



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Commissioner

Local Commissioners Memorandum

Transmittal:	19-OCFS-LCM-19
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Care Services Division of Administration
Date:	July 29, 2019
Subject:	New York State Child Care Block Grant Subsidy Program Allocations SFY 2019-2020
Contact Person(s):	Please contact the following persons for questions regarding this LCM: <ul style="list-style-type: none"> • Program Questions Maryellen DeCicco, OCFS Division of Child Care Services 518-408-3395 Maryellen.DeCicco@ocfs.ny.gov • Claiming Questions <ul style="list-style-type: none"> ○ (Upstate) Lauren Horn: 518-474-7549 Lauren.Horn@otda.ny.gov ○ (Downstate) Michael Simon: 212-961-8250 Michael.Simon@otda.ny.gov • WMS/Services Questions <ul style="list-style-type: none"> ○ Service Portal: https://nysitsm2.service-now.com/sp ○ 1-844-891-1786; fixit@its.ny.gov • Chat: https://chat.its.ny.gov
Attachments:	A: <i>New York State Child Care Block Grant Local Department of Social Services Allocations</i> B: <i>Maintenance of Effort Level</i> C: <i>Attachment for U.S. Department of Health and Human Services Grants</i>

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) subsidy

program for the period April 1, 2019, through March 31, 2020. This LCM also explains the allowable uses for these federal and state funds. The NYSCCBG appropriation for LDSSs for the period April 1, 2019, through March 31, 2020, State Fiscal Year (SFY) 2019-20 is \$832,082,001. More information regarding the \$10 million appropriation included in the SFY 2019-20 Enacted Budget for the expansion of Child Care Assistance Programs will be issued under separate cover. **This LCM includes the *Attachment for U.S. Department of Health and Human Services Grants*, which must be provided to all subrecipients per 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).**

II. Background

In order for an LDSS to participate in the NYSCCBG subsidy program, 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), Local Commissioner Memorandums (LCMs), and Informational Letters (INFs). Title 5-C of Article 6 of the Social Services Law, Section 410-x (4), requires OCFS to establish in regulation the applicable market-related payment rates that will establish the ceilings 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 and under Title XX 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 subsidy funds for the period beginning April 1, 2019, and ending March 31, 2020. The allocations are listed for two six-month periods to reflect the Federal Fiscal Year (FFY), which differs from the SFY. The lists show allocations for the period April 1, 2019, to September 30, 2019, the last half of FFY 2018-19, and for the period October 1, 2019, to March 31, 2020, the first half of the FFY 2019-20. Previously, 18-OCFS-LCM-16, dated August 20, 2018, and revised March 29, 2019, notified LDSSs of their NYSCCBG allocations for the first half of FFY 2018-19, October 1, 2018, to March 31, 2019. Any unspent funds allocated for that period will be carried into and be available for the period ending September 30, 2019. Any portion of an LDSS's NYSCCBG allocation for FFY 2018-19 (October 1, 2018, through September 30, 2019) that is not claimed by the LDSS by March 31, 2020, will remain available to the LDSS through the end of FFY 2019-20 (September 30, 2020). This would include any Temporary Assistance for Needy Families (TANF) funds transferred from an LDSS's SFY 2019-20 Flexible Fund for Family Services (FFFS) allocation for the period April

1, 2019, to September 30, 2019. However, claims for expenditures for October 1, 2018, through September 30, 2019, cannot be rolled forward into the next FFY.

The allocation methodology for SFY 2019-20 determines each LDSS's proportionate share of the block grant funds based on the average level of annual child care claims for FFY 2013-14 through FFY 2017-18. Rollover of unspent NYSCCBG funds is taken into account for those LDSSs that meet both of the following criteria:

- The LDSS's FFY 2017-18 rollover into FFY 2018-19 was more than 15 percent of its FFY 2017-18 NYSCCBG claims; AND
- The LDSS's FFY 2017-18 rollover amount exceeded 75 percent of its FFY 2016-17 rollover amount.

For any LDSS meeting both of the above criteria, the base allocation is first reduced by an amount equal to 40 percent of the rollover amount from FFY 2017-18 into FFY 2018-19 (but not to exceed the five-year-average-claim base allocation).

