# Child Care Subsidy Program

VIRGINIA DEPARTMENT OF
SOCIAL SERVICES

**Division of Child Care and Early Childhood Development**

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# Section 1. Child Care Subsidy Overview

## 1.1. Definitions

"Absence" means a day for which child care services have been authorized, and a child is expected to be in attendance, but is not.

"Administrative delay" means either the parent or the vendor does not provide needed information for eligibility purposes to the local department within the 30-day application-processing period due to circumstances beyond their control.

"Administrative Disqualification Hearing" (ADH) means the process used to dispose of a case where there is clear and convincing evidence to substantiate an intentional program violation. It is an impartial review by a State Hearing Officer of an individual's action(s) involving an alleged intentional program violation for the purpose of determining if the individual did or did not commit an intentional program violation.

"Appellant" means any applicant or recipient of child care services who has requested an appeal, or on whose behalf an appeal request has been made.

"Applicant" means a person who has applied for child care services and the disposition of the application has not yet been determined.

"Application date" means the date the signed application is received by the local department. For applications received through the Customer Portal after office hours, on weekends or on holidays, the application date is considered to be the next business day. Applications not received through the Customer Portal must be time and date stamped upon receipt.

"Approved" is a case status that means case eligibility has been established.

"Approved activity" means the parent's full-time or part-time employment, the parent's education or training leading to employment, the children's need for child protective services, or the VIEW/SNAPET assigned activity.

"Assigned activity" for VIEW means participation in, but not limited to, job search, employment (subsidized or unsubsidized), Community Work Experience, on-the-job training, job skills training, job readiness training, education, internships, or a practicum in conjunction with work. A list of core work activities is found in Chapter 1000 of the TANF manual. For SNAPET this means participation in a component listed on the SNAPET Plan of Participation.

"Authorization" means a payment for child care services has been approved and funds have been encumbered.

"Authorized payment" means that a family has been found eligible to receive child care services, a Purchase of Services Order has been initiated and signed by all parties, and payment may be made to the vendor for child care provided.

"Background checks" means a sworn statement or affirmation as may be required by the *Code of Virginia*, the Criminal History Record Check, the Sex Offender and Crimes Against Minors Registry check, and the Central Registry Child Protective Services check.

"Case status" means the status of a case in the Virginia Case Management System, such as Approved, Pending, Denied or Closed.

"Case management services" means services that include, but are not limited to, application, assessment, eligibility determination, notices of action, consumer education and/or service planning.

"CCECD web site" means the intranet web page for the Division of Child Care and Early Childhood Development at: http://SPARK.dss.virginia.gov/divisions/cc/index.html

"CCDF" means Child Care and Development Fund, the federal block grant for child care authorized by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and reauthorized by the Child Care and Development Block Grant Act of 2014.

"Certified preschools" means preschool or nursery school programs operated by private schools that are accredited by a statewide accrediting organization (or another accrediting organization recognized by the Board of Education) and are certified by the Virginia Department of Social Services, Division of Licensing Programs.

"Child Care Communication form" means the form used to request information from or to disseminate information to child care applicants/recipients for which the Child Care Notice of Action is inappropriate.

"Child care services" means those activities that assist eligible families in the arrangement for and/or purchase of authorized child care for children for care that is less than a 24 hour day. It also means activities that promote parental choice, that provide consumer education to help parents make informed choices about child care, that enhance health and safety standards established by the state, and that increase and enhance child care and early childhood development resources in the community.

"Child care subsidy" means authorized payments to vendors to assist eligible families with the cost of child care.

"Child day center" means a child day program offered to two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or 13 or more children at any location.

"Child day program" means a regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 for less than a 24-hour period.

"Child Care Subsidy Program" means the Department's programs that assist income eligible families with the cost of child care, including the TANF, SNAPET, Head Start-Wrap-Around, Fee and Transitional program categories.

"Child care worker" means the worker designated by a local department of social services who provides case management services to applicants for and recipients of the Child Care Subsidy Program.

"Child protective services" (CPS) means the identification of, receipt of, and immediate response to complaints and reports of alleged child abuse or neglect for children under 18 years of age. It also includes assessment, and arranging for and providing necessary protective and rehabilitative services for a child and his family when the child has been found to have been abused or neglected or is at risk of being abused or neglected.

"Children with special needs" means children with documented developmental disabilities, intellectual disabilities, emotional disturbance, sensory or motor impairment, or significant chronic illness who require special health surveillance or specialized programs, interventions, technologies, or facilities.

"Closed" is a case status that means authorization has been terminated and the case is no longer eligible to receive child care services beyond the Notice of Action period.

"Copayment" means a specific fee that is a portion of a household's income that is contributed toward the cost of child care.

"Current VIEW Activity and Service Plan or SNAPET Plan of Participation" means the form which covers the period of child care service delivery and which serves as the application for services for SNAPET and TANF recipients of Child Care Subsidy.

"Customer portal" means the web site, through which applicants can screen for potential program eligibility, can submit a child care application, can work on their child care application or can view information about the Child Care Subsidy Program.

"Denial" is a case action used, but not limited to, when an applicant or recipient is found ineligible, when an application is filed in error or voluntarily withdrawn by an applicant, when an applicant moves from the locality, fails to complete the application process or submits a duplicate application prior to an eligibility determination being made.

"Department" means the Virginia Department of Social Services.

"Disqualification" means the time period that recipients of child care or vendors are barred from participating in the Child Care Subsidy Program due to a finding of fraud or due to failure to repay an overpayment according to the repayment schedule entered into with the local department.

"Diversionary assistance" means a one-time lump sum payment to an individual or third party vendor to prevent long-term receipt of TANF.

"Division of Child Care and Early Childhood Development" (CCECD) is the title of the division that administers the Child Care Subsidy Program, the state's Quality Rating and Improvement System, Virginia Quality, supports the development of quality child care and the development of a well-trained child care work force. CCECD also houses the Head Start Collaboration office.

"Early Head Start" means a family-focused child development program serving children from birth to three years of age under Section 645A of the Head Start Act.

"Dependent care income disregard" means a certain amount of earned income used to pay for child care, which is not taken into consideration when determining eligibility for TANF benefits.

"Education leading to employment" means the pursuit of basic remedial instruction to achieve a basic literacy level, instruction in English as a second language, preparation for GED or Adult Education, the completion of high school, associate degree or certificate, work at the college level or bachelor degree from a college or university if the course of instruction is limited to a curriculum directly related to the fulfillment of an individual's educational goal to obtain useful employment in a recognized profession or occupation.

"Electronic Child Care" (VaECC) means the automated system used to record attendance at child care vendors.

"Eligible" means that the family has met all of the criteria to be approved for receipt of child care services.

"Emancipated minor" means a juvenile under the age of 18, but above the age of 16

who has been declared emancipated by a juvenile and domestic relations district court according to the Code of Virginia §§ 16.1-331-334.1.

"Ethnicity" is defined by the Department of Health and Human Services as Hispanic or non-Hispanic.

"Family" means any individual, adult or adult(s) and/or children related by blood, marriage, adoption, or an expression of kinship who function as a family unit.

"Family day home" **means a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving five through 12 children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed.** (*Code of Virginia* §63.2-100).

"Family day system" means an organization that approves family day homes as members of its system; who refers children to available family day homes in that system; and who, through contractual arrangement, may provide central administrative functions including, but not limited to, training of operators of member homes; technical assistance and consultation to operators of member homes; inspection, supervision, monitoring, and evaluation of member homes; and referral of children to available health and social services. Currently, "Infant/Toddler Family Day Care" serving Northern Virginia is the only licensed family day system in the state.

"Federally regulated vendor" means a vendor regulated by the federal government, such as child care vendors operated by the Department of Defense on military bases.

"Federal poverty guidelines" means the income levels by family size, determined by the U.S. Department of Health and Human Services, to be used as guidelines in determining at what level families in the country are living in poverty.

"Fee" means a charge for a service and may include, but is not limited to, copayments,

charges above the Maximum Reimbursable Rate (MRR), or charges for registration or transportation.

"Fee Child Care" means the program category that provides child care subsidy to low-income parents from the Child Care Development Fund that usually requires a parental copayment.

"File clearance" is the process initiated by the Child Care Worker that allows VaCMS to check SPIDeR for basic information to determine if an applicant/recipient is known to any other systems which also publish to SPIDeR.

"Finding of child care fraud" means the disposition of child care fraud by state hearing officer or a court of appropriate jurisdiction.

"Fiscal year" for the purposes of calculations in VaCMS is June 1 through May 31.

"Fraud" means the knowing employment of deception or suppression of truth in order to receive services or payments one is not entitled to receive.

"Full-time employment" means regularly scheduled activities that engage a participant in employment for 30 or more hours per week.

"Good cause" means a valid reason why, in a two-parent household, a parent or any other person under Virginia law responsible for the support of the children cannot provide the needed child care or a valid reason why a family does not have to cooperate with the Division of Child Support Enforcement.

"Head Start" means the comprehensive federal child development programs that serve children from birth through age five, pregnant women, and their families (as established by the Head Start Act (42 USC § 9840)).

"Head Start Wrap-Around" means the program category that pays for additional hours beyond those provided by Head Start/Early Head Start in order to provide full day/full year child care services for Head Start/Early Head Start enrolled children.

"Homeless" means families who lack a fixed, regular, and/or adequate nighttime residence; and includes families: who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; i) who are living in motels, hotels, trailer parks (in non-permanent dwellings), or camping grounds due to the lack of alternative accommodations; ii) who are living in emergency or transitional shelters; are abandoned in hospitals; iii) who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; iv) who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or

train stations, or similar settings; and v) migratory families who qualify as homeless because the children are living in circumstances described in points i through iii.

"Improper payment" means any payment that should not have been made or that was made in an incorrect amount. Incorrect amounts include overpayments and underpayments. Overpayments and underpayments may include inappropriate denial of payment or services, any payment made to an ineligible party, any payments made for ineligible services, duplicate payments or payments for services not rendered.

"In loco parentis" means the adult(s) with whom a child is living who has assumed responsibility for the day-to-day care and supervision of the child.

"Income eligible" means that eligibility for child care subsidy is based on income and family size.

"In-home" means child care provided in the home of the child and parent when all the children in care reside in the home and the vendor does not live in the home.

"Intake" is the process of obtaining and of recording the information necessary to determine if a family is eligible to receive child care services.

"Intentional program violation" (IPV) means a fraudulent action by an individual for the purpose of establishing or maintaining the family's eligibility for the Child Care Subsidy Program; or increasing or preventing a reduction in the amount of the subsidy while intentionally giving false or misleading information.

"Interactive voice response" (IVR) is the means by which recipients record attendance using the vendor's telephone.

"Job search" means (for VIEW) a structured, time-limited period during which the participant is required to search for and/or obtain employment.

"LEARNFARE" means child care services provided to a TANF minor parent to enable them to attend school in compliance with compulsory school attendance laws.

"Level 1 Vendor" means unlicensed and unregulated vendors including: In-Home Vendors, Voluntarily Registered Family Day Homes, Religiously-Exempt Child Day Centers, Local Government-Approved Recreation Programs and Certified Preschools.

"Level 2 Vendor" means Licensed Family Day Homes; Licensed Child Day Centers; Local Ordinance Approved Vendors; Licensed Family Day System Approved Family Day Homes; and Child Care Vendors approved by the United States

Department of Defense.

"Local department" means the department of social services of any county or city in the Commonwealth of Virginia.

"Local government-approved recreation program" means a program of recreational activities offered by local governments, staffed by local government employees, attended by school-age children, and subject to safety and supervisory standards established by local governments.

"Local ordinance-approved provider" means a child care program approved under local ordinance according to § 15.2-914 of the *Code of Virginia*. Currently, three localities (Fairfax, Alexandria, and Arlington) approve providers under local ordinance.

"Maximum Reimbursable Rate" (MRR) means the maximum rate paid for child care services through the Child Care Subsidy Program that is established by the Department and set out in the state Child Care and Development Fund plan filed with the United States Department of Health and Human Services.

"Non-fraud overpayment" means an overpayment that was inadvertently caused by a local department, a household or a vendor error.

"Notice of Action" (NOA) is the form mailed to applicant/recipients providing information related to eligibility, copayment or the amount of services authorized.

"On-the-job training" means training that is provided by an employer during the routine performance of a job.

"Parent" means the adult (18 years or older) or emancipated minor who acts as the primary caretaker or guardian of a child. A parent may be by blood, marriage or adoption and also means a legal guardian, person cohabiting with the natural or adoptive parent of a minor child, or other person standing in loco parentis.

"Participant" means a TANF or TANF-UP recipient who is participating in the VIEW program.

"Part-time employment" means any regularly scheduled activity that engages an applicant/recipient in employment for a minimum of eight hours but fewer than 30 hours per week.

"Person cohabitating" means an arrangement in which two people who are not married live together in an emotional or intimate relationship on a long-term or permanent basis.

"Pending" is the case status that means that the eligibility determination is in process.

"Point of Service" (POS) is the swipe card device installed at the vendor which recipients use to record attendance in VaECC and which vendors can use to access information about attendance.

"Provider" means a person, entity, or organization providing a child care program.

"Purchase of Service Order" (POSO) is the form sent to the vendor and the parent to authorize the delivery of services to a recipient.

"Recipient" means a person who has been authorized to receive child care subsidy services as a parent.

"Registration" means the recording of the receipt of an application or Waiting List screening in VaCMS.

"Reinstate" is a case action taken to approve a previously closed case.

"Relative vendor" means a child care vendor related to the parent or child by blood, marriage or adoption.

"Religiously exempt center" means a child day center operated by or conducted under the auspices of a religious institution exempt from licensure.

"Resource and referral" means services that provide assistance to parents in choosing child care; it may include assessment of the family's child care needs, collection and maintenance of information about their needs in the community and efforts to increase the supply and to improve quality of child care.

"Sanction" means to reduce or suspend a participant's TANF grant and/or SNAP allotment for noncompliance with regulations or statutes.

"Satisfactory progress" means that the participant in any educational or training activity is meeting, on a periodically measured basis of less than one year, such as a term, semester or quarter, a consistent standard of progress based on written policy developed by the educational institution or training agency.

"Screening date" means the date on which a family requests to be screened for the Waiting List. This date determines a family's position on the Waiting List.

"Service period" means the segment of the month for which attendance may be reported and the vendor may receive payment. Each month is divided into two segments, the 1st through the 15th and the 16th through the final day of the month.

"Service plan" means the written, mutually agreed upon activities and responsibilities between the local department and the parent in the provision of child care services.

"SPARK" (Services-Programs-Answers-Resources-Knowledge) means the Department's intra-agency web site at http://spark.dss.virginia.gov/

"Supplemental Nutrition Assistance Program Employment and Training" (SNAPET) is a multi-component employment and training program that provides job search, job search training, education, training, and work experience to certain SNAP recipients

"Suspended" is an authorization status that means that the authorization for child care is on hold for up to 90 days with payments and services discontinued because there is no need for care.

"Sworn Statement or Affirmation for Unregulated Providers" (032-05-0160-09-eng (07/14)) means the statement signed by a child care vendor disclosing whether or not he has ever been the subject of a founded case of child abuse or neglect or convicted of a crime or is the subject of pending action within Virginia or any equivalent offense outside the Commonwealth.

"System Partnering In a Demographic Repository" (SPIDeR) is a web-based system which facilitates communication between applications (systems).

"TANF assistance unit" means a household composed of an individual or individuals who meet all categorical requirements and conditions of eligibility for TANF.

"TANF-capped child" means a child who the TANF worker has determined to be ineligible for inclusion in the TANF Assistance Unit because the child was born more than 10 full months after the mother's initial TANF payment was issued.

"TANF-UP program" means the program that provides aid to dependent children who are deprived of parental support or care by reason of the unemployment of the parents.

"Temporary Assistance for Needy Families" (TANF) means the program administered by the Department through which a relative can receive monthly cash assistance for the support of eligible children.

"Training leading to employment" means the development of specific work attitudes, behaviors, or skills leading to job readiness as well as the development of specific technical or vocational skills that lead to employment in a recognized occupation and results in other than a baccalaureate or advanced degree.

"Transitional Child Care" means the Child Care Subsidy Program category which provides child care subsidy to eligible former TANF recipients after the TANF case closes.

"Unit price" means the cost of care for each child. It includes the maximum reimbursable rate specific to: vendor level and type, part day or full day care, age of child, and locality.

"Unlicensed vendor" means any child care vendor who is not state licensed, Department of Defense approved, licensed family day system approved, local ordinance approved, voluntarily registered, religiously exempt, or a certified preschool and is not required to be regulated.

"USDA Child and Adult Care Food Program" means the United States Department of Agriculture program that reimburses participating, eligible child care vendors for nutritious meals and snacks served to children in care.

"Vendor" means a provider who is approved to receive payment from the subsidy program. Multiple facilities/sites operated by the same person, entity or organization are considered separate vendors.

"Vendor agreement" means an agreement between the state and a child care vendor that must be signed by all vendors before child care payments can be authorized.

"Vendor portal" means the web site on which vendors can inquire about certain information stored in VaECC relating only to them.

"Verifiable act of compliance" means (for VIEW) the beginning of, continuance in, or completion of an assigned activity during a VIEW sanction, as specified in the TANF Manual, Chapter 1000, Section 21, Compliance.

"Verification checklist" is the form provided to applicant/recipients detailing information the applicant/recipient must provide in order to process an application or a redetermination.

"Virginia Initiative for Employment Not Welfare" (VIEW) is the program of employment opportunities to assist individuals receiving Temporary Assistance for Needy Families, in attaining the goal of self- sufficiency as implemented in the Commonwealth of Virginia.

"Virginia Case Management System" (VaCMS) is the system of record into which all child care transactions and data related to the Child Care Subsidy Program are entered.

"Voluntarily registered family day home**" means any family day home that has met**

**the standards for voluntary registration for such homes pursuant to regulations adopted by the Board and that has obtained a certificate of registration from the Commissioner.**

**Any person who maintains a family day home serving fewer than five children, exclusive of the provider's own children and any children who reside in the home, may apply for voluntary registration. ( §§ 63.2-100 and 63.2-1704 of the Code of Virginia)**

"Waiting list" means a roster of those families who are potentially eligible for child care services, but for whom there are not funds available to authorize services.

"Waiting list screening" means the process of registering and recording basic case information so that an applicant or recipient can be determined to meet the minimal eligibility requirements for receipt of child care services in order to be placed on the Waiting List.

"Withdrawal" is a reason for manual case closure, such as applicants who do not wish to complete the application process.

## 1.2. Program Introduction

A. Goals

Child care services are child-centered, family-focused services that support the family goals of economic self-sufficiency and child development by providing for the supervision, protection and well-being of the child while the parent is participating in an approved activity. The purpose of the Child Care and Development Fund is to increase the availability, affordability, and quality of child care services.

Toward this end, guidance and service strategies are designed to meet the following goals:

1. To provide low-income families with the financial resources to find and afford quality child care.
2. To ensure that the child care program contributes to the broader objective of self-sufficiency.
3. To provide child care to children with parents who are trying to achieve independence from public assistance.
4. To promote parental choice in the selection of child care.
5. To empower working parents to make their own decisions regarding the child care that best suits their family's needs.
6. To provide consumer education to help parents make informed choices about child care.
7. To ensure that subsidy dollars are provided to the neediest families.
8. To enhance the quality and increase the supply of child care for all families.
9. To improve the coordination among child care programs and early childhood development programs.

B. Families and Children to Be Served

Child care services are provided for children who are under 13 years of age and who reside with a parent or person standing *in loco parentis* who is working or attending a job training or educational program. Services may also be provided for families who are receiving or needing to receive child protective services and for children up to 18 years of age who are physically or mentally incapable of caring for themselves or subject to court supervision. Child care services are not to be purchased for parents under the age of 18 (unless the parent is an emancipated minor) or for children who are eligible to attend public school during that portion of a day when appropriate public education is available, unless there are valid and documented reasons why the children must be out of school.

C. Legal Base

The Child Care Development Block Grant Act of 2014 (Public Law 113-186), as implemented in regulation at 45 CFR Parts 98 and 99.

Code of Virginia, Sections 63.2-217, 63.2-319, 63.2-510, 63.2-611, 63.2-616, 63.2-1725.

Food Stamp Act of 1977, as amended.

D. Community Coordination

Local departments must coordinate child care services with existing child care resource and referral agencies, early childhood education programs, schools, private for-profit and non-profit child care vendors, and other groups in the community involved in child care and early childhood development. This will be done in order to ensure understanding of the department's program, to enhance parental choice, to increase the availability and quality of child care services, and to maximize coordination of child care services in the community.

E. 801 Report

The Child Care and Development Block Grant Act of 2014 requires that states collect, on a monthly basis, case-level data concerning families and children receiving child care subsidy in the ACF- 801 Report. Data required to be collected and reported to the U.S. Department of Health and Human Services, Office of Child Care include demographics, family income and copayments, and the type of vendor.

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# Section 2. Child Care Subsidy Program Categories

## 2.1. TANF Child Care Subsidy

A. Eligibility Criteria

Child care subsidy and services are made available to recipients of TANF (VIEW and non-VIEW) who meet the non-financial eligibility requirements, found in section 3.3 of this guidance. Recipients of TANF (VIEW and non-VIEW) are considered income eligible for child care subsidy and services without a determination of the family's income eligibility.

Local departments must establish and implement communication strategies to ensure timely notification of Child Care Workers regarding TANF case closure and reinstatement.

