of:

1. The E-mail address to which E-notices will be sent from CCFS to the district.

2. The designated contact persons at the district, including a backup contact person, who will be responsible for managing the CCFS mailbox for your district. Include for each person: name, title, E-mail address and phone number.
- Develop a process to ensure that the required actions included on the E-notice are completed within the specified time frame. The local process must include timely review of all E-notices, *recommended to be done each business day*; completion of the required actions; and timely written response to the designated enrollment agency. Districts must identify individuals who will be responsible for reviewing E-notices and running reports in CCFS. Districts may wish to assign different program areas (child care subsidy unit, child welfare unit, accounts payable, fraud prevention, etc.) and staff to be responsible for the timely review and required actions for different *types* of E-notices, based on the content of the “subject line.” Note that the personal information of LECCPs *will not* be transmitted in the E-notices. The district must utilize the specified CCFS reports to obtain a list of specific LECCPs for whom local district action is required. The subject lines and brief descriptions of the CCFS E-notices are listed below for your reference and planning.
    1. LE-CCFS LD-001, Legally-Exempt Child Welfare Referral List: This notice informs the district that there are one or more legally-exempt child care providers for whom the district must conduct a check of the local child welfare database to determine if the district has a record showing the provider had a child removed from his or her care by court order under Family Court Act Article 10 or had his or her parental rights terminated under Social Services Law 384-b. The notice informs the district to run the LE Child Welfare Database Referral List (DSS) report in CCFS to obtain the detailed listing of providers.
    2. LE-CCFS LD-002, Legally-Exempt Child Welfare Database Results Due/Overdue: This notice informs the district that the results of the child welfare database checks, requested in E-notice number one, are overdue. The district must run the LE Child Welfare Database Results Due/Overdue (DSS) report in CCFS to obtain the detailed listing of providers.
    3. LE-CCFS LD-003, Legally-Exempt Additional Standard Referral: This notice informs the district that there are one or more legally-exempt child care providers for whom the district must conduct the OCFS-approved additional local standard process specified in the district’s approved Child and Family Services Plan. The district must run the LE Additional Standard Referral List (DSS) report in CCFS to obtain the detailed listing of providers and other persons to whom the standard applies.
    4. LE-CCFS LD-004, Legally-Exempt Additional Standards Due/Overdue: This notice informs the district that the results of the OCFS–approved, additional local standard, requested in E-notice number three, are overdue. The district must run the LE Additional Standards Due/Overdue (DSS) report in CCFS to obtain the detailed listing of providers.
    5. LE-CCFS LD-005, Legally-Exempt Child Welfare Extenuating Circumstances Review Referrals: This notice informs the district that there is one or more legally-exempt child care providers for whom the district must conduct a review of extenuating circumstances related to the provider’s child welfare history. The district must run the LE Child Welfare EC Review Referrals (DSS) report in CCFS to obtain the detailed listing of providers. The district must, in accordance with the Guide to Enrollment, conduct the

review of extenuating circumstances and determine whether an exception can be made to the presumption against enrollment.

6. LE-CCFS LD-006, Legally-Exempt Family Child Care & In-Home Training Approvals by Approval Date: This notice informs the district that a legally-exempt child care family or in-home provider for whom the district issues a subsidy has met the requirement for the enhanced rate of reimbursement. The district must run the LE FCC & IH Training Approvals by Approval Date (DSS) report in CCFS to obtain the provider-specific data and apply the enhanced market rate for a 12-consecutive-month period, starting no later than the beginning of the first full month following the date of the E-notice.
  7. LE-CCFS LD-007, Legally-Exempt Parent-Provider Eligibility Changes: This notice informs the district that an enrollment agency has made changes to a family decision and/or to the enrollment status of a provider that may impact issuance of subsidy payments. The district may obtain specific information regarding changes made to a family decision and/or to the enrollment status of a provider by running the LE Parent-Provider Notification of Eligibility Changes (DSS) report in CCFS.
- Obtain appropriate permissions in CCFS for designated local district staff. District staff with a role in the enrollment process may request “view” access to relevant CCFS data. District staff performing child care subsidy-related functions and who plan to enter data directly into CCFS may request “data entry” access to CCFS. With the planned CCFS enhancements, districts will have the option of updating the subsidy case decision directly in CCFS instead of informing the enrollment agency in writing. Requests for access to CCFS must be directed to the CCFS Security Administrator, Shane Stone, by E-mail: [Shane.Stone@ocfs.state.ny.us](mailto:Shane.Stone@ocfs.state.ny.us).