The statewide allocation reduction is then redistributed among LDSSs as follows: For LDSSs whose FFY 2017-18 NYSCCBG claims exceeded the sum of their SFY 2017-18 final allocations, FFFS transfer and FFY 2016-17 rollover amounts, the amount of allocation reduction is redistributed on a pro-rated basis, proportionate to the LDSS's share of the total excess claims. The sum of each LDSS's five-year average claim base allocation, allocation reduction, and redistribution is its final SFY 2019-20 allocation.

The funding is allocated based on claiming and rollover information for LDSS's in New York State.

While the NYSCCBG allocation is the primary resource available to LDSSs in meeting their child care subsidy needs for low-income families and individuals on public assistance, all LDSSs have the ability to utilize additional funds from the FFFS for child care subsidy costs. Additional information on utilizing FFFS funds may be found in the SFY 2019-20 FFFS ADM.

As was the case in SFY 2018-19, LDSSs that have fully expended their allocation and have met their MOE may seek 50 percent federal reimbursement through the Supplemental Nutrition Assistance Program Employment & Training (SNAP E&T) program. All SNAP E&T claims for FFY 2018-19 must be submitted to the New York State Office of Temporary and Disability Assistance (OTDA) by March 31, 2020. Further information about eligibility and claiming for FFY 2018-19 will be issued in a separate LCM from OTDA.

Each LDSS may spend no more than 5 percent of its 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 make arrangements using 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

There are three broad categories of families eligible for child care services under the NYSCCBG when such care is not otherwise available from the caretaker(s) of the child in need of services. Eligible families are defined in 18 NYCRR Section 415.2. LDSSs are required to include this information in their Child and Family Services Plans, including the categories of families that the LDSS has chosen to serve and prioritize under the second and third categories listed below.

- The first category is families who are eligible for a child care guarantee.
- The second category is families who are eligible if funds are available. This category includes such families as low-income working families and teen parents who are completing high school.
- The third category is families who are eligible if funds are available and if the LDSS includes them as eligible families in the child care section of the Child and Family Services Plan.

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 parents or caretakers 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 parents or caretakers have 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 must have a method to pay, any and all legally operating 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 percent 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 percent with NYSCCBG funds, as long as 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, CCDBG, Emergency Assistance to Families, Job Opportunities and Basic Skills (JOBS)-related 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 2018-19 and in each subsequent FFY. The MOE is met by the 25 percent 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 five percent 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*, for child care payments for eligible families applying for or receiving public assistance. 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 percent 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 percent 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 percent 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 percent 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* <http://ocfs.ny.gov/main/policies/external/1992/LCMs/92-LCM-138%20Child%20Care%20Certificate%20Program.pdf> 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 subsidies for families receiving public assistance are claimed on Schedule H, *Non-Title XX Services for Recipients* (LDSS-4283), line 2 (Day Care Services for Children), column 13 (Day Care Block Grant 75%). NYSCCBG program expenditures for child care subsidies for all other eligible families are claimed on Schedule H, line 2, column 12 (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-2109EL). Expenditures made under the services 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's* 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* is available here:

FRM Vol. 2 – http://otda.state.nyenet/bfdm/finance/FRM_Vol2_Manual.asp

FRM Vol. 3 – http://otda.state.nyenet/bfdm/finance/FRM_Vol3_Manual.asp

/s/ Janice M. Molnar, Ph.D.

Issued by:

Name: Janice M. Molnar Ph.D.

Title: Deputy Commissioner

Division/Office: Division of Child Care Services

/s/ Derek J. Holtzclaw

Issued by:

