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**NEW YORK STATE**  
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## Administrative Directive

<b>Transmittal:</b>	04-OCFS-ADM-01
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Development and Prevention Services
<b>Date:</b>	June 29, 2004
<b>Subject:</b>	Guaranteed Child Care in Lieu of Temporary Assistance Payment During Breaks in Activities Eligibility for Families in Post-Secondary Education No Application for Transitional Child Care
<b>Suggested Distribution:</b>	Directors of Services TANF Directors Child Care Unit Supervisors Transitional Benefits Unit Supervisors Medical Assistance Directors Food Stamp Directors Child Support Enforcement Unit Supervisors
<b>Contact Person(s):</b>	OCFS: Anne Ball (518) 474-3775, E-mail: <a href="mailto:Anne.Ball@dfa.state.ny.us">Anne.Ball@dfa.state.ny.us</a> OTDA: 1-800-343-8859 extension 4-9344 Medical Assistance Local District Liaison: Upstate: (518) 474-8216 NYC: (212) 268-6855
<b>Attachments:</b>	A: Client Letter-Child Care Guarantee B: Request for Child Care Assistance or Request to Close My TA Case C: Request for Amendment to CSP/ISP D: Applicant Certification of Information in TA Case Record E: LDSS-4782-Notice of Intent to Discontinue Child Care Benefits F: LDSS-4781 Notice of Intent to Change Child Care Benefits G: Client Letter- Potential Eligibility for Transitional Child Care
<b>Attachment Available On – Line:</b>	yes

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
03 OCFS LCM 08 03 OCFS INF 05		Part 415 Part 352.20	SSL 410-w	Fiscal Reference Manual, Vol. 2, Chapter 3	

## **I. Purpose**

The purpose of this release is to advise the local social services districts of amendments to the Social Services Law (SSL) section 410-w regarding eligible families under the New York State Child Care Block Grant (NYSCCBG).

Section 410-w of the SSL was changed to extend the child care guarantee to Temporary Assistance (TA) applicants. TA refers to both Family Assistance (FA) and Safety Net (SN) Assistance. TA applicants who would otherwise be eligible for, or are recipients of, recurring TA benefits and who are employed, can now choose child care “in lieu of TA” and be afforded a guarantee of child care benefits, regardless of whether federal or state funding is available to the district.

Other changes to SSL require districts to provide child care subsidies for TA recipients during breaks in certain activities; allow districts to pay for post-secondary education for low income families who are working a minimum of 17½ hours a week; and prohibit requiring a new application for families whose TA cases are closing and who have a continuing need for child care in order for parents to work. The amendment providing the new “in lieu of TA” child care guarantee became effective December 19, 2001. All the other amendments became effective June 17, 2002. Section IV of this release, entitled Required Actions, provides information regarding implementation of these changes.

## **II. Background**

The changes in law revise the provision in Chapter 391 of the Laws of 1999 that required districts to provide child care subsidies to eligible working families that choose to receive such subsidies “in lieu of TA” *only to the extent there is available federal funding*. The impact of this change is that districts now must guarantee child care subsidies to these families regardless of the availability of federal or state funds. This will assist certain low income families to achieve self-sufficiency by guaranteeing them the child care subsidies they need to maintain their employment without requiring them to receive TA benefits they may not want.

Districts received information regarding the extension of the guarantee in two previous releases. The Assurances Section to 02 OCFS LCM-04: Guidelines and Instructions for Preparing Annual Plan Updates, dated February 14, 2002, describes families eligible for the child care guarantee under the NYSCCBG. All families eligible under NYSCCBG are also described in 02 OCFS LCM-09: NYSCCBG Subsidy Program Allocations, dated June 7, 2002; 03 OCFS LCM-08: NYSCCBG Subsidy Program Allocations, dated July 18, 2003; and 03 OCFS LCM-19: Strategic Planning and Policy Development, dated November 5, 2003.

The amendment requiring child care subsidies to be provided to TA recipients during breaks in activities provides a safeguard against the loss of child care arrangements that could impact the ability of parent(s) or caretaker relatives(s) to continue to participate in these activities.

Districts also are now prohibited from requiring a new application for TA recipients whose cases are closing and who are working and eligible for the transitional child care guarantee. This recognizes the need to provide continued support to enable the parents to retain their employment. Prior to this change in law, districts were required to issue a client notice regarding the termination of child care benefits when a parent’s TA was terminated. A parent who had a continuing need for child care would then have to reapply for child care benefits. The amendment to the law now shifts the onus to the district to make

a determination regarding continuing child care eligibility and to authorize child care concurrently with closing the TA case.

02 OCFS INF-01, Former Family Assistance Families Eligible for Transitional Child Care, dated March 5, 2002, alerted districts to the statutory amendment prohibiting a new application for transitional child care and encouraged districts to begin the process to eliminate the need for a separate application for transitional child care.

Another change gives districts the option to pay for child care for parents or caretakers who are pursuing four-year college programs as long as the parents or caretakers work at least 17½ hours per week.

### III. Program Implications

#### A. EXTENSION OF THE CHILD CARE GUARANTEE

##### Eligibility Requirements For “In Lieu of TA” Child Care

In order to be eligible for the new “in lieu of TA” child care guarantee, the family must have income at or below the amount that would allow them to become or remain eligible for TA and their resources must be within TA limits. They must also be engaged in work as required by the social services district.

The parent or caretaker relative must:

- apply for and be otherwise eligible for TA by completing the DSS 2921- *Statewide Common Application*, but choose to receive child care “in lieu of TA” or voluntarily close his or her TA case *while still eligible for TA*; **and**
- need child care for a child under 13 years of age in order to enable the parent or caretaker relative to engage in work; **and**
- be in receipt of, or actively pursuing court-ordered child support, or be determined to have good cause not to actively pursue child support. A parent or caretaker relative will be considered to meet the good cause exception if he or she has a Domestic Violence (DV) waiver dated within the previous 12 months. If the parent or caretaker relative makes a claim of domestic violence but does not have a recent DV waiver, he or she must document that he or she meets the good cause requirements as described in 99 ADM-05, Cooperation with Child Support Enforcement.