### ***CCFS Training***

District staff and/or subcontractor staff who are responsible for retrieving CCFS reports, including lists of providers for whom an action is required, must participate in training to learn how variable report parameters will affect the data retrieved. CCFS training for district staff is currently under development. Topics covered in the CCFS training will include: “searching” in CCFS, reviewing the provider profile, running reports, understanding report data, using CCFS to determine providers’ eligibility for payment, and entering data on local district screens in CCFS. CCFS training for districts will be available one to two months prior to implementation of the above described CCFS enhancements. OCFS will inform district Staff Development Coordinators when the training will be available.

### ***Subcontractors***

- When a district uses a subcontractor that requires CCFS, the subcontractor must submit requests for CCFS access to the district for pre-approval. The district then forwards the locally approved requests to the CCFS Security Administrator, Shane Stone. The subcontract agency staff must not be represented as district staff.
- We are now requiring districts that use subcontractors for any task requiring access to CCFS and CCTA to have appropriate written non-disclosure agreements in place to protect and preserve

confidentiality of data and information, prior to pre-approving any request for state system access. OCFS has prepared model forms which may be used for this purpose:

- o Model Non-disclosure Agreement for District and Contractor, Attachment D
- o Model Non-disclosure Agreement for District and Contractor's Employee, Attachment E

### ***Revised LECCP Enrollment Forms and Attachments***

The enrollment forms for legally-exempt child care providers and the required attachments to the enrollment forms have been updated to address the changes in enrollment agency jurisdiction and other policy issues. Per 18 NYCRR 415.4(f), the district must provide an enrollment form and applicable required attachments to each child's parent/caretaker who has applied for, or is receiving, child care subsidies under the NYSCCBG and who chooses an LECCP to care for his or her child.

Districts must use the most recent revisions of the LECCP enrollment forms and required attachments. The enrollment forms and required attachments are listed in Table One with their most recent revision dates. Spanish versions of these forms are available on the OCFS website. To access the enrollment forms, go to the main OCFS internet site, [www.ocfs.state.ny.us](http://www.ocfs.state.ny.us), then navigate the following path: Forms> Child Care> Legally-Exempt Provider Forms.

Within 30 days of the release of this LCM, districts must make corresponding changes in cover letters and local forms to instruct applicants/recipients of child care assistance to return the enrollment packet to the enrollment agency *servicing the county where the child care site is located*.

Changes to the enrollment forms are described below.

- OCFS-LDSS-4699, Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care, and the OCFS-LDSS-4700, Enrollment Form for Provider of Legally-Exempt Group Child Care, have been reformatted for ease of completion and data entry.
- OCFS-LDSS-4699.1, Employment of Minors Form (Rev.9/2010), Attachment F, and OCFS-LDSS 4699.1A, Employment of Minors, Information (Rev. 9/2010), Attachment G, have been updated to address the exception inherent in the New York State Labor Law (NYSLL) pertaining to minors who are providing legally-exempt in-home child care. Detailed information is available in OCFS-LDSS 4699.1A, Employment of Minors, Information (Rev. 9/2010).
- OCFS-LDSS-4699.2A, Parental Responsibilities When Employing a Legally-Exempt In-Home Child Care Provider was updated and is included as Attachment H.
- OCFS-LDSS-4699.4, Parental Acknowledgment, has been discontinued and replaced by three forms specific to the safety issue being acknowledged by the parent:
  - OCFS-LDSS-4915, History of Criminal Convictions and Parental Acknowledgment,
  - OCFS-LDSS-4916, History of Day Care Enforcement and Parental Acknowledgment, and
  - OCFS-LDSS-4917, History of Termination of Parental Rights and/or Court-Ordered Article 10 Removal and Parental Acknowledgment.

They are included as Attachments I, J and K, respectively.

