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CHAPTER 46-400 AID RECOVERIES AND SPECIAL CIRCUMSTANCES

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- .292 Housing repairs (see Sections 46-425.26, 46-425.63 and .64).
 - .293 Moving expenses (see Section 46-425.65 and .66).
 - .294 Housing modifications (see Sections 46-425.25 and 46-425.67).
 - .295 Prevention of foreclosure (see Section 46-425.68).
- .3 Utilization of Liquid Assets. The costs of any special circumstances shall be met by first requiring the recipient to utilize all but \$300 of his/her available liquid assets. The recipient shall also be allowed to retain any funds that have been specifically designated for the following future needs:
- .31 Property tax
 - .32 Home insurance
 - .33 Funds which have been specifically committed for known medical expenses already incurred or planned and not covered by Medi-Cal or any other source. Examples include but are not limited to, a surgical operation for an ineligible spouse or purchase of such items as eye glasses or dental plates.
 - .34 Any monies that are being accumulated to satisfy a lien against the home property or a judgment arising out of an automobile accident that otherwise would result in loss of the recipient's driver's license.
 - .35 Funds which have been set aside to fulfill an approved plan of self-support in the SSI/SSP Program.
- .4 Payment of Benefits
- .41 Payment shall not be made for any need which can be met without cost to the recipient.
 - .42 Payment shall be made to the recipient or his/her representative payee except when, in the opinion of the county, vendor payment is more advisable.
 - .43 Vendor payments shall be made no later than thirty days after the vendor's bill is presented to the county.
 - .44 Payment shall not be made for expenses that do not have prior authorization from the county, except as specified in .5 below.

46-425 **SPECIAL CIRCUMSTANCES (Continued)** **46-425**

.5 Exception to the Requirement of Prior Authorization for Payment. Prior county authorization to incur expenses shall not be required when the special circumstance is an emergency.

The recipient shall submit evidence to the county to show that an emergency existed and that the expenses incurred were necessary and reasonable.

.6 Categories of Special Circumstances Payments. Payments under this section shall be limited to the following:

.61 Replacement or repair of essential household furniture, equipment or supplies owned by the recipient which have been lost, damaged or destroyed through catastrophe. Such items shall be replaced, restored or repaired. In nonemergency situations, the recipient shall, upon county request, provide information to determine whether replacement, restoration or repair is most feasible before the county authorizes the expense to be incurred.

.611 The cost shall be prorated among the owners of the items.

.612 The amount of the allowance per catastrophe to the recipient(s) shall be the item's reasonable replacement, restoration or repair cost, including sales tax, or the maximum amount listed below, whichever is less:

.6121 Cook stove, refrigerator, and/or space heater - \$405, combined total,

.6122 Bed, including mattress - \$143

.6123 Other essential furniture, equipment or supplies - \$50 total.

.62 Replacement of clothing lost, damaged, or destroyed through catastrophe.

.621 The allowance shall not exceed a reasonable amount for which needed items can be purchased, or a total amount of \$113 per recipient, whichever is less.

.63 Required housing repairs necessary to provide safe and healthful recipient-owned housing and/or essential appliances. (\$300 maximum allowance.)

.631 These remedies shall include, but shall not be limited to:

.6311 Repairs to the physical structure of the home.

46-425 **SPECIAL CIRCUMSTANCES (Continued)** **46-425**

- .6312 Removal of a tree which endangers the home.
- .6313 Repair of cesspool or sewer.
- .6314 Fumigation for pests.
- .6315 Repairs to the following recipient-owned essential appliances: stove, heater, water heater, refrigerator. Other appliances (such as air conditioners) may be repaired only if they are essential to safe and healthful housing for the recipient.
- .632 Payment shall not be allowed for items or services which are necessary on a recurring basis solely to maintain the property, unless the health or safety of the recipient is threatened and the recipient could not have reasonably prevented the need for the remedy.
- .633 Payment of the required housing repair allowance shall be permitted when the total cost of necessary repairs exceeds \$10. The allowance shall not exceed a reasonable amount for which adequate repairs can be made. Appliances shall be replaced, restored or repaired. In nonemergency situations, the recipient shall, upon county request, provide information to determine whether replacement, restoration or repair is most feasible before the county authorizes the expense to be incurred. The total allowance for repairs in any 12-month period shall not exceed \$300 per dwelling except as specified in Section 46-425.64. The period begins on the date of application for the current request and covers applications made during the immediately preceding 12-month period.
- .634 The cost of the repairs shall be prorated among the owners of the property or appliance. When ownership is shared with a nonrecipient, the recipient's or recipients' prorated portion of the cost up to the \$300 limit shall be allowed.
- .635 SSP recipients who hold a life estate to the house in which they live are eligible for the required housing repair allowance.
- .64 Supplemental housing repairs which are necessary for safe and healthful housing, but which exceed \$300 total cost.
 - .641 When the cost of required housing repairs exceeds the \$300 standard allowed in Section 46-425.63, an additional payment not to exceed the total cost of the repairs, shall be allowed when all the conditions set forth in Section 46-425.644 are met.

46-425 **SPECIAL CIRCUMSTANCES (Continued)** **46-425**

- .642 The number of payments for supplemental housing repairs shall not be limited provided that the cumulative payment per dwelling does not ever exceed \$450.
- .643 Persons who received a payment under the Unmet Shelter Needs Program (January 1974 through June 1977) shall be eligible for the difference between that payment and the \$450 supplemental housing repair allowance.
- .644 Prior to making any expenditures of the supplemental housing repair allowance, in nonemergency situations, the home shall be evaluated and the following determinations made by the county:
 - .6441 The housing or essential appliance is so defective that continued occupancy or use is not safe or is not healthful.
 - .6442 The housing or essential appliance is worth repairing.
 - .6443 It appears probable the recipient will be able to continue living in the home following its repair.
 - .6444 Total cost to the recipient for adequate alternative housing over a two-year period would exceed the following combined costs:
 - (a) The cost of repairs needed to make the home habitable and,
 - (b) Other probable costs of continued occupancy of such home during a two-year period, i.e., encumbrance payments, taxes, assessments, minor upkeep and insurance.
- .645 The cost of repairs shall be prorated among the owners of the property or essential appliance. When ownership is shared with a nonrecipient, the recipient's or recipients' prorated portion of the cost, up to the maximum, is allowed.
- .65 Required moving expenses, including the cost of packing, storage, and moving, necessary because of eviction or because current housing is unsafe or unhealthful as determined by the CWD.
- .651 The amount allowed shall not exceed \$200 for a recipient or \$300 for two or more recipients. The amount shall never exceed the cost of the services. In nonemergency situations, the recipient shall, upon county request, provide cost estimates to the county prior to authorization of the moving allowance.