Recipients who voluntarily reduce their income or work hours in order to maintain eligibility for the guarantee will lose the guarantee. The following is the TA denial/closing language. “This is because (You/Name) quit a job or reduced earnings on (Date). (You/Name) did not give us information to show that this was done for a reason other than to maintain eligibility for public assistance. This decision is based on Regulation 12 NYCRR 1300.13(a).” These individuals may then apply for the regular low-income child care subsidies that are available to working families. However, their receipt of child care benefits will be dependent upon the availability of funds in the district.

A parent or caretaker relative will be considered “engaged in work” if he or she meets the following criteria:

- is working for at least the following number of hours: 20 hours for a single parent with a child under the age of six; 30 hours for a single parent whose children are all six or older; in two

parent families, the parents must be working a combined total of 55 hours with at least one parent working 30 or more hours; and, either:

- ❖ is earning wages at a level equal to or greater than the minimum amount required under federal and state labor law for the type of employment; or
- ❖ is self-employed and is able to demonstrate that such self-employment produces personal income equal to or greater than the minimum wage, or has the potential for growth in earnings to produce such an income within a reasonable period of time.

A parent or caretaker relative will be considered in receipt of or actively pursuing court-ordered child support if he or she:

- is receiving child support services through the IV-D agency, or completes and submits a DSS-2521 (Child Support Services Application) and receives necessary services to receive child support collections. This means the parent or caretaker relative is cooperating as required to establish paternity and obtain court-ordered support; or
- can demonstrate he or she is receiving child support collections, through court-ordered support, or is taking actions necessary to receive child support collection via private legal means. Private legal means includes representation by an attorney or pro se representation by a parent or caretaker relative who demonstrates knowledge of the paternity establishment and child support process; or
- has been excused from paternity establishment, child support requirements or support enforcement for good cause.

### **Construction of the Assistance Unit**

Unlike other low income families, the child care services unit for child care “in lieu of TA” consists of those members of the household who would be included in the TA filing unit [18 NYCRR Section 352.30(a)], and those legally responsible non-filing unit members in the household if TA rules [18 NYCRR Section 352.30(e)] require such individuals’ income and/or resources to be considered when determining the eligibility of the TA applicants.

### **Alien Status and Social Security Numbers**

Applicants and all other members of the assistance unit must provide their Social Security Numbers (SSNs) if required under TA rules. At least one parent or caretaker relative must meet the alien status and SSN requirements for TA.

### **Financial Eligibility**

Financial eligibility is determined using TA eligibility rules (i.e., not services rules), including the methodology for calculating countable income, resources and need, taking into account shelter, utilities and any other TA related expenses that would normally be used in the determination of financial eligibility for TA.

### **Programmatic Eligibility**

Programmatic eligibility for child care in lieu of TA is described under eligibility requirements for “In lieu of TA” child care. Eligibility differs from TA requirements in the area of property liens, and domestic violence (DV) and drug/alcohol screening. Families who choose child care “in lieu of TA” do not have to sign a property lien and are not required to submit to a drug/alcohol screening as a condition

of eligibility. In addition, the district is not required to conduct DV screening on an applicant who has chosen child care “in lieu of TA”.

### **Automated Finger Imaging System (AFIS)**

Depending on the district’s procedures, AFIS may be conducted very early in the TA application process or later. If, according to the district’s process, finger imaging is required before the TA applicant’s interview and if the client refuses to be finger imaged, the applicant is not eligible for TA or for child care “in lieu of TA”.

### **Recertification for “In Lieu of TA” Child Care**

A family’s eligibility must be redetermined at least every 12 months and more frequently when case circumstances have changed.

### **Time Limits**

There are no time limits attached to this guarantee. Eligible families will continue to be eligible for the guarantee as long as they need child care in order to engage in work, their income is at or below the amount that would allow them to become or remain eligible for TA, their resources are within TA limits, and they otherwise meet TA eligibility requirements pertaining to child support and employment.

### **Family Share**

Each family eligible for the “in lieu of TA” child care guarantee must pay a family share. Due to the fact that their income will fall below the poverty standards, the family share is set at the minimum of \$1 per week.

### **Impact on Transitional Child Care Eligibility**

Prior to this change in law, working families who voluntarily closed their TA cases *while still financially eligible for TA* would have been eligible for the transitional child care guarantee. With this change in law, these families now are eligible to receive child care subsidy as part of the “in lieu of” child care guarantee rather than the transitional guarantee. Once they become ineligible for TA because of increased hours of employment, excess earned income, increases in child support, or once they voluntarily close their “in lieu of TA” child care case while still eligible for TA, these families will be covered under the transitional guarantee, assuming they meet all other eligibility criteria. Please note that families, who become ineligible for TA due to an increase in resources, do not meet the eligibility criteria for the transitional child care guarantee.

### **Impact on Food Stamps and Medical Assistance**

There are implications for both Food Stamp and Medical Assistance benefits because of the new guarantee. Initial applications for TA or recertification forms are also considered applications for Food Stamps. Therefore, if an applicant (at initial application or recertification) is found eligible for TA but chooses child care “in lieu of” TA, the district must do a separate determination of his/her Food Stamp eligibility. If the parent or caretaker relative has unreimbursed child care expenses, which could occur in situations where the provider charges more than the market rate, the unreimbursed expenses are

deductible expenses for the Food Stamp program. Family Assistance recipients and federally participating Safety Net recipients who request that their cases be closed in order to receive child care “in lieu of TA” must, if otherwise eligible, receive transitional Food Stamp benefits.

If an applicant for TA chooses child care subsidies “in lieu of TA” and the applicant also checks the Medicaid box on the application, the application and applicable documentation must be referred to the Medicaid unit for a separate Medicaid eligibility determination. If, at recertification, a recipient chooses either to receive only the child care subsidies “in lieu of TA”, or to voluntarily close his or her case while still eligible for TA, closing code (F98) must be used. Currently, F98 creates a separate Medicaid case for 30 days. The Medicaid worker must extend the Medicaid authorization for the remainder of the 12 months from the date of the last TA recertification. In the near future, a systems modification will be made so that the Medicaid will continue unchanged. Districts will be notified when the system is modified. In the event that the client does not want Medicaid, Upstate code M90 “Client Request-PA and MA written” should be used on the Welfare Management System (WMS) and M90 plus F98 on the Client Notices System (CNS); in NYC, case level code G89 “Client Request-PA and MA-written” should be used.

