

DEPARTMENT OF SOCIAL SERVICES

744 P STREET, SACRAMENTO, CALIFORNIA 95814



JULY 1, 1998

ALL-COUNTY LETTER NO. 98-46

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD CARE COORDINATORS
ALL ALTERNATIVE PAYMENT PROVIDERS
ALL RESOURCE AND REFERRAL AGENCIES

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: PUBLICATION OF CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CalWORKs) CHILD CARE REGULATIONS

REFERENCE: ALL COUNTY LETTER 97-73, ASSEMBLY BILL 1542, CHAPTER 270,
STATUTES OF 1997 (AB 1542)

The purpose of this notice is to inform County Welfare Departments (CWD), Alternative Payment Program (APP) providers and Resource and Referral (R&R) agencies of the publication of regulations for the Stage One CalWORKs Child Care Program. These regulations will be published and become effective on July 1, 1998. The regulations were developed in collaboration with the Child Care Work Group. The work group includes CWD child care staff from eleven counties, representatives of the California Department of Education (CDE), two representatives of R&R agencies, and three APP representatives.

Most of the provisions in the regulations contain the same policies as found in ACL 97-73, dated October 30, 1997 implementing the CalWORKs child care program. The regulations also contain a number of new provisions. The attached chart lists new items in the regulations that were not in the ACL. It also lists any policy changes made in the regulations that differ from what was issued in the ACL.

If you have any questions about the information in this letter, please contact your Child Care Program Analyst or call the Child Care Bureau at (916) 657-2144.

Sincerely,

***Original Document Signed By
Bruce Wagstaff on 7/1/98***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachment

Differences Between the Child Care Regulations and ACL 97-73

Subject	Regulatory New or Changed Policy
Program Overview	This section of the regulations contains a general overview of the program. It is more descriptive of the whole program than the ACL. (Sec. 47-101; Attachment I, Page 1 of the ACL)
Definitions	Contains definitions of child care terms. Clarifies frequently used program definitions including: Client, Copayment, Commute Hours, Former CalWORKs Client, Registration Fee, and others. (Sec. 47-110)
Former CalWORKs Clients	Includes child care services for individuals who have received cash aid under AFDC or CalWORKs in the 24 months before applying for CalWORKs child care. (Sec. 47-110.f2)
Other CalWORKs Clients	Includes child care services for clients during a suspense month and during penalty months as long as they are participating in CalWORKs. (Sec. 47-220.21 and .22)
Two-parent families	Clarifies that two-parent families are eligible for CalWORKs child care even if they do not meet the 55 hours of required participation. (Sec. 47-220.3)
Income	Section 47-230 requires counties to average income over a six months period for determining family fees for all clients and eligibility for former CalWORKs clients. (Sec. 47-230.3)
Family Size	Defines family, for purposes of determining family size to include persons living in home who are legally responsible to support the child receiving child care services and any other children of those persons. (Sec. 47-230.4)
State Median Income Requirement	CalWORKs cash aid recipients remain eligible for needed child care services pursuant to their approved Welfare-to-Work plan even in those rare instances when their income exceeds the limit of 75 percent of state median income. (Sec. 47-240.1)
Income of Former CalWORKs Clients	Clarifies that former CalWORKs clients are eligible for Stage One child care if income does not exceed 75 percent of state median income. (Sec. 47-240.2)
Parents, Legal Guardians, Members of Assistance Unit	Provides that no payment is made for child care when parents, legal guardians or members of the assistance unit are available to provide this care. (Sec. 47-260.3)
Exempt Provider Information	Requires exempt providers to supply Social Security Number, relationship to client, and other information. (Sec. 47-260.4)

Differences Between the Child Care Regulations and ACL 97-73

Subject	Regulatory New or Changed Policy
County Information Sharing	Requires information sharing between county and APP. Clarifies ACL instructions that counties are to share information with the Stage Two or Three agency when transitioning clients. (Sec. 47-301.2; see Attachment I, page 8 of the ACL)
Stage One Contractor Responsibility	Requires contractors for Stage One child care services to comply with Stage One regulations. Clarifies ACL instructions that when a county contracts with public or private child care providers for provide Stage One child care services, the contractor must comply with Stage One regulations. (Sec. 47-301.61; see Attachment I, page 3 of the ACL)
Client Responsibilities	Requires clients to provide information about any child 11 or older if requesting care due to disability, or court supervision. (Sec. 47-320.25 and .26) Requires clients to report changes in family size and composition and family income. (Sec. 47-320.27)
Maximum Payment Rate	Specifies that the maximum payment rate is the rate in the region where care is provided. Clarifies ACL instructions on how the rate is applied. (Sec. 47-401.1; see Attachment I, page 7 of the ACL)
Retroactive Payments for Child Care	Prohibits retroactive payments for child care prior to the date of requesting or applying for child care. (Sec. 47-401.22)
Registration Fees	Allows counties the option to pay registration fees as long as the fee plus the regular charge for child care does not exceed the maximum payment rate. (Sec. 47-401.6)
Payment of Family Fees	Allows counties the option of paying family fee to the provider or to the county. Clarifies ACL instructions on how the fee is collected. (Sec. 47-401.7; see Attachment I, page 8 of the ACL)
Exemption from Family Fees	Requires counties to exempt Child Protective Services cases from family fee at request of Child Welfare Services worker. (Sec. 47-401.71)
Excused Absences	Allows counties the option to pay for child care during excused absences. (Sec. 47-401.9)
Child Care During Other Periods	Allows counties to pay for separate care for an ill child, or to cover periods when care is required for other necessary activities (e.g., court appearances, medical appointments). (Sec. 47-410.4)
Excluded Hours of Care	Specifies that hours of care do not include time child is in school or in another subsidized program, except when child is ill and being cared for by another provider. (Sec. 47-410.5)

**Differences Between the
Child Care Regulations and ACL 97-73**

Subject	Regulatory New or Changed Policy
Required Signatures	Requires signatures of client and provider verifying accuracy of information under penalty of perjury. (Sec. 47-420.113)
Notices	Requires counties to issue notices when there is an approval, denial, change or discontinuance in payment for child care. Clarifies ACL instructions on when notices to clients are required. (Sec. 47-420.2. See Attachment I, page 10 of the ACL)
Deferring Collection of Overpayments	Allows counties the option to defer collection of overpayments if it would disrupt child care arrangements, preclude participation in county-approved activities or prevent employment. (Sec. 47-440.15)