B. Supporting an Approved Activity

Child care is provided to support an approved activity of a TANF recipient including:

1. Full-time and part-time employment;
2. Education or training leading to employment as long as participants show they are making satisfactory progress, to the extent of available funding; and

**NOTE:** Payment for child care services for the attainment of post baccalaureate education must not be authorized in VaCMS. Local departments may choose to authorize child care for families in this circumstance only if local-only funding is used.

3. Child care subsidy may be paid for a child whose family is receiving child protective services (CPS), in cases open through the family assessment track, through the investigation track, or as CPS ongoing.

Child care can be provided to support an assigned activity for VIEW participants. A current copy of the VIEW Activity and Service Plan must be in the case record to document the need for care. "Current" means that the VIEW forms cover the period of child care service delivery.

EXCEPTION: If the VIEW Activity and Service Plan has not been received by the time eligibility must be determined, the Child Care Worker can contact the VIEW worker to confirm the need for child care services. This contact must be documented in the case narrative section of VaCMS

and may serve as documentation until the appropriate form is received. The form must be received and made a part of the case record within two weeks of the telephone verification.

C. Dependent Care Disregard for TANF Recipients

TANF recipients may choose to take the dependent care earned income disregard for child care expenses. If they choose this option, no child care case may be opened because the TANF recipients will be handling their child care payments on their own with funds from their assistance grant. Prior to completing the child care service authorization for a TANF recipient, the Child Care Worker must receive assurance from the local TANF worker that the recipient has not chosen the dependent care earned income disregard for child care. This information can also be accessed in ADAPT.

D. TANF Child Care for Additional Children

Child care subsidy and services are also made available for needed child care for:

1. A TANF-capped child;
2. A child who receives Supplemental Security Income (SSI), if the parent is on the TANF grant and if the child would have been in the public assistance unit were it not for the receipt of SSI;
3. Children who are not in the TANF Assistance Unit but who are financially dependent upon the parent who is in the TANF Assistance Unit; and
4. Children of a parent who is an emancipated minor in a TANF public assistance unit to enable the minor parent to attend school in compliance with compulsory school attendance laws (LEARNFARE).

E. VIEW Sanction

A VIEW participant who has been sanctioned may receive child care subsidy if such subsidy is necessary to maintain employment or to perform a verifiable act of compliance. This determination is made by the VIEW worker and communicated to the Child Care Worker. The VIEW worker determines the reason for the sanction, the need for child care and when the sanction ends. Written verification of the sanction from the VIEW worker is preferable via the VIEW communication form. If a communication form is not available, the Child Care Worker must record the determination of the VIEW worker in the case narrative to substantiate provision of child care during a VIEW sanction.

F. VIEW Participant in a Non-Active Component

A VIEW participant, who has been placed in a non-active status due to a family crisis beyond their own control, may continue to receive child care subsidy in order to assist in returning to an active status. This determination is made by the VIEW worker and communicated to the child care worker. The VIEW worker determines the reason for non-active status, assigns the participant to non-active status, determines the need for child care and determines the end of the non-active status. Written verification from the VIEW worker is preferable via the VIEW communication form. If a communication form is not available, the Child Care Worker must record the determination of the VIEW worker in the case narrative to substantiate provision of child care during a VIEW non-active status.

**NOTE**: Payment continues to be authorized using the VIEW child care budget line (BL871). See Child Care Program Budget Lines (Appendix C) and Child Care Program Cost Code Descriptions (Appendix D).

## 2.2. Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Child Care

A. Eligibility Criteria

Child care subsidy and services are made available to children of parents in Virginia's SNAPET program if:

1. The family meets the non-financial eligibility requirements in section 3.3 of this guidance; and
2. The family meets the income eligibility requirements in section 3.5 of this guidance.

B. Supporting Approved Activity

Child care is provided to support the parent's participation in the assigned SNAPET component listed on the SNAPET Plan of Participation. A current copy of the Plan of Participation must be in the child care file to document the need for care as determined by the SNAPET worker. Current means that the plan covers the period of child care service delivery.

> EXCEPTION: If the appropriate application has not been received at the time authorization must be determined, the Child Care Worker can contact the SNAPET worker to confirm the need for child care services. This contact must be documented in the case narrative section of VaCMS and may serve as documentation until the appropriate form is received. The form must be received and made a part of the case record within two weeks of the telephone verification.

## 2.3. TANF Transitional Child Care

A. Eligibility Criteria

Up to 12 consecutive months of child care services are made available to eligible children of former TANF recipients if:

1. The family meets the non-financial eligibility requirements in section 3.3 of this guidance;
2. The child received TANF (VIEW or non-VIEW);
3. The TANF case is closed; and
4. The family meets the income eligibility requirements in section 3.5 of this guidance.

If a VIEW participant is determined to be ineligible for Transitional Child Care due to income, the local department may provide child care subsidy for three months immediately following the TANF case closure. VIEW funds (budget line 872), not CCDF funds, are to be used for payment and no copayment is assessed. The recipient will not have to pay a copayment but can be required by the vendor to pay any amount over the MRR.

The VIEW worker is responsible for determining if the former participant meets the VIEW requirements to receive these child care subsidies. The Child Care Worker is responsible for assuring that all other applicable child care guidance is followed, including, but not limited to non-financial eligibility requirements, vendor requirements, MRR (Appendices M and N), etc.

Such authorized payments count against the 12-month Transitional period if the former VIEW participant is income eligible for Transitional Child Care after this 90-day period. If the former participant is determined to be income eligible for the remainder of the 12-month Transitional period, a copayment is assessed according to section 2.7 of this guidance.

Eligibility for and authorization of Transitional Child Care must be evaluated in VaCMS prior to approval. Changes must be made to the appropriate sections of VaCMS and eligibility must be run under the category of Transitional child care. A NOA must be sent to the recipient.

B. Supporting Approved Activity

Child care is provided to support an approved activity including:

1. For former recipients of TANF (VIEW or non-VIEW), full-time or part-time employment of parents.
2. For former VIEW participants, training as approved and monitored by the VIEW worker as part of VIEW Transitional Employment and Training.

C. Child Care for Children Not in TANF Assistance Unit

Transitional Child Care services include needed child care for children who were not in the TANF assistance unit but who are dependent upon the parent, including:

1. TANF-capped child;
2. A child who receives Supplemental Security Income (SSI), if the parent was on the TANF grant and if the child would have been in the public assistance unit were it not for the receipt of SSI;
3. Children who were not in the TANF Assistance Unit but who are financially dependent upon the parent who was in the TANF Assistance Unit.

D. Notice of Transitional Child Care

The local department must inform the former TANF recipient that Transitional Child Care is available. An automated letter is generated by the ADAPT system and is sent by the local department to each parent whose TANF case is closed. The letter informs the parent of potential eligibility for Transitional child care.

E. Transitional Eligibility Period

The Transitional eligibility period for former TANF recipients starts **on** the first day of the month following closure of the TANF case and ends 12 months later. In situations where providing advance notice of action does not permit the timely change in program category, the case may remain in the TANF program category for one month to give the local department time to set up Transitional services. This does not change the transitional period. VaCMS validates that the Transitional period is not greater than 12 months from the begin date.

<u>End of the Transitional Period</u>

Ninety days before the end of the Transitional period, the Child Care Worker will receive an alert in VaCMS. The Child Care Worker must send the recipient a Client Communication Form to inform the recipient that their eligibility for Transitional child care will end and the date that it will end. The Child Care

Worker must send an application for Fee child care or a Waiting List Screening form depending on whether or not the local department has a waiting list.

The Child Care Worker will dispose of the alert after receiving the required information from the recipient regarding their request to continue child care under the Fee category or their request to be placed on the waiting list. If the alert is not disposed of 60 days before the Transitional end date, it will be escalated to the Supervisor.

The Child Care Worker must set a manual alert to run eligibility 30 days before the Transitional end date. VaCMS will close the Transitional case after the Transitional period ends. The Child Care Worker will certify the case closure and mail the closure NOA.

Transitioning to Fee Child Care

If funds are available, the Child Care Worker will take an application for Fee child care and run eligibility in accordance with section 2.5, Fee Child Care. The Child Care Worker will certify the eligibility result, and update the Authorization selecting Fee as the funding category, approve the Authorization, and generate a POSO.

If funds are not available, the Child Care Worker will complete the data collection for the waiting list screening, which can happen no earlier than 60 days before the Transitional end date, associate the application to the closed Transitional case, and verify the eligibility result as waiting list. A waiting list authorization must be completed for the children on the case, and Fee is the selected funding program.

At the beginning of the month the eligibility for Transitional Child Care ends, the Child Care Worker will conduct an eligibility certification review for Fee child care or a waiting list screening.

If the local department does not have a waiting list and the recipient is employed, Fee child care will be authorized to begin on the first of the month after the eligibility for Transitional child care ends.

If the local department has a waiting list and the recipient is employed, the Child Care Worker can assign the recipient to the waiting list 60 days prior to eligibility for Transitional child care ending. A NOA will be generated when this determination is made.

**Examples**

1. A recipient's TANF case is closed. She does not find employment for two months. She can apply for Transitional Child Care at the point she is employed for her remaining months of Transitional eligibility, in this case 10 months.
2. A recipient's eligibility for Transitional Child Care ends September 30. An alert is triggered to Child Care Worker on July 1 with a due date of August 1. The Child Care Worker sends a Client Communication form with an application or a Waiting List Screening form to the recipient, due back in time for the Child Care Worker to act on it by August 1. If the alert is not acted on by August 2, it will be escalated to the supervisor.
3. The Child Care Worker conducts an eligibility certification review for Fee child care the beginning of September. Based on the results of this eligibility determination, the recipient is placed on the waiting list 60 days prior to the end of the Transitional period or the case is authorized for Fee child care beginning October 1.
4. If the information is received from the recipient by August 1, the recipient can be placed on the waiting list as of August 1, giving them the 60 days allowed.

F. Copayments

All families receiving Transitional Child Care are required to pay a copayment of 5% to 10% of their gross monthly income, based on family size and income.

G. Funding

If parents meet the eligibility criteria for Transitional Child Care, Transitional funding must be used, except in situations where Notices of Action do not permit payment to be authorized in a timely manner. In these situations TANF/Working funding may be used for one month to give the local department time to set up Transitional funding. This does not change the transitional period.

If there is a delay between the last TANF payment and closure of the TANF case and the family is income eligible, authorized child care subsidy payments are made using TANF child care funds (budget line 871) until the TANF case is closed. Such authorized payments do not count against the 12-month Transitional period.

H. Diversionary Assistance

Receipt of diversionary assistance does not qualify an individual for Transitional Child Care.

## 2.4. Head Start Wrap-Around Child Care

A. Eligibility Criteria

This program category is used for extended day and extended year child care beyond times covered by federally funded Head Start core hours. References to Head Start include Early Head Start and home-based Head Start.

Head Start Wrap-Around child care subsidy and services are made available to families with Head Start-enrolled children if:

1. The family meets the non-financial requirements in section 3.3 this guidance; and
2. The family meets the income eligibility requirements in section 3.5 this guidance.

B. Supporting Approved Activity

Child care is provided to support an approved activity for parents of Head Start-enrolled children including:

1. Full-time and part-time employment;
2. Education or training leading to employment as long as participants show they are making satisfactory progress. Verification of satisfactory progress could include a grade report, a letter from the education/training program indicating satisfactory progress or a progress report from the education/training program;

**NOTE**: Payment for child care for the attainment of post baccalaureate education must not be authorized in VaCMS. Local departments may choose to authorize child care for families in this circumstance only if local-only funding is used.

3. Child care subsidy may be paid for a child whose family is receiving child protective services (CPS) in cases open through the family assessment track, through the investigation track, or open as CPS ongoing.

C. Verification of Enrollment

Verification of a child's enrollment in Head Start is required in order to receive Head Start Wrap-Around Child Care. Confirmation by telephone from the

program in which the child is enrolled is sufficient verification. Documentation of the confirmation of enrollment must be recorded in VaCMS.

D. Authorization for Siblings

If a local department has a Waiting List for Fee Child Care, Head Start Wrap-Around funds may be used to pay for child care for eligible siblings of an enrolled Head Start/Early Head Start child.

If there is no local department waiting list, child care for the siblings of the enrolled Head Start child will be authorized from Fee Child Care, budget line 883. Once services are authorized for the non-Head Start siblings from budget line 883, the authorization cannot be moved to Head Start Wrap-Around funds (budget line 878) when the local department has a waiting list.

E. Authorization during the Summer

Head Start Wrap-Around funds (budget line 878) may be used for child care subsidy for families with a child enrolled in a Head Start/Early Head Start program for the summer prior to attendance in a part-year Head Start/Early Head Start program and for the summer following the end of a part-year Head Start/Early Head Start program.

F. Copayments

A copayment is assessed for families in this category of care if the family income is greater than 100% of the federal poverty level. VaCMS will perform copayment calculations. If the family income is at or below 100% of the federal poverty level and all children in the family who are receiving a subsidy are enrolled in Head Start, no copayment will be assessed. If non-Head Start siblings are also receiving a subsidy; a copayment will be assessed regardless of income.

G. Redetermination

For information concerning eligibility redetermination see section 3.14 of this guidance.

Once enrollment in Head Start ends the Child Care Worker will terminate the Head Start benefits on the “Other in State Benefits” screen in VaCMS. The Child Care Worker will then run eligibility to close the Head Start case, then certify the case closure and mail the closure NOA.

The Child Care Worker must send an application for Fee child care or a Waiting List Screening form to the recipient depending on whether or not the local department has a waiting list.
If an application is received and funds are available, the Child Care Worker will run eligibility under the rules for Fee child care. The Child Care Worker will certify the eligibility result, and update the Authorization selecting Fee as the funding category, approve the Authorization, and generate a POSO.

If an application is received and funds are not available, the Child Care Worker will complete the registration for the waiting list screening, which can happen no earlier than 60 days before the Head Start end date, and associate the application to the closed Head Start case. The Child Care Worker will complete the data collection for the waiting list screening and verify the eligibility result as waiting list. A waiting list authorization must be completed for the children on the case, and Fee is the selected funding program. Refer to the Waiting List section of this guidance.

## 2.5. Fee Child Care Program

A. Eligibility Criteria

Fee Child Care subsidy and services are made available to children in eligible low income families to the extent of available funding if:

1. The family meets the non-financial requirements in this section 3.3 of this guidance; and
2. The family meets the income eligibility requirements in section 3.5 of this guidance.

B. Supporting Approved Activity

Child care is provided to support an approved activity including:

1. Full-time and part-time employment;
2. Education or training leading to employment as long as the student can verify and document that they are making satisfactory progress by providing, but not limited to, a progress report, a statement from the institution/program, or a grade report; and

**NOTE:** Payment for child care for the attainment of post baccalaureate education must not be authorized in VaCMS. Local departments may choose to authorize child care for families in this circumstance only if local-only funding is used.

3. Child care subsidy may be paid for children whose family is receiving Child protective services (CPS) in cases open through the family assessment track, through the investigation track, or as CPS ongoing.

When parents are involved in educational web-based or correspondence learning from accredited universities or colleges and are enrolled in at least two courses with a minimum of six credit hours, child care can be approved if any of the following circumstances exists:

1. The class is offered at a regularly scheduled time only. Web-based classes that the parent may take at any time do not fit this criteria;
2. Public school is not available to the child in need of care or the child is not enrolled in and attending Head Start/Early Head Start or a preschool program which does not require the parent to pay;

3. The classes are offered only outside traditional public school hours for parents of school aged children;
4. There is not another parent in the home available to take care of the child; or,
5. The parent must leave the home to have access to a computer, and the children in need of care are not eligible to attend public school, are not enrolled in and attending Head Start/Early Head Start or a preschool program.

C. Subsidy-Capped Child

At the option of the local department, a child born to a family 10 months or more after the initial date of authorization for Fee Child Care may receive Fee Child Care or be placed on the agency Waiting List. The local department must have written procedures as to which option is utilized. The procedures must be approved by the local department's Regional Consultant prior to submission to the local board of social services. A copy of the local board approval must be sent to the Regional Consultant.

D. Child Care for Children in Foster Care

Foster care funding sources, not the Child Care and Development Fund nor the programs outlined in this chapter, are to be used for payment for child care for children in foster care.

> EXCEPTION: If a local department maintains custody of a child, but the child is in the physical custody of his parent(s) and the parent(s) needs child care in order to maintain employment or to attend an approved education/ training program, the parent(s) may apply for Fee Child Care in the locality in which they reside. If a person standing *in loco parentis* was the primary caretaker prior to a child's placement in foster care, that person may apply for child care assistance when the child is returned to the home.

If a parent is an emancipated minor and has a child who receives TANF benefits, application can be made for TANF child care funds. If the child does not receive TANF benefits, application can be made for Fee Child Care.

If the local department has a Fee Child Care waiting list, funding for child care may be available through the Children's Services Act funding.

## 2.6. 72 Month Limit

A. Introduction

A family's receipt of Fee Child Care is limited to a maximum of 72 months (six years). The 72 month period is a cumulative period of time which reflects each month for which attendance is received for the Fee funding, even if it is a partial month. The 72 months do not have to be consecutive.

The time limit follows each individual adult, based on their unique VaCMS Client ID number. The amount of time applied to the case clock is based on the included adult with the higher number of months, regardless of which adult is listed as head of household.

At the time any adult on the case has received 72 months of subsidy service, all members of the family unit, including minor parents of children, included on the case become ineligible. The 72 month clock will follow the adults regardless of the case number or locality in which subsidy payments are authorized.

**NOTE:** A minor parent included in a family unit with a child receiving assistance, upon turning 18 years of age would be eligible for subsidy services as the adult on a new case. Any months an individual receives assistance as a minor child do not count towards the 72 month limit. This excludes emancipated minors who would be considered adults prior to their 18th birthday.

Relationship to Five Year Limit

VaCMS will begin to count months of subsidy service for all open cases beginning on the effective date of this guidance, starting at month one. If a local department had previously implemented a five year limit on receipt of Fee Child Care Subsidy, those limits no longer apply. All families will begin a new 72 month period with the effective date of this guidance. If a family was disqualified from receipt of subsidy due to a five year limit, they are eligible to reapply for the program as of the effective date of this guidance. The local department is not required to notify families who have previously been disqualified of their renewed eligibility.

**Examples**

Ms. Jones and Mr. Smith have a child care case in which they are both included adults.

Prior to their combined case being opened, both previously had child care cases, Ms. Jones received 12 months of service and Mr. Smith received 40 months of service after the implementation of the 72 month limit.

When their combined case is opened, their case clock will reflect Mr. Smith's 40 months of service.

If, at the end of 12 months Ms. Jones and Mr. Smith are no longer included in the same household, Ms. Jones's individual case would show 24 months while Mr. Smith's case would show 52 months.

If Ms. Jones and Mr. Smith remain in the same household, when Mr. Smith's clock reached 72 months the case would be closed, regardless of the amount of time Ms. Jones has left on her clock.

If, after the case clock has expired, and Ms. Jones has a 17 year old daughter with a child, the daughter would remain ineligible for services until her 18th birthday. When the daughter turns 18, she can apply for services on her own; she would then receive her own 72 months of services in the Fee Program.

B. Notifications

Any time an NOA is generated for a Fee case it will reflect the number of service months used on the case.

At 60 months the system will generate form Notice of 72-Month Limit for Receipt of Fee Child Care Subsidy (032-12-0042-00-eng (12/15)) which the Child Care Worker will send to the recipient informing them that they have 12 months of subsidy service left before they will no longer be eligible for services.

120 days before the end of the 72 months, the system will generate a second "Notice of 72-Month Limit for Receipt of Fee Child Care Subsidy" form (032-12-0042-00-eng (12/15)) to let the recipient know that their eligibility for Fee child care will end and the date it is projected to end.

30 days prior to case closure VaCMS will generate a third Notice of 72-Month Limit for Receipt of Fee Child Care Subsidy (032-12-0042-00-eng (12/15)). VaCMS will automatically schedule the case for closure and generate an NOA

along with the Notice. The Child Care Worker will certify the case closure and mail the closure NOA. The system will automatically discontinue any authorizations. The Child Care Worker must generate the termination POSO, and mail it to the vendor and the recipient.

## 2.7. Copayments

A. Copayment Scale

Copayment scales are established by the Department. All families receiving child care services are required to pay a copayment of 5% to 10% of their gross monthly income, based on family size and income, according to the sliding copayment scale in Appendix B, except:

1. TANF recipients;
2. Participants in the SNAPET program whose countable gross monthly income is at or below 100% of the monthly federal poverty guidelines; and
3. Families in the Head Start Wrap-Around category whose countable gross monthly income is at or below 100% of the monthly federal poverty guidelines if all the children receiving a subsidy are enrolled in a Head Start/Early Head Start program. Families which include non-Head Start children in care are required to pay a copayment.

VaCMS will calculate family copayment amounts. The copayment will begin the first full month of authorized child care and the full copayment must be assessed for the last month, whether it is a full month or a partial month, of authorized child care. The effective begin date of the copayment is recorded on the POSO, a copy of which the recipient receives.

VaCMS will apply the total family copayment to the first child whose authorization is created. Child Care Workers have the option to split copayments among different children attending different vendors as long as the total family copayment is applied.

If more than one child from a family goes to the same vendor, the copayment is assigned to children by VaCMS. The total copayment for the family for that vendor is applied regardless of individual children's attendance.
The family copayment is assigned to the vendor authorized at the first of the month. If the family changes vendors during the month, the copayment is assigned to the new vendor the first of the following month. The copayment is not pro-rated nor split between the two vendors during the month the change occurred.

When an authorization is removed from a suspended status, the copayment is assigned immediately. The copayment is not pro-rated nor assigned the first of the following month. The family copayment amount is shown on the POSO as of the effective beginning date of the reinstatement.