Recipients who are eligible for transitional child care benefits due to an increase in income and subsequent loss of TA eligibility will continue to be referred for a separate Medicaid determination, as is current procedure, unless the clients request their Medicaid cases be closed at the same time as the TA cases.

## **B. CHILD CARE DURING BREAKS IN ACTIVITIES**

Social services districts must provide child care subsidies for TA recipients during breaks in work or an approved activity. Payment for child care during approved or allowed breaks in activities is mandated and is limited to a period of up to two weeks. However, child care may be authorized for up to one month if the child care arrangements would be lost if not continued, and the employment or approved activity is scheduled to begin within that one-month period. There are no limits on the number of approved or allowed breaks for which child care may be authorized so long as the recipient is participating as required in his or her work or approved activity.

## **C. POST-SECONDARY EDUCATION**

Districts now have the option to include in their Consolidated Services Plan (CSP) or Integrated County Plan (ICP) the provision of child care subsidies to families with incomes at or below 200 percent of the state income standard who are satisfactorily participating in a post-secondary educational program as long as the parent(s) or caretaker(s) is also working at least 17½ hours per week, when funds are available. 04 OCFS INF-02 provides 2004-05 Income Eligibility Standards. It is obtainable via the following link: [http://sdssnet5/ocfs/policies/external/OCFS\\_2004/](http://sdssnet5/ocfs/policies/external/OCFS_2004/). This option applies to TA recipients and low income families so long as the recipients also are participating, as required, in work activities and the district approves the educational activity for the particular recipient. Four-year post-secondary programs are not an approved work activity for TA recipients to meet the work participation rates. Therefore, the individual TA recipient must be in compliance with all applicable work requirements before he or she may be approved for this additional activity. If this option were selected for TA recipients, the subsidy would cover child care needed for the approved activities in addition to the hours needed for the client to participate in his or her required activities.

This option pertains to individuals who are attending a two-year undergraduate college program (other than one with a specific vocational sequence leading to an associate degree) or a four-year college or

university program leading to a bachelor degree that is reasonably expected to improve the earning capacity of the caretaker. The caretaker must be participating in non-subsidized employment whereby the caretaker earns wages at a level equal to or greater than the minimum amount required under federal and state labor laws. He or she must also demonstrate his or her ability to successfully complete the course of study and must maintain satisfactory progress.

This amendment has no impact on the option districts currently have to provide child care subsidies to a parent(s) or caretaker(s) who is enrolled in a two-year full-time degree granting program with a specific occupational goal at a community college or a two-year college; nor to those enrolled in an undergraduate or community college program with a specific vocational sequence leading to an associate degree or certificate of completion within a specified time frame not exceeding 30 consecutive calendar months. In both of these latter cases, the minimum work hours are not applicable unless a district chooses to add a minimum number of work hours as a condition of eligibility and include this additional eligibility requirement in the district's CSP or ICP.

#### **D. NO APPLICATION REQUIRED FOR TRANSITIONAL CHILD CARE**

Districts must make sure that families who are transitioning from TA and meet the criteria set forth below suffer no break in child care services and do not have to apply for transitional child care. Districts must take a proactive role in determining a family's eligibility for the transitional child care guarantee prior to the TA case closing. This requirement pertains only to cases where the parent or caretaker relative is receiving a child care subsidy at the time of case closing. However, districts may extend this option to all transitioning families.

The statutory prohibition against requiring a TA recipient whose case is closing from reapplying for child care goes beyond requiring a parent or caretaker relative to complete a new application. It means that the district must determine the parent's or caretaker relative's need for child care and eligibility for the transitional guarantee before closing the TA case. If the parent or caretaker relative has a continuing need for child care and is eligible for the transitional child care guarantee, the district must continue the family's child care subsidies without interruption by authorizing transitional child care.

Transitional child care assistance must be guaranteed to the parent or caretaker relative for a period of 12 months after TA has been terminated or ended if the parent or caretaker relative:

1. needs child care for an eligible child under 13 years of age in order to enable a parent or caretaker relative to engage in work. "Engaged in work" for low income families means that the individual is earning wages at a level equal to or greater than the minimum amount required under federal and state labor laws for the type of employment; or the individual is self-employed and is able to demonstrate that the self-employment produces personal income equal to or greater than the minimum wage or has the potential for growth in earnings to produce such an income in a reasonable period of time; and
2. has income of no more than 200 percent of the state income standard; and
3. has been in receipt of TA [ or Child Assistance Program, (CAP)] in three of the six months prior to the TA case being closed; and
4. had his or her TA terminated as a result of:
  - a. increased income from employment (former CAP recipients who are ineligible for Safety Net Assistance due to the income limits are deemed to meet this criteria at the time their five-year limit for TA expires regardless of whether their income increased); or

- b. increased income from child support; or
- c. the parent voluntarily ended assistance *and is no longer financially eligible for TA*. (Former FA recipients who do not apply for SN benefits prior to their FA case closing are deemed to have voluntarily ended their TA). Additionally, a parent or caretaker relative who fails to recertify, but otherwise meets the eligibility criteria for the transitional guarantee, shall be considered to have voluntarily ended assistance.

#### **IV. Required Actions**

##### **A. EXTENSION OF THE CHILD CARE GUARANTEE**

Effective immediately, districts must put safeguards in place to prevent any parent or caretaker relative from being denied “in lieu of TA” child care benefits. No parent or caretaker relative shall have child care benefits terminated without a review of the family’s eligibility for the new guarantee, while the district begins full implementation of the statutory amendments. In order to begin implementation and notify recipients about the new guarantee, districts are required to send the attached client letter, Attachment A: Client Letter-Child Care Guarantee, to all TA recipients at recertification or next case action. The letter informs the applicant/recipient (A/R) about the new guarantee, the eligibility requirements and the A/R’s responsibilities.

TA *applicants* must be given the client letter at the time of application. TA *recipients* must be given the client letter with each subsequent “Notice of Recertification for Public Assistance” (CNS Call-in Notice). CNS will include this in the CNS Call-In Notice. It must be included in any Call-In Notices mailed by local districts. The language will also be incorporated into LDSS-4148A: What You Should Know About Your Rights and Responsibilities.