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- .652 Payment for moving expenses shall be limited to one time only for each recipient unless it is determined by the CWD that the applicant did not cause the need for another move.
- .653 No payment shall be made when provisions for moving can be made at no cost to the recipient.
- .654 When the SSP recipient is moving with a nonrecipient(s), payment shall be made for only the SSP recipient's share of the total cost of the move. Proration of costs shall not apply to nonrecipient minors in the home.
- .66 Supplemental moving expenses, including the required costs of securing suitable housing as designated below, necessary because of eviction or because current housing in unsafe or unhealthful as determined by the CWD.

The supplemental moving expense payment is separate from any moving expenses granted under Section 46-425.65. When the SSP recipient is moving with a nonrecipient(s), payment shall be made for only the SSP recipient's share of the total cost of the move. Proration of costs shall not apply to nonrecipient minors in the home.

- .661 Payment for securing housing shall be limited to one time only for each recipient unless it is determined by the CWD that the applicant(s) did not cause the need for another move.
- .662 If the recipient(s) is renting housing, payment up to a maximum of \$300 per move under this section shall be limited to:
 - .6621 Required deposits for gas, water, sewage, electricity including hood-up fees, and installation charges for a telephone.
 - .6622 First and last months' rent when required by the landlord to secure the rental housing. If the recipient(s) has not paid rent out of the current month's check, he/she/they will be required to pay one month's rent, with the balance needed to secure the housing then met through the supplemental moving expense payment.
 - .6623 Cleaning fees and/or security deposits.
- .663 If the recipient(s) is purchasing a home, the combined payments for purchase of a home and the moving allowance under Section 46-425.65 shall not exceed \$750. The cost of home purchase shall be prorated among all purchasers of the home in accordance with Section 46-425.654.

46-425 SPECIAL CIRCUMSTANCES (Continued) 46-425

A payment covering costs listed in Section 46-425.6631 - .6634 may be allowed if:

- (a) The property is a suitable home for the recipient.
- (b) Approval can be obtained for an FHA, Veterans Administration, or other governmental or conventional loan.
- (c) The usual safeguards are observed prior to transfer, i.e., building inspection, property search, termite inspection, etc.
- (d) The total monthly amount for payments on the principal interest, taxes, and other liens on the property, insurance and minor maintenance, is not substantially in excess of the cost of rental or leased housing that would be available for the recipient.
- (e) The recipient(s) can qualify as a transferee for the encumbrance on the property or approval of a renegotiated loan as set forth in (b) above.

Payment may be allowed for:

- .6631 Down payment
 - .6632 Closing costs
 - .6633 Real estate fees; and,
 - .6634 Other costs entailed in real property or mobile home purchase, including required deposits for gas, water, sewage, electricity including hook-up fees, and installation charges for a telephone.
- .67 Housing modifications expense, when modification of a recipient occupied home is necessary to provide safe and healthful housing.
- .671 Payment up to a maximum of \$750 per recipient, not to exceed \$750 per home, shall be allowed to meet the need. The \$750 maximum is cumulative and may be expended in one or more payments. Such a determination shall be based on nonrecurring conditions peculiar to the individual's situation.

46-425 **SPECIAL CIRCUMSTANCES (Continued)** **46-425**

- (a) If two or more recipients live together, the amount allowable shall be limited to a cumulative maximum of \$750 for the common home.
 - (b) Should one recipient move from the common home to a new dwelling, he/she shall be eligible for a renewed \$750 maximum allowance for that dwelling. The individual remaining in the home which was previously held in common shall be eligible for an individual \$750 allowance, less his/her share of any modification allowance previously expended on that dwelling. If the individual remaining in the home did not benefit from modification allowances previously expended on the dwelling, the cost of such modifications shall not be applied to that individual. He/she shall be eligible for the full \$750 per recipient allowance as necessary to accommodate his/her physical infirmities or other health and safety needs in that dwelling.
 - (c) Should the recipients both move from the common home into separate homes, each person shall be eligible for a renewed \$750 maximum allowance for each new dwelling.
- .672 Examples of housing modifications include, but are not limited to, a ramp or other needed fixtures for a disabled person. Modifications also include changes that are required to comply with local building, health or safety codes and which are necessary for safe or healthful housing, such as installation of mobile home skirting and required sewer hook-ups for residences.
- .673 Modification may be made when housing occupied by a recipient is owned by another person if the recipient has obtained the written permission of the owner to complete the modifications.
- .674 Proration may be required for a home modification. If two or more recipients live together, each recipient benefited by a modification shall commit an equal share of his/her allowance to meet the cost; if one recipient is the sole beneficiary of the modification, that person shall bear the cost.
- .68 Payment to Prevent Foreclosure.
- .681 Payment of up to \$750 shall be allowed to prevent foreclosure as a result of delinquent mortgage payments, deeds of trust, or liens resulting from delinquent taxes, bonds, assessment, etc., on a home owned by a recipient or recipients.

46-425 **SPECIAL CIRCUMSTANCES (Continued)** **46-425**

- .682 This allowance shall be limited to one time only per recipient, regardless of whether the maximum is used.

- .683 The allowance shall be prorated among the owners of the property. If the property is owned by more than one person and the other owner(s) do not contribute his/her share of the amount required to prevent foreclosure, the allowance shall not be granted to the SSP recipient(s). When the recipient is the sole owner of the property, and the maximum allowance is not sufficient when added to contributions from other sources to prevent foreclosure, the allowance shall not be granted.

46-430 **SPECIAL NEEDS - FOOD, CARE, AND MAINTENANCE** **46-430**
FOR ASSISTANCE DOGS

.1 Definitions.

For the purpose of the Assistance Dog Special Allowance Program, the following definitions shall apply wherever the terms are used throughout Section 46-430.