B. Countable Income

In determining copayments, income that will be used includes all earned and unearned income received by the family unit except certain types of disregarded income listed in subsections 3.5., F and G of this guidance.

Initiation of and changes to copayments must be made effective at the beginning of the month following the month the copayment is initiated or the change is effective. The copayment will be effective at the beginning of the month following the 10-day period of notification of the NOA.

The reduction of a recipient's copayment is not considered an adverse action and may be implemented as soon as the beginning of the month after which the change occurs regardless of the NOA period.

**Example**

If a family reports that their income has increased (not exceeding the income eligibility limit) on July 10; the Child Care Worker must make the change to the copayment effective on August 1.

C. Assistance with Copayments

Local departments have the option of assisting parents with the payment of the child care copayment using local-only funds. Local policy for the subsidy of parent copayments must be approved by the Regional Consultant and the local board of social services and recorded in the minutes. Local policy governing subsidy for parent copayments must be applied uniformly.

## 2.8. Waiting List

It may become necessary to place a family on a local department Waiting List due to lack of funds. Prior receipt of TANF or Head Start Wrap-Around services are not reasons for preferential placement on a Waiting List.

Assignment to the Waiting List begins with an application for child care services or a Waiting List Screening form. Applications may be submitted through the Customer Portal or by hard copy.

The screening process to assign an applicant to the Waiting List does not have to be face to face. Contact must be made with the applicant/recipient if the screening information is incomplete.

A signature is required to process a Waiting List screening. An electronic signature is acceptable for applications which come through the Customer Portal. This electronic signature indicates that the applicant gives permission for placement on the Waiting List if there are insufficient funds to approve a case.

An original signature is required for paper applications.

A. Screening

Citizens may use the Customer Portal to complete screening information to get a general idea if they may be eligible for child care services. This screening can be completed anonymously using the “Am I Eligible” section of VaCMS Customer Portal.

Citizens go to the Customer Portal to apply for child care services at “Apply for Assistance.”

If funds are not immediately available to provide services, the family must be screened in VaCMS prior to being placed on the Waiting List. Verification of eligibility criteria is not required to screen a family for the Waiting List. The family’s declaration regarding eligibility criteria, such as, but not limited to, employment, income, and ages of children, is acceptable.

During the registration process, Child Care Workers indicate that a Waiting List screening is registered rather than a complete application. When a Waiting List screening is selected by the Child Care Worker, VaCMS queues a shortened set of screens to collect the minimum amount of information necessary to determine if the family qualifies to be placed on the Waiting List.

If a full application registration is completed and the Child Care Worker determines there are no funds to serve the family, the family needs to be placed on the Waiting List. The application serves as the Waiting List screening form. The completed application is denied, the NOA mailed, and a Waiting List screening is registered for the family using the application date. The family must be given the opportunity to decline placement on the Waiting List.

Certain information is required about the families who are placed on the Waiting List so that VaCMS can accurately calculate when funds become available to serve the family.

Once a request is registered as a Waiting List screening, application Intake for the Waiting List occurs. If the family is potentially eligible, the Child Care Worker completes the process to authorize the family to go on the Waiting List. During the Waiting List authorization process, the Child Care Worker collects predicted income, work and education schedules for adults and children.

Once a family is placed on the Waiting List, VaCMS calculates the anticipated cost of care for the family to receive services through the end of the current fiscal year. Therefore, the local department can determine how many families can be served from the Waiting List at any given time. VaCMS accurately reflects the amount of funds available to serve families on the Waiting List in real time.

If a family is receiving child care services and funding is no longer available to pay for the care authorized, the case must be closed, and a Waiting List application registration completed. This family is a priority group for the Waiting List and the original application date associated with the closed case is the screening date for the Waiting List.

B. Placement on Waiting List

If the Waiting List screening indicates the family may be eligible for assistance, they may be placed on the Waiting List at their request. All families must be put on the Waiting List using the Waiting List screening process.

Families who are receiving Transitional child care may, at their request, be placed on the Waiting List no earlier than 60 days prior to the end of their Transitional eligibility.

Families who are receiving Head Start Wrap-Around child care may, at their request, be placed on a Waiting List no earlier than 60 days prior to the end of their child's Head Start enrollment.

C. Priority on the Waiting List

Families are placed on the Waiting List by Waiting List priority and Waiting List screening/application date. There are six priority groups which will be grouped together and placed at the beginning of the Waiting List. Within the priority group, families will be ordered based on application/screening date. The priority groups are:

1. A family unit which includes a child who has special needs for whom services are requested;
2. Family experiencing homelessness;
3. Family involved in CPS or Foster Care Prevention;
4. Family which includes a minor parent under the age of 18 and in high school whose child will be receiving subsidy services.
5. Emancipated teen parent younger than 18 and in high school; and
6. Case discontinued due to lack of funds.

D. Updating Waiting List

Each local department must update its Waiting List each April and October.

A report is available at any time for Child Care Workers to see families who have been on the Waiting List for 90 days or more. The agency may use this tool to update its Waiting List.

Updated family information may be obtained by letter, telephone call, or in-person. The Child Care Worker should assess continued interest in being on the Waiting List and obtain a current address and telephone number. The local department must not require a face-to-face interview to update a family's Waiting List status.

Families are removed from the Waiting List using the process set up in VaCMS.

E. Notification after Waiting List Screening

A NOA must be sent to the applicant once assignment to the Waiting List is determined in the following circumstances:

1. When a full application is received it must be processed. If there are no funds available to serve the family, the family will be added to the Waiting List, and a NOA must be sent to deny the application and to let the family know they are going to be placed on the Waiting List. The family will be

advised to contact the Child Care Worker who signs the NOA if they do not want to be placed on the Waiting List.

2. When a Waiting List screening is processed and the family is found to be ineligible, a NOA must be sent informing the family they are not eligible for assistance.
3. When a Waiting List screening is processed and the family will be placed on the Waiting List, a NOA must be sent to inform the family they have been added to the Waiting List.

F. Assignment to the Waiting List

Assignment to the Waiting List is a registration for child care services. The screening process to assign an applicant to the Waiting List does not have to be face to face. A phone interview should be conducted if the screening information is incomplete. A signature is required to process a Waiting List screening. An electronic signature is required for applications which come through the Customer Portal. An original signature is required for paper applications.

G. Family's Right to Apply for Services

Families must be advised that they have the right to apply for services rather than be screened for the Waiting List. If they apply and are determined to be eligible for child care assistance but funds are not available to serve them immediately, they are to be placed on the Waiting List. The Child Care Notice of Action to deny the application must advise the applicant that they are being placed on the Waiting List and why. Families must be given the opportunity to decline placement on the Waiting List.

H. Referral to Community Resources

When sufficient funds are not available to provide immediate assistance, families should be advised of other community resources that may be available to help them. These resources may include, but are not limited to, Head Start, the Virginia Preschool Initiative for At-Risk Four-Year-Old Children, and programs that offer scholarships or services based on a sliding fee scale, including YMCA/YWCA programs, church programs and local not- for-profit programs. Families should be told about the Department's 2-1-1 helpline as well as the Department's public web site at www.dss.virginia.gov.

I. Recording of Case Information

All information regarding eligibility determination and payment authorization is recorded in VaCMS in accordance with this guidance. VaCMS provides calculations wherever possible.

J. Minors on the Waiting List

A minor who was placed on the Waiting List prior to implementation of this guidance will not be allowed to apply for assistance as head of household. When funds become available and the case is scheduled to be removed from the Waiting List the minor's parent/guardian should apply in the minor's stead.

When requesting updated information from a family on the Waiting List with a minor as head of household, the information of the minor's parent or guardian should be requested by sending a Waiting List Screening form. The minor's original Waiting List screening/application date should be used when registering the minor's parent/guardian's screening.

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# Section 3. Case Management

## 3.1. Confidentiality

A. Legal Basis

Federal Privacy Act of 1974

The Federal Privacy Act requires that applicant/recipient information be kept confidential. The local department may not release information about the applicant/recipient without their written consent except for purposes directly connected with the administration of social service programs or by court order.

Information from all federal agencies must be kept confidential. Local departments may not release information to any outside source, except as required for purposes of program administration.

Virginia Freedom of Information Act

The legal base for this guidance is § 63.2-104 of the *Code of Virginia*, the Virginia Freedom of information Act (§ 2.2-3700 et seq. of the *Code of Virginia*), the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 of the *Code of Virginia*, § 32.1-127.1:03 of the *Code of Virginia* and by regulation (22VAC40-910) promulgated by the State Board of Social Services.

B. Release of Information to a Non-Government Agency

The Confidentiality Form (032-01-0040-03-eng) must be completed by the applicant/recipient prior to the release of case information to an outside agency other than an agency of federal, state, or local government.

C. Written Permission for Release of Information

With certain exceptions, the applicant/recipient must give written permission before information may be obtained from other sources or given to an individual or agency. The Consent to Exchange Information (032-01-0005-02-eng) should be used.

**NOTE**: The title of this form is “Authorization to Use and Exchange Information” when it is accessed by a link to SPARK.

Local, state, or federal law enforcement officials may request information to investigate an alleged violation of the child care program by submitting a written request to the local department. The written request must include:

1. The identity of the individual requesting the information and the authority to do so;
2. The violation being investigated; and
3. The identity of the person on whom the information is requested.

D. Release of Information without Written Permission

Based on the applicant/recipient's signature on the Child Care Application and Redetermination form, information related to the child care case may be given out or obtained without separate permission from the applicant/recipient in order to carry out the administration of the program.

If the release of information does not involve program administration, no information about a person should be released by Child Care Workers without written consent of the applicant/recipient. This includes information about applicants and current and former recipients and information regarding individuals with no affiliation with the program.

E. Applicant/Recipient Access to Records

Applicant/recipients, or their representative, may read information about themselves contained in their own case records except for behavioral health reports when the physician who wrote them recommends against it.

F. Penalty for the Unauthorized Release of Confidential Information

The disclosure, directly or indirectly, of confidential information contained in a case record by any officer, agency, or employee of the local department will be considered a Class 1 misdemeanor.

G. Ownership of Records

All information contained in the local department's records is the property of the local department. Employees of the local department must protect and preserve such information from dissemination except as necessary for the administration of the program.

Original records are not to be removed from the premises by individuals other than authorized staff of the state or the local department, except by court order. The local department may destroy records pursuant to record retention schedules.

H. Sending Confidential Information through E-mail

Confidential information is not to be sent through email unless it is encrypted. This includes applicant/recipient specific information. It is never acceptable to send applicant/recipient information such as, but not limited to, name, address, or social security number, through e-mail unless it is encrypted. All e-mail communication about applicant/recipients must use identifiers such as case numbers and/or client ID's. Local departments should work with local security personnel and Central Office security personnel to resolve any encryption or security issues.

I. Non-Discrimination

Local departments must ensure that child care services are delivered without discrimination.

J. Correcting Inaccurate Information

Local departments must provide means for inaccurate information to be corrected.

K. Inquiring Applicant/Recipient Information in VaCMS

Child Care Workers may perform client inquiries only if such inquiries are directly related to case management.

## 3.2. Application and Assessment

A. Application Form

Parents who request child care services must sign a Child Care Subsidy Service Application and Redetermination form (**032-25-0147-00-eng (06/16)**) (service application/application) and cooperate with an assessment by the local department. The date the signed application is received by the local department must be noted in VaCMS. For applications submitted through the Customer Portal, an electronic signature is acceptable.

If an application submitted through the Customer Portal is received outside of business hours, the date of receipt is the next business day. If the application is not received through the Customer Portal, the local department must time and date stamp the application.

The VIEW Activity and Service Plan (032-02-0302-10-eng (07/11)) serves as the application for VIEW participants. The SNAPET Plan of Participation (032-02-0075-05 (1/12)) serves as the application for SNAPET participants. Current copies of these forms must be filed in the child care case record. Current means that the forms cover the period of child care service delivery.

> EXCEPTION: If the appropriate application has not been received at the time authorization must be determined, the Child Care Worker can contact the VIEW or SNAPET worker to confirm the need for child care services. This contact must be documented in the child care case record and may serve as documentation until the appropriate form is received. The form must be received and made a part of the case record within two weeks of the telephone verification.

Former VIEW or SNAPET participants who apply for Transitional, Fee, or Head Start Wrap-Around Child Care must complete and sign a Child Care Subsidy Service Application and Redetermination form.

B. Submission of Application

The date of application is the date on which the signed application is received.

The Child Care Application for the Fee subsidy program may be submitted in person at a local department, by mail, by FAX or through the Customer Portal. If the applicant submits a duplicate application, the second application must be denied and a NOA sent to that effect. If an applicant submits an application to

the wrong local department, a denial NOA must be sent informing the applicant to which local department they must apply.

If there is a change in the applicant's status before the application has been processed that would affect their program category eligibility, no new application is needed for the change in program category. When registering the new program category in VaCMS, the Child Care Worker may use the initial application.

The application must be acted on by the local department within 30 days of receipt. Once eligibility is determined, a NOA must be sent to the applicant to inform them if the application has been approved, denied, or if no action has been taken.

If the application was approved, the NOA must indicate the date the application was approved. If the application is denied, the NOA must indicate the reason for denial. Reasons for denying an application include:

1. Applied in wrong locality;
2. Duplicate application;
3. Failed to complete application process;
4. Failure to provide information needed to determine eligibility;
5. Failure to make satisfactory arrangements to pay back fees owed;
6. Filed in error;
7. Moved from locality;
8. Unable to locate;
9. Voluntarily withdrew;
10. Deceased;
11. Lack of funds;
12. At the parents' request;
13. Children out of home;
14. Does not meet financial eligibility requirements;
15. Discontinuation of employment or other approved or assigned activity;
16. Failure to select a vendor;
17. Fraud;
18. Non-compliance with the repayment agreement; and
19. Noncooperation with the Division of Child Support Enforcement.

C. Intake

Intake involves the gathering of and recording of information including, but not limited to:

1. Financial information;
2. Non-financial information;
3. Residence/Address;
4. Household Status;
5. Alias names;
6. Education;
7. Immunizations; and
8. Other state benefits.

Local departments must explain to applicants for child care:

1. How eligibility is determined;
2. The importance of providing accurate and thorough information; and
3. The rights and responsibilities of applicants

Intake is the process of obtaining and of recording the information necessary to determine if a family is eligible to be authorized for receipt of child care services and the verification and documentation of the information. Receipt of required verification and documentation must be recorded in VaCMS. Local departments that have local scanning capabilities can use this method of recording verifications.

At the end of the Intake process, information has been gathered and verified, and eligibility can be determined. Information recorded during the Intake process will be stored and will populate corresponding data fields on subsequent screens.

D. Assessment of Needs

The family's need for child care must be assessed at the time of application and recorded in VaCMS.

Family assessments must be strength based. The goal of the initial face-to-face interview and subsequent family contacts is to assess as much family information as possible so that the family has a clear understanding of their strengths. By helping families discern their family strengths, the Child Care Worker can begin engaging families for success in moving toward self-sufficiency and personal accountability. Families need to understand the importance of things such as:

1. Engaging absent parents in the lives of their children, when appropriate.
2. Collaborating with Fatherhood Initiatives.
3. Choosing the child care setting that is the best fit for their children.

4. Choosing the child care setting that best suits their children's needs and that will provide children with longevity in the child care setting.
5. Defining family relationships especially in the family decision making process.
6. Understanding the importance of safety and stability, which have a direct impact on the well-being of their children.
7. Knowing how to support family members, including children, to know themselves best and to treat each family member with respect.

The strength based assessment approach helps families understand that success can be achieved through an integrated approach, which includes themselves and the Child Care Worker. Families need to understand such things as:

1. What resources are available to them through social services. Families must be informed of the full range of services offered by the local department. If the family identifies other needs, an assessment of those needs must be recorded.
2. Where they can go for community services. The ability to seek out community services independently helps in the development of self-sufficiency
3. How establishing paternity through the Division of Child Support Enforcement can improve the lives of their children. For instance, they may be eligible for Social Security benefits in the event the parent dies.
4. Where to find contact and general information about any Head Start, Virginia Preschool Initiative or local preschool programs.

**NOTE**: Details of the assessment and service planning must be documented in VaCMS.

E. Opening a Case

A case must be opened in VaCMS for all applicants who are determined eligible for child care services, and appropriate case management procedures defined in this guidance must be followed. An application or waiting list screening is assigned a case number when intake case action is initiated.

## 3.3. Non-Financial Eligibility Requirements

Child care services are provided to children in eligible families that meet the following criteria:

A. Need for Child Care/Good Cause

Families served must have an established need for child care subsidy to support employment, education/training, and an approved or assigned VIEW or SNAPET activity or to support receipt of CPS.

In two-parent households, there must be good cause why either parent cannot provide the needed child care before authorization for child care will be initiated. This documentation must be recorded in VaCMS.

B. Citizen/Qualified Alien

Children served must be citizens of the United States or qualified aliens. The Child Care Worker must deny child care subsidy if the child's citizenship or alien status cannot be verified. The legal basis for these procedures is set forth in Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Public Law 104-193, as amended. The procedures are found in Federal Register notice 62 FR 61344 (November 17, 1997).

**NOTE**: The following requirements do not apply to current or former TANF or Transitional child care recipients. Their citizenship or alien status has been determined in order for them to receive TANF. If it is indicated in VaCMS that the child is a TANF recipient, there is no need to view proof of citizenship. This is not true for all applicant/recipients in the Medicaid program; therefore, citizenship or qualified alien status must be verified. The case file must contain documentation of the child's former receipt of TANF. A print out of a SPIDeR inquiry can serve as documentation.

The birth certificate must be provided as soon as it is available; no longer than three months after the authorization or child care can no longer be authorized. In the case of a newborn (child up to 90 days old), the proof-of-birth letter furnished by the hospital to the parent is sufficient documentation to authorize child care There is no requirement to verify the citizenship or alien status of a parent or person acting in loco parentis who is applying for a child, and verification must not be requested for these individuals.

C. Procedures for Verifying Citizenship or Alien Status

Accept only original documents or copies certified by the issuing agency to verify the child's citizenship or alien status. Do not accept photocopies of original documents or notarized copies.

1. Make a copy of the original document.
2. Write the following information on the copy:
   i. The date the original was seen; and
   ii. The name and title of the individual who saw the original.
   EXCEPTION: A copy of a birth certificate from a local department's record is acceptable, if the original case file documented the source of the copy, and the guidance in number 2 above was followed.

D. Documentation of U.S. Citizenship

The local department must verify that the child is a U.S. citizen. The Child Care Worker may use the following documents to verify the child is a U.S. citizen:

1. A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands, (unless the child was born to foreign diplomats residing in such a jurisdiction);
2. United States passport;
3. FS-240 form issued by the Department of State to U.S. citizens to verify the birth abroad of a U.S. citizen;
4. FS-545 Certificate of Birth issued by a Foreign Service post or DS-1350 Certification of Report of Birth. Copies are available from the Department of State;
5. Form N-561, Certificate of Citizenship;
6. Statement provided by a U.S. consular official certifying that the individual is a U.S. citizen (This statement is given to an individual born outside the United States who derives citizenship through a parent but does not have an FS-240, FS-545, or DS-1350); or
7. Form I-872 (or prior versions), American Indian Card with a classification code "KIC" and a statement on the back identifying the bearer as a U.S. citizen (issued by the Department of Homeland Security to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).
8. Foreign-born children adopted by a U. S. Citizen. A foreign-born child who has been adopted by a U.S. citizen does not automatically acquire citizenship. If the applicant cannot provide evidence of the child's

citizenship, have them contact the local U.S. Citizenship and Immigration Service office for a determination of U.S. citizenship.

E. Documentation for Qualified Aliens

The agency must verify that a child falls into one of the qualified alien statuses if they are not a U.S. citizen. The status of qualified aliens must be checked at least annually. The methods of verifying the status are listed below.

An Alien Lawfully Admitted for Permanent Residence

Accept the following documentation to establish the child is an alien lawfully admitted for permanent residence:

1. Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
2. An unexpired Temporary I-551 stamp in foreign passport or on a Form I-94.

An Asylee

Accept the following documentation to establish the child is an asylee:

1. Form I-94 annotated with stamp showing grant of asylum under section 208 of the Immigration and Nationality Act (INA);
2. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
3. Form I-766 (Employment Authorization Document) annotated "A5";
4. Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or,
5. Order of an immigration judge granting asylum.

A Refugee

Accept the following documentation to establish the child's status as a Refugee:

1. Form I-94 annotated with stamp showing admission under § 207 of the INA;
2. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
3. Form I-766 (Employment Authorization Document) annotated "A3."

An Alien Paroled Into the U.S. for a Least One Year

Accept the following documentation to establish that the child is an alien paroled into the U.S. for at least one year:

1. Form I-94 with stamp showing admission for at least one year under § 212(d) (5) of the INA.
2. The requirement cannot be met by combined periods of admission that total one year.

An Alien Whose Deportation or Removal Was Withheld

Accept the following documentation to establish that the child is an alien whose deportation or removal was withheld:

1. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
2. Form I-766 (Employment Authorization Document) annotated "A10"; or,
3. An Order from an immigration judge showing deportation withheld under § 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b) (3) of the INA.

An Alien Granted Conditional Entry

Accept the following documentation to establish the child is an alien granted conditional entry into the U.S.:

1. Form I-94 with stamp showing admission under § 203(a)(7) of the INA;
2. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or,
3. Form I-766 (Employment Authorization Document) annotated "A3."