If an A/R expresses an interest in the new child care guarantee, the district must determine the family’s eligibility for the guarantee and inform the parent or caretaker relative of that determination. Applicants must complete the LDSS-2921. Eligibility is determined by using TA rules for calculation of countable income and resources. The family unit is determined based on TA rules for the TA assistance unit and must include legally responsible non-filing unit members in the household if TA rules require such individuals’ income/resources to be considered when determining the eligibility of the TA applicant. Families are required to pay a family share/fee based on the income of the family unit. Only one family share is required for each family regardless of the number of children needing care. The family share is \$1.00 per week regardless of the number of children receiving child care.

The A/R should sign Attachment B: Request for Child Care Assistance, or Request to Close My TA case. A copy of the signed request form must be given to the parent or caretaker relative. The original must be kept in the case file.

Redeterminations of eligibility must be made at least every 12 months and more frequently when individual case circumstances change, including but not limited to a change in income. Once the family's income exceeds the TA income standards, the family is eligible for transitional child care as if it had been receiving TA, assuming all other eligibility criteria for transitional child care are met. Please refer to section III, D, No Application Required for Transitional Child Care, for further information. No application may be required for transitional child care.



If a recipient moves from one district to another while in receipt of “in lieu of TA” child care, the district from which the recipient moved is responsible for the child care benefits during the month in which the recipient moved and the first full month after the move.

Please note: 18 NYCRR Part 352.20(d) provides that an applicant’s eligibility for FA or SN Assistance must be determined without taking into consideration the percentage earned income disregard unless the applicant’s needs were met in whole or in part by FA or SN payments for any one of the four preceding months. In other words, the applicant must pass the net income test without the percentage disregard. If eligible, the percentage disregard is allowed. When the applicant is found financially eligible for TA but chooses child care “in lieu of TA”, the percentage earned income disregard must be allowed - when determining ongoing eligibility for “in lieu of TA” child care cases that pass the gross income test.

## **B. CHILD CARE DURING BREAKS IN ACTIVITIES**

Effective immediately, if a recipient has a break in an approved/required activity, districts must determine whether the recipient will be returning to an approved/required activity within a two-week period or within a one-month period. They must also determine if the child’s placement with the child care provider would be lost if child care benefits were not continued during the break in activity; and whether the reason for the break in activity is approved or allowed by the district.

If the TA recipient is going to return to an approved/required activity within two weeks, child care benefits shall continue for the two-week period. If the TA recipient will not be returning to an approved/required activity within two weeks, but is scheduled to return within a month of the break in activities, the district must continue child care benefits if the child care placement would be lost if benefits were not continued. An example of an approved break would be a teen that is on a break from high school for the school’s holiday break. *There is no maximum number of breaks per year.*

## **C. POST-SECONDARY EDUCATION**

Districts that choose to provide subsidies to families where the parent or caretaker is satisfactorily participating in a post-secondary educational program including a four-year college and is also working at least 17½ hours per week must indicate such in their CSP or ICP. A district choosing to offer this option may determine which post-secondary education programs are acceptable and may define “satisfactory progress.” Districts may also impose a minimum number of working hours that is greater than 17½ hours. Districts that wish to choose this option and have not currently selected this option in their CSP or ICP must amend their CSP or ICP. Districts may request an amendment to their CSP or ICP at any point after the effective date of this release using Attachment C, Request for Amendment to Consolidated Services Plan/Integrated County Plan. If a district chooses to amend its plan to add this new category of eligibility, public notice of the change must be provided in accordance with 18 NYCRR Section 401.7. If a district wishes to offer this option with limitations, it must describe the limitations in its amendment to the CSP or ICP.

## **D. NO APPLICATION REQUIRED FOR TRANSITIONAL CHILD CARE**

In order to fully implement the change in law and to facilitate the transition from TA to the transitional child care guarantee without disruption, districts must put a process in place which makes information from the TA case record readily available to the person or unit that the district designates as responsible for determining eligibility for transitional child care.

District staff will need to take information from the TA record, and update only such information as may be needed to ascertain eligibility for the transitional child care guarantee. In order to continue child care as a transitional case, the worker will need to verify the following information from the case record or from the parent or caretaker relative: household composition, current income, work schedule and child care provider information. The worker will also need to know the length of time the parent or caretaker relative was in receipt of (or eligible for) TA, and the reason for the case closing. The parent or caretaker relative should be asked to verify that information contained in the TA record (such as household composition, address, etc.) is accurate and up to date. This may be accomplished by asking the parent or caretaker relative to initial and date any information being used from the TA record, or by asking the parent or caretaker relative to sign the model form, Applicant Certification of Information in Temporary Assistance Case Record, which has been provided as Attachment D of this release. If this certification will be done through the mail, the worker must send copies of the application/recertification, child care provider enrollment forms and any other documents for which the parent or caretaker relative is being asked to certify thereof. These copies should be attached to the Applicant Certification of Information in Temporary Assistance Case Record.

There may be cases in which the parent or caretaker relative does not respond to requests for information needed to determine eligibility for transitional child care. If a district is unable to determine transitional child care eligibility, the child care benefits the parent or caretaker relative had received as a TA client must be discontinued and the parent or caretaker relative must receive the appropriate child care notice LDSS-4782, Notice of Intent to Discontinue Child Care Benefits which is provided as Attachment E. Child care case closing language should read “(You/Name) did not provide us with the information we requested to determine your continued eligibility for child care. Without this information your eligibility for transitional child care cannot be determined”. If the parent or caretaker relative contacts the district requesting child care within 12 months after the TA benefits are terminated, the district will need to determine if the family meets the eligibility requirements for the transitional child care guarantee. If it does, the family’s eligibility for the transitional guarantee would begin back to the point in time that its TA case closed and continue for 12 months from that date. In these cases, a new application can be required.

Districts must send notice of intent to change benefits to all employed recipients of TA whose TA is ending, when the parent or caretaker relative meets the transitional child care eligibility criteria. The notice of intent to change benefits is necessary because the parent will now be required to pay a family share of the cost of child care. The family’s responsibility to pay a family share reduces the amount of the district’s payment for child care, necessitating this notice. The LDSS-4781, Notice of Intent to Change Child Care Benefits, is provided as Attachment F. It can also be accessed through the OCFS Intranet website. Go to the Resources link, click on External Policies, select the year 2001, and find 01 OCFS LCM 08, Revised Client Notification Forms for Child Care Subsidy. [http://sdssnet5/ocfs/policies/external/OCFS\\_2001/default.htm](http://sdssnet5/ocfs/policies/external/OCFS_2001/default.htm). For all other TA case closures, districts must send Attachment G: Client Letter-Potential Eligibility for Transitional Child Care Benefits.