- (a) (1) "Assistance Dog" means a guide dog, signal dog, or service dog.

- (b) (1) "Blind Recipient" means any individual who is considered blind as defined in Section 1614(a) of Title XVI of the Social Security Act.

- (c) (1) "Cash Assistance Program Immigrants" (CAPI) means that program provided for under Division 9, Part 6, Chapter 10.3 of the Welfare and Institutions Code (commencing with Section 18937).

- (d) (1) "Disabled Recipient" means any individual who is considered disabled as defined in Section 1614(a) of Title XVI of the Social Security Act or Title II Social Security Act (42 U.S.C. Section 401, et seq.).

- (e) (1) "Eligible Recipient" means any blind or disabled individual who is a recipient of SSI, SSP, CAPI, SSDI, or IHSS, or any combination, and who uses the services of an assistance dog.

- (f) (Reserved)

- (g) (1) "Guide Dog" means a dog that has been specifically trained, and certified by a licensed guide dog trainer under the provisions of Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code for use by a blind person to assist with his/her sight needs.

- (h) (Reserved)

46-430	SPECIAL NEEDS - FOOD, CARE, AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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- (i) (1) "In Home Supportive Services" (IHSS) means that program provided for under Division 9, Chapter 3, Article 7 of the Welfare and Institutions Code (commencing with Section 12300) and further defined in MPP Section 30-700.1).
- (2) "Income" means income as defined in the Code of Federal Regulations, Title 20, Volume 2, Part 416, Subpart K.
- (j) (Reserved)
- (k) (Reserved)
- (l) (Reserved)
- (m) (Reserved)
- (n) (Reserved)
- (o) (Reserved)
- (p) (Reserved)
- (q) (Reserved)
- (r) (1) "Resources" means resources as defined in the Code of Federal Regulations, Title 20, Volume 2, Part 416, Subpart L.
- (s) (1) "CDSS" means the California Department of Social Services.
- (2) "Service Dog" means a dog that has been trained to meet a physically disabled person's requirements including, but not limited to, minimal protection work, rescue work, pulling a wheel chair, or fetching dropped items.
- (3) "Signal Dog" means a dog that has been trained to alert a deaf person or a person whose hearing is impaired, to intruders or sounds.
- (4) "Special Needs Allowance" means an allowance provided by the Assistance Dog Special Allowance Program to pay for dog food and other costs associated with an assistance dog's care and maintenance.
- (5) "Social Security Disability Insurance" (SSDI) means that program provided for under Title II of the federal Social Security Act (42 U.S.C. Section 401, et seq.)

46-430 **SPECIAL NEEDS - FOOD, CARE AND MAINTENANCE** **46-430**
FOR ASSISTANCE DOGS (Continued)

- (6) "Supplemental Security Income" (SSI) means the program provided for under Title XVI of the federal Social Security Act (42 U.S.C. Section 1381, et seq.).
- (7) "State Supplementary Program" (SSP) means that program provided for under Division 9, Part 3, Chapter 3 of the Welfare and Institutions Code (commencing with Section 12000).
- (t) (1) "Termination" means the removal of a current recipient from ADSA Program.
- (u) (Reserved)
- (v) (Reserved)
- (w) (Reserved)
- (x) (Reserved)
- (y) (Reserved)
- (z) (Reserved)

.2 Eligibility

To be eligible for ADSA benefits, a person must complete the application process and meet all the following conditions:

- .21 Reside in the State of California.
- .22 Be disabled as defined in Section 46-430.1(b)(1) or 46-430.1(d)(1).
- .23 Be using the services of an assistance dog as defined in Section 46-430.1(a)(1).
- .24 Be receiving aid or services from one or more of the following programs: SSI, SSP, CAPI, SSDI, or IHSS.
 - .241 Recipients of SSDI must have income and resources equal to or less than the federal poverty level, as defined in MPP Sections 46-430.1(i)(2) and 46-430.1(r)(1).
- .25 Comply with all CDSS application and reporting requirements.

46-430	SPECIAL NEEDS - FOOD, CARE AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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.3 Application

Upon request the Department shall provide an eligibility application.

.31 For recipients of SSI, SSP, CAPI, or IHSS, application shall be made on Form ADSA 1 (Rev. 6/01) to the California Department of Social Services, Assistance Dog Special Allowance Program. The application shall be signed under penalty of perjury.

.32 For recipients of SSDI, application shall be made on Form ADSA 1B (Rev. 6/01) to the California Department of Social Services, Assistance Dog Special Allowance Program. The application shall be signed under penalty of perjury.

.33 Applicants who claim eligibility based on their SSDI status shall provide CDSS with a proof of income statement from the Social Security Administration.

.34 Applicants shall provide any and all information and documentation requested by CDSS in order to verify compliance with Welfare and Institutions Code Sections 12553 and/or 12554.

.35 The Department will approve or deny every application and notify the applicant of the action no more than 30 days after the date the application is received.

.4 Payments

Eligibility begins the first day of the month in which the application is received. If determined eligible, payments shall be made retroactively to the month in which the applicant was first made eligible.

.41 The monthly allowance shall be \$50.

.42 (Reserved)

.5 Redeterminations

Eligibility for this allowance shall be redetermined as follows:

.51 Eligibility for this allowance shall be redetermined at least once every twelve months.

.52 Each recipient shall complete and return the ADSA Renewal Application Form ADSA 1A (Rev. 4/01) to CDSS by the due date shown on the form.

46-430 SPECIAL NEED - FOOD, CARE AND MAINTENANCE FOR ASSISTANCE DOGS (Continued) 46-430

- .53 Each recipient shall promptly notify CDSS if he/she:
 - .531 Ceases to be a recipient of benefits under SSI, SSP, CAPI, SSDI or IHSS.
 - .532 Ceases using the services of an assistance dog.
 - .533 Has change in any information provided on the application forms provided to CDSS.

.6 Termination

Recipients , who fail to meet the eligibility requirements as defined in Section 46-430.2, will be terminated from the ADSA Program.

- .61 Terminations shall be effective the last day of the month in which it is determined the recipient no longer meets the eligibility requirements for the program.
- .62 Notice of Action Denial and Right to Request a State Hearing forms shall be forwarded to the recipient being terminated, along with a new ADSA Application and postage free return envelope.