A Cuban/Haitian Entrant

Accept the following documentation to establish that the child is a Cuban/Haitian entrant:

1. Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
2. An unexpired temporary I-551 stamp in foreign passport or on Form I-94 with the code CU6 or CU7; or,
3. Form I-94 with a stamp showing parole as “Cuba/Haitian Entrant” under Section 212(d) (5) of the INA.

An Alien Declared as a Battered Alien or Alien Subjected to Extreme Cruelty

Accept a U.S. Citizenship and Immigration Service petition and supporting documentation to establish the child has been declared a battered alien or an alien subjected to extreme cruelty.

A Nonimmigrant

Accept a Form I-94 with stamp showing authorized admission as nonimmigrant to establish that the child is a nonimmigrant.

F. Residence

Families served must reside in the locality where application for child care subsidy and services is made. Proof of residency must be provided for the applicant. The source used to verify residency must be indicated in VaCMS in the Household Address Verification dropdown menu. This proof may be, but is not limited to, a lease, a driver's license, a landlord's written statement or utility bills.

The local department's physical address and mailing address may be entered in VaCMS for families who are experiencing homelessness and, therefore, lack a fixed and regular residence. If the family does not have a mailing address and the local department's address is used, the local department must develop a plan and arrangements for the recipient to receive all correspondence. The local department must document such arrangements in the case narrative. For families experiencing homelessness, the Child Care Worker must change the drop down selection for the question "Is the Primary Applicant Homeless?" to yes when entering the address information onto the household address screen in VaCMS.

G. Age of Children

Children served must be under age 13 or under the age of 18 if they are physically or mentally incapable of caring for themselves or subject to court supervision. Care for children 13 and older requiring court supervision will be paid at the school age rate. Care for children with special needs will be paid at up to two times the maximum reimbursable rate.

When care for children older than age 13 is required, the Child Care Worker should record the source of documentation used to verify the child's need in the case narrative section of VaCMS. A copy of the court order or the documentation used to verify the child's special needs must be maintained in the

case record.

H. Age of Parent/Guardian

An applicant for child care subsidy services must be at least 18 years of age. If a minor child has been emancipated from their parents and is requesting services for their child, services may be approved, if they meet all other eligibility criteria. Verification of emancipation is required prior to approval of the case; the status may be verified by viewing the court order granting emancipation or the Emancipated Minor ID Card issued by the Virginia Department of Motor Vehicles. The verification source should be recorded in the case narrative section of VaCMS.

**NOTE**: Because the parent/guardian of a minor parent is legally responsible for the minor parent but not their child, the income of the parent/guardian of a minor parent will be counted as an *in loco parentis* head of household. Both the adult and the minor parent must be participating in an approved activity.

Grandfathered Services

Minor parents receiving services as of the effective date of this guidance will continue receiving services as heads of household on their cases. If these minor parents continue to meet all other eligibility requirements at redetermination their cases must not be closed. A minor parent whose case is closed for any reason is not eligible to reapply as head of household until they reach 18 years of age or become an emancipated minor. Until these minor parents reach 18 years of age, if they are enrolled in the Fee Program, the time spent receiving child care subsidy as head of household will not count towards their 72 month limit on Fee Child Care.

I. School Attendance

Child care must not be purchased for children who are eligible to attend public kindergarten or for older children during that portion of a day when appropriate public education is available, unless there are valid and documented reasons the children must be out of school.

J. Immunization Requirements for Children

All children receiving services under the CCDF must be immunized according to requirements of the State Board of Health before child care services can be authorized. The current form required by the Virginia Department of Health,

("School Entrance Health Form" MCH-213G, Rev 03/14), a physician's form, the Department of Social Services Childhood Immunization Certification form (032-03-0960-02-eng) or other Health Department documentation will be accepted.

Initial Documentation

Parents must provide documentation of immunizations at the time of application or redetermination for child care subsidy and services unless the child is exempt from this requirement. Documentation must include the date the immunizations were received and must be signed by a physician, his/her designee, or an official of a local health department. Copies of this verification must be maintained by the Child Care Worker to assist in verifying that children continue to be age-appropriately immunized.

Exemptions from Immunization Requirement

Documentation of immunization is not required for any child:

1. Whose parent submits an affidavit to the vendor, on the "Certification of Religious Exemption" (CRE) stating that the administration of immunizing agents conflicts with the parent's or child's religious tenets or practices;
2. Whose physician or a local health department states on the "Childhood Immunization Certification" form that one or more of the required immunizations may be permanently or temporarily detrimental to the child's health. If temporary, the statement must include an estimated date for when immunizations can be safely administered;
3. Who receives TANF, for as long as that TANF eligibility continues. Children not on the TANF grant are required to provide proof of immunization prior to authorization for child care services unless another exemption exists;
4. Who is currently enrolled in Head Start/Early Head Start, for as long as that enrollment continues;
5. Whose vendor is a state licensed child day center, a licensed family day system-approved family day home, a licensed or voluntarily registered family day home, or a religiously exempted child day center. Immunization documentation requirements for these children are waived as of the date of a signed purchase order with a state licensed center or licensed, system-approved, or voluntarily registered family day home and for as long as the child is cared for by this vendor or another state licensed center or licensed, system-approved, or voluntarily registered family day home;
6. Who attends a public school in Virginia or a private school that is accredited by the Virginia Department of Education; or

7. Who is placed with a local ordinance-approved vendor.

Immunization Form

The current form required by the Virginia Department of Health ("School Entrance Health Form" MCH-213G, Rev 03/14) may be downloaded from the Virginia Department of Health web site. Instructions for this form may also be found at the Virginia Department of Health web site. The Childhood Immunization Certification form (032-03-0960-02-eng) may be downloaded from SPARK.

Subsequent Documentation

Parents must provide documentation of additional immunizations once every six months for children under the age of two years, once between each child's fourth and sixth birthday, and as indicated by a physician or designee.

K. Children of Owners/Operators of Family Day Home

An owner or operator of a family day home is not eligible to receive a child care subsidy payment for their own child, if that child will be cared for in the home of the owner or operator.

## 3.4. Cooperation with the Division of Child Support Enforcement (DCSE)

All information regarding interactions with DCSE should be recorded in the case narrative section of VaCMS. When a referral is made, copies of all forms that have been sent should be kept in the case record and the date the information was mailed should be documented on the DCSE Referral Screen in VaCMS. This screen is a part of the non-financial module and appears after the Immunization screen for child care cases. Recipients who began receiving services prior to the effective date of this guidance must be referred to DCSE during eligibility redetermination or when an action is taken to add a child to the case.

A. As a Condition of Eligibility

As a condition of eligibility, all non-TANF applicants/recipients of the Child Care Subsidy Program must cooperate with DCSE and the local department of social services in the establishment of paternity and collection of support payments, unless good cause for refusing to do so is determined to exist in:

1. Identifying and locating the absent parent of a child for whom child care services are requested;
2. Establishing the paternity of a child born out of wedlock for whom child care services are requested; or
3. Obtaining support payments for a child for whom child care services are requested.

A Referral to DCSE (032-12-0036-00-eng (12/15)) must be sent to the local DCSE office after an approved eligibility result is certified, unless the applicant/recipient has claimed good cause for not cooperating with DCSE. In such a case the referral would be held until the good cause determination has been completed.

Each child for whom assistance is requested and approved should be referred to DCSE; referrals should also be made for any siblings of a child for whom assistance is requested or approved with the same absent parent. For each absent parent, a separate Referral to DCSE (032-12-0036-00-eng (12/15)) should be completed and a separate entry made onto the DCSE Referral Screen in VaCMS.

Applicants/recipients must be advised to contact their DCSE District Office or call Child Support Customer Service (1-800-468-8894) within 10 days of approval of child care services to schedule an appointment to complete a DCSE application

for services. The Child Care Worker must provide the DCSE District Office contact information to the applicant/recipient found on the VDSS public website at: http://www.dss.virginia.gov/family/dcseoffices.cgi

B. Minor Parents

When a guardian of a minor parent receives child care for the minor's child, the minor parent is required to meet the cooperation requirements outlined in this guidance to the same extent as if they were receiving child care services in their own right.

C. Recipients of TANF Child Care

Recipients of TANF Child Care are considered to be cooperating with DCSE. If a child care recipient's TANF case is closed due to non-cooperation with DCSE, their child care case should be closed with the closure reason, Non-cooperation with DCSE-TANF.

For any cases in which there is funding from both the TANF budget line and any other budget line, the child receiving services in the non-TANF budget line must be referred to DCSE if they have a different absent parent than the children included on the TANF grant.

If a TANF Child Care case is closed due to non-cooperation, the applicant/recipient must follow the rules of subsection H, unless their TANF case has been reinstated.

Local departments must establish and implement communication strategies to ensure timely notification of TANF case closure and reinstatement to Child Care Workers.

D. Notice of Cooperation and Good Cause

At the time of application or redetermination each applicant/recipient must be advised of their right to explain all reasons for refusing to cooperate in establishing paternity or securing support. The Child Care Worker must explain the provisions in the Notice of Cooperation and Good Cause form to the applicant/recipient during their initial or redetermination interview. The applicant/recipient and Child Care Worker must sign the form indicating whether or not the applicant/recipient claims good cause for refusing to cooperate. Details about an applicant/recipient claiming good cause can be found in subsections J-O.

A signed copy of the Notice of Cooperation and Good Cause must be filed in the case record and a copy given to the applicant/recipient. A Notice of Cooperation and Good Cause must be signed at the eligibility determination and whenever a change is made to the claim of good cause. Because the notice outlines the rights and responsibilities of the applicant/recipient, the Child Care Worker must review each condition with the applicant/recipient to assure a complete understanding. If the applicant/recipient wishes to change the claim after signing the Notice of Cooperation and Good Cause form, they must complete and sign another Notice of Cooperation and Good Cause form indicating the change of claim.

The Notice of Cooperation and Good Cause form is a part of the Application and must be printed from VaCMS for a signature. It must also be printed and mailed as a part of the redetermination packet. When the form is mailed with the redetermination packet, the recipient must sign the form and return it to the Child Care Worker with the redetermination packet; the Child Care Worker must sign the form only after reviewing the information with the recipient during their interview.

If there are multiple absent parents and the applicant/recipient wishes to make different claims for each of the absent parents, one Notice of Cooperation and Good Cause form is to be signed for the absent parents being referred and a separate form is to be signed for the absent parents who are not being referred.

E. Cooperation at Application or Redetermination

At the initial application interview or first redetermination interview after the effective date of this guidance, an applicant/recipient must provide identifying information on the non-custodial parent of the children for whom subsidy assistance is requested and their siblings with the same absent parent. If this information is not provided, it will result in the denial of the initial application or closure of the case. This information should be provided on the Child Care Referral to DCSE Form. This form should be printed from SPARK and completed by the Child Care Worker along with the parent during their interview. For each noncustodial parent referred to DCSE, including the legal father if the mother was married at the time of the child's birth, a separate Child Care Referral to DCSE should be used and the applicant/recipient must provide, under penalty of perjury, at a minimum, the name of the absent parent and three of the following pieces of identifying information:

1. Social Security number;
2. Race;
3. Date of birth;

4. Place of birth;
5. Telephone number;
6. Address;
7. Schools attended;
8. Occupation;
9. Employer;
10. Driver's license number;
11. Make and model of motor vehicle;
12. Motor vehicle license plate number;
13. Places of social contact;
14. Banking institutions utilized;
15. Names, addresses, or telephone numbers of parents, friends, or relatives; or
16. Other information that the agency determines is likely to lead to the establishment of paternity.

If the applicant/recipient is not certain of paternity she must identify all individuals who may be the father.

1. The applicant/recipient must designate the man most likely to be the father. Information regarding this man should be entered on the Child Care Referral to DCSE form.
2. Up to four other men may be listed on the List of Putative Fathers Form. The first name included on this list should be the name of the man who is most likely to be the father. These names will be forwarded to DCSE. The DCSE worker will be responsible for obtaining any necessary information on these men.
3. If an applicant/recipient has named only one putative father, and subsequent genetic testing determines that this individual is not the father, DCSE must give the applicant/recipient an opportunity to provide other names of putative fathers. The applicant/recipient is considered to be cooperating with the identification requirement if they provide the name of another individual(s) who may be the father.
4. A mother who was married at the time of the child's birth, but names someone other than her husband as the child’s father, must refer both men to DCSE. The man to whom she was married at the time of the child’s birth is the legal father and is considered the child’s father until a court has determined that he is not. If the court has excluded the husband as the father, DCSE can proceed to determine the paternity status of the man named by the mother.
5. If the genetic testing determines that an individual named is not the father and the applicant/recipient maintains there are no other men who could be the father, the applicant/recipient must be advised by DCSE of her right to

meet with the DCSE worker and have her case reviewed. DCSE will review the case and offer the applicant/recipient an opportunity to view the photograph of the individual tested. If the individual in the photograph is not the man named by the applicant/recipient, DCSE will initiate action to administer another test to the appropriate parties. If the individual in the photograph is the man named by the applicant/recipient, DCSE may refer the matter to the court if the applicant/recipient insists that he is the father. During that time, the applicant/recipient will be considered to be cooperating.

F. Existing Support Orders

If a support order already exists, the Child Care Worker should collect the court name, court order number, and effective date of the order. This information should be collected on page one of the Child Care Referral to DCSE Form (032-12-0036-00-eng (12/15)) and may be forwarded to DCSE without collecting additional absent parent information. If the order was established in another state, DCSE has interstate agreements to facilitate the transfer of the order to the Commonwealth of Virginia.

G. Attesting to the Lack of Information

If the applicant/recipient is unable to provide absent parent information, they must be given the opportunity to sign the Attesting to the Lack of Information (ATL) form (032-12-0043-00-eng (12/15)). If the applicant/recipient attests to the lack of information under penalty of perjury, cooperation exists even though identifying information required in this guidance is not provided.

**NOTE:** At the time of each redetermination, the Child Care Worker is to ask the recipient to provide information on the absent parent. If the applicant/recipient continues to be unable to provide the name and at least three pieces of identifying information on an absent parent, the Child Care Worker must have the recipient complete a new ATL.

H. Closure Due to Noncooperation

Failure to cooperate with the referral to DCSE will result in either the denial of the initial application or closure of the case. When there is a finding of noncooperation, the case should be scheduled for closure. Noncooperation exists if the applicant/recipient fails to provide identifying information, including the first and last name of the absent parent or of all individuals who may be the

absent parent of the children and at a minimum three additional informational items to identify the parent.

Reopening a Closed Case

If an applicant has a case which was previously closed due to noncooperation with DCSE, that applicant must provide proof to the Child Care Worker that they are cooperating before a new application can be approved.

If the applicant has previously been approved for good cause; the applicant should be given the opportunity to claim good cause for not cooperating. The Child Care Worker in consultation with the supervisor should make the determination whether the existing evidence from the previous claim of good cause is sufficient. If the evidence is deemed sufficient, the case should be processed following the guidance in subsections K through Q.

**NOTE:** An applicant/recipient statement is not sufficient proof of cooperation without written documentation from the court or DCSE.

I. Reasons for Not Referring a Case to DCSE

There are several reasons a Child Care Worker will not refer a case to DCSE. If any of these reasons exist at the time eligibility is run, the case will not be forwarded to DCSE. This information should be recorded on the DCSE Referral Screen. The reasons not to refer include:

1. There is no absent parent;
2. The child was conceived by artificial insemination;
3. The absent parent is deceased;
4. The child was adopted by a single parent;
5. The absent parent's rights were terminated by the courts; or
6. There is a claim of good cause.

**NOTE:** If a parent claims that the absent parent is deceased, the Child Care Worker should take the applicant/recipient statement as fact. All other reasons require verification.

J. Good Cause for Noncooperation with DCSE

If an applicant/recipient believes that cooperation with DCSE would be harmful to the child or themselves, they may claim good cause for not cooperating. The

applicant/recipient must provide evidence to support the claim to be exempted from the requirements for cooperation. If the claim is substantiated, no referral will be made to DCSE.

The local department may determine that cooperation would be harmful to the child if one or more of the following circumstances exist:

1. The local department believes that the applicant/recipient's cooperation may result in:
   i. Physical or emotional harm to the child; or,
   ii. Physical or emotional harm to the caretaker which would impair ability to care for the child.
2. The local department believes that proceeding to establish paternity or to secure support would be detrimental to the child because one of the following circumstances exists:
   i. The child was conceived as a result of forcible rape or incest;
   ii. Legal proceedings for the adoption of the child are pending; or,
   iii. The caretaker, assisted by a public or licensed private adoption agency, is deciding whether to keep or to relinquish adoption of the child for whom child care is requested.

The local department must advise the applicant/recipient that if a finding is made that no good cause exists, cooperation will be required in order to receive or continue services. Each applicant/recipient who claims to have good cause for not cooperating must provide acceptable evidence, or sufficient information to permit an investigation to determine if good cause exists.

The applicant/recipient must make the claim of good cause at their initial or redetermination interview on the Notice of Cooperation and Good Cause. The applicant/recipient has 15 days from the day they make the claim of good cause to provide supporting evidence or the agency will determine that good cause does not exist. The agency must base the determination of good cause on evidence provided by the applicant/recipient or obtained through an investigation by the agency.

**NOTE:** If a parent informs the local department that they have previously claimed good cause with the local TANF Agency or DCSE and provides verification of the good cause being approved; the child care worker does not have to reevaluate the evidence and the applicant is considered cooperating. This must be documented fully in the case narrative section of VaCMS.

K. Children of Minor Parents

When a guardian of a minor parent receives child care for the minor's child, the good cause provision applies to the minor parent. The minor parent and their guardian must both sign a separate Notice of Cooperation and Good Cause.

L. Time Frame for Determining Good Cause

The Child Care Worker should attempt to make the final determination of the existence of good cause for refusing to cooperate within the normal eligibility determination/redetermination period. The applicant/recipient will have 15 days from the date they claim good cause on the Notice of Cooperation and Good Cause to provide proof of the claim or the agency will determine that good cause does not exist. The Child Care Worker can track the 15 days by setting a manual task and reminder in VaCMS.

If the Child Care Worker does not receive the required documentation during the normal eligibility/redetermination period they must not delay, deny, or discontinue assistance pending a determination of good cause. When all other eligibility requirements have been met, the Child Care Worker should run eligibility and authorize the case pending the determination of good cause.
If good cause is determined to exist or the parent provides the absent parent information within the 10 day window given on the Notice of Good Cause Determination form described in subsection N, services will continue uninterrupted.

M. Evidence for Good Cause

The Child Care Worker, in consultation with their supervisor, will make the final determination of good cause based on the evidence submitted by the applicant/recipient. The local department must make the determination of good cause based on the evidence provided. The following are examples of acceptable evidence to substantiate a claim of good cause:

<u>Incest or Forcible Rape</u>

Birth certificates or court, medical, criminal, child protective services, social services, or law enforcement records which indicate that the child was conceived as the result of incest or forcible rape.

Adoption

Court documents or other records which indicate that legal proceedings for adoption are pending before a court of competent jurisdiction or a public or licensed private adoption agency is currently assisting the applicant/recipient to place the child for adoption and such discussions have not gone on for more than three months. The agency must obtain a written statement from the adoption agency.

Physical Harm

Court, medical, criminal, child protective services, social services, psychological and law enforcement records, sworn statements from individuals other than the applicant/recipient with knowledge of the circumstances which provide the basis for the good cause claim, or a written statement from a domestic violence services program or sexual assault crisis center professional indicating that the putative father or noncustodial parent might inflict physical or emotional harm on the child or caretaker.

Emotional Harm

A determination that good cause exists due to the emotional harm factor may only be based upon documentation by a medical professional of an emotional state that would substantially affect the individual's functioning if the agency required cooperation with support enforcement. Medical records which indicate the emotional health history and present emotional status of the caretaker or the child for whom support would be sought may substantiate good cause. Additionally, written statements from a psychiatrist, psychologist or other licensed professional which indicate the diagnosis or prognosis of the caretaker or the child may be used for this purpose.

**NOTE:** While the applicant/recipient has the responsibility to provide the agency with the required documentary evidence, the agency must, upon request, assist the applicant/recipient in obtaining the required evidence.

N. Advising the Applicant/Recipient of the Good Cause Determination

Based on the evidence gathered, the Child Care Worker in consultation with their supervisor must evaluate whether the evidence substantiates the claim of Good Cause. The Child Care Worker will document in the case record explaining the approval or denial of the good cause claim. If the agency has determined that

the applicant/recipient has good cause, the Child Care Worker will note this in VaCMS and no referral will be made to DCSE.

On every claim of good cause, the Child Care Worker will make the final determination that good cause does or does not exist. The final determination regarding good cause must be documented in the case record, specifying the agency's findings and the basis for the decision. This action should be documented in the case narrative section of VaCMS.
The agency must advise each applicant/recipient who claims good cause for not cooperating of the final determination using the Notice of Good Cause Determination form. If the good cause claim is approved, a Child Care Client Communication Form must be generated and sent to the applicant/recipient along with the Approved-Notice of Good Cause Determination form (032-12-0040-00-eng (12/15)).

If it is determined that good cause does not exist, the Denied-Notice of Good Cause Determination form (032-12-0039-00-eng (12/15)) must be mailed to the applicant/recipient. This notice informs the applicant/recipient that they have 10 days to provide absent parent information or their case will be denied. If, after 10 days, no information has been provided to the Child Care Worker about the absent parent, the case should be denied or closed with the reason Noncooperation with DCSE. An NOA should be generated and mailed to the applicant/recipient. After the recipient has been given 10 days to cooperate in providing information on the absent parent and the case has been scheduled for closure due to denial of good cause, the case must not be reinstated. The recipient will have to reapply for services.