If a recipient moves from one district to another while in receipt of transitional child care, the district from which the recipient moved is responsible for the child care benefits during the month in which the recipient moved and the first full month after the move.

## **V. Systems Implications**

Districts may authorize payment in WMS/Services for a new “in lieu of TA” child care guarantee case on the DSS-2970 WMS Services Authorization. Alternatively, child care may be authorized on a

Medical Assistance or Food Stamp case. For child care authorized on a Food Stamp or Medical Assistance case, a new special claim code "9" is now available to identify "in lieu of TA" child care.

A Client Notification System (CNS) notice to the TA client will be generated when the new F98 reason code is used. The definition of F98 is: Client Requests Child Care in Lieu of TA. As noted in Section III A, Impact on Food Stamps and Medical Assistance, use of code F98 will prompt a Medicaid extension for 30 days. The Medicaid worker will have to extend the Medicaid authorization for the remainder of the 12-month period from the date of the last TA recertification. In the near future, modifications will be made to F98 to systemically allow Medicaid to continue unchanged. Districts will be notified once this change is made. If the client does not want Medical Assistance eligibility to be separately determined or continued, the worker can use Upstate: M90 - Client Request - Written - PA and MA on WMS and a combination of M90 and F98 on CNS. In NYC case level denial code F98 should be used. NYC is currently not producing CNS notices for denials. The worker will indicate on the manual notice that the applicant declined MA.

Day Care-Sub goal code 1E-Self Support should be used for transitional child care. This should be changed to the appropriate code once the family is no longer eligible for transitional child care. A new day care sub goal 1F has been requested for the purposes of tracking in lieu of TA child care cases but this system change will not be available in the near future. Districts will need to manually track such cases until system support becomes available.

## **VI. Additional Information**

### **Claiming**

NYSCCBG expenditures for child care subsidies for families receiving child care "in lieu of TA" are claimed on the Schedule H: Non-Title XX Services for Recipients (LDSS-4283), line 2, column 10 (Day Care Block Grant 100%). Please refer to the Fiscal Reference Manual Volume 2, Chapter 3, for detailed instructions for completing the Schedule H. Additionally, NYSCCBG child counts and expenditures by modality of care must be reported on the Schedule G-2: Summary of Payments for Day Care (LDSS-2109EL). Please refer to the Fiscal Reference Manual Volume 2, Chapter 3, for detailed instructions for completing the Schedule G-2.

### **Reimbursement:**

Claims for expenditures for child care services for families eligible under the "in lieu of TA" child care guarantee will be reimbursed at 100 percent with NYSCCBG funds up to the district's NYSCCBG allocation.

### **Contact Person:**

If you have any questions regarding information contained in this ADM, please contact Anne Ball at (518) 474-3775. Ms. Ball may also be reached via the Internet at [Anne.Ball@dfa.state.ny.us](mailto:Anne.Ball@dfa.state.ny.us).

If you have questions regarding TA implications, contact Central Team at 1-800-343-8859, extension 4-9344.

If you have any fiscal questions, please contact the OTDA Bureau of Financial Services:

Regions 1 – 4 - Virginia Scala at (518) 474-7549;  
E-mail: [Virginia.Scala@dfa.state.ny.us](mailto:Virginia.Scala@dfa.state.ny.us)

Region 5 –Michael Borenstein at (631) 854-9704  
E-mail [Michael.Borenstein@dfa.state.ny.us](mailto:Michael.Borenstein@dfa.state.ny.us)

Region 6- Marian Borenstein at (212) 383-1735  
E-mail [Marian.Borenstein@dfa.state.ny.us](mailto:Marian.Borenstein@dfa.state.ny.us)

If you have any WMS/Services questions, please contact the Bureau of Technical Services at 1-800-342-3727.

If you have any WMS/IM questions, please contact Tully Lenihan of the Office of Temporary and Disability Assistance at (518) 474-8749; [Tully.Lenihan@dfa.state.ny.us](mailto:Tully.Lenihan@dfa.state.ny.us).

If you have any Medical Assistance questions please contact the Medical Assistance Local District Liaison: Upstate (518) 474-8216 and NYC (212) 268-6855.

## **VII. Effective Date**

The effective date of this administrative directive is the date of release. The statute that mandates the “in lieu of TA” child care guarantee became effective on 12/19/2001. The statute that provides for payment during breaks in activities, allows payment for secondary education when a parent is working a minimum of 17 ½ hours and prohibits a new child care application for certain individuals transitioning from TA, became effective 6/17/02. OCFS will provide technical assistance and review implementation timelines for districts that identify issues or need assistance in implementing the changes in law.

*Larry G. Brown s/s*

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### **Issued By:**

Larry G. Brown

Deputy Commissioner

Division of Development and Prevention Services

**Attachment A: Client letter-Child Care Guarantee*****Dear Parent:***

A new guarantee of child care assistance is now available for **working** families. You may decide that instead of **receiving** Temporary Assistance (TA) what you really need is help paying for child care. Families who are applying for or are receiving TA **and need child care in order to work**, may be eligible for a new child care guarantee for working families. A child care guarantee means that if you meet the eligibility requirements, the social services district must pay an eligible child care provider for your child care.

***Who is eligible?***

You are eligible for this guarantee if you are *applying for and found eligible for* TA and choose child care instead of TA or if you are *receiving* TA and ask that your TA case be closed, and:

- your income and resources are within TA limits;
- you are **working** the number of hours required by TA;
- you need child care for a child under age 13 so you can **work**;
- you are using an eligible child care provider; and
- you receive court-ordered child support, are actively pursuing support through the Child Support Enforcement Unit, are trying to get court-ordered support through other means, or have received a good cause exception from actively seeking support.

***What if I am worried that if I go after child support my partner may harm me or my child?***

You should discuss your situation with your worker. Your worker will determine whether you should receive a good cause exception from actively pursuing child support. You may be asked to provide hospital or police reports or statements from family, friends or neighbors who are aware of your situation.

