



Child Care Assistance Program Rule Revision

Minnesota Department of Human Services
Child Care Services Division



Welcome

Cindi Yang, Director, Child Care Services Division
Laurie Possin, Manager, Child Care Assistance Program

Objectives

- Learn why CCAP rule needs changes
- Learn about the rule revision process
- Discuss rule revision themes
- Discuss how to involve families
- Talk about next steps



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Questions and comments

Submit your questions and comments to:

dhs.CCAPrule@state.mn.us

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Why does CCAP rule need changes?

Laurie Possin, Manager, Child Care Assistance Program

Why CCAP rule needs changes

Federal law

Child Care Development Block Grant act of 2014, passed by Congress
Code of Federal regulations, rules promulgated by Administration of Children and Families

State law

Minnesota Statute 119B, passed by the Minnesota legislature
Provides authority to the Commissioner of the Department of Human Services to develop administrative rules

Administrative rules

Minnesota Rule 3400 guides how the department will implement Minn. Stat. 119B
To change rules, DHS follows an extensive rule-making process

Topics not included in this rulemaking

Licensing requirements

- Licensing laws are set in Minn. Stat. §245A

CCAP maximum rates

- Payment rates are set in Minn. Stat. §119B

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Overview of Rule Revision Process

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651-431-3168

DHS Mission & Values

- Our mission
 - The Minnesota Department of Human Services, working with many others, helps people meet their basic needs so they can live in dignity and achieve their highest potential
- Our values
 - **We focus on people**, not programs.
 - **We provide ladders up and safety nets** for the people we serve.
 - **We work in partnership with others**; we cannot do it alone.
 - **We are accountable for results**, first to the people we serve, and ultimately to all Minnesotans.

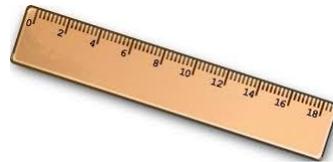
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Rulemaking authority

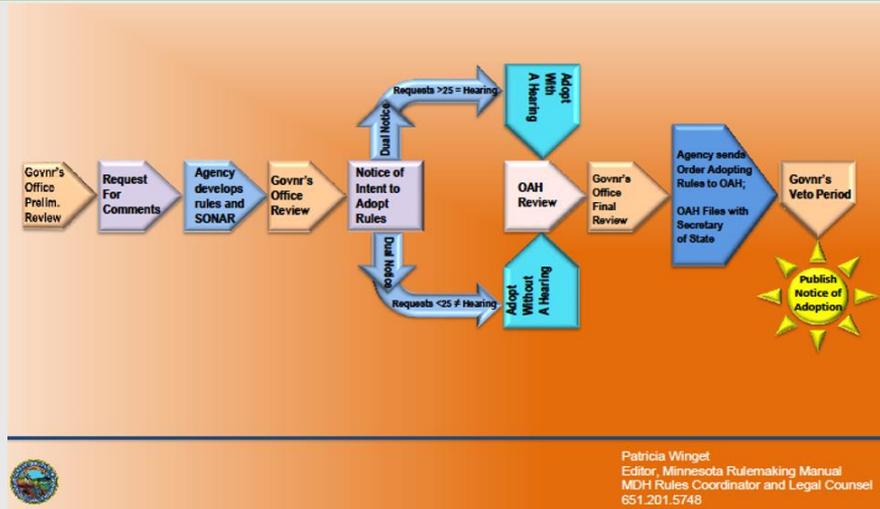
- Granted by the Legislature
- Child Care Assistance Program:

Minnesota Statutes, Chapter 119B

- permits DHS to make rules to implement and coordinate federal program requirements (Section 119B.02, subdivision 1)
- section 119B.02, subdivision 3 requires DHS to make rules that establish minimum standards for child care services
- section 119B.06, subdivision 2 permits DHS to make rules to administer the child care development block grant



Rulemaking progress chart



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Request for comments

- First formal step in rulemaking process
- First opportunity for public input
- Published in the State Register
 - CCAP Request published Sept 24
- Sent to other “affected persons,” for instance: program recipients, regulated parties, advocates, counties, tribes, other state agencies, people who have signed up to receive DHS rulemaking announcements
- Sent to the Legislature

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Draft rules

- Consider while drafting:
 - Necessary
 - Reasonable
 - Within statutory authority
- Advisory Committee review

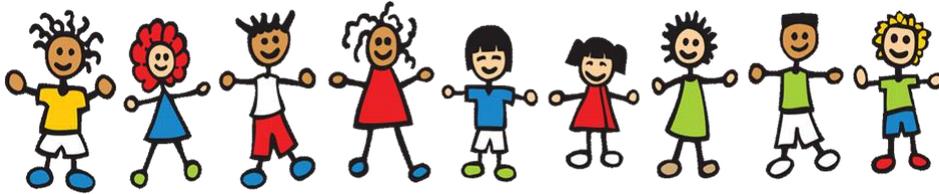


Draft SONAR (Statement of Need and Reasonableness)

- Provides background
- Identifies affected persons
- Identifies alternative ways of achieving purpose of rules
- Explains why alternatives were rejected in favor of rules
- Discusses any differences from federal regulations
- Assesses total effect of rule with other federal or state regulations
- Analyzes costs
- Includes sources and citations

Advisory Committee

- Advise: inform and persuade, make suggestions and recommendations
- Review drafts of rules and SONAR
- Commissioner/agency makes final decisions



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Notice of Hearing/Intent to Adopt Rules

- Second opportunity for public input
- Content of Notice
 - Hearing
 - No hearing
 - Dual notice
- Draft rules and draft SONAR must be complete
- Track comments and respond to any policy issues raised
- Hearing if necessary

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Publish in State Register

- Rules take effect after 5 days
- CELEBRATE!



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Rule Revision Themes

Brenda Brannick, Child Care Assistance Program

Andrea Lentini, Child Care Assistance Program

12 Month Eligibility



Eligibility redetermined every 12 months



Child support cooperation at application and redetermination



Education approved for all subprograms



85% exit level during 12 month eligibility period



Copays do not increase during 12 month eligibility period

Maintain consistent care



Work hours can fluctuate



Extended Eligibility



Education plan cannot be terminated when a family moves to a new county



Authorized hours decrease less often

Determining income for eligibility

Income only counted when specified



Reflects program unification changes



Reporting responsibilities

Families report fewer changes



Families don't need to report changes in income, unless over 85% SMI



Most families don't report changes in work or school schedule, unless permanent end

Provider policies



The child care provider is notified of the family's redetermination due at the same time the family is notified

Payment policies

No provisional payments to LNL providers

Payment limited when a child has multiple providers

Payments limited to 25 center employees' children

Payments made within 21 days of receiving bill

Copayment fee schedule

- State median income (SMI) is no longer published in the Federal Register
- Copayment fee schedule will continue to use federal data for SMI but will no longer be tied to publication in the Federal Register



FEDERAL REGISTER

The Daily Journal of the United States Government

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Family Involvement

Kisha Dixon, Child Care Assistance Program

Family involvement



Connect with organizations

Gather feedback from families

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Next Steps

Andrea Lentini, Child Care Assistance Program

Next steps



Drafting language
and SONAR

Rule revision
website



Stakeholder
involvement

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Thank you!

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<https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/child-care-and-early-education/ccap-rule-rev.jsp>

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