

Administration of the Child Care Assistance Program

County Child Care Fund Plan

2008-2009



Minnesota Department of **Human Services**

Transition to Economic Stability Division

PO Box 64951

Saint Paul, Minnesota 55164-0951

Administration of the Child Care Assistance Program

The **Minnesota Department of Human Services (DHS)** is designated under Minnesota Statutes, chapter 119B as the lead state agency for supervision of county administration of the Child Care Assistance Program (CCAP). Minnesota Statutes, section 119B.08, subd.3 requires counties to submit a biennial Child Care Fund Plan to the commissioner. The Department of Human Services will complete the review and approval of County Child Care Fund Plans. Counties will receive approval letters for their Child Care Fund Plans from the commissioner of DHS.

The Child Care Assistance Program rules and laws allow counties limited discretion to establish some local policies and procedures. These local policies and procedures, when included in this plan and approved by the Commissioner, are considered county policy and are used to support county agency decisions during appeals. **The Department of Human Services encourages counties to develop county optional policies for the child care assistance program in coordination with local child care stakeholders.** This may include regional child care resource and referral agencies, parent participants, employers, family and center based child care providers, community Head Start programs, schools, public health, community collaboratives, employment counselors, and county social services, income maintenance, child support, fraud prevention and other interested governmental and private sector parties.

All optional county child care assistance program policies must be identified in this plan. Submit **only** forms that have not been previously submitted and approved.

Changes or additions to any policies or written material submitted and approved with this plan require prior approval of the commissioner of the Department of Human Services through the Child Care Assistance Program administration plan amendment process.

Minnesota Rules 3400.0150, subpart 3.
www.revisor.leg.state.mn.us/arule/3400/0150

A county may amend its Child Care Fund Plan at any time but the amendment must be approved by the commissioner before it becomes effective. If approved by the commissioner, the amendment is effective on the date requested by the county unless a different effective date is set by the commissioner. Plan amendments must be approved or denied by the commissioner within 60 days after receipt of the amendment request.

Amendment include changes in county optional policies, new or revised forms and notices. This can be sent in letter form to the address below in care of your county's CCAP technical assistance liaison.

The effective date of the 2008 - 2009 Child Care Fund Plan is January 1, 2008.

Return completed plans by **September 15, 2007** to:

Minnesota Department of Human Services
TES/CCAP County Plans
PO Box 64951
Saint Paul, Minnesota 55164-0951

I. Child care assistance program administration contacts

These individuals will receive all communications relating to CCAP for the duration of this plan. Identify the name, position/title, department, address, phone number, fax number and Internet e-mail address for the following contacts. *If more than one person is identified for each agency contact, attach additional pages.*

A. Agency contact people

1. County CCAP administrative contact:

NAME		POSITION/TITLE	
DEPARTMENT			TELEPHONE NUMBER
ADDRESS			
CITY			STATE ZIP CODE
FAX		INTERNET E-MAIL	

2. County client access contact: If separate contact people have been designated for CCAP subprograms, complete all identified information for each subprogram and identify the subprogram each person is responsible for.

NAME		POSITION/TITLE		SUBPROGRAMS
DEPARTMENT			TELEPHONE NUMBER	
ADDRESS				
CITY			STATE	ZIP CODE
FAX		INTERNET E-MAIL		

3. Management of waiting list contact. Identify the waiting list contact person in your county. The waiting list contact person identified should be responsible for maintaining the county waiting list, including being able to respond to the state's questions about particular families reported on the waiting list. If more than one person is responsible for maintaining the county waiting list, identify one person that can be contacted by state staff for the agency.

NAME		POSITION/TITLE		
DEPARTMENT			TELEPHONE NUMBER	
ADDRESS				
CITY			STATE	ZIP CODE
FAX		INTERNET E-MAIL		

4. Intake phone number: Identify a public phone number that can be issued for CCAP client intake. This contact number will be posted on the DHS web site.

NAME		PHONE NUMBER
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B. Subcontracted Services

If your county subcontracts any components of the child care assistance program, indicate the program components that are subcontracted to other agencies and **attach a copy** of the current contract or agreement. Minnesota Rules 3400.0140, subp.7.

1. Subcontracted program components

Identify the CCAP components which have been subcontracted.