***If I had a Domestic Violence (DV) Waiver while I was receiving Temporary Assistance doesn't that demonstrate good cause not to pursue support?***

If you can show your worker a DV Waiver dated within the last 12 months, the DV waiver demonstrates good cause. If your DV waiver is older than 12 months, you should discuss your situation with your worker so he or she can determine if you have good cause not to pursue support.

***Does my eligibility for this new child care guarantee have a time limit like the 60 month time limit for TA?***

No, your child care benefits are not limited to 60 months. You can continue to receive child care benefits for as long as you are eligible.

***Why don't I have a child care guarantee while I am on TA?***

Actually, you do. TA recipients who are participating as required in work activities also have a child care guarantee as long as you meet certain requirements. However, this new guarantee allows you to receive the same guarantee of child care without having to remain on TA. Your eligibility for the child care guarantee is not time-limited and the guarantee will continue as long as you remain eligible. If you decide you need TA in the future, you may still apply for it.

***If I decide all I really need is child care how do I apply for the new child care guarantee?***

If you are eligible for TA and decide that all you really need is child care, your worker can tell you how to apply for the new child care guarantee. If you are already *receiving* TA and are otherwise eligible for the program, you will need to close your TA case in order to get this new guarantee.

***Will all of my child care be paid?***

If you chose to receive child care assistance instead of receiving TA and child care, you will have to pay part of your child care costs. This is called your family share or fee. The amount that you pay will be \$1 per week. Additionally, if your provider charges more than the market rate, you will need to pay the amount that your child care provider charges above the market rate. Ask your worker to tell you how much you will have to pay in a family share or fee.

***Who can care for my child?***

You can choose from many different eligible child care providers including licensed or registered day care centers, family or group family day care homes or school-age child care programs. You can also choose a relative, neighbor or friend. If you want a relative, neighbor or friend to care for your child, he or she will need to enroll with the Department of Social Services. Ask your worker for the enrollment forms.

***What if I change my mind and decide that I need TA as well as child care?***

You can still apply for TA at any time. If you are found eligible for TA, you may still be eligible for child care.

***What about other benefits like Food Stamps and Medical Assistance?***

Your Food Stamp eligibility will not be affected if you request to change your application for TA to a request for child care assistance only or if you request to close your TA case to get child care assistance only.

If you have applied for Medicaid at the same time you applied for TA and/or Food Stamps, and you choose to receive child care only, your application will be referred to the Medicaid program for a separate determination. If you are currently receiving TA and request your case closed, you can request that your Medicaid be continued. If your case is closed for increased earnings, your case will be referred to the Medicaid unit for a separate determination.

**Attachment B: Request for Child Care Assistance or Request to Close My Temporary Assistance Case**

I understand that the \_\_\_\_\_ Department of Social Services (DSS) has determined that I am eligible for a child care subsidy guarantee “in lieu of TA” because:

- I work the number of hours required of me; and
- My family’s income and resources are within TA limits; and
- I do everything required of me to obtain child support for my child(ren) or have a good cause exception not to actively seek child support; and
- I need child care for a child or children under age 13; and
- I am using an eligible child care provider

I understand that I may use a licensed or registered child care provider. If I want to use a friend, relative or neighbor to provide child care instead of a licensed or registered child care provider, the DSS must determine if that person is eligible to receive child care payments from the DSS and the person must enroll with the DSS before he or she can be paid.

I understand that my child care provider determines how much he or she will charge.

I understand that I will be required to pay some of my child care costs. This amount will be \$1 per week. If my provider charges more than the market rate, I understand that I will have to pay the amount above the market rate plus my family share. If I hire a child care provider to come to my home, I understand that as that person's employer, I must pay him or her minimum wage and benefits.

I understand that I must immediately report any changes that might affect my eligibility for child care to my caseworker. This includes any changes regarding where I am living, who is living in my household, my work schedule, my employer, my child care needs, my child care provider and my income and resources.

I understand that by withdrawing my request for TA, or asking that my TA case be closed, that I will not receive TA at this time. However, if I change my mind, I may apply for TA in the future.

I understand that the 60-month time limit for TA does not apply to this child care guarantee.

I understand that I may be eligible for 12 months of transitional child care services when my income is no longer within TA limits.

I understand that withdrawing my request for TA, or asking that my TA case be closed, will not affect my application for or eligibility for Food Stamps or Medicaid.

I understand that if I have any questions about my eligibility for this child care guarantee, I can call \_\_\_\_\_  
(insert district name and phone number above)

**Attachment B**

- I want to apply for child care assistance instead of both TA and child care assistance. I understand that if I change my mind in the future, I can still apply for TA at that time. If I also applied for Medicaid, I want my eligibility for Medicaid to be determined. I understand that if I do not already receive Food Stamps, my Food Stamp eligibility will be determined.
  
- I request that my TA case be closed **because I want child care instead of TA**. If I am receiving Medicaid, I want my Medicaid to continue.
  
- I request that my TA and Medicaid cases be closed. **I want child care assistance only.**
  
- I request that my Food Stamp case be closed. **I want child care assistance only.**
  
- I do **not** want child care instead of TA

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Applicant's Signature

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Date



**Attachment C-Request for Amendment to Consolidated Services Plan (CSP)/Integrated County Plan (ICP)**

County: \_\_\_\_\_

Date: \_\_\_\_\_

I am requesting the following amendment to the county’s CSP/ICP to allow payment to parents/caretakers who are:

Satisfactorily participating in a two-year college program and working at least 17 ½ hours per week.

Satisfactorily participating in a four-year college or university program (leading to a bachelor degree and that is reasonably expected to lead to an improvement in the parent/caretaker’s earning capacity), and working at least 17 ½ hours per week.

List any additional conditions that apply to eligibility including but not limited to specific types of colleges, specific course of study, and definitions of “satisfactorily participating”:

The above eligibility will be available from:

NYS Child Care Block Grant

Title XX

On what date do you want this change in eligibility to be effective? \_\_\_\_\_

On what dates was a Public Notice published in your local newspaper? \_\_\_\_\_

(You must attach a copy of the Public Notice, public comments and your responses to public comments)

\_\_\_\_\_  
Commissioner’s or Authorized Representative’s Signature

\_\_\_\_\_  
Date

**Attachment D-Applicant Certification of Information in TA Case Record**

I have read the attached information from my case record and by signing this form, I swear that the information is up-to-date and true.