HANDBOOK BEGINS HERE

.7 County Responsibility

The county welfare department will assist the recipient in completing his/her application for the special allowance when necessary to do so.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553, 10554, 12500, 12553 and 18943, Welfare and Institutions Code. Reference: Sections 10553, 10554, 12500, 12553 and 12554, Welfare and Institutions Code; Section 1614(a)(2), Title XVI of the Social Security Act; Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code; 42 U.S.C. Section 401, et seq.; and Section 54.1, Civil Code; Division 9, Part 6, Chapter 10.3 of the Welfare and Institutions Code (commencing with Section 18937).

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CHAPTER 47-100 THE STAGE ONE CHILD CARE PROGRAM

47-101 INTRODUCTION TO THE STAGE ONE CHILD CARE PROGRAM 47-101

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.1 Introduction

The Thompson-Maddy-Ducheny-Ashburn Welfare-to-Work Act of 1997 (Assembly Bill (AB) 1542, Chapter 270, Statutes of 1997) established the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. CalWORKs replaced the Aid to Families with Dependent Children (AFDC) Program and the Greater Avenues for Independence (GAIN) Program. CalWORKs also replaced a number of separate welfare-related child care programs. These include: GAIN child care, Non-GAIN Education and Training (NET) child care, Cal-Learn Child Care, Supplemental Child Care (SCC), Transitional Child Care (TCC), the California Alternative Assistance Program (CAAP), the At-Risk Child Care Program, and the child care earned income disregard programs.

.2 Intent of the Child Care Program

It is the intent of the Legislature that CalWORKs recipients, and former recipients are connected as soon as possible to local child care resources, make stable child care arrangements, and continue to receive subsidized child care services after they no longer receive aid as long as they require those services and meet the specified eligibility requirements.

In order to move welfare recipients and former recipients from their relationship with county welfare departments to relationships with institutions providing services to working families, it is the intent of the Legislature that families that are former recipients of aid, or are transitioning off aid, receive their child care assistance in the same fashion as other low-income working families.

HANDBOOK CONTINUES

47-101 INTRODUCTION TO THE STAGE ONE CHILD CARE PROGRAM 47-101
(Continued)

HANDBOOK CONTINUES

- .5 Child Care Partnerships It is the intent of the Legislature that families experience no break in their child care services due to a transition between the three stages of child care. To assure this, the California Department of Social Services (CDSS), CDE and the Chancellor's Office of the California Community Colleges (COCCC) work in collaboration to develop state policy and strategies that will aid in streamlining the program. At the local level, the counties, the Resource and Referral (R&R) Program, the Alternative Payment Program (APP), and the Local Planning Council (LPC) work together to assure that local policies and procedures provide for a smooth transition between the three stages of child care.
- .6 Stage One Child Care Stage One begins upon the entry of a person into the CalWORKs assistance program. A family may receive a child care subsidy for any legal child care chosen by the client.
- | .7 Stage Two Child Care Stage Two may begin when child care is available through a local Stage Two program and: the county determines stability; or when a recipient is transitioning off of aid.
- .8 Stage Three Child Care Stage Three begins when a funded space is available for a CalWORKs child care client, a Diversion client, or an employed former CalWORKs client.
- | .9 Extent of Division 47 Division 47 covers only Stage One child care and transition from Stage One.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858 et seq.; 42 U.S.C. 9858c(c)(2)(H); AB 1542, Chapter 270, Statutes of 1997; Budget Act: AB 107, Chapter 282, Statutes of 1997, Item 6110-196-0001, Provisions 13 and 14, and Item 6870-101-001, Provision 16(c); Sections 8350 thru 8359.1, and 79202, Education Code; and Section 11323.8, Welfare and Institutions Code.

47-110 **DEFINITIONS** **47-110**

- (a) (1) Alternative Payment Program "Alternative Payment Program (APP)" means an agency that contracts with the California Department of Education, in addition to other activities, to make payments to another agency or child care provider for the provision of child care and development services.
- (2) Assistance Unit "Assistance Unit" means a group of related persons living in the same home who have been determined eligible for CalWORKs cash assistance. [See Section 80-301(a)(9)]
- (b) (Reserved)
- (c) (1) Child Care "Child Care" means care and supervision of a child as specified in the California Code of Regulations, Title 22, Division 12, Section 101152c.(2).
- (2) Co-payment "Co-payment" means the amount the client is responsible to pay, if she or he chooses a child care provider who charges a fee higher than the maximum payment rate specified in Section 47-401.1. The co-payment is distinct from the family fee, as defined in Section 47-110(f)(1).
- (3) Child Care Provider "Child care provider" means a person or organization that provides child care services.
- (4) Client "Client" means an applicant for or recipient of CalWORKs cash assistance, a former CalWORKs client, a recipient of diversion payments or services, and/or a Cal-Learn teen, who receives or is eligible to receive child care through the CalWORKs child care program.
- (5) Commute Hours "Commute hours" means the time it takes for the client to travel from the child care provider to the activity or activities for which child care is being provided and from there back to the child care provider.

47-110 DEFINITIONS (Continued) **47-110**

- (d) (Reserved)
- (e) (1) Eligibility List "Eligibility List" means a waiting list for admission to state and federally subsidized child development services administered by the California Department of Education.
- (2) Exempt from Licensing or License-Exempt "Exempt from licensing" or "license-exempt" means that a child care provider is not required to obtain a child care license, as specified in the California Code of Regulations, Title 22, Division 12, Sections 101158 and 102358.
- (f) (1) Family Fee "Family fee" means the amount, if any, that the client shall be required to pay towards his or her child care costs, based on the fee schedule established by the State. The family fee is distinct from the co-payment, as defined in Section 47-110(c)(2).
- (2) First County "First County" means the county from which the client will move or has moved.
- (3) Former CalWORKs Client "Former CalWORKs client" means an individual who received cash aid under CalWORKs in the prior 24 months and needs child care to continue his or her employment or fulfill his or her county-approved program activity.