2. County worker responsible for administration of the subcontract/agreement between the county agency and the subcontracted agency

NAME		POSTIION/TITLE	
DEPARTMENT		TELEPHONE NUMBER	
ADDRESS			
CITY		STATE	ZIP CODE
FAX	INTERNET E-MAIL		

3. Administrative contact in subcontracted agency

NAME		POSTIION/TITLE	
DEPARTMENT		TELEPHONE NUMBER	
ADDRESS			
CITY		STATE	ZIP CODE
FAX	INTERNET E-MAIL		

4. Client access contact in subcontracted agency

NAME		POSTIION/TITLE	
DEPARTMENT		TELEPHONE NUMBER	
ADDRESS			
CITY		STATE	ZIP CODE
FAX	INTERNET E-MAIL		

5. Intake phone number for subcontracted agency

Identify a public phone number that can be issued for CCAP intake at the subcontracted agency. This contact number will be posted on the DHS web site.

NAME	PHONE NUMBER
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II. Eligibility

A. Priorities for Service

Has your county established priorities for Basic Sliding Fee child care assistance beyond those required in Minnesota Statutes, section 119B.03, subdivision 4? Yes No

Minnesota Statutes, section 119B.03, subd. 4
www.revisor.leg.state.mn.us/stats/119B/03

If yes, identify the additional priorities and county rationale for determining those additional priorities. Please attach additional pages if more space is needed.

Minnesota Rules 3400.0140, subp.10.
www.revisor.leg.state.mn.us/arule/3400/0140

B. Education Plans under the Basic Sliding Fee Program (BSF)

1a. Describe your county process for approving an acceptable course of study that will reasonably lead to full-time employment for a student applicant under the Basic Sliding Fee program. Please attach additional pages if more space is needed.

Minnesota Rules 3400.0040, subp. 12.
www.revisor.leg.state.mn.us/arule/3400/0040

1b. Identify the criteria for approval and the county's rationale for the criteria.

2a. Is your county policy for approving and extending child care assistance for participants whose education program change the same as the initial approval process stated in B1a?

Yes No

Minnesota Rules 3400.0040, subp.15.
www.revisor.leg.state.mn.us/arule/3400/0040

If no, describe your county process for approval of a **change** in a course of study for a student in the Basic Sliding Fee child care program. Please attach additional pages if more space is needed.

2b. Identify the criteria for approval of a change in a course of study for a student in the BSF child care program and county rationale for the criteria. Please attach additional pages if more space is needed.

C. Temporarily ineligible families on the basic sliding fee waiting list

MN Rules 3400.0060 subp. 6 requires that when a family advances to the top of the county's waiting list and is temporarily ineligible for child care assistance, the county shall leave the family at the top of the waiting list according to priority group and serve the applicant who is next on the waiting list unless an alternative procedure is provided in the county's plan. Does your county use the alternative provision found in MN Rules 3400.0040 subp. 17 to open the case in reserve status for up to 90 days and encumber future funds for the family? Yes No

Minnesota Rules 3400.0040, subpart 17
www.revisor.leg.state.mn.us/arule/3400/0040

Minnesota Rules 3400.0060, subpart 6.
www.revisor.leg.state.mn.us/arule/3400/0060

If yes, identify the criteria used to make the decision whether to open the case and reserve the position if a family reaches the top of the waiting list but is temporarily ineligible. Please attach additional pages if more space is needed.

D. Child care for job search activities

Has your county established policies for the authorization of child care assistance during job search beyond those required in Minnesota Statutes, section 119B.10, subdivision 1(a) and Minnesota Rules, part 3400.0040, subpart 15a.? Yes No

Minnesota Rules, part 3400.0040, subpart 15a
www.revisor.leg.state.mn.us/arule/3400/0040

If yes, please identify the criteria used for authorizing child care for job search. Please attach additional pages if more space is needed.

E. Expedited application process for adolescent parents

Describe your county process to expedite and streamline the child care assistance application process for minor parents participating in school-based adolescent parenting child care programs that need child care.

F. Expedited application process for DWP parents

Minnesota Statutes 256J.95 states “if child care is needed, the worker must obtain a completed application for child care assistance from the applicant before the interview is terminated. The same day the application for child care assistance is received, the application must be forwarded to the appropriate child care worker.”

