



## CCAP Rule Revision

### Overview of revisions

| 12 Month Eligibility   | Rule Revision Needed                               | Current Legal Authority                                 |  |
|--|--|---|--|
|  |  | State   | Federal  |
| <p><b>Eligibility is redetermined every 12 months</b><br/> <i>Former policy:</i> Eligibility was redetermined every 6 months</p>   | <p><a href="#">Minn. R. 3400.0180</a></p>          | <p><a href="#">Minn. Stat. §119B.025, subd. 3</a></p>   | <p><a href="#">45 C.F.R. §98.21(a)</a><br/><br/> <a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p>  |
| <p><b>Child support cooperation required only at application and redetermination</b><br/> <i>Former policy:</i> Child support cooperation was required continuously for a family to be eligible for CCAP</p> | <p><a href="#">Minn. R. 3400.0040, subp 5a</a></p> | <p><a href="#">Minn. Stat. §119B.09, subd. 1(c)</a></p> | <p><a href="#">45 C.F.R. §98.20(b)</a><br/><br/> <a href="#">45 C.F.R. §98.21</a><br/><br/> <a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p> |

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| <p><b>Education is an approved activity under Transition Year (TY) and Transition Year Extension (TYE)</b><br/> <i>Former policy:</i> Families receiving TY and TYE were only eligible to receive CCAP for work and job search</p>  | <p><a href="#">Minn. R. 3400.0060</a> &amp; <a href="#">3400.0090</a></p> | <p><a href="#">Minn. Stat. §119B.011, subd. 20 &amp; 20a</a></p>  | <p><a href="#">45 C.F.R. §98.20(3)(i)</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p>              |              |                |
| <p><b>Eligibility continues when incomes increases during the 12 month eligibility period, as long as income is at or below 85% of state median income (SMI). At redetermination, income must be at or below 67% of SMI to be eligible.</b><br/> <i>Former policy:</i> Eligibility ended when income went above 67% SMI</p> | <p>New policy to be added to Rule</p>                                     | <p><a href="#">Minn. Stat. §119B.025, subd. 4(e)</a><br/><br/><a href="#">Minn. Stat. §119B.09, subd. 1</a></p>   | <p><a href="#">45 C.F.R. §98.21(a) &amp; §98.21(e)</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p> |              |                |
| <p><b>Copays do not increase during the 12 month eligibility period</b><br/> <i>Former policy:</i> Copays could increase or decrease at any time</p>  | <p>New policy to be added to Rule</p>                                     | <p><a href="#">Minn. Stat. §119B.12, subd. 2</a></p>  | <p><a href="#">45 C.F.R. §98.21(a)</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p>                 |              |                |
| <p><b>Maintaining Consistent Child Care Authorizations</b></p>  | <p><b>Rule Revision Needed</b></p>  | <p><b>Current Legal Authority</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><b>State</b></td> <td style="width: 50%; text-align: center;"><b>Federal</b></td> </tr> </table> |  | <b>State</b> | <b>Federal</b> |
| <b>State</b>  | <b>Federal</b>  |   |  |              |                |
| <p><b>Minimum work requirements only apply at application, redetermination, and at the end of job search</b><br/> <i>Former policy:</i> Families were required to meet minimum work requirements at all times to remain eligible</p>  | <p><a href="#">Minn. R. 3400.0040</a></p>                                 | <p><a href="#">Minn. Stat. §119B.10, subd. 1</a></p>  | <p><a href="#">45 C.F.R. §98.21</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i) and (ii)</a></p>           |              |                |

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| <p><b>Extended Eligibility is available after the permanent end to an activity, allowing the same amount of care to be authorized for three months or until the family's next redetermination</b><br/> <i>Former policy:</i> Once a family no longer had an eligible activity, CCAP ended with a 15-day notice</p>  | <p>New policy to be added to Rule</p>                | <p><a href="#">Minn. Stat. §119B.105</a></p>   | <p><a href="#">45 C.F.R. §98.21(a)(2)</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(iii)</a></p> |
| <p><b>When a family moves, the new county/tribe cannot terminate an education plan during the family's 12 month eligibility period</b><br/> <i>Former policy:</i> Once a new agency took over financial responsibility, the county could reject or modify the family's education plan if it did not meet the new agency's education plan requirements</p> | <p><a href="#">Minn. R. 3400.0060, subp 9(D)</a></p> | <p><a href="#">Minn. Stat. §119B.095, subd. 2</a><br/><br/><a href="#">Minn. Stat. §119B.10, subd. 3</a></p> | <p><a href="#">45 C.F.R. §98.21</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p>         |
| <p><b>Authorized hours decrease less often during the 12 month eligibility period</b><br/> <i>Former policy:</i> The number of hours authorized could increase or decrease at any time</p>  | <p>New policy to be added to Rule</p>                | <p><a href="#">Minn. Stat. §119B.095, subd. 2</a></p>  | <p><a href="#">45 C.F.R. §98.21(a)</a><br/><br/><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p>      |
| <p><b>Determining Income for Eligibility</b></p>  | <p><b>Rule Revision Needed</b></p>                   | <p><b>Current Legal Authority</b></p>  |   |
|   |  | <p><b>State</b></p>  | <p><b>Federal</b></p>   |
| <p><b>Income eligibility policies reflect program unification changes - income is only counted when it is specifically identified as countable income</b><br/> <i>Former policy:</i> Required all income be counted unless specifically excluded by law</p>   | <p><a href="#">Minn. R. 3400.0170</a></p>            | <p><a href="#">Minn. Stat. §119B.011, subd. 15</a></p>   |   |
| <p><b>Reporting Responsibilities for Participants</b></p>   | <p><b>Rule Revision Needed</b></p>                   | <p><b>Current Legal Authority</b></p>  |   |
|   |  | <p><b>State</b></p>  | <p><b>Federal</b></p>   |