47-110 **DEFINITIONS** (Continued) **47-110**

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| | (3) | Revocation | "Revocation" means an administrative action taken by the CDSS to void or rescind the license of a child care provider due to serious or chronic violations by the provider. |
| (s) | (1) | Second County | "Second County" means the county to which the client will move or has moved to make his/her home. |
| (t) | (1) | Temporary Suspension Order (TSO) | "Temporary Suspension Order" means an administrative action taken by the CDSS that immediately suspends a child care provider's license for a limited period of time. |
| (u) | (1) | Underpayment | "Underpayment" means payments for child care services that are less than the amount which either the client or the child care provider is eligible to receive. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858 et seq.; 42 U.S.C. 9801 Note (b)(4); 42 U.S.C. 9858c(c)(2)(H); 42 U.S.C. 9858c(c)(2)(A) and (c)(5); 42 U.S.C. 9858e; 42 U.S.C. 9858n; 45 CFR 98.15(a)(3); 45 CFR 98.20(b)(3); 45 CFR 98.30; 45 CFR 98.42; Sections 8208, 8208.1, 8212, 8263, 8264, 8354 and 8357, Education Code; Sections 1569.773, 1596.792, and 1596.886, Health and Safety Code; Sections 11320.3, 11323.2, 11323.4, and 11324, Welfare and Institutions Code; Budget Act: AB 107, Chapter 282, Statutes of 1997, Item 6110-196-0001, Provision 9, and Item 6870-101-001, Provision 16(c).

47-120 **CHILD CARE REQUEST PROCESS** **47-120**

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| | .1 | Child Care Request Method | The client may request Stage One child care from a CalWORKs worker either verbally or in writing upon entry into the CalWORKs assistance program or at any subsequent time. |
| | .11 | Verbal Request | When a Client makes a verbal request for child care, the county shall document the request, provide a copy of the documentation to the person responsible for processing child care requests who retains a copy in the child care case file, and provide or mail a written confirmation to the client. |
| | .111 | Date of Request | The date of the request is the date the county receives the client's verbal request. |

47-120 CHILD CARE REQUEST PROCESS (Continued) 47-120

- .12 Written Request

A written request may include, but is not limited to, the county's child care request form, a notation on the informing notice, the eligibility/status report, or a letter from a client.
- .121 Client Responsibility

The client shall deliver or mail the written request to the county.
- .122 County Responsibility

Upon the receipt of a written request, the county shall date stamp the request, retain a copy in the case file, provide a copy to the person responsible for processing child care requests who retains a copy in the child care case file, and provide or mail a written confirmation to the client.
- .123 Date of Request

The date of request shall be determined as follows:

 - (a)

If the client hand delivers the written request, the date of the request shall be the date stamped by the county.
 - (b)

If the client mails the request, the date of the request shall be the date postmarked on the envelope. The county shall retain a copy of the envelope in the case file. If the request date cannot be determined by the postmark, the date of the request shall be three days prior to the date stamped by the county.
- .2 Required Information

The county shall inform clients that the following information must be received in order to process their child care request:
- .21 Client Information

Client information as specified in Section 47-320.2; and
- .22 Provider Information

Provider information as specified in Section 47-260.

47-120	CHILD CARE REQUEST PROCESS (Continued)	47-120
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| | .23 | County Responsibility | The county shall assist the client as needed in obtaining the necessary information to determine eligibility. |
| | .3 | Approval Process | |
| | .31 | Processing Time Frame | The county shall process the child care request and determine the eligibility of the client and child care provider within ten calendar days of receiving the information specified in Section 47-120.2. |
| | .311 | Denial of Request | If the county has not received the required information from the client and/or the child care provider within 30 calendar days, the county may deny the child care request. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 11323.3, Welfare and Institutions Code.

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47-201 ELIGIBLE CHILDREN (Continued) **47-201**

- .2 Age Requirements The child shall not exceed the age specified in Section 42-101 and shall be:

 - .21 Age Limit 10 years of age or younger; or
 - .22 Disabled 11 years of age or older and require child care or supervision because she or he is physically or mentally incapable of caring for herself or himself based on a written statement of a physician or licensed or certified psychologist or receipt of SSI/SSP; or
 - .23 Court Supervision 11 years of age or older and be under court supervision as specified in Welfare and Institutions Code Section 300, 301, 601 or 602.

- .3 11 –and 12 – Year Old Children 11 – and 12- year- old children may receive services to the extent funds are available.

 - .31 Children with Disabilities The following section on the preferred placement for 11- or 12–year-old children does not apply to 11- or 12 year old children with disabilities per Education Code Section 8263.4.

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- .311 This section does not apply to 11- or 12-year-old children with disabilities, including a child with exceptional needs who has an individual education plan as required by the Individual with Disabilities Education Act (20 U.S.C Section 1400), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), or Part 30 Sections 56000 through 56885) of the Education Code.

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- .32 Preferred Placement The preferred placement for 11-and 12-year-old children is in a before or after school program as specified by Education Code Section 8263.4.

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.321 Children who are 11 or 12 years of age shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before or after school program.

Families may combine care provided in a before or after school program with subsidized child care in another setting, for those hours within a day when the before or after school program does not operate, in order to meet the child care needs of the family.

.322 Children who are 11 or 12 years of age, who are eligible for and who are receiving subsidized child care services, and for whom a before or after school program is not available, shall continue to receive subsidized child care services.

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.33 Notification and Certification The CWD must provide a notification and certification form as developed by the Department of Education pursuant to Education Code Section 8263.4(d) to families with children who are at least 10 years and 10 months old stating that the preferred placement is in a before or after school program. In the event that a child is beyond his/her 11th birthday at the time child care services are requested, the CWD must provide the notification and certification form to the family at the time of the request.

If a before or after school program does not meet the family's needs, the parent is to complete, sign and return the notification and certification form to the CWD by the child's 11th birthday. After the child's 11th birthday, a before or after school program shall be considered available until such time as the parent returns the certification form.