O. Referral to DCSE When the Applicant/Recipient has Claimed Good Cause

In situations where the applicant/recipient has claimed good cause and the applicant/recipient has previously received TANF or DCSE services, the Child Care Worker must complete the Good Cause Communication Form, (032-12-0035-00-eng (12/15)) available on the CCECD website, and send it to the appropriate DCSE district office.

**NOTE:** If the information is questionable as to whether the applicant/recipient has previously received public assistance or DCSE services, the form must be completed and sent to the DCSE district office.

P. Fair Hearings Related to DCSE

Appeal procedures are applicable to this section of guidance and, upon notification of an applicant/recipient's decision to appeal the local department must notify the appropriate DCSE district office. The Division of Child Support Enforcement will have the opportunity to participate in any hearings that result from an appeal of any action required by this section.

**NOTE:** Detailed information is maintained in the DCSE case record to document noncooperation and must be made available, upon request, if the action resulting from the noncooperation finding is appealed. If the action is appealed, the Child Care Worker must contact the DCSE worker to inform him that an appeal has been filed and to request the supporting documentation required to be included in the appeal summary. The DCSE worker will attend the hearing or participate in the telephonic hearing to testify as to the applicant/recipient's failure to cooperate.

All information regarding interactions with DCSE must be recorded in VaCMS case narrative. A case record with copies of the related forms must also be maintained. Any emails received from DCSE regarding an applicant\recipient's cooperation must be printed and kept in the case record.

Q. Documenting the DCSE Referral in VaCMS

After the Immunizations screen in VaCMS, the Child Care Worker will be prompted as to whether there is a reason for not referring the case to DCSE. A referral should be made in all situations unless the case is either:

1. A TANF case with all included children on TANF grant,
2. A case in which both parents of all children are in the household, or
3. A non-TANF case exempt until next redetermination

If a non-referral reason is selected, VaCMS will bypass the DCSE referral Information Screen. For each absent parent referred, the Child Care Worker must include a separate record on the DCSE Referral Screen.

When a referral to DCSE is made, copies of all forms sent must be kept in the case record and the date the information was mailed must be documented on the DSCE Referral Screen in VaCMS.

If an applicant/recipient claims good cause, the Child Care Worker must document this on the DCSE Referral Screen in VaCMS. The Child Care Worker must select the correct good cause reason and verification source, or choose "Pending Good Cause Verification". If "Pending Good Cause Verification" is selected, the Child Care Worker should set a manual task and reminder in VaCMS to track receipt of the good cause verification within 15 days of the applicant/recipient's claim of good cause.

When the appropriate verification is received the Child Care Worker must document and update the good cause verification source in VaCMS.

## 3.5. Income Eligibility Requirements

A. State Income Eligibility Scale

The income eligibility scale established by the Department must be used for determining financial eligibility for the Transitional, Fee, SNAPET, and Head Start Wrap-Around child care programs. See State Income Eligibility Scale for Child Care – Appendix A.

B. Metropolitan Statistical Area Groupings

Localities are grouped by local median income with some adjustments made for actual cost of care. In using the State Income Eligibility Scale, VaCMS will determine into which group the local department falls.

C. Determining Family Unit

The applicant is considered the head of the household. If the applicant in a two parent household leaves the household, a new application must be processed to determine eligibility for the new family unit. If determined to be eligible, this family must not be placed on the Waiting List.

The following individuals living in the household must be included in the family unit:

1. Parents including:
   i. Biological parents including the father of a child born out-of-wedlock, if paternity can be established;
   ii. Adoptive parents;
   iii. Stepparent;
   iv. Legal guardian(s);
   v. Adult(s) standing in loco parentis for children under age 18; and
   vi. Persons cohabiting with the natural or adoptive parent of a child under age 18.
2. All the parents' children under age 18.

VaCMS will determine the family unit based on family demographics entered into the system.

D. Determining Income Eligibility

VaCMS will determine income eligibility by measuring the family unit's countable gross monthly income and family size against the percentage of the federal poverty guidelines for their locality listed in Appendix A.

Families whose countable gross monthly income for their family size is at or below the percentage of the federal poverty guidelines for their locality are income eligible for child care subsidy.

> EXCEPTION: If the applicant or current recipient is an individual who is not financially responsible for the child under Virginia law, income eligibility is determined in VaCMS by measuring the family unit's countable gross monthly income and family size against 250% of the federal poverty guidelines. Biological parents (including the father of a child born out-of-wedlock, if paternity can be established), adoptive parents, stepparents, and a person cohabiting with a natural or adoptive parent are financially responsible for the child under Virginia law.

E. Countable Income

Income is considered countable if it is not on the list of disregarded incomes or deductions. Child Care Workers must count only income, not resources.

In determining income eligibility, VaCMS will include all gross earned and unearned income received by the family unit and entered into the system by the Child Care Worker except certain types of disregarded income, deductions and payments listed in subsections F and G below.

Verification of Income

VaCMS will allow for the recording of verification of income. The parent must assist in obtaining the verification. If pay stubs are the type of verification, the most recent pay stubs available must be used. On-line pay stubs or letters from employers are acceptable. The reason for using pay stubs over two months prior to income verification must be documented in VaCMS.

Accept an applicant/recipient's written statement that there is no income unless there is reason to doubt the statement.

Indirect Payments

When an applicant or recipient appears to be working but is not paid directly, the Child Care Worker must determine whether there is an identifiable amount that must be considered as income. Such arrangements must be evaluated using the following criteria:

If the applicant/recipient performs services but receives no pay directly, and there is an identifiable amount of income that could be paid directly to the applicant/recipient, count the identifiable amount as income.

If the applicant/recipient performs services but is not paid directly, and there is no identifiable amount of income that could be paid to the applicant/recipient, no income is counted.

**Example**

An applicant/recipient works for an employer and, in lieu of wages paid directly to the applicant/recipient; the employer pays an expense on behalf of the applicant/recipient. In this situation, there is an identifiable wage and, even though it is not paid to the applicant/recipient, it must be counted as earned income.

Self-Employment

If the applicant/recipient indicates that they are self-employed, they must provide documentation to show they are legitimately engaged in self-employment. The proof could include, but is not limited to, income tax records or other proof of earnings, a business license, or rent receipts for office space. The applicant/recipient must earn at least minimum wage for actual hours worked, based on gross income.

If the applicant/recipient has been self-employed for a year, in order to be eligible for child care subsidy, they must provide proof of earnings, preferably tax return information.

If the applicant/recipient has been self-employed for less than a year, they must provide proof of earnings equivalent to minimum wage for actual hours worked within 90 days after approval. If they are unable to provide such proof of earnings, they will no longer be eligible for child care subsidy.

The Child Care Worker can track the 90 days by setting a manual task and reminder to themselves to update the minimum wage field after 90 days.

VaCMS will count net income from self-employment, farm, or non-farm. Net income is gross receipts minus expenses. The Child Care Worker should not count the value of goods consumed by the family.

F. Disregarded Income

VaCMS will disregard the following types of income received by any member of the family unit in determining income eligibility and copayment amounts for Transitional, Head Start Wrap-Around, SNAPET, and Fee Child Care subsidies:

1. Supplemental Security Income;
2. TANF benefits, including TANF match payments;
3. Transitional payments of $50.00 per month to former VIEW participants;
4. Diversionary Assistance payments;
5. General Relief benefits;
6. Value of SNAP benefits;
7. Value of USDA donated food;
8. Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965;
9. Value of supplemental food assistance under the Child Nutrition Act of 1966 and lunches provided under National School Lunch Act;
10. Earnings of a child under the age of 18 years;
11. Earned income tax credit (EITC);
12. Lump sum child support payments;
13. Any scholarships, loans, or grants for education except any portion specified for child care, if any portion of educational benefits are set-aside for child care, this should be entered in VaCMS as “Other” unearned income and noted in the case narrative;
14. Payment to AmeriCorps volunteers;
15. Tax refunds;
16. Lump sum insurance payments;
17. Monetary gifts for identifiable one time occasions or normal annual occasions;
18. Vendor payments made by non-financially responsible persons, unless this payment is made in lieu of wages;
19. Loans and other money borrowed;
20. Money received from sale of property such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property in which case the net proceeds would be counted as income from self-employment);
21. Earnings of less than $25.00 a month;
22. Capital gains;
23. Withdrawals of bank deposits;

24. GI Bill benefits;
25. Reimbursement, such as for mileage;
26. Foreign government restitution payments to Holocaust survivors;
27. Payments from the Agent Orange Settlement Fund or any other fund established for settlement of Agent Orange product liability litigation; and
28. Monetary benefits provided to the children of Vietnam Veterans as described in 38 U.S.C. 1823 (c).

G. Disregarded deductions or payments are:

1. Garnisheed wages – those wages not received as a result of garnishment;
2. Basic Allowance for Housing (BAH) for military personnel if the individual is living on base and the entire BAH is deducted on the leave and earning statement;
3. Clothing Maintenance Allowance for military; and
4. Child support paid to another household (verification could be by written statements from the other parent/household or cancelled checks).\

H. Converting Income to a Monthly Amount

VaCMS will convert recorded income to a monthly amount by multiplying weekly income by 4.3, bi-weekly income by 2.15 or semi-monthly income by 2. When projecting earned income, the Child Care Worker must determine the weekly earnings and multiply them by 4.3. When earned income is verified by and documented with pay stubs, the calculations outlined above are used. The Child Care Worker must identify any income documented by the applicant/recipient that is not used in the calculation and the reason for disregarding it in VaCMS.

**Example**

The recipient provides four pay stubs. One of the pay stubs covers a period of time when the employer was closed so the recipient either was not paid or the pay stub reflected a reduced pay amount. This pay stub is not indicative of the applicant/recipient's usual income. Therefore, the Child Care Worker only uses the three pay stubs which are indicative of the applicant/recipient's usual income in the income calculation. The Child Care Worker must record, in the case narrative or in the comments box on the payment calculation screen, why all four pay stubs were not used.

I. Income Averaging

If income fluctuates, the Child Care Worker selects a projection period in VaCMS to average the amount over a period sufficient to take the fluctuations into consideration. Usually, the monthly gross income received in the previous three months is sufficient. However, for child support, farm income or seasonal employment, it may be necessary to average income over a period of up to 12 months.

Example

Individuals who, by contract, derive their total annual income in a period of time shorter than one year must have that income averaged over a 12-month period.

## 3.6. Service Plan

A Child Care Service Plan (032-12-0125-00-eng (01/16)) must be completed for every child care case.

If parents are active in VIEW, the VIEW Activity and Service Plan (032-02-0302-10-eng (7/11)) will serve as the service plan. If the parents are SNAPET participants, the SNAPET Plan of Participation (032-02-0075-05 (1/12)) will serve as the service plan. Once a client is no longer a VIEW or SNAPET participant, a Child Care Subsidy Service Application must be completed and eligibility determined prior to authorization of Transitional or Fee Child Care.

During the development of the service plan, the Child Care Worker must discuss with the parent the responsibilities outlined in 3.8 and also discuss the agency and vendor responsibilities. Service plans must be updated at least annually. The service plan is a part of redetermination. The local department will mail it to the recipient in the redetermination package.

VaCMS provides a place to record service planning information. This information must be completed/updated before eligibility determination/redetermination can be made and authorization for child care services can be initiated. The Child Care Service Plan (032-12-0125-00-eng (01/16)) must be signed by the recipient and the Child Care Worker. A signed copy must be given to the recipient. The Service Plan can be printed by transmitting from a button on the service plan page of VaCMS.

## 3.7. Consumer Education

Local departments must advise families who receive child care subsidy that they have full parental choice of all legally operating child care vendors who meet the vendor requirements of the subsidy program. Vendors who fail to meet all vendor requirements are not eligible to receive subsidy payments.

Appropriate consumer education must be provided by the local department, or a recognized resource and referral agency, to parents to assist them in gaining needed information about child care services, about the availability of vendors and about how to identify and monitor quality child care. Local departments are responsible for informing parents about the VaECC operations and the availability of the Customer Portal. Such information will be recorded in VaCMS.

Characteristics that affect program quality include:

1. Staff qualifications and training;
2. Staff/child ratios;
3. Appropriate child development curriculum;
4. Group size;
5. Provisions for health, safety and nutrition;
6. Evaluation procedures; and
7. Parental involvement.

Other recognized components include stability of care, shared values and approaches to child rearing, staff-child interactions, and physical, emotional, and social environment. Compliance with all regulatory standards is no guarantee of a quality child care program, given the varying meaning of quality to different individuals. As a result, parents are responsible for ensuring that their children's care meets their family's criteria for quality care.

Consumer education would include providing applicants and recipients for Child Care Subsidy Assistance with information about the 2-1-1 helpline, the pamphlets "Choosing Quality Child Care Guide" and the Department's public web site at www.dss.virginia.gov.

## 3.8. Parental Responsibilities

Local departments must inform parents of the following responsibilities:

A. Responsibility to Report Changes

Parents must be informed of their responsibility to report changes specified on the Child Care Parent Responsibilities form to the local department within 10 calendar days of when they occur.

Parents must also be informed that failure to report changes specified on the Child Care Parent Responsibilities form may result in case closure and that parents are required to repay child care costs for which they are not eligible.

The parent and the Child Care Worker must sign the Child Care Parent Responsibilities form that outlines the responsibilities listed below. By reading and signing this form, parents are informed of their responsibilities and obligations. The Child Care Worker must review the contents of this form with applicants and provide clarification. A copy must be given to the applicant. Changes that need to be reported include:

1. Changes to the family's gross monthly income that would cause the total amount to exceed the maximum monthly income level allowed for a family of its size in the locality where the child care services have been authorized;
2. Household no longer has income;
3. Changes in household members or head of household;
4. Change of address;
5. Change in education/training activity (including class days/hours and curriculum);
6. Change of vendor;
7. Child receiving child care services reaches his/her 13th birthday;
8. Change in the number of hours children need child care;
9. Change in employment (including schedule, employer and/or income); and
10. If their VaECC card is lost or stolen

B. Responsibility to Cooperate in Eligibility Determination Process

It is the parent's responsibility to cooperate fully in the assessment and eligibility determination process including providing documentation of immunization and, absent good cause, providing information to the Division of Child Support Enforcement.

C. Responsibility for Use of Child Care

It is the parent's responsibility to choose a vendor and to monitor the care. Parents must use child care only for activities that have been approved. It is the responsibility of the parent to use their VaECC Swipe Card to track attendance hours for their child. Parents who do not use their swipe card may be responsible for paying for the unrecorded attendance and the case may be closed.

It is the responsibility of the local department to ensure that every recipient of child care subsidy services is trained on how to use the POS device and their VaECC swipe card. Local departments must demonstrate how to use the POS device and explain to the recipient how to activate their swipe card when it arrives in the mail.

D. Responsibility to Pay Fees

It is the parent's responsibility to pay all fees owed directly to the vendor. Parental failure to pay fees (e.g., copayments, charges above the MRR, non-covered registration fees, etc.) and/or any back fees owed may result in case closure if the vendor reports it. The responsibility to collect fees is a business arrangement between the recipient and the vendor.

E. Responsibility to Vendors

Parents have the following responsibilities to vendors:

1. To track attendance hours for their child by using either their VaECC Swipe Card or the IVR System, parents must not share their VaECC Swipe Card with their selected vendor;
2. To deliver the child to the child care setting clean and well;
3. To pick the child up promptly at the agreed upon time;
4. To inform the vendor when the child will not be coming due to illness;
5. To pick up the child during the day if the child becomes ill; and
6. If transportation is being provided, to get the child safely and promptly to the pick-up site and to meet the child promptly at the discharge point.

F. Responsibility to Repay Overpayments

It is the parent's responsibility to pay fraud-related overpayments or non-fraud overpayments according to the repayment schedule entered into with the local department. Parental failure to pay overpayments may result in case closure.

G. Responsibility to Respond to Correspondence

The parent must be told to respond to all agency correspondence within specified timeframes.

## 3.9. Local Department Contacts/Responsibilities

A face-to-face interview with the applicant is required during the initial eligibility determination process. During the interview, the service application, the Child Care Parent Responsibilities form, and the Notice of Cooperation and Good Cause, which are combined and printed together in VaCMS, must be reviewed with the applicant. A copy of the signature page of the application and the entire responsibilities form and the Notice of Cooperation and Good Cause must be given to the recipient.

The Parent Responsibilities form provides the recipient with a list of changes that they are required to report. The form must be reviewed with the applicant to assure they understand changes that must be reported. The applicant and the Child Care Worker must sign the printed service application and the parent responsibilities form and Notice of Cooperation and Good Cause. A copy of the signed forms must be given to the recipient, and the signed original must be scanned into VaCMS.

The Child Care Application, Parent Responsibilities form and the Notice of Cooperation and Good Cause are generated together, by transmitting from a button on the eligibility screen after running eligibility and certifying the results or automatically 45 days before a redetermination due date.

At the initial interview, the Child Care Worker must review the service application with the applicant to confirm the correctness of the information. The Child Care Worker must review household members' relationships to determine who is to be included in the family unit. Information must be revised as necessary during this initial assessment process. Any changes made to the service application by the Child Care Worker must be recorded.

A. Required Verifications

The following information must be verified as part of the eligibility determination process and recorded:

1. All countable income; income for the last 30-day period must be verified. If income verification for the last 30-day period is not available or is not reflective of the recipient's income, the Child Care Worker must document in VaCMS why and explain what income verification was used and why.
2. Enrollment in an education/training program, if this is the reason child care is needed. Enrollment can be verified by, but is not limited to, a grade report, a copy of the recipient's class schedule, a letter from the

education/training program or a progress report from the education/training program;

3. If the applicant is a VIEW participant and the education/training is an approved VIEW activity, verification of enrollment in education/training is the responsibility of the VIEW Worker and does not have to be re-verified for child care. The Child Care Worker must document in VaCMS that the verification was performed by the VIEW worker. At redetermination, the Child Care Worker must document in VaCMS that the verification was performed by the VIEW worker.
4. Head Start enrollment, if any child receiving a subsidy is enrolled in Head Start;
5. Special needs of any child for whom subsidy payment is above the MRR; and
6. Prior receipt of TANF.

B. Required Documentation

The following documentation is required and must be recorded in VaCMS for initial eligibility determination:

**NOTE:** If a local department has the ability to scan documents into the case file, scanned documents can serve as the verification of the applicant/recipient's signature for any forms requiring a signature.

<u>Child Care Forms:</u>

Child Care forms are generated from VaCMS and are assigned a correspondence ID number by VaCMS. When a form is provided to the recipient, the Child Care Worker must record the correspondence ID number and date sent to the recipient in the case narrative as verification the recipient was provided the form either in person or by mail.

1. Child Care Subsidy Service Application and Redetermination Form *(*or current VIEW Activity and Service Plan or SNAPET Plan of Participation)
2. Child Care *Notice of Action Form*
3. Child Care Communication Form (if applicable)

<u>Parent Responsibilities Form:</u>

The Child Care Worker must document that a clear and full explanation was given to the individual as to eligibility requirements for the program. This

documentation can be shown by having a signed copy of the parent responsibilities form in the case record.

Verifications:

1. Case Narrative (record the verification)
2. Childhood Immunization Certification Form, if applicable
3. Service Plan (or VIEW Activity and Service Plan or SNAPET Plan of Participation)
4. Assessment of Need
5. Verification of residence
6. Verification of identity of the applicant/recipient
7. Verification of Income
8. Verification of employment
9. Verification of education/training
10. Verification of citizenship
11. Other information necessary to determine eligibility and verify need

Child Care – Child Support Enforcement Forms:

These forms are used for communications regarding the Division of Child Support Enforcement. With the exception of the Notice of Cooperation and Good Cause, which prints from VaCMS as a part of the application, these forms are available on the CCECD website:

1. Notice of Cooperation and Good Cause (032-02-0109-08-eng (12/15))
2. Referral to the Division of Child Support Enforcement (032-12-0036-00-eng (12/15))
3. Attesting to the Lack of Information (032-12-0043-00-eng (12/15))
4. List of Putative Fathers (032-12-0041-00-eng (12/15))
5. Good Cause Determination Letter (032-12-0040-00-eng (12/15))
6. Good Cause Communication Form (032-12-0035-00-eng (12/15))
7. Child Care Notification of Case Closure (032-12-0037-00-eng (12/15))

C. Additional Required Contact

In addition to the annual eligibility redetermination, one additional contact must be made with the recipient during the year. In some cases, other services will be needed by the family and will be provided directly or arranged by the Child Care Worker. The purposes of this contact are to:

1. Ensure that the child care services authorized are meeting the needs of the child and parent;

2. Review and update the service plan; and
3. Make any referrals to other services that may be necessary

D. Reported Changes

Local departments must act on all reported changes as soon as possible no later than 30 days after receiving such a report.

When a change is reported, the Child Care Worker must determine if the change impacts current or continuing eligibility and if a recalculation of copayment and/or a change in the amount of services authorized is necessary. Revisions to the service application, the service plan, and notations in the child care case narrative must be made accordingly. This is not a redetermination. Regardless of any changes made to the case during the 12 months of eligibility, the full annual redetermination must be conducted.

For reported changes, the Child Care Worker must update the appropriate screens in VaCMS and send the recipient an NOA, if applicable. This action must be recorded in VaCMS, including the correspondence ID number and date.

The Child Care Worker must evaluate, when a change is reported, whether or not a change to the authorization is necessary including the need for a new POSO. If a termination POSO and a new POSO must be generated, a completed copy of each must be sent to the recipient and vendor. The POSO conveys to the recipient the copayment amount and the amount of care authorized.