**Table One-Enrollment Forms and Required Attachments with Revision Dates**

Form Number and Name	Revision Date
OCFS-LDSS-4699, Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care	6/2011
OCFS-LDSS-4700, Enrollment Form for Provider of Legally-Exempt Group Child Care	6/2011
OCFS-LDSS-4699.1, Employment of Minors Form	9/2010
OCFS-LDSS-4699.1A, Employment of Minors, Information	9/2010
OCFS-LDSS-4699.2, Legally-Exempt In-Home Child Care Provider Agreement Form	7/2006
OCFS-LDSS-4699.2A, Parental Responsibilities When Employing a Legally-Exempt In-Home Child Care Provider	8/2010
OCFS-LDSS-4699.3, Legally-Exempt Provider Training Record Form	7/2006
OCFS-LDSS-4915, History of Criminal Convictions and Parental Acknowledgment	New in 7/2010
OCFS-LDSS-4916, History of Day Care Enforcement and Parental Acknowledgment	New in 7/2010
OCFS-LDSS-4917, History of Termination of Parental Rights and/or Court-Ordered Article 10 Removal and Parental Acknowledgment	New in 7/2010

*With the exception of OCFS-LDSS-4700, Enrollment Form for Provider of Legally-Exempt Group Child Care, Spanish versions of the above forms are available online.*

#### ***New Form to Standardize Districts' Notifications to Enrollment Agencies***

The new **OCFS-2114 (7/2011), District Notification To Legally-Exempt Caregiver Enrollment Agency**, provides a standard form for districts to use in informing enrollment agencies of subsidy case decisions which may impact the provider's eligibility and enrollment status as an LECCP. The district must inform the enrollment agency, in writing, of the following determinations or results pertaining to a legally-exempt child care provider and relevant changes to the affiliated child care subsidy case:

1. The results of the local child welfare database check required at enrollment and re-enrollment. Per 18 NYCRR 415.4(f)(8)(ii), the district where the legally-exempt in-home or family child care provider resides must, within 15 days of the receipt of the request for a check of the local Child Welfare Database Check at initial enrollment and re-enrollment, conduct a check of the district's local Child Welfare Database, and inform the enrollment agency whether the LECCP:
  - Does or does not have a history of termination of parental rights under SSL 384-b, and
  - Does or does not have a history of court-ordered removal/placement of a child under Family Court Act Article 10.

Note that due to the highly confidential nature of the child welfare database, districts must release to the enrollment agency *only that information which is specifically allowed by regulation and/or law*. The district must assign responsibility for searching the database only to employees of the district who understand the confidentiality issues pertaining to foster care and adoption information.

Additionally, sharing indicated or unfounded reports in the Statewide Central Register of Child Abuse and Maltreatment with the enrollment agency is prohibited.

2. The results of the district's determination of compliance with any OCFS-approved additional local standard for legally-exempt child care enrollment. Per 18 NYCRR 415.4(g), to the extent that any district has established additional standards for LECCPs, the local district must evaluate the LECCPs' compliance with state-approved additional local standard(s) for enrollment set forth in the district's Child and Family Services Plan. For all additional standards that are evaluated during the initial enrollment or annual re-enrollment process, the district must inform the enrollment agency whether the requirement(s) has been met or has not been met within 25 days of the receipt of the notification.
3. The results of the district's review of extenuating circumstances pertaining to child welfare history, within 60 days of the receipt of the request for the review. The results must include whether the district has:
  - Granted an exception to the presumption against enrollment, because the provider has demonstrated to the district's satisfaction that enrollment will not jeopardize the health, safety or welfare of children in the provider's care, thus allowing the provider to be considered for enrollment; or,
  - Denied an exception to the presumption against enrollment, thus precluding the provider from enrollment.
4. The district's determination that the LECCP is not eligible to provide care *for a specific family*, per 18 NYCRR,
  - 415.1(l), because the provider is an adult member of this family's Child Care Services Unit who is not a sibling to the child(ren).
  - 415.1 (g)(6) and (7) and 415.4(c)(1)(i), because the recipient may not choose an LECCP when Title XX funding is being used to pay for child care services.
  - 415.4(c)(1)(ii), the district has disapproved a provider chosen by recipient in a preventive or protective services case because the district has reason to believe it would be contrary to the health, safety or welfare of the child to receive child care services from the provider.
5. In accordance with SSL 410-x (7),
  - The district *has suspended a legally-exempt child care provider's eligibility to care for all subsidized children*, while the provider is under investigation for child abuse or maltreatment; or,
  - The district's suspension of eligibility to provide subsidized child care for an LECCP *has ended*.
6. If applicable, that the district has *disqualified* an enrolled provider from receiving payment under the child care subsidy program per 18 NYCRR415.4(h). The notification must include the disqualification period start date, and, if applicable, the disqualification period end date.
7. If applicable, that the district has reason to believe an enrolled or enrolling LECCP is violating health and safety regulations pertaining to subsidized legally-exempt child care and is making a complaint to the enrollment agency.