47-220	ELIGIBLE CLIENTS	47-220
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| .1 | Current Recipient of CalWORKs Cash Assistance | Current CalWORKs recipients are eligible to receive CalWORKs child care because the participant receives CalWORKs cash assistance. |
| .2 | Stage One Clients | Child care shall be paid for every client when the following conditions are met: |
| .21 | Required Activities | A client is participating in the following activities: |
| .211 | Working | Working, and/or; |
| .212 | Welfare-to-Work Activity | Participating in a county-approved welfare-to-work activity; or |
| .213 | Other Approved Activity | Participating in another activity approved by the county including, but not limited to, job search and assessment or participating as a volunteer. |
| .22 | Availability of Care | There is no parent, legal guardian, or adult member of the assistance unit living in the home who is able and available to provide care. |
| .3 | Other Stage One Clients | Stage One child care shall also be paid for the following individuals: |
| .31 | (MR) Clients During a Suspense Month | Section 47-220.31(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. |
| .32 | Clients During Penalty/Sanction Months | Stage One clients who experience a period of temporary ineligibility for a cash grant that is not longer than one month, as long as they are participating in county-approved activities, or are employed; |
| | | Stage One clients who are being penalized or sanctioned, as long as they are working or participating in county-approved activities. |

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| .33 | Former CalWORKs Clients
Who Have Become Employed | Former CalWORKs clients who have become employed are eligible for child care services in Stage Three. |
| .331 | Child Care Services for
Former CalWORKs Clients
in Stage Two | If child care is not available in Stage Three, former CalWORKs clients receive child care services in Stage Two. |

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| .332 | Child Care Services for
Former CalWORKs Clients
in Stage One | Former CalWORKs clients shall receive child care services in Stage One when child care services are not available in Stage Two or Three child care. |
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| .34 | Clients Receiving Lump-Sum
Diversion Payments or
Services in Stage Three | Clients receiving Lump-Sum Diversion Payments or Services, as specified in Section 81-215, are eligible for child care services in Stage Three. If Stage Three child care or other subsidized child care is not available, diversion clients may be served in Stage Two child care. |
| .341 | Lump-Sum Diversion
Payment that Includes
Child Care | The lump-sum diversion payment may include funds to cover child care services during the period of diversion as specified in Section 81-215. |

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| .4 | Two-Parent Families | Two-parent families, even if they do not meet the 55 hours of participation per week in CalWORKs activities shall receive child care services, if otherwise eligible. |
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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 601 et seq., 42 U.S.C. 607(c)(1)(B)(ii); 42 U.S.C. 609(a)(3); 42 U.S.C. 9858i(a)(2)(A); 42 U.S.C. 9801 Note (b)(4); Sections 8263, 8350.5, 8351(c), 8353, 8354 and 8357, Education Code; Sections 10540, 10544, 11265.2, 11266.5, 11320.3, 11322.8, 11323.2 and 11323.8, Welfare and Institutions Code.

47-230 ELIGIBLE FORMER CALWORKS CLIENTS 47-230

- .1 Child Care Services for Former CalWORKs Clients
Former CalWORKs clients shall receive Stage One child care if:
 - .11 Availability of Child Care
Child care services are not available in Stages Two or Three, and
 - .12 Eligibility
The client meets the requirements of Sections 47-220.2 through 47-220.213, and
 - .13 Income and Family Size
The family meets the requirements of Education Code Sections 8263 and 8263.1, and
 - .14 Time Limits
Not more than 24 months have elapsed since the client left cash aid.
 - .141 Application of Time Limit
The 24-month limit applies to each instance of leaving cash aid.
 - .142 Applicability to Stage One and Stage Two
Child care services in Stage One and Stage Two combined shall not exceed 24 months after leaving cash aid.
 - .143 Applicability to Other Eligibility Requirements
The 24-month limit shall apply unless the client becomes otherwise ineligible within the 24-month period.
 - .144 Applicability to Stage Three
This 24-month limit shall not limit eligibility for child care services in Stage Three.
- .2 Income Eligibility
Former CalWORKs clients shall be eligible for Stage One child care services if monthly income, adjusted for family size, does not exceed 75 percent of the State Median Income, as specified in Education Code Section 8263.1(a).

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| (a) | Adjusted Monthly Income | Section 18078(a) - "adjusted monthly income' means total countable income minus verified child support payments paid by the parent whose child is receiving child development services. Except for child support payments paid by the parent, monthly income shall not be adjusted because of voluntary or involuntary deductions. When income fluctuations occur, the adjusted monthly income shall be computed by averaging the total adjusted income received during the twelve (12) months immediately preceding the month in which the application for services is signed;" |
| (b) | Income Fluctuation | Section 18078(g) - "'income fluctuation' means income which varies because of income such as bonuses, commissions, overtime, lottery winnings or migrant agricultural work or other seasonal employment;" and |
| (c) | Total Countable Income | Section 18078(l) - "'total countable income' means income that does not include the following;" |
| (1) | Earnings of a Minor | "(1) Earnings of a child under age eighteen (18) years;" |
| (2) | Monies not for Living Expenses | "(2) Loans, grants, and scholarships obtained under conditions that preclude their use for current living costs;" |
| (3) | Student Grants and Loans | "(3) Grants or loans to students for educational purposes made or insured by a state or federal agency;" |
| (4) | Work Allowances | "(4) Allowances received for uniforms or other work required clothing, food and shelter;" |
| (5) | Self-Employment Expenses | "(5) Business expenses for self-employed family members." |

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47-260	ELIGIBLE PROVIDERS (Continued)	47-260
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.14	Trustline Requirement	<p>A license-exempt child care provider shall be a registered Trustline child care provider as defined in Health and Safety Code Section 1596.605(b) (1) or be exempt from Trustline Registry, as specified in Section 47-260.2. A license-exempt provider required to be a registered Trustline child care provider shall not receive a subsidized payment until Trustline registration has occurred.</p> <p>A license-exempt provider, who has a Trustline application pending February 1, 2008, may continue to receive a subsidized payment for providing child care services until such time as their Trustline application is denied or their Trustline case file is closed.</p>
.2	Trustline- Exempt Child Care Providers	The following are exempt from Trustline:
.21		Aunts, uncles, grandparents, of the child(ren) in care by blood, marriage or court decree.
.211	Court Decree	Court decree includes, but is not limited to, adoptions or other court orders impacting family relationships.
.212	Declaration of Relationship	Counties shall obtain a self-certification declaration that substantiates the relationship of the exempt provider to the child(ren).
.22	School or Recreation Program Exempt from Trustline	A public recreation program as defined in Health and Safety Code Section 1596.792 or a public or private school.
.3	Parental Choice	Clients shall have choice in selecting child care providers. Licensed child care and child care exempt from licensure are valid parental choices of care for all clients of the Stage One child care program.
.4	Eligible Child Care Provider Limitations	Payment shall not be made for child care services when care is provided by parents, legal guardians, or members of the assistance unit.

