

## Frequently Asked Questions (FAQ) Legislative Updates to Subsidized Child Care Policy

### Maximum Income limit

1. **If an October re-certification is processed in September, which income chart should be used?**

If the begin date for the re-certification is on or after October 1, 2014 you will use the new income guidelines. If the re-certification begins prior to October 1, 2014 you will use the old income guidelines (75% SMI).

2. **At re-determination, if a client is no longer eligible - do they receive another 2 week notice?**

This new policy does not change how you react to changes at re-determination. You will continue to follow current policy found in chapter 11 of the Subsidized Child Care Services Manual, Section V: D. **If, however, you are re-certifying a case which was previously under the old guidelines and the new cert period will be under the new guidelines and they are no longer eligible effective the new cert period, you would allow that case to go through the end of the current cert period in which the old income guidelines were used.**

3. **If a parent has two children ages and 2 and 7, which income guidelines will apply?**

Effective 10/1/2014, the 200% maximum income guidelines would be used for the 2 yr. old. The 133% guidelines would be used for the 7 yr. old, unless the family continues to receive services based on the 75% state median income due to the begin date of their most recent re-certification..

4. **What is the definition of 6 year old as it relates to when to use the 133% or 200% guidelines?**

If the child's 6th birthday falls on any day other than the first day of the month, the child would be served as a 5 yr. old through the end of the birthday month. If the family's income is over the 133% guidelines, the child would need to be terminated at the end of that month. If the child turns 6 on the first day of a month, the child is served as a 5 yr. old through the end of the previous month. If the family's income is over the 133% guidelines, the child would need to be terminated the end of the previous month.

5. **Will staff need to run a query on all 6 year olds effective 10-1-14 to determine if they remain eligible?**

Staff may run the query to identify 6 year olds in care. However, they must remember to only look at those children who are no longer being served based on 75% of state median income. If the family continues to be served based on 75% SMI, you would wait until the next re-certification.

6. **If counties are unable to meet the 9/16/2014 deadline for 10 day notice will it be considered an overpayment?**

If the county is unable to meet the 9/16/2014 deadline it will be considered a county overpayment and the county would need to provide the funding for the overpayment period.

7. **When determining income eligibility limit will county staff need to look at each child's age in the family to determine each child's eligibility?**

Yes, each child must be determined eligible based on the new federal poverty limit guidelines.

8. **If a new application is taken in September and the parent fee is due 10/1/2014, how is the parental fee calculated?**

If the application is taken in September and the eligibility began date is in Sept, you would use the old income chart (75% SMI) to determine eligibility. However, effective 10/1/2014 the parental fee percentage would be 10% of the family's gross monthly income for all families regardless of which income chart is used.

9. **If a child turns age 6 during the certification period and the family is over the income due to new income limits, when will the child be terminated?**

If the child's 6th birthday falls on any day other than the first day of the month, the child would be served as a 5 yr. old through the end of the birthday month. If the family's income is over the 133% guidelines, the child would need to be terminated at the end of that month. If the child turns 6 on the first day of a month, the child is served as a 5 yr. old through the end of the previous month. If the family's income is over the 133% guidelines, the child would need to be terminated the end of the previous month.

10. **If a county currently does quarterly reviews, does the county wait until annual re-determination to use new income limits or would staff use new income guidelines at the quarterly review?**

Any family whose current eligibility period begins prior to 10/1/14 must receive services based on the old income guidelines (75% SMI) until their next annual re-determination, not at a quarterly review.

11. **Will the income scale effective 10/1/14, for ages 0-5 and all special needs children be used for all special needs children including school age children?**

Yes, it is to be used for all special needs children including ages 6-12.

12. **What happens when a child attends after school care and the 10% fee is higher than the charge for the after school payment rate?**

Policy will be updated in the forthcoming change notice to state that in these instances the parent will be allowed to request services for teacher workdays, holidays only and care may be authorized as long as the daily provider rate is more than the daily parental fee. Care may also be authorized, at the parent's request, for summer and/or track out care only in these situations.

### Percentage for parental fee

1. **Do we change parent fees now or wait until recert?**

Effective 10/1/2014 all parental fees must be at 10% of the family's gross monthly income regardless of which income chart you use.

2. **If a case manager is processing a fee increase today and the family is paying 9%, will the new policy apply today since the increased fee is effective 10-1-14?**

Yes, effective 10/1/2014 all cases in which there is a parental fee, it must be assessed at 10% of the family's month gross income.

3. **How should counties handle hearing requests for those who oppose the increase in parent fees, terminations, etc.?**

For any hearing requests, you would continue following current policy as it relates to responding to hearing requests.

4. **Will this have an impact on school age children that only attend for teacher workdays and holidays and have a daily fee assigned?**

Yes this policy will have an impact on these children. They must now be determined eligible using 133% of FPL rather than 75% of SMI. The daily parental fee will be based on 10% of a 100% plan of care rather than 75 or 50% for part time care.

5. **When making the changes, does the calculation tape need to be run again and attached to the application to show the parent fee increase or is it sufficient to use the existing calculation tape and document in the narrative?**

The new calculation must be documented in the case file. You can use existing tape and document in the case narrative or on a new tape.

### No Proration for Part time care

1. **Since the parental fees are no longer prorated for part time care, will county staff continue to use the codes for part time plans of care on the action notices and vouchers?**

County staff will continue to use appropriate plans of care on the action notice as well as the voucher.

2. **Will plans of care be full time effective 10/1/2014?**

No, all plans of care will not be full time, but all monthly parental fees will be full time. The actual plans of care will continue to be based on the parents' need.

3. **In joint custody cases do both parents pay a full time fee?**

For Joint Custody Cases, if both parents have income, each parent's fee will be based on 10% of the parent's gross income, regardless of the plan of care.