Does your county ensure that during the DWP interview process an application for child care assistance is filled out? Yes No

III. Health and safety

A. Unsafe Care Criteria

Minnesota Statutes, section 119B.125, subdivision 2, contains the criteria that prevent a person from being authorized as a legal nonlicensed family child care provider. This criteria includes a list of offenses that automatically bar a person from being authorized as a legal nonlicensed family child care provider. Minnesota Statutes, section 119B.125, subdivision 4, however, also allows counties to deny authorization to a provider, or to rescind an authorization, when the county knows that the provider or the care arrangement is unsafe.

List the additional conditions beyond those contained in Minnesota Statutes, section 119B.125, subdivision 2, under which a legal nonlicensed provider or legal nonlicensed care arrangement will be determined to be unsafe. Your conditions cannot conflict with the criteria in Minnesota Statutes, section 119B.125, subdivision 2, by providing that a conviction for a crime or offense not listed in that subdivision is an automatic bar to authorization as a legal nonlicensed family child care provider. Instead, a conviction for a crime or offense not listed in Minnesota Statutes, section 119B.125, subdivision 2, may constitute unsafe care, and therefore bar authorization, only when the conviction reflects on the provider's ability to provide care. Please attach additional pages if more space is needed.

Minnesota Statutes, section 119B.125, subdivision 2
www.revisor.leg.state.mn.us/stats/119B/125

1. Does your county apply the above unsafe care criteria to licensed providers also? Yes No

If yes, does your county communicate the concerns with your county licensing division (for family licensed providers) or DHS licensing (for centers)? Yes No

2. Has your county also consulted with your county attorney about applying the unsafe care criteria to licensed providers? Yes No

B. Records of substantiated parental complaints

Describe your county's process for maintaining a record of substantiated parental complaints concerning the health and safety of children in the care of legal nonlicensed providers and how this information is made available to the public upon request.

Minnesota Rules 3400.0140, subp.5
45 C.F.R. § 98.32

Minnesota Statutes, chapter 13
www.revisor.leg.state.mn.us/arule/3400/0140

IV. Special needs rates

If charged by the provider, counties shall reimburse all providers for the care of children with disabilities or special needs at a rate that exceeds the county maximum rate subject to the approval of the commissioner

Rates will be determined based on the special needs of children and provider's ability to provide specialized services. When four or more providers offer the same specialized care for the same special need in a like environment, the county will identify and pay the 75th percentile rate, the rate negotiated with the provider by the county, or the provider rate, whichever is less.

Rates paid for the care of children with special needs are allowed to exceed county maximum rates in the following special need circumstances. Please provide information on special needs rates currently paid in the following sections. **Please attach a separate sheet of paper if more space is needed for each special need circumstance.**

Minnesota Statutes 119B.13, subd.3
www.revisor.leg.state.mn.us/stats/119B/13

Minnesota Rules 3400.0130, subp.3.
www.revisor.leg.state.mn.us/arule/3400/0130

A. Special needs rates for a child with a disability

Special needs rates for a child with a disability apply to the care of children who have a special need due to a disability requiring specialized services, provider training or environmental adaptations necessary to meet the needs of the child. **Rates must be established on an individual basis** when requested by the parent or the provider, and are subject to the approval of the commissioner of DHS.

Refer to Minnesota Rules 3400.0020, subpart 17a for the definition of disability.

Minnesota Rules 3400.0020, subpart 17a
www.revisor.leg.state.mn.us/arule/3400/0020

1. Identify the provider type, rate paid and the approved rate begin date for each special need rate currently paid by your county. **Do not attach client-specific information to this plan.**

Provider type Licensed, LNL, Center	Rate \$/hour/day/week	Approved rate begin date

2. Does your county have a process for approving rates paid for the care of children with special needs that has been approved by the commissioner? Yes No

If yes, attach information for each provider type, the number of children in care by age category, the rate paid, and the approved rate begin date.

B. Special needs rates for care of sick children

Special needs rates for care of sick children apply to rates charged above the county maximum by a provider that cares for sick children.

Minnesota Rule 3400.0110, subpart 8
www.revisor.leg.state.mn.us/arule/3400/0110

1. Identify the provider type, rate paid and the approved rate begin date for each special need rate currently paid above the county maximum when care is for a sick child. **Do not attach client-specific information to this plan.**

Provider type Licensed, LNL, Center	Rate \$/hour/day/week	Approved rate begin date

2. Does your county have a process for approving rates paid for the care of sick children that has been approved by the commissioner? Yes No

If yes, attach information for each provider type, the number of children in care by age category, the rate paid, and the approved rate begin date.