Name: Derek J. Holtzclaw

Title: Deputy Commissioner

Division/Office: Administration

ATTACHMENT A

**NEW YORK STATE CHILD CARE BLOCK GRANT
SOCIAL SERVICES DISTRICT ALLOCATIONS
4/1/2019-3/31/2020**

LDSS	April 1, 2019 September 30, 2019	October 1, 2019 March 31, 2020	Final SFY 2019- 20 Allocation
Albany	\$5,944,804	\$5,944,803	\$11,889,607
Allegany	\$159,268	\$159,268	\$318,536
Broome	\$2,274,438	\$2,274,437	\$4,548,875
Cattaraugus	\$857,290	\$857,289	\$1,714,579
Cayuga	\$737,134	\$737,134	\$1,474,268
Chautauqua	\$2,034,327	\$2,034,326	\$4,068,653
Chemung	\$1,963,169	\$1,963,169	\$3,926,338
Chenango	\$265,871	\$265,870	\$531,741
Clinton	\$455,568	\$455,567	\$911,135
Columbia	\$693,405	\$693,405	\$1,386,810
Cortland	\$394,184	\$394,183	\$788,367
Delaware	\$575,409	\$575,408	\$1,150,817
Dutchess	\$3,417,142	\$3,417,141	\$6,834,283
Erie	\$13,283,799	\$13,283,799	\$26,567,598
Essex	\$246,770	\$246,769	\$493,539
Franklin	\$654,226	\$654,226	\$1,308,452
Fulton	\$243,826	\$243,825	\$487,651
Genesee	\$506,213	\$506,213	\$1,012,426
Greene	\$231,826	\$231,826	\$463,652
Hamilton	\$0	\$0	\$0
Herkimer	\$449,795	\$449,794	\$899,589
Jefferson	\$831,436	\$831,436	\$1,662,872
Lewis	\$130,101	\$130,101	\$260,202
Livingston	\$751,754	\$751,753	\$1,503,507
Madison	\$426,976	\$426,976	\$853,952
Monroe	\$19,562,128	\$19,562,127	\$39,124,255
Montgomery	\$443,219	\$443,218	\$886,437
Nassau	\$33,490,627	\$33,490,626	\$66,981,253
Niagara	\$1,628,507	\$1,628,507	\$3,257,014
Oneida	\$3,884,268	\$3,884,268	\$7,768,536
Onondaga	\$10,153,467	\$10,153,467	\$20,306,934
Ontario	\$1,183,116	\$1,183,116	\$2,366,232

LDSS	April 1, 2019 September 30, 2019	October 1, 2019 March 31, 2020	Final SFY 2019- 20 Allocation
Orange	\$3,585,128	\$3,585,128	\$7,170,256
Orleans	\$333,972	\$333,972	\$667,944
Oswego	\$1,178,421	\$1,178,420	\$2,356,841
Otsego	\$412,351	\$412,351	\$824,702
Putnam	\$569,228	\$569,228	\$1,138,456
Rensselaer	\$1,932,201	\$1,932,200	\$3,864,401
Rockland	\$4,363,235	\$4,363,234	\$8,726,469
Saint Lawrence	\$599,018	\$599,017	\$1,198,035
Saratoga	\$1,094,312	\$1,094,311	\$2,188,623
Schenectady	\$3,555,219	\$3,555,218	\$7,110,437
Schoharie	\$246,540	\$246,540	\$493,080
Schuyler	\$265,037	\$265,037	\$530,074
Seneca	\$213,566	\$213,565	\$427,131
Steuben	\$1,087,639	\$1,087,639	\$2,175,278
Suffolk	\$17,728,864	\$17,728,864	\$35,457,728
Sullivan	\$842,461	\$842,460	\$1,684,921
Tioga	\$601,585	\$601,585	\$1,203,170
Tompkins	\$941,076	\$941,076	\$1,882,152
Ulster	\$2,200,800	\$2,200,800	\$4,401,600
Warren	\$634,198	\$634,198	\$1,268,396
Washington	\$533,133	\$533,132	\$1,066,265
Wayne	\$672,530	\$672,530	\$1,345,060
Westchester	\$18,168,624	\$18,168,624	\$36,337,248
Wyoming	\$203,490	\$203,489	\$406,979
Yates	\$146,222	\$146,221	\$292,443
NYC	\$246,058,101	\$246,058,101	\$492,116,202
State Total	\$416,041,014	\$416,040,987	\$832,082,001

**ATTACHMENT B
NEW YORK STATE CHILD CARE BLOCK GRANT**

**MAINTENANCE OF EFFORT (MOE) LEVEL
Federal Fiscal Year 1994-95 Basis**

LDSS	MOE Amount	LDSS	MOE Amount
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 Name	Attachment A
(ii)	Subrecipient's unique entity identifier	County LDSS office
(iii)	Federal Award Identification Number (FAIN)	1801NYCCDF 1901NYCCDF 1901NYCCDD 1901NYCCDM
(iv)	Federal Award Date of award to the recipient by the HHS awarding agency	10/19/2017 (1801NYCCDF) 11/09/2018 (1901NYCCDF) 02/26/2019 (1901NYCCDM) 12/10/2018 (1901NYCCDD)
(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

	Awarding official contact information: Clinton McGrane, Grants Officer 26 Federal Plaza Room 4114 New York, NY 10278 212-264-2890 ext. 176
(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
(xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per section 75.414)	Please see uniform guidance 45 CFR 75. However, please note that administrative costs are capped at 5%.