47-260	ELIGIBLE PROVIDERS (Continued)	47-260
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	.5 License-Exempt Provider Information	If the county or a contractor pays for child care services to a license-exempt provider, all of the following information about the license-exempt provider shall be on file with the county or the contractor:
	.51 Name, Address, and Telephone Number	The name, address and, if available, a telephone number of the child care provider.
	.52 Where Care is Provided	The address and, if available, a telephone number where child care is to be provided.
	.53 Hours of Care and Charges	The hours child care is to be provided and the charge for this care.
	.54 Social Security Number	Social Security Number. Provision of the social security number is mandatory to enable the county to comply with the federal reporting requirements for an unduplicated count of child care providers under the Child Care and Development Fund. The county shall inform the provider that provision of the social security number is mandatory, and the uses that will be made of this number.
	.55 Character Reference	The names, addresses, and telephone numbers of two character references.
	.56 Identification	A copy of a valid California driver's license or other identification to establish that the child care provider is at least 18 years old
	.57 Required Statement	A statement from the provider as to her or his health education, experience or other qualification, criminal record, and names and ages of other persons in the home or providing child care.
	.58 Relationship	Relationship of the child care provider to each eligible child.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858i(a)(2)(A); 42 U.S.C. 9858c(c)(2)(A)(ii) and (c)(2)(H); 42 U.S.C. 9858n; 45 CFR 98.30; Section 76 of the Privacy Act of 1974 (5 U.S.C. Section 552a Note); Sections 8208.1, 8212, 8216, 8357, and 8358(a), Education Code; Sections 1596.60, 1596.605, 1596.67, 1596.792 and 1596.871, Health and Safety Code; Sections 11320.3 and 11324, Welfare and Institutions Code.

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TABLE OF CONTENTS**CHAPTER 47-300 RESPONSIBILITIES OF THE COUNTY**

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CHAPTER 47-300 RESPONSIBILITIES OF THE COUNTY

47-301 ADMINISTRATION OF CHILD CARE SERVICES 47-301

- .1 County Welfare Department Responsibility Counties shall inform clients of the availability of child care subsidies. Counties shall ensure that clients have access to child care subsidies whenever the need for child care occurs as a result of employment or participation in any county-approved activities.
- .2 Informing Notice Requirement The county shall provide the client with an informing notice that informs the individual of the availability of Stage One child care.

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- .21 The county is encouraged to also inform families orally of the availability of child care subsidies.

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- .22 Informing Notice Content The informing notice for Stage One child care shall contain the following information:
- (a) A statement that as of February 1, 2008, license-exempt child care providers, exempt those who are Trustline-exempt as specified in Section 47-260.2, must be registered with Trustline before subsidized payment for child care services can be made. Counties or contracted payment agencies shall not be permitted to begin payments until the license-exempt provider is a registered Trustline child care provider;
- (b) A statement that a client who selects license-exempt provider who is required to registered and is granted Trustline registration shall receive retroactive payment for up to the first 120 calendar days from the date child care services were requested and services were provider;

47-301 ADMINISTRATION OF CHILD CARE SERVICES (Continued) 47-301

- | (f) A statement that in order to receive paid child care, the client shall request child care from the worker, provide the information specified in Sections 47-320.2 and 47-260 to the worker within 30 calendar days to determine eligibility and be determined eligible. If the client and/or child care provider do not provide the required information within 30 calendar days, the child care request may be denied;
- | (g) A statement that the child care provider has to meet certain requirements and that the client is responsible for any child care services received if the child care provider is determined ineligible;
- | (h) A statement that the client shall be responsible for informing the county of their need for Stage One child care as soon as the need arises and each time they change child care providers;
- | (i) A statement that the client may use the informing notice to request child care if they need it at the time they receive the notice. The informing notice shall include a space for the client to indicate whether or not they need child care;
- | (j) A statement that the client may request assistance from the county to find and choose a child care provider. The informing notice shall include the name, address and phone number of the local child care resource and referral agency;
- | (k) A statement that the client shall be responsible for informing the county within 30 calendar days from the first and any subsequent child care provider in order to receive payment for the services provided;

47-301 ADMINISTRATION OF CHILD CARE SERVICES (Continued) 47-301

- | (l) A statement that the client may request assistance from their worker if he or she has any questions or needs additional information. The informing notice shall include the worker's name and telephone number; and

- | (m) A statement that the client has read and understands the informing notice.

- | .23 The informing notice shall be provided each time the client:
 - .231 Applies for CalWORKs cash assistance and at annual redetermination;
 - .232 Signs an original welfare-to-work plan; and
 - .233 Signs an amended welfare-to-work plan.

- | .24 The county shall provide the client with the county's child care request form upon request.

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- | .25 To ensure that the client is reminded of the availability of Stage One child care, the county may provide the informing notice to the client at any point in time, including the following:
 - .251 Along with the mailing of the eligibility/status report;
 - .252 When the county issues a warrant;
 - | .253 When a Notice of Action is sent out to the client, especially one related to an increase in income; or

HANDBOOK CONTINUES

47-301 ADMINISTRATION OF CHILD CARE SERVICES (Continued) 47-301

HANDBOOK CONTINUES

.254 Each time the client has contact with the county welfare office or worker on any other matter.

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.26 Client Responsibility The client shall sign and return the informing notice to the county when the informing notice is provided as required by Section 47-301.23.

.27 County Responsibility When the client returns the informing notice, the county shall date stamp the notice, retain a copy in the case file, provide a copy to the child care worker, and provide a copy to the client.

.271 Refusal to Sign/Return If the client refuses either verbally or in writing to sign and/or return the informing notice, the county shall document the refusal. A documented refusal shall have the same effect as a signature.

(a) Failure to sign an informing notice that has been mailed to a client does not in itself constitute a refusal to sign the notice.

.28 Former CalWORKs Clients Former CalWORKs clients who receive child care services in Stage One shall receive and sign the informing notice at least annually.