## 3.10. Forms Used In Service Planning

A. Required Child Care Forms

The Child Care Service Application and Redetermination Form (**032-25-0147-00-eng (06/16)**) is used for all applicants for child care services to provide documentation of eligibility requirements for subsidy services and assessment of need. This information must be completed at initial application, at redetermination, or when a case must be screened under a new category.

The Child Care Parent Responsibilities Form is part of the application which is completed at initial application and at redetermination and used to inform applicants and recipients of their responsibilities to cooperate with eligibility determination, report changes, what constitutes fraud and also the consequences of fraud.

The Child Care Notice of Action Form is used to notify applicants and recipients of case actions which affect eligibility for child care, copayment amounts or the amount of service authorized. A more detailed description of the form and its uses is found in section 3.12 of this guidance.

B. Optional Child Care Forms

The Child Care Communication Form (032-05-18-00-eng) is used to notify applicant for or recipient of child care subsidy of a change in their application/case that does not affect eligibility, copayment or the amount of services authorized.

The Emergency Medical Authorization Card (032-02-0510-05-eng) is used for family day care or in-home care, regulated or unregulated. This card is used by the parent to give the vendor of family or in-home care authority to obtain emergency medical care for a child when the parent or another designated person cannot be located. It should be documented in the record if the card was given to parents.

C. Required Documentation

Local departments must assure that case records are maintained accurately in VaCMS in accordance with case management guidance in this chapter. Any required documentation or verification not provided for in VaCMS must be kept in hard copy in the case file or in a scanned file according to departmental guidelines. When documenting verification sources in VaCMS, anytime “Other

(Document Source)" is selected as the verification source, the type of verification used should be documented in the page level comments or the case narrative.

D. Document Management Imaging System (DMIS) Scanning

The purpose of DMIS is to reduce paper and make workflows more efficient. It is recommended that paper documents be retained for a minimum of 3 days; however, the length of time that paper documents are retained will be at the discretion of the local department. Local departments remain responsible for all documentation requirements set out in this guidance.

The following documents will be scanned for all Child Care Cases in all localities:

1. Signed Service Plan;
2. Signed Application, to include VIEW/SNAPET Activity and Service Plans;
3. Signed Renewal Application;
4. Signed Parent Responsibilities Form;
5. Residency Verification; and
6. Citizenship Verification for the child.

When a child's original birth certificate is viewed, scanned and indexed by the local department into the DMIS ImageNow Software, the requirements in section 3.3. C, 2 of the Child Care and Subsidy Program Guidance Manual have been fully met. The required documentation is stored by the system.

## 3.11. Notice of Action (NOA)

A. Due Process

Every time a case action affecting eligibility, copayment or the amount of services authorized is taken a NOA must be sent. Such notice must include the reason for the action and the notice of appeal rights and procedures, including the right to a fair hearing if the applicant or recipient is aggrieved by the local department's action or failure to act on an application. The NOA may be sent for more than one reason.

The local department must generate the NOA in enough time before the date the action is to become effective (14 days is suggested) to ensure that the applicant/recipient has a 10 day notice.

A copy of the NOA will be generated from and retained in VaCMS each time Eligibility Certification is run.

The Child Care Worker must evaluate whether the case action for which the NOA is sent affects the case authorization. If so, a revised POSO must be signed by the vendor, and a completed copy must be sent to the recipient. The POSO conveys to the recipient the amount of their copayment and the amount of child care authorized.

If a NOA is sent to close a case and the recipient takes no steps to comply, the case is closed. If the recipient complies with the action stated as the reason for case closure within the 10 day NOA period, another NOA is not necessary unless another change occurs.

The NOA is not to be used to request information from a recipient. The Child Care Communication Form is used for that purpose.

**NOTE**: Never send a copy of the applicant/recipient's NOA to the Vendor.

B. Child Care Communication Form

The Child Care Client Communication form must not be used for matters that affect eligibility, such as copayments or the amount of services authorized.

**Example**

It would not be appropriate to use the NOA to request income verification. However, if the applicant/recipient does not provide the requested income verification, it would then be appropriate to send the NOA.

C. Changes

If the local department proposes to change an authorization for child care subsidy such as to reduce child care subsidy or to increase the amount of the copayment, a NOA must be generated to send to the parent at least 10 days (14 days is suggested) in advance of the date the action is to become effective. Information concerning the details of the change should be recorded in the comments section of the form.

Changes which involve a reduction in services must be made effective as of the first of a month. The change must be made effective at the beginning of the month following the month the change is reported or at the beginning of the month following the 10-day period of notification of the NOA.

A copy of the completed POSO reflecting this change must be mailed to the recipient. If administratively possible, the POSO and the NOA should be sent to the recipient at the same time. The completed POSO shows the final copayment amount and the authorized amount of care. The correspondence ID numbers and date must be recorded in the case narrative.

VaCMS will generate the NOA and make it a part of the case record. The local department will complete it and mail it. The Child Care Worker must record the correspondence ID number and date and verify the mailing of the form in the case narrative

## 3.12. Authorization

Once a child is determined eligible for child care services, the amount of services the child requires must be recorded in VaCMS and approved. The authorization process allows the Child Care Worker to approve the receipt of child care services for a specific amount from a specific vendor.

Authorization for child care and the completion of the Child Care POSO are the responsibility of the local Child Care Worker. Calculations are performed by VaCMS based on the information entered by the Child Care Worker. A POSO must be initiated by the local Child Care Worker and approved, to complete the authorization of child care services.

The POSO serves as the contract for payment between the state and the vendor. It is used to communicate authorization information to both the vendor and the family. The POSO is generated from VaCMS for the local department to print, sign and mail to the vendor. The local department must record in the case narrative the date the signed POSO is received from the vendor.

The vendor must return the signed POSO within 10 calendar days from mailing by the local department. If the signed POSO is not received by the 10th day, the local department must send a Client Communication Form to the parent informing them to select another approved vendor within 10 calendar days or services will be terminated. If the parent fails to select another vendor within the 10 days, the local department must take steps to close the case and terminate the POSO by discontinuing the authorization. The termination POSO must be sent to the vendor, and a NOA must be generated and sent to the parent at least 10 days (14 days is suggested) in advance of the date the action is to become effective. If the recipient or vendor complies with the reason for closure within the 10 day NOA period, the case will be reinstated and re-authorized.

The recipient must receive a copy of the completed POSO; the copayment and authorized amount of care appear on the POSO. The POSO with the signature of the local department representatives may be sent to the recipient without the vendor's signature.

The following information is recorded during the authorization process:

1. The child care vendor;
2. Whether the special needs rate is authorized or if in home care is provided;
3. The funding program for the services authorized;
4. The authorized copayment;

5. The child care schedule; and
6. The registration fee

When a case is closed and/or an authorization is discontinued before the POSO termination date, a termination POSO must be generated and sent to the vendor and the recipient. The vendor does not need to return a signed termination POSO.

A. Age Range Definitions

In applying the appropriate MRR, the local department must use age range definitions used by the Division of Licensing Programs (DOLP) for child day centers.

The age range definitions used by Licensing for child day centers are:

1. Infants - children from birth up to 16 months,
2. Toddlers - children from 16 months up to 24 months
3. Preschool - children from 24 months up to the age of eligibility to attend public school (five years by September 30). Children turning five after September 30 are considered preschool until they start school the following year;
4. School age - children eligible to attend public school, age five or older by September 30 of that same year. Children turning five after September 30 are considered preschool until they start school the following year.

**NOTE:** In VaCMS the school age rate is effective starting the first Monday in September for all children who turn age 5 before September 30th. If the child turns age 5 after September 30th, the school age rate will be effective starting the first Monday in September of the following year.

B. Costs of Care

The total cost of care including special programs and transportation provided by the vendor, must not exceed the MRR for the type of care for the age of the child. Transportation costs cannot be paid as a separate cost. The type of care and the cost of care is identified and entered on the POSO as one child care cost. Child care subsidy funds may not be used to pay vendor activity fees.

C. Annual Registration Fee

A single annual registration fee per child will be paid to Level 2 Vendors only if the vendor charges this as a separate fee to the general public.

Child care subsidy funds may be used to pay up to $100 for the annual child registration fee per fiscal year (June1 – May 31). If the requirement for payment of another registration fee is beyond the control of the recipient or due to extenuating circumstances, such as a vendor closing or the family moving, payment may be made. This decision must be documented in the case record. The vendor's decision to charge an additional registration fee is not an extenuating circumstance.

D. Authorized Payment Amount

Reimbursement to vendors for the care of a child will be authorized for a full day or part day of care using the daily unit of service. The total reimbursement for the day must not exceed the MRR.

Transportation time needed for the parent to travel from the vendor to the site of their approved activity and from the activity to the vendor will be included in determining the amount of care needed.

The maximum number of hours that may be authorized and/or purchased per week is 60. A "week" is the seven-day period from 12:00 a.m. Sunday to 11:59 p.m. Saturday.

> EXCEPTION: If a recipient's employment requires them to work more than 60 hours some weeks, such as a corrections officer or firefighter, but the average amount of care for the week does not exceed 60 hours, payment may be made.

**Example**

A parent works 80 hours a week for two weeks and 40 hours a week for the other two weeks. That amounts to 240 hours for the month. Dividing 240 hours a month by 4.0 weeks equals 60 hours a week.

E. Sibling Discounts

If the vendor offers a sibling discount that is only available to the general public if payments are made in advance, recipients would not be eligible for the discount as authorized payments are made by reimbursement.

F. Unit Price

The unit price for services will be based on a full day or a part day. The full day rate is used when care is needed to support an approved activity for five or more hours a day. The part day rate is used when care is needed for fewer than five hours for a day. The POSO generated in VaCMS is used to document the care authorized. The full day and part day rates will be used in any calculations.

If a Level 2 Vendor requires the general public to pay for the full day when only a partial day of care is needed and no part-day care is available within a 30-minute commute one way for the recipient, subsidy can be authorized for the full day. This applies to Level 2 Vendors only. The vendor's requirement for a full day of payment must be documented in the case record. Documentation could be a copy of the vendor's rate sheet.

G. Full Day and Part Day Rates

A full day rate is based on care for at least five hours up to 12 hours per day. A part-day rate is based on care needed up to four hours 59 minutes per day.

Payment for more than 12 hours per day must not be authorized except in extenuating circumstances in which the need for care due to the parents' work or school schedule can be documented in the case record. Additional part day units may need to be authorized for the hours of care over 12 in one day, unless the vendor's actual charges are less than the part day MRR. The average amount of care authorized for a week cannot exceed 60 hours.

If the parent's need for before and/or after school care is five or more hours per day, the local department will authorize full day care using the vendor's established rate converted to a daily rate not to exceed the full day MRR.

If part day care is needed and no child care vendor is available within a commute of a half an hour one way, full day care may be purchased for Level 2 Vendors. If part day care is available and the parent chooses to use full day care, the parent must pay the difference.

The number of hours of care needed per week for online courses would be the number of credit hours assigned by the learning institution for the class. Documentation of online course work would include, but not be limited to, a printout of the recipient's class schedule and documentation from the learning institution.

**Examples**

12 Hour Day

A parent works eight hours per day, attends school two hours per day, and drives two hours per day from the vendor to work and from school to the vendor. The parent needs care 12 hours per day, five days per week. Care would be authorized at five full day units for the week. (5 full day units @ 12 hours per unit X 5 days per week = 60 hours per week of authorized care)

Extenuating Circumstances

1. The parent is required to work 24-hour shifts. More than 12 hours of care a day can be authorized up to 60 hours a week. Two full day units would be authorized per day to cover the 24 hours of care. (2 units X 12 hours per unit = 24 hours of care) If the firefighter works 60 hours per week in two 24-hour shifts and one 12-hour shift, five full day units would be authorized. (5 full day units X 12 hours per day = 60 hours for the week).

2. A parent works eight hours per day, attends school three hours per day, and drives two hours per day from the vendor to work and from school to the vendor. This adds up to 13 hours of care needed. Assuming that the vendor's rates are greater than the MRR, one full day unit and one part day unit would be authorized.

Part Day

Care is needed one hour before school and two hours after school. Three hours of care are needed. The part day rate would be authorized for the day not to exceed the MRR.

Full Day

Care is needed one hour and thirty minutes before school and three hours and thirty minutes after school. The full day rate would be authorized for the day as a total of five hours of care is needed.

Care During Classes

If a parent takes six credit hours, six hours of care per week can be authorized. The Child Care Worker would authorize two part-days, but no more than one full day of care. If the parent takes 12 credit hours, then twelve hours of care can be authorized, not to exceed two full days of care.

H. Holidays

For Level 2 Vendors and for any certified preschool, voluntarily registered family day home, or religiously exempt child day center, the following 10 holidays will be paid even if the vendor is closed and unavailable to the parent, if the vendor charges the general public for those holidays.

1. New Year's Day
2. Martin Luther King, Jr. Day
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day
9. Day after Thanksgiving
10. Christmas Day

The Department will not pay for any holiday when an unlicensed family day home or local government approved recreation program is closed and unavailable to parent, even if the vendor charges the general public for the day.

I. Absent Days

The Department will not reimburse any Level 1 Vendor for absent days.

An absent day means any day that a child is authorized to be in the vendor's care but is not in attendance, and child care would have been provided had the child been present.

The Department will pay Level 2 vendors for up to 24 absent days per child per fiscal year (June 1 – May 31). The total number of allowable absent days will be prorated at 2 days per month, based on the beginning month of services for the child.

## 3.13. Payments

A. Beginning Date of Service Payment

The beginning date of service payment is the date the signed application is received by the local department if the family is determined eligible within 30 days and the selected vendor is approved and eligible to receive subsidy as of the date of application.

If the eligibility determination is made more than 30 days after the signed application is received by the local department, payment may begin only on the date eligibility is actually determined, except in the case of administrative delay. Administrative delay means either the parent or the vendor does not provide needed information for eligibility purposes to the local department within the 30-day application-processing period due to circumstances beyond their control; awaiting vendor approval is not an example of administrative delay.

B. Maximum Reimbursable Rates

The Department establishes Maximum Reimbursable Rates (MRR) for child care for all localities in the state by type of care. Local departments cannot establish their own MRR. The MRR is used to determine authorized payments. These rates are stored in VaCMS to perform authorization calculations. VaCMS will calculate the rates automatically based on the MRR information stored in the system.

Vendors will be paid up to the maximum reimbursable rate (less any required copayment) of the jurisdiction in which the vendor is located. The Department will not pay more than the established MRR. If the vendor wishes to collect the amount due over the MRR, the vendor will collect this directly from the parent of the child.

> EXCEPTION: For children with special needs, payment of up to two times the MRR for the child's age is allowed when it is appropriate as determined by the local department in consultation with the parent, vendor, and appropriate professional. Details of this consultation must be recorded in the case record. The evaluation by an appropriate professional must be provided in writing.

For out-of-state vendors, the MRR of the local department authorizing care must be used.

C. Child Placed at a Vendor with Rate above MRR

Parents who choose to place a child with a vendor with a rate above the MRR are responsible for payment of any additional amount, unless the local department elects to pay the additional amount with local-only funds for all parents who must pay a charge above the MRR.

When agencies use local-only funds to subsidize the cost of care above the MRR, this local procedure must be approved by the local board of social services and recorded in the minutes, including the maximum allowable subsidy. A copy of this locally approved procedure must be kept on file at the local department and available for review by state monitors and/or auditors. Subsidy decisions must not be made on an individual case basis. Reimbursement cannot be requested by the local department for these expenses.

D. Direct Payment to Vendor

DSS will make payments for child care subsidy by means of direct payment to the vendor upon submission of time and attendance data recorded on Electronic Child Care (VaECC). This is the standard method of payment to be used.

Local departments must use the Child Care Purchase of Service Order form to authorize direct payment to vendors.

E. Payment for In-Home Care

Before authorizing payments for in-home care, local departments must assure that the definition of in-home child care is met. The cost for in-home care must not exceed the local MRR and must meet federal minimum wage requirements. The cost may be above the local MRR only for children with special needs, not to exceed two times the MRR. The local department must have the applicant/recipient sign the Authorization to Act as Agent on Customer's Behalf for In-Home Care (032-02-0150-00-eng), because for in-home care, FICA (Social Security and Medicare taxes) and unemployment taxes will be withheld and paid by the Department.

In-home care may be approved when the total child care cost does not exceed the local MRR and still allows authorized payment of at least the federal minimum wage as required by the Fair Labor Standards Act (FLSA) for Domestic Service. This law requires that employees be paid at a rate not less than the federal minimum wage for all hours worked and that hours worked over 40 be compensated at one and one-half times an employee's regular rate of pay. This law covers most domestic service workers. Fact sheets on the federal minimum

wage and overtime provisions of the FLSA are available at www.dol.gov/whd Provide these guides to all people who employ in-home providers. In-home vendors must be paid at least federal minimum wage by the hour, not as a rate per child.

**NOTE**: If a vendor cares for three children full time, they must be paid at least federal minimum wage for the number of hours per week for which care is needed. The amount paid to the vendor must not exceed the MRR per individual child. These calculations must be completed outside VaCMS.

In-home care providers are neither employed by the Virginia Department of Social Services nor by any local department of social services based solely on their provision of child care subsidy services.

To determine if federal minimum wage requirements for in-home care have been met; any copayment that is assessed should be included in the total payment amount when calculating minimum wage.

Any time In-home care is approved by the Child Care Worker, the Child Care Supervisor must review the case to ensure that the necessary selections have been made in VaCMS and the necessary paperwork has been completed in order to assure proper payment and withholdings. The Supervisor should document his review in the Case Narrative section of VaCMS.

When creating an authorization for In-Home care, the Child Care Worker must ensure that In-Home care is noted in the Authorization General Information section of VaCMS. It is only by selecting this option that the required taxes are withheld from these vendors.

F. Additional Payments

Payments will be made in the following instances for individuals participating in an approved activity for TANF, Transitional, Head Start Wrap-Around or Fee child care or in an assigned activity for VIEW or in an assigned SNAPET component:

1. For up to one month during a break in employment or training if child care arrangements would otherwise be lost.
2. For up to one month during a break in employment or training if a subsequent activity is scheduled to begin within that period and if child care arrangements would otherwise be lost.

3. For up to four weeks in a twelve-month period if the parent is ill or incapacitated for justifiable reasons as set forth in a service plan or in the child care case narrative and labeled as such. A doctor's statement must be used to document the nature of the illness or incapacity and the length of time the doctor projects it will exist. This time period may be extended for justifiable reasons documented in writing in the case record.
4. For a vendor other than the primary vendor if the child is sick. A second POSO covering the same time period as the first is allowable. The details of this arrangement must be recorded in the case record in addition to the purchase information. All information must be clearly labeled.
5. For care while a parent sleeps in situations where the parent works non-traditional hours and must sleep for some of the hours while the children are awake. The total number of hours covered will not exceed the number that would have been needed for work only. The details of this arrangement must be recorded in the case record in addition to the purchase information and clearly identifiable as such.

## 3.14. Eligibility Redetermination

An eligibility redetermination is required every 12 months for child care cases. The 12-month cycle begins with the effective date of the child care case approval and is calculated in VaCMS. Eligibility redetermination means that all eligibility criteria must be evaluated and a contact must be made with the recipient. This contact may be in person or by phone and should not unduly disrupt a parent's work schedule. Local departments must offer recipients the option to participate in this interview by phone. Refer to the list under subsection B for criteria that must be evaluated.

Eligibility redetermination must be completed every 12 months. A Child Care Subsidy Service Application and Redetermination form and Child Care Service Plan must be completed at redetermination. If the recipient is a participant in VIEW or SNAPET and there is a current Activity and Service Plan or Plan of Participation on file, these may serve as the application. Current means that the forms cover the period of child care service delivery.

> EXCEPTION: If the appropriate application has not been received at the time authorization must be determined, the Child Care Worker can contact the VIEW or SNAPET worker to confirm the need for child care services. This contact must be documented in the case record and may serve as documentation until the appropriate form is received. The form must be received and made a part of the case record within two weeks of the telephone verification.

**NOTE**: A redetermination package will be mailed by the local department to the applicant/recipient 45 days before redetermination is due. This package will include the Child Care Subsidy Service Application and Redetermination form, the parent responsibilities form, a copy of the current service plan, the Notice of Good Cause and Cooperation with DCSE and the Verification Checklist, which lists information required from the applicant/recipient, to be returned to the local department.

The Child Care Worker will mail the packet to the recipient with a Child Care Communication form explaining what is expected from the recipient and when it is expected. The correspondence ID numbers of these forms and the date sent must be recorded in the case narrative.

The Child Care Worker will print a copy of the current service plan from VaCMS and will mail it to the recipient with the redetermination packet. The parent

should make any changes/updates to the current plan, sign it and mail it back with the completed redetermination package.

The Child Care Worker will enter the updated service plan details in VaCMS as discussed with the recipient and sign the updated form received from the recipient. The signed service plan should be placed in the case record or scanned into the document imaging system and a copy mailed to the recipient.

A. Changes Prior to Redetermination

If information is received prior to the date of the annual redetermination that affects eligibility, the local department must evaluate the information, record it in VaCMS and act on any need for change within 30 days of receipt of that information. This is not a redetermination. Regardless of any changes made to the case during the 12 months of eligibility, the full annual redetermination must be conducted.

