Child Care Assistance Program (CCAP)
Law changes effective April 23, 2018

Center Employee Law

What is the current law?

No more than half, or 50%, of the total children at a center can both be authorized for CCAP and be children or dependents of the center’s employees.

What is the new law?

Effective April 23, 2018, no more than 25 center employees’ children can be authorized per center.

Why do we have this law?

- **Minn. Stat. §119B.011, subd. 5** defines “child care” as “the care of a child by someone other than a parent, stepparent, legal guardian, eligible relative caregiver, or the spouses of any of the foregoing.” Limiting CCAP for child care center employees reduces the likelihood of CCAP paying parents to care for their own children.
- CCAP does not pay for children of family licensed child care providers, legal nonlicensed child care providers and their employees. The law for centers allows for some children of employees to be paid for CCAP.
- The change in the law shifts implementation from a percent to a number, decreases what providers need to track and report, reduces the complexity of enforcement, and makes it easier to explain the requirement.

How will this affect families?

- On 4/23/2018, if employees’ children have existing authorizations, those authorizations can stay open as long as the family remains eligible for CCAP.
- For new center employees’ requesting authorization if a center is over 25, care cannot be authorized until the number falls below 25. Families have the following options:
  - Find a different eligible activity and stop working at the center where their children attend, then CCAP can authorize care at that center.
  - Keep their job at the center and bring their children to care, but pay with their own money instead of using CCAP.
Keep their job at the center and choose a new child care provider.

**How will this affect centers?**

- Effective 4/23/18, a child care center cannot receive CCAP authorizations for more than 25 employees’ children.
- On 4/23/18, if a child care center has open authorizations for more than 25 employees’ children:
  - Existing authorizations for employees’ children will stay open, as long as the families remain eligible and their authorizations do not close for another reason.
  - CCAP cannot open new authorizations for additional employees’ children until the number of employees’ children authorized falls below 25.

**How will centers know if a child cannot be authorized at their center?**

Centers manage their own enrollment and should count how many enrolled children are children of center employees and authorized to receive CCAP. When counting authorized children, CCAP includes all children who have Service Authorizations and get Billing Forms. Current reporting requirements for parents and providers continue to apply.

- Providers must report immediately when children stop attending.
- Parents must report employment changes within 10 days.

**Payment Limit for Multiple Providers**

**What is the current law?**

There are not specific limits on payment or authorization when children use multiple providers. There is a 120 hour payment limit per child, per two-week period. This policy is not changing, but is impacted by the new law which supports the 120 hour payment limit.

**What is the new law?**

Effective April 23, 2018, CCAP will limit care when a child has multiple providers. Each child can use up to two providers that can be paid by CCAP, one primary provider and one secondary provider.

- The amount of care authorized with a secondary provider is limited to 20 hours in a biweekly period.
- The amount paid to a secondary provider cannot be more than two daily rates in a biweekly period.

Legal nonlicensed (LNL) child care providers do not count toward the two provider limit. If a child uses an LNL provider and one other type of provider, the authorization and payment will not be reduced for either provider.
Why do we have this law?

Existing CCAP policy states a county must not authorize or pay for more than 120 hours of child care assistance per child every two weeks. When counting hours toward the 120 hour limit, a weekly rate counts as 50 hours, and a daily rate counts as 10 hours (see Minn. R. 3400.0110, subp. 3).

This new law and policy ensures that existing policies regarding the 120 hour biweekly payment cap are applied correctly.

How will this affect families?

Some families may have to use their own money to pay for care with a secondary provider.

How will this affect providers?

If you are a child’s secondary provider, CCAP cannot:

- Authorize more than 20 hours of care for that child per two-week service period.
- Pay more than two maximum daily rates for that child per two-week billing period.

A provider may charge the family the difference between their rate and what CCAP pays.

How will providers be notified?

When a parent designates a provider as their child’s secondary provider, the Service Authorization will list applicable hourly and daily county maximum rates, but the weekly rate will be listed as zero.