C. Special needs rates for children in at-risk programs

Special needs rates for programs that care for children in an at-risk population group apply to the care of children with significant environmental or familial factors that create barriers to a child's optimal achievement. See Minnesota Rules 3400.0020, subp 9a for the definition of at-risk.

Minnesota Rules 3400.0020, subp 9a
www.revisor.leg.state.mn.us/arule/3400/0020

1. Identify the provider type, rate paid and the approved rate begin date for each rate paid above the county maximum rate for children in an at-risk population. **Do not attach client-specific information to this plan.**

Provider type Licensed, LNL, Center	Rate \$/hour/day/week	Approved rate begin date	Description of at-risk population

2. Does your county have a process for approving rates paid for the care of children in an at-risk population that has been approved by the commissioner? Yes No

If yes, attach information for each provider type, the number of children in care by age category, the rate paid, and the approved rate begin date.

Special needs rates may be requested at any time by submitting the required documentation to the commissioner for approval. (See forms DHS-4194, 4195, 4196, 4197, 2243A, 3985 on e-docs. state.mn.us) when submitting requests for special needs rate. Send requests to your county's CCAP technical liaison:

Minnesota Department of Human Services
Transition to Economic Stability Division
Child Care Assistance Program
PO Box 64951
St. Paul, Minnesota 55164-0951
FAX: (651) 431-7526

V. Payment policies

A. Payment to two providers when a child is sick

Does your county make payments for child care services provided for children who, as a result of illness, are unable to attend the family's regular provider and, if so, does your county pay both the regular provider and the second provider who is caring for the sick child? Yes No

Minnesota Rules 3400.0110, subp. 8.
www.revisor.leg.state.mn.us/arule/3400/0110

Note: If rates for care of sick children exceed county maximum rates, the county rates for care of sick children must be included in the special needs rates section of this plan.

B. Background checks for legal nonlicensed providers

1. Does your county charge a fee to unlicensed providers for the costs involved when completing the required criminal background check? Yes No

If yes, how much does your county charge for the required background check?

per family \$_____ or per person \$_____

2. Does your county request background information from other counties when a provider is registered in another county? Yes No

3. How often does your county charge for the required background check for a provider to be reauthorized? Yearly Every Two Years Other _____

C. Provisional payment of legal nonlicensed providers

Does your county issue provisional authorization and payment to legal nonlicensed providers during the time necessary to receive and review the results of the statutorily required criminal investigation and determine whether to give final approval to the provider? Yes No

Minnesota Rules 3400.0120, subpart 2
www.revisor.leg.state.mn.us/arule/3400/0120

Minnesota Rules 3400.0110, subpart 2a
www.revisor.leg.state.mn.us/arule/3400/0110

Minnesota Rules 3400.0140, subpart 5a
www.revisor.leg.state.mn.us/arule/3400/0140

D. Submission of invoices

Minnesota Statutes, section 119B.13, subdivision 6 states that all provider bills must be submitted to the county within 60 days of the last date of service on the bill. A county may pay a bill submitted after this 60-day limit if the provider shows good cause for the delay. Counties must define good cause in their child care fund plans and this definition must include county error. A county cannot pay a bill submitted more than a year after the last date of service.

Minnesota Statutes, section 119B.13, subd. 6
www.revisor.leg.state.mn.us/stats/119B/13

1. What is your county's **definition of good cause** for delay in bill submission? County error must be included in this definition. Attach a separate sheet of paper if more space is needed.

2. Does your county require the parent signature on the voucher? Yes No
3. Does your county require the provider signature on the voucher? Yes No
4. Identify any criteria whereby a signature is not needed by either the parent or the provider.

VI. Program integrity

As more attention is being focused on program integrity and accountability at the federal and state levels, DHS needs to begin gathering information about local processes used to ensure integrity and accountability.

One of the most successful tools in attaining and maintaining high payment accuracy is a good case review system. Case reviews can help to determine root cause(s) of errors and therefore identify specific areas needing corrective action, such as policy clarification, refresher training, changes in office procedures, improved case record documentation, etc.