4. **If a family has a 2 year old that only needs care 31 hours a week, will the family fee be based on 10% of the gross monthly income or should the worker go to the next step and do 75% Or 50% of the parental fee for a part time plan of care?**

The parental fee is no longer prorated for a part time plan of care. The parental fee would be 10% of the family's monthly gross income, no further step needed.

**5. Should the worker write the parental fee next to the appropriate level of care authorized?**

Yes, once the monthly and daily parental fee has been calculated based on 10% of the family's gross monthly income, the worker will write the parental fee next to the appropriate level of care.

**6. Is the parental fee prorated when changing centers?**

SCCRS will continue to prorate the daily rate for each center based on the number of days attended. The fee will continue to be calculated at a daily rate for a different facility to match the number of days attended.

**7. If a case is terminated in the middle of the month does the parent have to pay a full month's fee?**

If the case is terminated in the middle of the month, the parent will pay their assessed fee based on the number of days attended.

**8. Will providers continued to be paid at the 75% or 50% rates for part time plans of care?**

Yes, providers will continue to be part time rates for part time plans of care.

### **Definition of Income Unit**

**1. Is the income of a nonparent non relative caretaker (not related by blood or marriage counted?**

No a non- parent, non- relative is not included in the income unit and therefore their income is not counted.

**2. Can cases from Children's Services Workers where children have been voluntarily placed by a parent in the home of a non-parent relative be coded to CWS to eliminate the fee?**

It could possibly be coded as CWS for short term, especially if DSS continues to work on re unification efforts with the family. However, our policy will not allow this for long-term usage and that relative will eventually have to pay a fee if they have countable income and if the placement becomes permanent. You will continue to review these cases every 6 months to determine need.

**3. If a request for information is sent out asking for household members, income, etc. and client does not respond, are they terminated effective 1/1/15?**

If the client does not respond or provide the information requested by the date, yes you would then send an action notice of termination.

**4. Would staff count the parent's income vs. grandparent's income when the parent is absent due to college or military in a different location? Would we also look at the grandparent's income?**

The new policy states that the non-parent relative is included in the income unit when the child's parent does not live in the home. Our current policy considers parents in college or in military in another location

in the income unit as long as they still consider where the child lives as their home. Therefore in those cases the grandparent is not in the income unit and therefore their income is not included.

**5. If the non-parent relative caretaker is a grandparent with a spouse, do we count the income of both grandparents?**

If one of the grandparents applied for care for the child and is considered the person responsible for the primary care of the child and the parent does not live in the home, that grandparent is now considered the non-parent relative caretaker. New policy states that the non-parent relative caretaker, non-parent relative's spouse and child are now included in the income unit. Count income of all members of the income unit.

**6. In cases where the income unit is being redefined effective Jan 1, 2015, will county staff use 75% of state median income until a re-certification comes up?**

If the current re-certification period has a begin date prior to October 1, 2014, you use the 75% SMI. If the current re-certification began date was on or after October 1, 2014 you should use the new income guidelines.

**7. If there are other adult relatives in the home, are all adult relatives included in the income unit and are all of their incomes counted?**

When non-parent relative applies for services for a child and that relative is the person with the primary responsibility for the care of the child, that person is considered the non-parent relative caretaker. If the person applying also has a spouse and minor children, they are also included in the income unit. Not every adult relative in the house is included in the income unit.

**8. Will an updated application have to be done by Jan 2015 to change the income unit on the application?**

Continue to follow current policy regarding changing and updating an application.

**9. If a family currently has two separate cases, one with the parent and her child and the other which only includes the child because she is the child's legal guardian, do the cases need to be combined?**

If the guardian is a non-parent relative, yes, you would need to combine the cases.

**10. What kinship level i.e. grandparents or cousin, etc.?**

For the purpose of this policy the Division defines non-parent relative caretakers as siblings, grandparents, aunts, uncles, including step and great relationships.

**11. Will this impact high-school parents in need of child care? Will their parents income have to be included effective Jan?**

No, the new policy only includes other non-parent relatives in the income unit when the parent of the child receiving services is not in the home. In this case the high school student is in the home with his/her child.

- 12. Unless they have the same last names or already known to the agency, will staff be able to accept client statement that they are not related to the child?**

Yes, unless it is questionable, you will be able to accept client statement.

- 13. For cases in which the application period was on or after 10/1/2014 and the income of the new income unit member puts them over the income limit effective January 1, 2015, when would those cases be terminated?**

With current policy anytime someone is added to the income unit, we determine if this person has countable income and if so we count it. Currently if the income of the new member makes the case ineligible, we currently would send an action notice to terminate.

- 14. If a families ANNUAL redetermination is not due until after 1/1/15 (when the new income unit definition changes) is the old eligibility criteria (75%) used or the new eligibility charts to determine eligibility?**

If the families current eligibility period begin date is prior to 10/1/2014 you will use the 75% state median income guidelines for this new reported income. Then at their next re-determination you would use the new income guidelines.

## General Questions

- 1. Will families be notified by the DCDEE by letter of these changes or will this need to be the County's responsibility?**

DCDEE has provided a sample letter on the Division's website which counties can use to notify parents of these upcoming changes.

- 2. Will the voucher or child care action notice be revised with only one line for the parent fee?**

The forms will eventually be updated but we do not have a time frame. The Division has an adequate supply of the Child Care Voucher and Action Notice and will not print any revised forms until the current supply is depleted. Until that time, staff will need to continue to use the current forms until further notice.

- 3. Does your Special Needs definition include developmental delay children that do not have an IEP?**

The definition of special needs does not change with this policy.