I understand that my eligibility for the transitional child care guarantee is based on the information in my case record and any additional information I have given to my caseworker.

I agree to immediately report any changes that might affect my eligibility. This includes changes to where I am living, who is living in my household, my work schedule, my employer, my child care provider, my child care needs, and my family's income.

I understand that if I provide false information, withhold information or provide misleading information that affects my eligibility, I will be required to pay back any benefits for which I was not eligible and I may also be subject to criminal penalties.

**I understand that if I have any questions about this form or any form attached to it that I should call \_\_\_\_\_.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date



LDSS 4782 (4/04) Reverse

**RIGHT TO A CONFERENCE:** You may have a conference to review these actions. If you want a conference, you should ask for one as soon as possible. At the conference, if we discover that we made a wrong decision or if, because of information you provide, we determine to change our decision, we will take corrective action and give you a new notice. You may ask for a conference by calling us at the number on the front of this notice. This number is used only for asking for a conference. It is not the way you request a fair hearing. If you ask for a conference you are still entitled to a fair hearing. If you want to have your benefits continue unchanged (aid continuing) until you get a fair hearing decision, you must request a fair hearing in the way described below. A request for a conference alone will not result in continuation of benefits. Requesting an agency conference does not affect your right to also request a fair hearing. Read below for fair hearing information.

**RIGHT TO A FAIR HEARING:** If you believe that the above action is wrong, you may request a State fair hearing by:

**Telephoning:** (PLEASE HAVE THIS NOTICE WITH YOU WHEN YOU CALL) 1 800-342-3334

**Writing:** Complete the information, sign and mail to the New York State Office of Administrative Hearings, Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy for yourself.

**Faxing:** Complete the information, sign and fax to 518-473-6735.

**Emailing:** By signing on to the following website and following the instructions: <http://www.otda.state.ny.us/oah/forms.asp>

**Walk In Locations:** 14 Boerum Place, Brooklyn, NY OR 330 West 34th Street, Third Floor, Manhattan, NY

I want a fair hearing. The Agency's action is wrong because: \_\_\_\_\_

Signature of Client: \_\_\_\_\_ Date: \_\_\_\_\_

**YOU HAVE 60 DAYS FROM THE DATE OF THIS NOTICE TO REQUEST A FAIR HEARING**

If you request a fair hearing, the State will send you a notice informing you of the time and place of the hearing. You have the right to be represented by legal counsel, a relative, a friend or other person, or to represent yourself. At the hearing you, your attorney or other representative will have the opportunity to present written and oral evidence to demonstrate why the action should not be taken, as well as an opportunity to question any persons who appear at the hearing. Also, you have a right to bring witnesses to speak in your favor. You should bring to the hearing any documents such as this notice, paystubs, receipts, child care bills, medical verification, letters, etc. that may be helpful in presenting your case.

I understand I may be eligible for aid continuing. My benefits have been reduced and I wish to have my benefits restored (aid continuing): If you request a fair hearing within ten (10) days of the date of the postmark of the mailing of this notice, your child care will be reinstated and will be unchanged until the fair hearing decision is issued. However, if you lose the fair hearing, you will owe any child care that you should not have received. We are required to recover any child care overpayments. We must make a claim against you for any child care you receive that you were not entitled to, which may be collected by reduction of future child care allotments, lump sum installment payments, or through legal action. If you want to avoid this possibility you can check the box below. You can also indicate over the telephone or in a letter that you do not want reinstatement of your child care.

I do not want my benefits continued unchanged until the hearing decision is issued.

**LEGAL ASSISTANCE:** If you need free legal assistance, you may be able to obtain such assistance by contacting your local Legal Aid Society or other legal advocate group. You may locate the nearest Legal Aid Society or advocate group by checking your Yellow Pages under "Lawyers" or by calling the number indicated on the first page of this notice.

**ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS:** To help you get ready for the hearing, you have a right to look at your case file. If you call or write to us, we will provide you with free copies of the documents from your file which we will give to the hearing officer at the fair hearing. To ask for documents or to find out how to look at your file, call us at the Record Access telephone number listed at the top of page 1 of this notice or write us at the address printed at the top of page 1 of this notice. Also, if you call or write to us, we will provide you with free copies of other documents from your file which you may need to prepare for your fair hearing. If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

**INFORMATION:** If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the telephone numbers listed at the top of page 1 of this notice or write to us at the address printed at the top of page 1 of this notice.

**NOTICE OF INTENT TO CHANGE CHILD CARE BENEFITS June 29, 2004**

NOTICE DATE:		EFFECTIVE DATE:		NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE	
CASE NUMBER		CIN NUMBER			
CASE NAME (And C/O Name if Present) AND ADDRESS					
<div style="border: 1px solid black; width: 100%; height: 100%; position: relative;"> <span style="position: absolute; top: 5px; left: 5px;">┌</span> <span style="position: absolute; top: 5px; right: 5px;">┐</span> <span style="position: absolute; bottom: 5px; left: 5px;">└</span> <span style="position: absolute; bottom: 5px; right: 5px;">┘</span> </div>				GENERAL TELEPHONE NO. FOR QUESTIONS OR HELP _____ ----- OR    Agency Conference _____ Fair Hearing information and assistance _____ Record Access _____ Legal Assistance information _____	
OFFICE NO.	UNIT NO.	WORKER NO.	UNIT OR WORKER NAME	TELEPHONE NO.	

This notice is to inform you that this agency intends to change your Child Care benefits. The changes are explained below.

Payment will be provided on behalf of the following:

Child(ren):	For this Provider:	Change from \$ to \$:*	Effective:	Full Time or Part Time

**\*Payment may vary based on fluctuations in your approved activity and/or absences.**

You are responsible for a family share which must be paid to \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ per week effective \_\_\_\_\_.

The reason for this action is:

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The LAW(S) AND/OR REGULATION(S) that allows us to do this is: \_\_\_\_\_.