B. Documentation at Redetermination

Redetermination may be conducted by telephone or in person. Details of this redetermination must be recorded in VaCMS. This documentation must include, but is not limited to, verification of:

1. All income; earned income for the last 30-day period must be verified. If income verification for the last 30-day period is not available or is not reflective of the recipient's income, the Child Care Worker must document why and must explain what income verification was used and why.
2. Enrollment in an education/training program if this is the reason child care is needed. Examples of verification of enrollment include:
   i. A copy of the recipient's class schedule;
   ii. A grade report;
   iii. A copy of enrollment information from the education/training program;
   iv. A letter from the education/training program indicating satisfactory progress; or,
   v. A progress report from the education/training program may be used.

**NOTE:** If the applicant is a VIEW participant and the education/training is an approved VIEW activity, verification of enrollment in education/training is the responsibility of the VIEW worker and does not have to be re-verified for child care. The Child Care Worker must document that the verification was performed by the VIEW worker.

3. Head Start enrollment if any of the children receiving a subsidy are enrolled in Head Start;
4. Special needs of any child for whom authorization is above the MRR; or
5. Prior receipt of TANF.

C. Notice

An NOA must be sent to the recipient upon completion of the redetermination. All contacts must be recorded either on the screen designed to collect the information or on the case narrative.

## 3.15. Suspension

A. Suspension is an Authorization Status.

Authorized child care payments may be suspended for up to 90 days if a temporary interruption in child care is necessary, and the reason for the interruption can be resolved within 90 days. No payments are made during the suspension. The effective begin date of the suspension must be at least 10 days from the current date to allow for the advance notice. The parent must remain in their approved and/or assigned activity and eligible to receive child care subsidy.

A child care case for which authorization is temporarily suspended is not considered closed, and the family must not be placed on the Waiting List. During the suspension period, funds associated with the suspended case are encumbered. A NOA is generated when the authorization status goes to Suspended.

**Examples**

1. A parent who works for the school system is not actively working during the summer.
2. A parent whose place of employment is seasonally closed.
3. A mother is employed, but on temporary maternity leave.
4. The parent(s) remain in an approved activity, but a break in child care is needed due to child's illness.
5. The parent(s) remain in approved activity, but child goes to stay with a relative for a period of time not to exceed 90 days.

B. End of Suspension Period

A contact must occur and be recorded in the case narrative to assure that all relevant changes which could affect eligibility are known and recorded. When the suspension period ends, the authorization status is changed from Suspended to Authorized in VaCMS. An NOA must be sent to the recipient. Since the authorization status' change back to Authorized is not an adverse action, the change can take place without waiting for the 10-day notice to take effect. A suspension would not be appropriate in an instance such as a college student who is taking longer than a 90 day break. A new POSO is required if the authorization is revised. A termination POSO must be sent to the vendor to let them know that the previous authorization was terminated.

## 3.16. Closure

A. Reasons for Case Closure

Transitional Child Care

Transitional Child Care must be closed when the 12 month eligibility period ends. The recipient can immediately apply for Fee child care. If the recipient is eligible for Fee child care, and the funds are available, there should not be a break in care. If there are no funds to authorize Fee child care for the recipient, they will be assigned to the Waiting List at their request.

Fee Child Care

Fee Child Care cases will be closed when they reach the 72 month eligibility limit as described in section 2.6 of this guidance.

Other reasons for closing the child care case include:

1. Discontinuation of employment or other approved or assigned activity;
2. Noncooperation with the Division of Child Support Enforcement;
3. The parent no longer meets the non-financial or financial eligibility requirements;
4. Failure to pay required fees to a child care vendor, if the vendor notifies the local department of the unpaid fees. The Child Care Worker must advise the vendor to submit the notification in writing;
5. Failure to make satisfactory arrangements to pay back fees owed to a child care vendor;
6. Failure to make satisfactory progress in education/training;
7. Failure to provide necessary verifications/information needed to determine eligibility;
8. At the parent's request, for which the case can be closed immediately;
9. Moved from locality, for which the case can be closed immediately;
10. Children no longer in home, for which the case can be closed immediately;
11. Failure to report changes specified on the Child Care Parent Responsibility form;
12. Disqualification;
13. Lack of funds;
14. Non-compliance with the repayment agreement with the local department of social services;
15. Fraud, if found guilty and/or convicted;
16. Closure due to Fraud 1, 2, or 3, if found by a state hearing officer to have committed an IPV;

17. Death of head of household for which the case can be closed immediately;
18. Unable to locate, for which the case can be closed immediately; and
19. Failure to select a vendor.

B. Documentation of Closure Reasons

Adequate documentation supporting the reasons for closure must be recorded. If the local department has insufficient funds to continue services, the recipient must be given the option of being added to the Waiting List. An NOA must be sent to notify the recipient of the intent to close a case or an authorization.

C. Planning and Assessment

Case closure should be planned by the local department jointly with the parent whenever possible. The local department must determine if continued services are needed and assist the family with appropriate referrals. The local department must discuss with the parent the importance of preparing the child in advance, if at all possible, for any change in child care. Planning and preparation of the child is especially important when care is terminated for school-age children who are moving from supervised child care into being alone for a portion of the day.

Once child care subsidy is no longer authorized, continuing social services and/or a referral to another service agency may be needed by the family. The local department must complete an assessment of need. Details of this planning and assessment must be recorded in the child care case narrative.

## 3.17. Financial Management

A. Monitoring Expenditures

Tracking expenditures in relation to allocations is the most effective method of managing annual allocations and continuing cases without interruption. The local department should regularly monitor encumbrances and expenditures in VaCMS to see how billed charges compare to funds encumbered for each case. As case changes occur, unused funds will be unencumbered in VaCMS to maximize the use of allocations.

VaCMS will track expenditures and project encumbrances for all child care cases. VaCMS will indicate the projected cost through the end of the fiscal year (June 1 – May 31) for families on the Waiting List. Current expenditure details and other statistical reports are available at any time in VaCMS. The local department does not need to wait until the end of a month to access this information.

B. Mandated Programs

Payment of child care subsidies for children in the following program is mandated:

Budget line 871: VIEW, Transitional, TANF Working, Learnfare and SNAPET.

See Child Care Programs Budget Lines (Appendix C) and Child Care Program Budget Lines' Descriptions (Appendix D).

C. Requesting Additional Funding

In instances where local departments have caseloads that cannot be continued within fiscal year allocations, local departments may request additional funding.

Requests must be submitted using the online VaCMS Locality Budget Request form (032-12-0003-00-eng) located on SPARK at http://spark.dss.virginia.gov/divisions/cc/forms.cgi.

Justifiable requests for additional funding in non-mandated budget lines will be approved to the extent of available funds.

D. Funds Recovery

The funds recovery process is designed to compare the authorized and encumbered units for a monthly service period to the actual attendance entered for that same service period. The funds recovery process runs on the evening of the 15th of the month and is run to recover unused funds for prior service periods. If any encumbered attendance unit for a prior service month is not utilized, the encumbered amount for that unit will be reduced and that same amount is added to the available balance so it may be reused for a new authorization period if expenditures do not exceed the local department's budget provided by the VDSS Budget Office.

When the manual attendance is entered for a prior service period where funds have already been recovered, the days for which attendance is entered are encumbered again and the available balance is reduced accordingly. This can cause a negative available balance and no authorizations can be created until additional funds are recovered or allocated.

E. Reducing Caseloads

If additional funding is not provided for Fee Child Care or TANF Child Care for (non-VIEW) education and training, local departments should reduce cases through attrition, if possible, until the appropriate caseload and expenditure levels are attained. No new cases should be added during this time.

If caseloads cannot be reduced through attrition, local departments may close cases to reduce expenditures to funding levels. Local departments must document their methodology for closing cases due to lack of funds and placement on the Waiting List. Decisions to close cases must be made uniformly. When the proper expenditure levels are attained, cases may be added to the caseload as other cases are closed. VaCMS tracks expenditures and encumbrances. Current information is available to local departments.

F. Transferring Cases

Child care case records cannot be transferred to another local department due to the funding allocation process. If a local department receives an application, case information can be viewed as read-only to determine if the case is open in another local department. If an applicant/case is already open, the Child Care Worker must contact the other locality to discuss the appropriate disposition of the case. This contact must be recorded in the case narrative by the local department in which the case is currently open.

G. Funding Plan

For each active child care case, the Child Care Worker should develop a funding plan with a goal of providing continued child care for the family as they pursue self-sufficiency.

## 3.18. VaCMS and VaECC

A. Virginia Case Management System

The Virginia Case Management System (VaCMS) is the system of record for information related to child care cases funded through the CCDF grant. This guidance provides the framework around which VaCMS is designed. VaCMS provides for recording of all case information as well as most calculations that must be made.

All case management and authorization information is entered into VaCMS. VaCMS provides information about and tracking for child care case management, child care expenditures and encumbrances and child care accounts receivable.

VaCMS interfaces with Electronic Child Care (VaECC) to facilitate timely and accurate transmission of child care authorization, attendance and payment data.

The SPIDeR interface helps ensure data accuracy through the file clearance process in VaCMS. As new clients are added to VaCMS, SPIDeR provides a list of potential matching client information from within VaCMS and other state systems.

VaCMS client demographic information is also published to SPIDeR as clients and cases are added to or updated in VaCMS. Authorized SPIDeR users can query VaCMS for detailed client information.

B. Child Care Case Management in VaCMS

Case management activities must be recorded for all categories of child care cases. This information must be completed before an eligibility determination can be made and before authorization for child care services can be initiated.

C. Case Status

Case applications registered and approved in VaCMS are assigned certain case statuses. These are defined in VaCMS on the appropriate screen. These statuses include: approved, pending, denied, or closed.

A case is established and a status is assigned by VaCMS once intake is initiated for an application or Waiting List screening. An approved case remains an approved case until it becomes a suspended or closed case. Cases assigned to the Waiting List are in pending waiting list status.

D. Authorization Status

Once a case is determined eligible, an Authorization is established and a POSO is generated indicating the amount of care authorized. The Child Care Worker assigns the authorization status. Authorization statuses include: Authorized, Discontinued, Suspended or Waiting List.

E. Registration

Registration is the recording of the receipt of an application in VaCMS. The registration process consists of entering basic demographic information for the applicant and case members.

1. The Child Care Worker uses VaCMS to verify that the applicant is applying to the correct FIPS through a locality look up system. This feature uses geographical information system (GIS) technology.
2. The Child Care Worker uses VaCMS to complete file clearance to establish whether or not the applicant is known to VaCMS or to any other system published in SPIDeR. This process helps prevent duplicate records and multiple client ID numbers. Child Care Workers can see if the applicant or any family member is part of an active or closed child care case or application. The information is also published to SPIDeR to determine if the applicant is already known to the Department.

F. Electronic Child Care (VaECC)

VaECC is the system of record for attendance at child care vendors. VaECC interfaces with VaCMS to provide attendance by means of entering information into the Electronic Payment Processing and Information Control (EPICC) system. This information is recorded by use of a Point of Service (POS) device or by use of a telephone to engage Interactive Voice Recognition (IVR) or by manual entry.

VaECC provides information on attendance and payments, reducing the need for paper invoices. Calculation of payments to a vendor is done by VaCMS based on information from VaECC. Reported attendance will be accepted in VaECC only during the dates of the authorization on the POSO. If a recipient tries to use their VaECC card to claim child care outside of the authorization period or for an unauthorized time period, the transaction will be denied.

The parent will receive a VaECC swipe card after being approved for child care subsidy services. A secondary cardholder may be designated to receive a swipe card. Parents must be advised that they are not allowed to give their VaECC

swipe card or personal identification number (PIN) to anyone, including their provider.

It is the responsibility of the local department to ensure that recipients of child care subsidy services are trained on how to use the POS device and their VaECC swipe card. Local departments must demonstrate how to use the POS device and explain to the recipient how to activate the VaECC swipe card when it arrives in the mail.

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# Section 4. Appeals, Fraud & Improper Payments

## 4.1. Right to Appeal

Applicants and recipients of child care subsidy services have the right to appeal decisions made about their eligibility for and the authorization of child care including, but not limited to, case approval, the determination of an overpayment or the amount of the overpayment. Appeal information is included on the service application and on the NOA. An appeal may be requested orally or in writing.

If an applicant or recipient appeals within 10 days of the effective date of the notice of action, and services had been previously authorized, payment for child care services may be authorized during the period of the appeal. The applicant/recipient should make such a request to the local department along with their request for an appeal. If the decision of the hearing officer upholds the local department action, the recipient will be required to repay the sum of all services provided from the time of the appeal until the closure of the case.

> EXCEPTION: If services are continued during the appeals process, they may be terminated if (1) the eligibility period ends, (2) a change in circumstance affecting household eligibility occurs, or (3) a programmatic change occurs which impacts eligibility.

If the parent disputes the decision made by the local department on their child care case, they are entitled to a fair hearing. Local departments must send copies of all hearing decisions to their appropriate child care consultant.

Once the agency receives the decision from the hearing officer, the agency must take action on the case based on the decision received. The local agency must ensure that administrative action to implement the hearing officer's decision is taken no later than 10 working days following the date of the decision. After corrective action is taken, the local department must notify the appellant and the hearing officer in writing that the local department has complied with the decision. This information must be recorded in VaCMS.

For more information about the appeals process, see the Appeals and Fair Hearings Manual on the SPARK page at:
http://spark.dss.virginia.gov/divisions/appeals/.

## 4.2. Fraud

The *Code of Virginia* (§ 63.2-522 & § 63.2-502) deems guilty of larceny any person who obtains assistance or benefits by means of a willful false statement or who knowingly fails to notify of a change in circumstances that could affect eligibility for assistance. Welfare fraud is larceny, and recipients deemed guilty of larceny, upon conviction, are subject to penalties as specified in the *Code of Virginia.* The Commonwealth's Attorney is responsible for deciding under which section of the *Code of Virginia* an applicant or recipient will be charged.

A. Intentional Program Violation (IPV)

An intentional program violation consists of any action by which an individual intentionally:

1. Made a false or misleading statement to the local department, orally or in writing, to obtain child care services to which the household is not entitled. An IPV may exist for an individual even if the local department denies the family's application;
2. Concealed information or withheld facts to obtain services to which the family is not entitled; or
3. Committed any act that constitutes a violation of the:
   i. Child Care Development Block Grant Act of 2014, as implemented in regulation at 45 CFR Parts 98 and 99.
   ii. *Code of Virginia*, Sections 63.2-217, 63.2-319, 63.2-502, 63.2-510, 63.2-522, 63.2-526, 63.2-611, 63.2-616, 63.2-620.

An IPV is also any action where an individual knowingly, willfully and with deceitful intent uses the VaECC system to cause payment for child care services to be fraudulently obtained.

Whoever obtains or attempts to obtain or aids or abets any individual in obtaining services by means of a willful statement or misrepresentation, by impersonation or other fraudulent device assistance from child care has committed an IPV.

When it is suspected that there has been deliberate misrepresentation of facts in order to receive child care subsidy, the local department must determine whether or not fraud was committed. There must be evidence that demonstrates that the household committed an IPV or fraud in order to refer the case to the Fraud Unit.

Suspected instances of child care fraud must be referred to the fraud staff for investigation. Local departments must send copies of fraud investigation final reports to their appropriate Child Care Regional Consultant.

## 4.3. Administrative Disqualification Hearing

A. Introduction to the ADH

An Administrative Disqualification Hearing (ADH) is an impartial review by a hearing officer of an individual's actions involving an alleged IPV to determine whether or not the individual committed an IPV.

In order to request an ADH, there must be clear and convincing evidence that demonstrates that an individual committed or intended to commit an IPV.

Examples of evidence include, but are not limited to, the following:

1. Written verification of unreported income received by the individual;
2. Verification that the individual was informed of the reporting requirements by their signature on the Child Care Parent Responsibilities form and the Child Care Service Application and Redetermination form;
3. Documented contacts with the individual during the period the IPV is alleged to have occurred in which the individual failed to report information in response to local department queries about household circumstances.

**NOTE:** The examples above do not have to be presented to document intentionality; however, it is likely that such deliberateness can only be shown through the presentation of more than one of these types of evidence.

The local department must ensure that the evidence against the individual alleged to have committed the IPV is reviewed by either a supervisor or the Local Department Director for purposes of certifying that such evidence warrants the initiation of the ADH process.

A pending ADH does not affect the individual's right to receive child care subsidy. The individual alleged to have committed an IPV cannot be disqualified until a hearing officer finds the individual committed an IPV.

B. Child Care Worker Responsibility

It is the responsibility of the Child Care Worker to refer any case to the local fraud investigator in which there is evidence that an IPV has been committed. The Child Care Worker should use the Local Agency Fraud Referral form (032-29-

0005-01-eng) or another agency approved form to refer the case to the Fraud Unit.

C. Fraud Investigator Responsibility

The Fraud Investigator must conduct an investigation of an allegation that an individual committed an IPV, regardless of the Child Care Program status. A determination as to whether an IPV has occurred must be based on careful consideration of the circumstances. A determination must be made that there has been a deliberate misrepresentation of information or facts given or a deliberate misrepresentation by omission on the part of the individual. Consideration should be given to: 1) whether the incorrect or unreported information was known to the individual and 2) whether the individual understood the eligibility and reporting requirements.

The Fraud Investigator is required to proceed against any individual where the evidence supports an IPV by referring the matter to the appropriate authorities for criminal action or initiating the ADH process.

**NOTE:** The Fraud Investigator may refer a case for prosecution or initiate an ADH regardless of the current eligibility of the individual.

An individual may be charged with an IPV even if the child care application was denied. An over-payment does not have to exist for there to be a determination of an IPV.

The local department must coordinate its actions with any corresponding action being taken against the individual under SNAP and/or TANF if the factual issues involved arise out of the same or related circumstances.

D. Notification of ADH

Prior to submitting the “Referral for Administrative Disqualification Hearing” to the State Hearing Authority, the local department Fraud Investigator must provide the forms, “Notification of Intentional Program Violation” and “Waiver of Administrative Disqualification Hearing” to the individual accused of committing the IPV. If an individual wishes to waive the ADH, form Waiver of Administrative Disqualification Hearing, must be returned to the local department within 10 days from the date notification is sent to the individual in order to avoid submission of the referral for an ADH. If a signed waiver is received, no ADH is conducted and the disqualification period is imposed in accordance with this guidance.

No further administrative appeal procedure exists after an individual waives his/her right to an ADH and a disqualification penalty has been imposed. The disqualification period cannot be changed by a subsequent fair hearing decision; however, the household member is entitled to seek relief in a court having appropriate jurisdiction. The period of disqualification may be subject to stay or other injunctive remedy by a court of appropriate jurisdiction. Allegations of coercion by the household member, household head, or legal representative to VDSS or the local department of social services will negate the waiver and the case must be referred for an ADH.

If no waiver to the ADH is received within 10 days, the local agency must submit the Referral for Administrative Disqualification Hearing to the Hearings Manager by the 15th day following the date notification was sent to the household. The additional five days allows for possible mail delivery delays. The form must include the following information:

1. Identifying information as requested at the top of the form;
2. Summary of the Allegation(s);
3. Summary of the Evidence; and
4. Copies of documents supporting the allegation.

To determine the appropriate disqualification period for the notification form, the local department must determine the number of prior disqualifications an individual may have. Information about prior disqualifications must be verified before deciding on the length of the penalty.

E. Scheduling the ADH

The hearing officer will schedule a date for the ADH and provide written notification to the individual suspected of an IPV at least 30 calendar days in advance of the date the ADH has been scheduled. The form, "Advance Notice of Administrative Disqualification Hearing" is used for this purpose. The hearing officer may also send a pamphlet that describes the ADH procedures with the advance notice. The ADH advance notice may be sent by first class mail, certified mail - return receipt requested, or by any other reliable method. If the notice is sent by first class mail, and it is subsequently returned as undeliverable, the hearing may still be held.

Once the ADH has been scheduled, the ADH is to be conducted and a decision made within 90 days of the date the individual is notified in writing that the ADH has been scheduled. A copy of the decision must be provided to the individual and the local department.

F. Time and Place of ADH

The time and place of the ADH must be arranged so that the hearing is accessible to the individual suspected of an IPV. The individual or a representative may request a postponement of the ADH if the request for postponement is made at least 10 days in advance of the date of the scheduled hearing. The ADH will not be postponed for more than 30 calendar days and the State Hearing Authority may limit the number of postponements to one. When a hearing is postponed, the time limits for rendering and notifying the individual and the local department of the decision are extended for as many days as the hearing is postponed.

G. Attendance at the ADH

The ADH is attended by persons directly concerned with the issue. This normally means a representative of the local department and the individual alleged to have committed an IPV and/or the individual's representative. If space is limited, the hearing officer has the right to limit the number of persons in attendance.

H. Failure of Individual to Appear at the ADH

Unless proof of non-receipt of the ADH advance notice has been received, the requirement to notify the individual alleged to have committed the IPV has been met. The ADH must be held even if the individual or a representative subsequently cannot be located or fails to appear without good cause.

The individual has 10 days from the date of the scheduled ADH to present reasons other than non-receipt of the notice that show good cause for failure to appear at the hearing. Good cause reasons based on non-receipt of the notice must be presented within 30 calendar days of the scheduled hearing.
Even though the individual is not represented, the hearing officer must carefully consider the evidence and determine if an IPV was committed based on clear and convincing evidence. If the individual is found to have committed an IPV, but a hearing officer later determines there was good cause for not appearing, the previous decision is no longer valid, and a new ADH must be conducted. The hearing officer who originally ruled on the case may conduct the new hearing. The good cause decision must be entered into the hearings record by the hearing officer.

I. Conduct of ADH

The hearing officer presides over the hearing and conducts the hearing informally. Technical rules of evidence are not required. The hearing may be conducted via a teleconference. The hearing may also be recorded.