.3 Referral for Child Care Services The County shall refer clients needing child care services to the local child care resource and referral program.

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| .31 | Local Resource and Referral
Responsibility | The local resource and referral program assists families in establishing stable child care arrangements as soon as possible. These include licensed and license-exempt care. |
| .32 | Collocation of Local Resource
and Referral Staff | Local Resource and Referral staff are required to collocate with the county's case management offices or arrange other means of swift communication with parents and case managers. |

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47-301 ADMINISTRATION OF CHILD CARE SERVICES (Continued) 47-301

.4 Information Sharing

The county shall provide information about the client to the agency administering Stage Two or Three child care to establish eligibility for child care services and to allow the agency to provide child care to the family. This information may be shared with other entities not administering the program when the client has consented in writing that the information may be released.

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| .41 Confidentiality

AB 1542, Chapter 270, Statutes of 1997, did not change the confidentiality provisions in Welfare and Institutions Code Section 10850. All client information is kept confidential and is not open to examination except for purposes directly connected with the administration of public social services, or as otherwise authorized. Alternative Payment Programs (APP), Resource and Referral Programs and child care providers are an integral part of Stage One child care service delivery. Client confidentiality would not be violated as long as the communication with any of these entities is directly related to providing Stage One child care services, or transition to Stage Two or Stage Three. In exchanging client information for purposes of administering the seamless child care program, each of these agencies are bound by the same confidentiality requirements.

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| .5 Transitioning Clients

The counties shall manage a client's transition from Stage One to Stage Two or Stage Three when the county determines that the family's situation is stable. The client's child care shall continue in Stage One until child care is provided in Stages Two or Three, unless the family is otherwise ineligible.

47-301 ADMINISTRATION OF CHILD CARE SERVICES **47-301**
(Continued)

- .51 Stage One Time Limit A client shall be served in Stage One for a maximum of six months unless the family's situation is not stable, or child care is not available in Stage Two or Three.

- .52 Extension of Six-Month Time Limit The county shall extend the six-month time limit if the county has not determined stability or if child care is not available in Stage Two or Stage Three.

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- .6 Placement on Eligibility Lists for Subsidized Child Care Stage One clients should be referred for placement on eligibility lists for CDE subsidized child care as soon as possible.

- .7 Referral Priority for Stages Two and Three Former CalWORKs clients should be referred for transition to Stage Two and Stage Three eligibility lists before the county refers other Stage Two or Three eligible clients.

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- .8 Contracts to Provide Stage One Child Care The county shall have the option to contract with public or private child care agencies to provide any or all of the Stage One services.

- .81 Compliance with Regulations Public or private child care agencies, including those that contract with the county to provide Stage One child care services shall comply with Division 47.

- .9 Administrative Actions - Licensed Child Care Providers
 - .91 Temporary Suspension Order (TSO) or Revocation of Child Care License When the county is notified by the R&R program that a licensed child care provider's license has been temporarily suspended or revoked, the county shall do the following within two business days:

 - .911 Terminate payment to the child care provider as of the effective date of the TSO or license revocation; and

47-301 ADMINISTRATION OF CHILD CARE SERVICES 47-301
(Continued)

.912 Inform the parents and the child care provider in writing that the payment has been terminated and the reason for the termination.

.92 Probationary Status When the county is notified by the R&R program that a licensed child care provider's license has been placed on probation, the county shall do the following within two business days:

Inform the parents in writing that their child care provider has been placed on probation and that they have an option to locate alternate child care arrangements or remain with the provider without risk of subsidy payments being terminated.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9801 Note (b)(4); 42 U.S.C. 9858e; 45 CFR 205.50; 45 CFR 98.51(a)(2)(i); Sections 8212, 8350, 8351, 8352, 8354 and 8358.5, Education Code; and Sections 10540, 10850, 11323.3, 11323.4(f) and 11323.8, Welfare and Institutions Code; Section 1596.605. Health and Safety Code.

47-310 INTERCOUNTY TRANSFERS 47-310

.1 First County Upon notification of the CalWORKs Child Care client transferring to a new county, the first county shall:

.11 Inform Clients Inform the client in writing of the responsibility to apply for child care in the second county and the payment responsibility information specified in Section 47-310.3 in order to avoid a break in child care services.

.2 Second County The second county shall:

.21 Establish a Child Care Case Establish a child care case as soon as the client applies for and meets the child care eligibility requirements as specified in Section 47-220, regardless of the status of the cash aid transfer.

47-310 INTERCOUNTY TRANSFERS (Continued) **47-310**

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.211 Cash Aid Determination If cash aid is approved, the client receives child care as a current CalWORKs client.

If cash aid is denied, the client receives child care as a former CalWORKs client as defined in Section 47-110(f)(3), if otherwise eligible.

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.22 Make Appropriate Referral Refer the child care case to the responsible agency as provided in Section 47-301.5, if the second county determines that the client is eligible for Stage Two or Stage Three child care.

.23 Availability of Stages Provide child care in Stage One until child care is provided in Stage Two or Three, as provided by Section 47-301.5, unless the family is otherwise ineligible.

.3 Change in Payment Responsibility There shall be no delay in child care payments when the county receives from the client the necessary child care payment information specified in Section 47-420.21.

| .31 When Changing Providers When the client moves and is changing providers:

| .311 First County The first county shall pay for child care through the last day the existing provider provides services.

| .312 Second County The second county shall become responsible to pay child care to the new provider regardless of the completion of a cash aid transfer period.

47-310 INTERCOUNTY TRANSFERS (Continued) **47-310**

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.313	Cash Aid Transfer Period as Specified in Section 40-187.16	The period of time in which the second county determines eligibility and the first county remains responsible for payment of aid.
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.32	When Not Changing Providers	When the client moves and does not change providers:
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.321	On Cash Aid	The first county shall continue to pay for child care until the cash aid transfer period is completed, or sooner with mutual agreement between both counties.
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.322	Off Cash Aid	The first county shall continue to pay for child care for up to 30 days from the date the client moves out of the county, at which time the second county assumes responsibility for payment.
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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553 and 10554, Welfare and Institutions Code; and Section 40-187, CDSS Manual of Policies and Procedures.

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