**YOU HAVE THE RIGHT TO APPEAL THIS DECISION.  
BE SURE TO READ THE BACK OF THIS NOTICE ON HOW TO APPEAL THIS DECISION  
CLIENT/FAIR HEARINGS COPY**

LDSS 4781 (Rev. 4/04) Reverse

**RIGHT TO A CONFERENCE:** You may have a conference to review these actions. If you want a conference, you should ask for one as soon as possible. At the conference, if we discover that we made a wrong decision or if, because of information you provide, we determine to change our decision, we will take corrective action and give you a new notice. You may ask for a conference by calling us at the number on the front of this notice. This number is used only for asking for a conference. It is not the way you request a fair hearing. If you ask for a conference you are still entitled to a fair hearing. If you want to have your benefits continue unchanged (aid continuing) until you get a fair hearing decision, you must request a fair hearing in the way described below. A request for a conference alone will not result in continuation of benefits. Requesting an agency conference does not affect your right to also request a fair hearing. Read below for fair hearing information.

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**Walk In Locations:** 14 Boerum Place, Brooklyn, NY OR 330 West 34th Street, Third Floor, Manhattan, NY

**I want a fair hearing. The Agency’s action is wrong because:** \_\_\_\_\_  
\_\_\_\_\_

Signature of Client: \_\_\_\_\_ Date: \_\_\_\_\_

**YOU HAVE 60 DAYS FROM THE DATE OF THIS NOTICE TO REQUEST A FAIR HEARING**

If you request a fair hearing, the State will send you a notice informing you of the time and place of the hearing. You have the right to be represented by legal counsel, a relative, a friend or other person, or to represent yourself. At the hearing you, your attorney or other representative will have the opportunity to present written and oral evidence to demonstrate why the action should not be taken, as well as an opportunity to question any persons who appear at the hearing. Also, you have a right to bring witnesses to speak in your favor. You should bring to the hearing any documents such as this notice, paystubs, receipts, child care bills, medical verification, letters, etc. that may be helpful in presenting your case.

**I understand I may be eligible for aid continuing.** My benefits have been reduced and I wish to have my benefits restored (aid continuing): If you request a fair hearing within ten (10) days of the date of the postmark of the mailing of this notice, your child care will be reinstated and will be unchanged until the fair hearing decision is issued. However, if you lose the fair hearing, you will owe any child care that you should not have received. We are required to recover any child care overpayments. We must make a claim against you for any child care you receive that you were not entitled to, which may be collected by reduction of future child care allotments, lump sum installment payments, or through legal action. If you want to avoid this possibility you can check the box below. You can also indicate over the telephone or in a letter that you do not want reinstatement of your child care.

**I do not want my benefits continued unchanged until the hearing decision is issued.**

**LEGAL ASSISTANCE:** If you need free legal assistance, you may be able to obtain such assistance by contacting your local Legal Aid Society or other legal advocate group. You may locate the nearest Legal Aid Society or advocate group by checking your Yellow Pages under “Lawyers” or by calling the number indicated on the first page of this notice.

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**INFORMATION:** If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the telephone numbers listed at the top of page 1 of this notice or write to us at the address printed at the top of page 1 of this notice.

**Attachment G POTENTIAL ELIGIBILITY FOR TRANSITIONAL CHILD CARE BENEFITS**

Dear Parent:

If you are working, you may be able to get help paying for your child care. Read the rest of this letter to learn how!

**WHAT IS TRANSITIONAL CHILD CARE?**

The Transitional Child Care guarantee provides money to help working families pay for their child care costs. This child care assistance helps families to afford child care for their children while they work. Families may be eligible to receive Transitional Child Care Assistance for up to 12 months after they become ineligible for Temporary Assistance (TA).

**WHO CAN GET TRANSITIONAL CHILD CARE?**

- Working families who were receiving Temporary Assistance (TA), but became ineligible when their income increased.
- Working families who were receiving guaranteed child care instead of TA can receive Transitional Child Care once their income makes them ineligible for TA.

Other requirements are:

- your family's income cannot exceed certain limits;
- you must have been on TA for three out of the last six months, or have received child care assistance instead of TA for three out of the last six months;
- your child must be under the age of 13 and need day care so you can go to work; and
- you receive court-ordered child support, are actively pursuing support through the Child Support Enforcement Program, are trying to get court-ordered support through other means, or have been determined to have good cause not to actively seek child support.

**HOW DO YOU GET TRANSITIONAL CHILD CARE?**

Your caseworker should determine your eligibility for Transitional Child Care before your TA or guaranteed child care case is closed. The caseworker cannot ask or require you to complete a new application. However, they may need some additional information from you in order to find out if you are eligible. Ask your caseworker if you are eligible for Transitional Child Care.

**HOW MUCH WILL IT COST?**

Each family pays a portion of the child care cost each month. The amount you pay depends on the size of your family and your income. If your provider charges above market rate you will also have to pay the difference between what your provider charges and market rate.

WHO CAN CARE FOR YOUR CHILD?

You have the right to choose any child care that is legal. This includes:

- licensed or registered day care centers;
- licensed group family day care;
- registered family day care homes;
- registered school-age child care programs;
- friends, neighbors and relatives, who are enrolled with the local Department Of Social Services;
- caregivers of legally exempt group child care such as summer day camps that are enrolled with the local Department of Social Services.

Your local Department Of Social Services or your Child Care Resource and Referral agency can help you find child care.

WHAT ARE YOUR RESPONSIBILITIES UNDER TRANSITIONAL CHILD CARE?

In order to continue to receive benefits you must:

- pay your family share on time;
- notify your caseworker immediately of any changes that might affect your eligibility for child care. Some of these changes include: where you are living, who is living in your household, your work schedule, your employer, your child care needs, your child care provider and your family's income;
- complete and return to your caseworker any information he or she needs to determine your continued eligibility;
- actively pursue child support, unless you have been determined to have good cause not to actively pursue support; and
- continue to use a legal child care provider.

WHEN WILL YOU STOP RECEIVING TRANSITIONAL CHILD CARE?

Your Transitional Child Care will be stopped:

- if you are not fulfilling your responsibilities listed above, or;
- at the end of the twelve-month eligibility period; or
- if you quit your job without good cause; or
- when child care is no longer needed to allow you to work; or
- if your income exceeds the maximum allowed for your family size; or
- when your child reaches the age of 13. However, if your child has special needs or is under court supervision, your worker can tell you if there may be other child care programs that can help you.