8. A child care subsidy case decision or change which impacts the provider's enrollment:

- The approval date and child care subsidy start date for a parent's subsidy case,
- Disapproval or closing of the parent's case,
- When a parent with subsidy stops or begins using the LECCP, and/or
- When a parent reports a change in the location where child care is given.

***District Suspension of Legally-Exempt Child Care Provider Eligibility***

Districts may elect to suspend the eligibility of LECCPs who are under investigation for child abuse or maltreatment, in accordance with SSL 410-x (7). To the extent a district elects this option, the district must develop and implement a local policy to guide decision-making. The policy must:

1. Identify which modalities of legally-exempt child care will be included:

- Legally-exempt in-home child care,
- Legally-exempt family child care,
- Legally-exempt group providers operating under the auspices of another government or tribal agency, and/or
- Legally-exempt group providers not required to operate under the auspices of another government or tribal agency.

2. Specify whether the suspension of eligibility will be applied to all LECCPs with the modality identified in step number one; or, if not, identify the risk or safety related criteria that will be used to determine which providers in the designated modalities will have their eligibility to provide subsidized child care suspended while a CPS report is under investigation.

3. Specify how the population of enrolled or enrolling legally-exempt child care providers specified in steps one and two, who are under investigation for child abuse or maltreatment, will be identified by the district and which district staff will be responsible for informing the enrollment agency of the beginning and ending of the suspension of eligibility for child care subsidy.

4. The suspension start date can be no earlier than the date the provider is notified, in writing, of the suspension of eligibility.

5. State that the following parties will be informed, in writing, by the district of the suspension of the child care provider's eligibility to provide subsidized child care:

- The enrollment agency responsible for the LECCP enrollment. The district must use the OCFS-2114 (9/2011), District Notification To Legally-Exempt Caregiver Enrollment Agency. ***The correspondence must not disclose the existence of the CPS investigation. Note that the enrollment agency must close the LECCP enrollment upon notification of a district "suspension" of the child care provider's eligibility to provide subsidized child care.***
- The LECCP. The district must provide a contact person at the district who can explain the district's decision to the LECCP. The letter from the district must also state that the suspension of the child care provider's eligibility ends when the CPS investigation ends.

- The applicant/recipient of child care services. The district must use the OCFS-LDSS-4781, Notice of Intent to Change Child Care Benefits, to inform the applicant/recipient that payment for child care services rendered by the provider is suspended and the parent/caretaker should seek another provider. ***The correspondence must not disclose the existence of the CPS investigation.***
6. The enrollment agency will be informed, in writing, by the district when the district's suspension of eligibility to provide subsidized child care for an LECCP *has ended*.

## V. Contacts:

If you have questions regarding information contained in this LCM, please contact Ann Haller of the OCFS Division of Child Care Services, Child Care Subsidy Unit, at 518 408-0759, or via E-mail at [Ann.Haller@ocfs.state.ny.us](mailto:Ann.Haller@ocfs.state.ny.us).

If you have questions regarding access to CCFS, permissions in CCFS, or changes to your district network which may impact E-mail or CCFS, please contact Shane Stone, at 518 473-0486, or via E-mail at [Shane.Stone@ocfs.state.ny.us](mailto:Shane.Stone@ocfs.state.ny.us).

If you have problems with CCFS, please contact the Help Desk at 1-800-697-1323.

OCFS forms are available on the OCFS intranet website, <http://ocfs.state.nyenet/> and the OCFS internet website, [http://www.ocfs.state.ny.us/main/forms/day\\_care/#dss](http://www.ocfs.state.ny.us/main/forms/day_care/#dss).

*/s/ Janice M. Molnar*

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**Issued By:**

Janice M. Molnar, PhD  
Deputy Commissioner  
Division of Child Care Services