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| <p><b>Families need to report fewer changes during the 12 month eligibility period - most families do not need report changes in their work or school schedule, unless they permanently stop working or going to school</b></p> <p><i>Former policy:</i> All families were subject to the same reporting requirements and most all changes needed to be reported.</p>  | <p><a href="#">Minn. R. 3400.0040, subp 4</a></p>  | <p><a href="#">Minn. Stat. §119B.025, subd. 4</a></p> <p><a href="#">Minn. Stat. §119B.095, subd. 1</a></p> | <p><a href="#">45 C.F.R. §98.21(e)(1)</a></p> <p><a href="#">Public Law 113-186, 658E(c)(2)(N)(i)</a></p> |
| <p><b>Provider Policies</b></p>  | <p><b>Rule Revision Needed</b></p>                 | <p><b>Current Legal Authority</b></p>   |   |
|  |  | <p><b>State</b></p>   | <p><b>Federal</b></p>   |
| <p><b>Child care providers are notified of the family's redetermination due date 45 days prior to the end of the 12 month eligibility period</b></p> <p><i>Former policy:</i> The redetermination due date was not included on notices to providers</p>  | <p><a href="#">Minn R. 3400.0035, subp 6</a></p>   | <p><a href="#">Minn. Stat. §119B.025, subd. 3(4)</a></p>  | <p><a href="#">45 C.F.R. §98.21(d)</a></p> <p><a href="#">Public Law 113-186, 658E(c)(2)(N)(ii)</a></p>   |
| <p><b>Payment Policies</b></p>   | <p><b>Rule Revision Needed</b></p>                 | <p><b>Current Legal Authority</b></p>   |   |
|  |  | <p><b>State</b></p>   | <p><b>Federal</b></p>   |
| <p><b>LNL providers are not able to receive provisional payments</b></p> <p><i>Former policy:</i> Provisional payments (payment before a completed background study) were allowed at county/tribal option</p>  | <p><a href="#">Minn. R. 3400.0110, subp 2a</a></p> | <p><a href="#">Minn. Stat. §119B.125, subd. 5</a></p>   | <p><a href="#">45 C.F.R. §98.43</a></p>   |
| <p><b>Payment is limited when a child has multiple providers. Each child can use up to two providers, one primary and one secondary. Amount of care authorized with a secondary provider is limited to 20 hours in a biweekly period and payment cannot be more than two daily rates in a biweekly period.</b></p> <p><i>Former policy:</i> No specific limits on payment or authorization when children used multiple providers</p> | <p>New policy to be added to Rule</p>              | <p><a href="#">Minn. Stat. §119B.097</a></p> <p><a href="#">Minn. Stat. §119B.13, subd. 1</a></p>           |   |

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| <p><b>Payments to providers for children of center employees are limited to 25 or fewer children of employees per center</b><br/> <i>Former policy:</i> Payment to providers for children of center employees were limited to no more than 50 percent of children per center</p> | <p>New policy to be added to Rule</p>             | <p><a href="#">Minn. Stat. §119B.09, subd. 9a</a></p> |   |
| <p><b>Payments must be made within 21 days of receiving a completed bill from a provider</b><br/> <i>Former policy:</i> Payments were required to be made within 30 days</p>   | <p><a href="#">Minn. R. 3400.0110, subp 7</a></p> | <p><a href="#">Minn. Stat. §119B.13, subd. 6</a></p>  | <p><a href="#">45 C.F.R. §98.45(l)</a><br/> <a href="#">Public Law 113-186, 658E(c)(2)(S)(ii)</a></p> |

## Other revisions

| Update of Copayment Fee Schedule   | Rule Revision Needed   |
|--|--|
| <p>State median income (SMI) is used to develop the copayment fee schedule. Rule currently states the copayment fee schedule must be published after the date the state median income is published in the Federal Register by the US Department of Health and Human Services but SMI is no longer posted in the Federal Register. Rule will be revised to continue using federal data as the SMI source but will no longer be tied to publication in the Federal Register. <i>This revision will not change how copayments are calculated.</i></p> | <p><a href="#">Minn. R. 3400.0020, subp 39 &amp; 3400.0100, subp 5</a></p> |