There are a number of different approaches to case reviews. For example a full case review would encompass all aspects of a family's CCAP case information and/or a child care provider's information. A targeted review is focused on specific elements within a case, a specific policy or error prone areas.

1. Does your county conduct second party reviews/case management reviews of CCAP cases? Yes No
2. Does your county conduct second party reviews/case management reviews of CCAP child care provider files? Yes No
3. Does your agency complete full reviews, targeted reviews, or both?
 full reviews targeted reviews both
4. What percentage of CCAP cases and child care providers are reviewed each month?

5. Describe your county's process for selecting files to be reviewed, conducting the reviews and resolving errors, if any, found during the reviews.

6. Does your county use a form(s) to guide the review process and record results of the review? Yes No

7. Is your county using the DHS recommended recoupment schedule provided in the DHS Memo sent on 3/29/2006? Yes No

If no, indicate how your county determines what percentage or amount of the overpayment to recoup from each payment to the provider?

VII. Other county responsibilities

- A.** Describe your county methods for providing information on the availability of child care assistance to individuals, child care providers, social service agencies, local news, etc. to ensure families are aware of the availability of the assistance.

Minnesota Rules 3400.0140, subp.2
www.revisor.leg.state.mn.us/arule/3400/0140

- B.** Identify the two or more methods of application your county uses for the Child Care Assistance Program. Minnesota Statute § 119B.03, subd.10. To meet the requirement of this subdivision, a county may provide alternative methods of applying for assistance including, but not limited to, a mail-in application or application sites that are located outside of government offices.

Minnesota Statute 119B.03, subd. 10
www.revisor.leg.state.mn.us/stats/119B/03

- C.** Identify any other county policies that apply to the child care assistance program which are not specifically required by state or federal rule or law.

Minnesota Rules 3400.0140, subp.1
www.revisor.leg.state.mn.us/arule/3400/0140

Minnesota Rules 3400.0150, subp.2
www.revisor.leg.state.mn.us/arule/3400/0150

- D.** Describe strategies used to coordinate and maximize public and private community resources, to coordinate child care assistance with existing community-based programs and service providers to foster collaboration that provides family-focused services to families with young children and to facilitate transition into kindergarten.

Minnesota Statutes 119B.08, subd. 3(1)
www.revisor.leg.state.mn.us/stats/119B/08

- E.** Minnesota Statute 119B.08, Subdivision 3(2) states that the county and designated administering agency shall submit a biennial child care fund plan which includes a description of procedures and methods used to make copies of the proposed plan reasonably available to the public and allow sufficient time for public review and comment. Describe procedures and methods used by your county to make copies of this plan reasonably available to the public and the time that was allowed for public review and comment.

Minnesota Statute 119B.08, subd. 3(2)
www.revisor.leg.state.mn.us/stats/119B/08

- F.** Please attach all **new and/or amended** county forms, handbooks, agreements or other written documents and materials that have **not** been previously approved that are used in your county for the administration of child care assistance program. **Submit only documents that have not been previously submitted and approved.**

VIII. County assurances

By checking the designated boxes below in items A and B, the county assures compliance with applicable consumer and provider education requirements. It is not necessary for the county to attach copies of this material to this plan.

A. The county is informing parents about the following as required under Minnesota Rules 3400.0035, subp 1.

- Federal and state child and dependent care tax credits
- Earned income credits
- Other services for families with young children
- Child care resource and referral services
- Child care assistance program eligibility requirements
- The documentation necessary to confirm eligibility
- Waiting list information
- Procedures for making application for CCAP
- Family copayment fees and how computed
- Information about how to choose a provider
- Families rights and responsibilities when choosing a provider
- Availability of special needs rates
- The family's responsibility for paying provider charges that exceed county maximum payments in addition to the family copayment fee; and
- The importance of prompt reporting of a move to another county to avoid overpayments and to increase the likelihood of continuing benefits.

County Assures Compliance

B. The county is distributing the following required information to registered legal nonlicensed providers caring for CCAP children: Distribution requirements may be accomplished by giving the materials directly to the provider, or to the parent and establishing a method to ensure that the provider receives the material. 45 C.F.R. § 98.41, Minnesota Rules 3400.0140, subp. 5 and DHS Bulletin #07-68-04.

- Child immunization requirements
- Child nutrition
- Child protection reporting responsibilities
- Health and safety information
- Child development information
- Referral to child care resource and referral agency

County Assures Compliance