J. Responsibilities of the Hearing Officer

1. Identify those present for the record.
2. Advise the individual or their representative that they may refuse to answer questions during the hearing.
3. Explain the purpose of the ADH, the ADH procedure, how and by whom a decision will be reached and communicated, and the option of either the local department or the individual to request a review of the hearing officer's decision by the Commissioner. The Commissioner's review does not affect the ruling of the Hearing Officer.
4. Consider all relevant issues. Even if the individual is not present, the hearing officer must carefully consider the evidence and determine if an IPV was committed based on clear and convincing evidence.
5. Request, receive and make part of the record all evidence determined necessary to render a decision.
6. Regulate the conduct and course of the hearing consistent with due process to insure an orderly hearing.

K. Responsibilities of the Local Department

The local department's representative is responsible for presenting the local department's case in the ADH. The local department representative has the same rights as the individual as listed below.

L. Rights of the Individual

1. As the individual may not be familiar with the rules of order, it may be necessary to make particular efforts to arrive at the facts of the case in a way that makes the individual feel most at ease.
2. The individual or their representative may refuse to answer questions during the hearing.
3. The party alleged to have committed an IPV and/or their representative must be given adequate opportunity to do the following:

    i. Examine all documents and records to be used at the ADH at a reasonable time prior to the ADH as well as during the ADH. The contents of the case file, including the application form and documents

of verification used by the local department to establish the alleged IPV, must be made available, provided that confidential information, such as the names of individuals who have disclosed information about the individual without their knowledge, or the nature and status of pending criminal prosecutions, is protected from release.

ii. Present its case or have it presented by legal counsel or another person.
iii. Bring witnesses.
iv. Advance arguments without undue interference.
v. Question or refute any testimony or evidence, including the opportunity to confront and to cross-examine witnesses.
vi. Submit evidence to establish all pertinent facts and circumstances in the case.

If requested by the individual or their representative, the local department must provide a free copy of the portions of the case file that are relevant to the hearing. Confidential information that is protected from release and other documents or records which the individual will not otherwise have an opportunity to contest or to challenge must not be introduced at the hearing or affect the hearing officer's decision.

M. Notification of Decision

The hearing officer is responsible for rendering a decision. The decision must be based on clear and convincing evidence from the hearing record, which is an official report of the hearing, including all papers and requests filed in the proceeding. The hearing officer must substantiate the decision by identifying supporting evidence and applicable guidance and regulations.

Following the ADH, the hearing officer must prepare a written report of the substance of the hearing that must include findings, conclusions, decision and appropriate recommendations. The decision must specify the reasons for the decision, identify the supporting evidence, identify pertinent child care guidance and regulations and respond to reasoned arguments made by the individual or their representative.

The hearing officer must notify the individual and the local department of the decision within 90 days of the date of the “Advance Notice of ADH.” The form "Administrative Disqualification Hearing Decision" must accompany the findings. The notice must inform the individual of their right to request review of the decision. If the individual is found guilty of an IPV, the decision must advise the individual that disqualification will occur.

The determination of an IPV by the hearing officer cannot be reversed by a subsequent fair hearing decision.

The individual is entitled to seek relief in a court of appropriate jurisdiction. The period of disqualification may be subject to stay by that court or by other injunctive remedy.

If the individual or their representative did not appear at the hearing, and the hearing officer determines that an IPV was committed, the hearing officer will delay notification of the decision until 10 days after the date of the hearing to allow the individual time to present good cause for failing to attend.

N. Implementation of the ADH Decision

Upon receipt of the notice of a decision from the hearing officer finding the individual committed an IPV, the Fraud Investigator must inform the individual of the disqualification by sending a "Notice of Disqualification Due to Intentional Program Violation." The notice must inform the individual of the reason for disqualification and the effective date of the disqualification. The individual who committed the IPV must be disqualified in accordance with the length of time specified in section 4.4. The local department must also provide an NOA to the individual detailing information concerning their case closure.

The period of disqualification must begin the first of the month following the date the “Waiver of Administrative Disqualification Hearing” was signed or the first of the month following the end of the NOA giving the 10 day notice.

If it is determined that the individual did not commit an IPV, no disqualification will be imposed and any overpayment must be handled as a non-fraud overpayment as outlined in this guidance.

## 4.4. Disqualifications

A. Disqualification Period

Applicant/recipients will be disqualified from participating in the child care subsidy program for three months upon the first finding of child care fraud, 12 months upon the second finding, and permanently upon the third finding, unless otherwise mandated by the court.

If an applicant/recipient is found to have committed fraud by the court, the Child Care Worker will use the closure reason of “Fraud” and record the disqualification period in the case narrative. When “Fraud” is selected as the closure reason, the local department must manually track the length of the disqualification based on the ruling of the court. Cases closed prior to the implementation date of this guidance must also continue to be tracked manually by local departments.

If an applicant/recipient is found to have committed fraud through the ADH process, the Child Care Worker should close the case using “Closure due to Fraud 1, 2, or 3.” When this option is selected, VaCMS will alert anyone who attempts to associate a case during the disqualification period of the disqualification. Local Department must continue to manually track cases closed prior to the effective date of this guidance with the closure reason “Fraud.”

B. Failure to Enter into a Repayment Schedule

Applicant/recipients who fail to enter into a written repayment schedule with the local department for overpayment due to fraud or for non-fraud overpayment will be disqualified from participating in the child care subsidy program until entering into a written repayment schedule. However, if the parent files a valid appeal regarding the overpayment, the parent will not be required to enter into repayment schedule until the appeal decision is issued.

C. Failure to Make Payments

Applicant/recipients who fail to make three consecutive payments according to the written repayment schedule with the local department for overpayment due to fraud or for non-fraud overpayment will be disqualified from participating in the child care subsidy program, upon missing the third payment, until all delinquent payments are made. If a recipient agrees to make monthly payments, they are out of compliance the first month a payment is missed.

Upon payment of all delinquent payments according to the written repayment schedule, child care subsidy eligibility will resume for parents who are not otherwise disqualified.

## 4.5. Improper Payments

A. Overpayment Due To Fraud

Anyone who causes the local department to make an improper vendor payment by withholding required information or by providing false information will be required to repay the amount of the improper payment.

B. Non-Fraud Overpayment

In cases of non-fraud overpayment, the parent may continue to participate in the subsidy program as long as a repayment schedule is entered into with the local department and payments are made according to that schedule. All overpayments must be repaid to the state by the locality according to the procedures outlined in subsections F and G.

C. Overpayment Due To Local Department Error

If an overpayment related to eligibility for services or related to co-payment amount was made as a result of an error by the local department, the local department will not seek to recoup those funds from the parent or the vendor.

D. Overpayment Begin Date

The overpayment begins the month following the month the change occurred. The local department will determine overpayment begin date and secure all verifications necessary to calculate the overpayment. Vendor payments issued and payment reductions delayed as a result of the advance notice period are not overpayments.

E. Outstanding Overpayments

Outstanding overpayments must be recovered prior to a former recipient being found eligible. The repayment schedule is to be based on the current situation of the individual. The allowable amount of recovery of the overpayment from the individual is limited to the total amount of the overpayments. When Child Care services are overpaid, only the adult(s) included in the family unit at the time the overpayment occurred will be responsible for repayment of the overpayment.

F. Repayment Agreement and Schedule

VaCMS provides a tracking system to ensure that repayments are established and satisfied. Recipients may be required to enter into a repayment agreement for failure to pay required fees; failure to make satisfactory arrangements to pay back fees owed; discontinuation of employment or other approved or assigned activity; failure to report changes to non-financial or financial eligibility requirements; failure to make satisfactory progress in education/training; failure to provide necessary verifications/information; or failure to report changes specified on the Child Care Parent Responsibility form

In establishing the repayment schedule for a parent, local departments cannot require monthly repayment amounts that exceed 5% of the family's gross monthly income.

Repayment will be in either a lump sum or according to a written repayment schedule between the responsible person and the local department. The repayment schedule must be signed by the responsible person and an authorized local department representative.

The local department must determine the correct amount of the payment the vendor should have received for those months the vendor actually received an overpayment. The overpayment is based on the actual circumstances of the case each month. If, due to a misunderstanding or inadvertent error on the part of the parent, a family failed to report a change in its circumstances within 10 days of the date the change became known to the parent, the first month of an overpayment will be the first month in which the change would have been effective had it been reported in a timely manner.

G. Collection of Improper Payments

There is a help wizard in VaCMS that can be used to guide users through these steps.

Improper payments collected by local departments of social services must not be sent to the Home Office; instead they must be deposited into local bank accounts according to established local procedures. Home Office staff will make adjusting entries in LASER, based on collection data entered in VaCMS by the LDSS. The adjusting entries made by Home Office staff will reduce local reimbursements in LASER by the amount collected using the appropriate LASER cost codes (88801, 88802, & 88901). This is the mechanism by which the state collects repayments of improper payment received by local departments of social services.

Local department of social services staff should not record any information into the new LASER cost codes.

Pre-VaCMS/ECC Improper Payment Collections

Local departments of social services should continue to enter improper payment collection details into LASER. A summary adjustment is entered to the appropriate budget line.

VaCMS/ECC Improper Payment Collections

The payment(s) that caused the overpayment must be identified in VaCMS and a subsequent manual adjustment(s) to that payment(s) must be made before the receivable owed to the Commonwealth can be established. Accounts receivable and collection data must be entered into VaCMS. A series of steps must be followed to set-up the receivable account and to properly record collection activity in VaCMS. To ensure adequate internal controls, one individual (Child Care Worker) identifies the payment, portion of the payment, or payments that caused the overpayment and then makes the manual adjustment(s) to reflect the amount of the overpayment. A second individual, (either a Local Adjustment Approver or Fiscal Manager) reviews the adjustment and then establishes the receivable in VaCMS. The same individual may not create the manual overpayment adjustment and establish the receivable in VaCMS.

**NOTE:** Local department of social services staff must record improper payment collection details in VaCMS in accordance with Broadcast 7898, available on SPARK. Home office staff will record the total amount entered by FIPS code, into the appropriate cost codes in LASER.

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# Section 5. Vendor Management

## 5.1. Vendor Management

Vendor Procedures are included herein so that local Child Care Workers understand the vendor management processes. All child care vendors must sign a Vendor Agreement in order to receive payment. The Vendor Agreement is the contract between VDSS and the Vendor for the provision of child care services to be rendered by the Vendor to child care recipients of local department of social services who are eligible for child care assistance. Processing of the Vendor Agreement is part of the vendor coordination process handled by the state.

There are three Vendor Agreement templates. Each template relates to a particular type of vendor. The templates are as follows:

Licensed Vendor Agreements (**032-02-0131-02-eng (12/15)**)

1. This Vendor Agreement must be used for any licensed vendor or vendors considered to meet or exceed licensing requirements: licensed family day home, licensed family day system, licensed child day center, Department of Defense (DoD) approved and local ordinance approved.
2. These vendors are paid at Level 2 rates.
3. The subsidy paperwork (two original Vendor Agreements, W-9 Request for Taxpayer, and Child Care Vendor Demographic form) for local ordinance approved vendors is collected by the applicable local ordinance child care agency in Arlington, Alexandria, or Fairfax and submitted to the Home Office for entry into VaCMS. The Home Office processes the subsidy paperwork for all other licensed and DoD approved vendors, and enters into VaCMS.

License-Exempt Regulated Vendor Agreement (**032-02-0133-04-eng (12/15)**)

1. This Vendor Agreement must be used for any certified preschool, voluntarily registered family day home, or religious exempt child day center.
2. These vendors are paid at Level 1 rates.
3. The subsidy paperwork (two original Vendor Agreements, W-9 Request for Taxpayer, Child Care Vendor Demographic form, self-certification form and proof of legal operation) for the license-exempt regulated vendors is collected by Child Care Aware – Virginia (CCA-VA) and submitted to the Home Office for approval and entry into VaCMS.

Unlicensed Vendor Agreement (**032-02-0132-05-eng (12/15)**)

1. This Vendor Agreement must be used for any unlicensed family day home

or local government approved recreation program.

2. Unlicensed Vendors are paid at Level 1 rates.
3. The subsidy paperwork (two original Vendor Agreements, W-9 Request for Taxpayer, Child Care Vendor Demographic form, background checks, verification of First Aid and CPR certification, Health and Safety Checklist, and Household Information) for the unlicensed vendors is collected by Child Care Aware – Virginia and submitted to the Home Office for approval and entry into VaCMS.
4. The subsidy paperwork (two original Vendor Agreements, W-9 Request for Taxpayer, Child Care Vendor Demographic form, background checks, verification of First Aid and CPR certification, and Self-certification form) for the Local Government Approved Recreation Programs is collected by Child Care Aware – Virginia and submitted to the Home Office for approval and entry into VaCMS.

Two original signed and dated Vendor Agreements must be received by the state before the vendor is approved in VaCMS.

1. The vendor's signature confirms his agreement to comply with the terms of the agreement, including payment processes, absences, and attendance tracking.
2. After the Vendor Agreements are completed by the vendor, reviewed by the Home Office and entered into VaCMS, both copies must be signed by a VDSS Contract Officer.
3. An original signed and dated agreement must be kept in the state's case record and an original signed and dated agreement must be mailed to the vendor for his records.
4. New Vendor Agreements must be completed biennially; or more frequently if necessary due to amendments in the agreement; a change in licensure status; a change in ownership; or a change in facility address.

Two original signed and dated Vendor Agreements must be approved and entered into VaCMS before a POSO can be issued. The POSO cannot have a begin date prior to approval in VaCMS.

Child Care Workers may determine by a vendor inquiry in VaCMS if a provider is approved or needs to complete the approval process. If the provider is approved, VaCMS will have an "Open" facility status. This indicator serves as acceptable documentation. Vendors must not be reimbursed for services rendered prior to approval.

**NOTE:** All providers entered into the Division of Licensing Programs Help and Information Network (DOLPHIN) will automatically appear in VaCMS as “pending subsidy approval.” The status of “pending subsidy approval” does not mean the vendor approval process has been initiated.

## 5.2. Parental Choice

Families have full parental choice of child care vendors. However, authorized payments will be made to only those vendors who meet the vendor requirements of the subsidy program. Local departments must not establish policies that limit parental choice of vendors.

A. Relative Care

A child's relative may be paid as a child care vendor as long as the individual is neither a part of the public assistance unit nor legally responsible for the children needing care.

**Example**

An owner or operator of a family day home is not eligible to receive a child care subsidy payment for their own child when the child is in the home of the owner or operator.

B. Legally Operating Vendor

In order to maintain their eligibility, families must choose a child care vendor who meet the subsidy program requirements. All vendors who participate in the subsidy program must:

1. Be at least 18 years of age,
2. Be operating legally according to the *Code of Virginia*; vendors must meet all local ordinances and business licensure requirements to legally operate a business in the Commonwealth of Virginia,
3. Obtain background checks as required by the regulations for their type of child care,
4. Have current certification in first aid and cardiopulmonary resuscitation (CPR) as appropriate to the age of the children in care,
5. Participate in annual training to include a minimum of four hours of skills training, and,
6. Have a current, signed and dated Vendor Agreement on file.

## 5.3. Regulatory Oversight of Vendors

Payment rates are made according to the vendor's level of regulatory oversight. There are two levels of vendors; Level 1 and Level 2.

There are two categories of Level 1 Vendors: Unlicensed and License-Exempt Regulated.

Level 1 Unlicensed Vendors are child care providers, including in-home providers, who are neither licensed nor regulated; and local government-approved recreation programs.

Level 1 License-Exempt Regulated Vendors are child care providers who are voluntarily registered family day homes; religious-exempt child day centers; and certified preschools.

Level 2 Vendors are child care providers who are licensed by the Virginia Department of Social Services, approved and operated by the United States Department of Defense on military bases, approved by a licensed family day system, or approved under local ordinance according to § 15.2-914 of the *Code of Virginia.*

**NOTE:** Licensed and license-exempt regulated vendors are considered to be operating legally if the regulatory agency received a complete renewal application prior to expiration of their current license, certificate, permit, or exemption.

A. Level 1, Unlicensed Vendors

<u>Unlicensed Family Day Home:</u>

Program is not state licensed, licensed family day system approved, local ordinance approved, voluntarily registered, religious exempt, or a certified preschool and is not required to be regulated.

1. An unlicensed family day home is not inspected by the state or its designee.
2. An unlicensed family day home can legally provide care for no more than **four** children, in addition to the provider's own children or children residing in the home, or no more than four children under the age of two, including the provider's own children or children residing in the home, at any one time.

3. Homes that exceed capacity are operating illegally.

In-Home Child Care:

In-home child care is provided in the home of the child and parent when all the children in care reside in the home and the vendor does not live in the home. This may be a live-in arrangement or an arrangement where the person provides care for part of the day. There are no licensing regulations for this type of care. The person may or may not have credentials or formal training in early childhood education. As the employer, the parent is responsible for finding someone who meets the family's needs.

The cost for in-home care must not exceed the local MRR. For in-home care, FICA (Social Security taxes) and unemployment taxes must be withheld and paid by the Department. In-home care may be approved when the total child care cost does not exceed the local MRR and still allows payment of at least the minimum wage as required by the Fair Labor Standards Act for Domestic Service.

Local Government Approved Recreation Program:

Section 63.2-1717 of the *Code of Virginia* allows a program of recreational activities offered by local governments, staffed by local government employees, attended by school-age children, and subject to safety and supervisory standards established by local governments to be exempt from licensure.

B. Level 1, License-Exempt Regulated Vendors

Certified Preschool:

Section 63.2-1717 of the *Code of Virginia* allows preschool programs operated by private schools that are accredited by a statewide accrediting organization (or another accrediting organization recognized by the Board of Education) to be exempt from licensure. In order for preschool and nursery school programs operated by accredited private schools to be certified, certain information must be filed with the Division of Licensing Programs (DOLP) before the beginning of the school year or calendar year. That information must be filed annually thereafter.

Religious Exempt Child Care Center:

Child care centers operated by religious institutions may be exempt from licensure, per § 63.2-1716 of the *Code of Virginia*, if the religious institutions

submit certain documents to DOLP prior to opening the child day center and then annually prior to the expiration date of their exemption.

Voluntarily Registered Family Day Home:

A family day home serving fewer than **five** children, exclusive of the provider's own children and any who reside in the home, that becomes state registered on a voluntary basis using approved standards.

C. Level 2 Vendors

Level 2 Vendors are child care providers who are licensed by the Virginia Department of Social Services, approved and operated by the United States Department of Defense on military bases, approved by a licensed family day system, or approved under local ordinance according to § 15.2-914 of the *Code of Virginia.*

Licensed and regulated vendors are considered to be operating legally if a complete renewal application was received prior to expiration of their current license, certificate, or permit.

## 5.4. Vendor Approval Process

All referrals originate in the local department of social services based on parent preference.

**The Department will no longer approve out-of-state providers for participation in the Child Care Subsidy Program. Currently approved out-of-state vendors may continue their approval until their authorizations expire. The local department of social services shall not create any new authorization with an out-of-state vendor. Current authorizations with out-of-state vendors may continue until they expire.**

Level 1 Vendors: Child Care Aware of Virginia

The Child Care Subsidy Program contracts with Child Care Aware – Virginia (CCA-VA) to distribute, collect and process all required subsidy paperwork for prospective Level 1, Unlicensed Vendors and Level 1, License-Exempt Regulated Vendors.

Prospective Level 1 Vendors not previously enrolled in VaCMS are referred by the local department of social services (LDSS) to CCA-VA using the *Level 1 Vendor Referral* form. The completed referral form can be emailed or faxed.

1. CCA-VA will assign the referral to the applicable local Child Care Resource Center (CCRC) based upon the LDSS FIPS code.
2. Upon receipt of a referral, the CCRC specialist will establish contact with the prospective provider to provide technical assistance, monitor, and complete the acquisition of required documents needed for subsidy payment approval.
3. Once all requirements have been met, the CCRC specialist will upload all documents into the agency database and will send a request to CCA-VA to open the vendor in VaCMS.
4. CCA-VA will notify the LDSS of the vendor's approval.
5. CCA-VA will mail two original signed and dated Vendor Agreements, the W-9 form and Demographic Details form to the Home Office.

Level 2 Vendors

Level 2 licensed and DoD approved vendors not previously enrolled in the VaCMS are referred to the Regional Child Care Consultants.

1. The Regional Consultant will provide the name, address and email address of the prospective vendor to the Home Office.

2. The Home Office will mail or email all required paperwork to the vendor.
3. The Home Office will review the returned subsidy paperwork for completeness, enter the data into VaCMS and advise the vendor.

Level 2 Vendors: Local Ordinances only

Level 2 local ordinance approved vendors not previously enrolled in the VaCMS are referred to the applicable local agency in Arlington, Alexandria or Fairfax. .

1. When an eligible family indicates an interest in placing their child with a permitted vendor, the agency child care specialist will make contact with the vendor.
2. The Child Care Specialist will review the child care subsidy paperwork with the vendor, provide information about training opportunities, and answer any questions.
3. Once the subsidy paperwork is completed, the Child Care Specialist enters the information into VaCMS.
4. The Child Care Specialist will mail two original signed and dated Vendor Agreements, the W-9 form and Demographic Details form to the Home Office.

## 5.5. Receipt of Required Vendor Documentation

No payment may be made until all required documentation is received and approved.

Payment must not be made to licensed family day homes or child day centers prior to the effective date of their initial license. Payment must not be made to the following vendor types prior to the effective date of their initial registration, certification, or approval; they must meet all requirements for providers in these categories:

1. Voluntarily registered family day home
2. Family day system-approved vendor
3. US Department of Defense-approved vendor
4. Local ordinance-approved vendor
5. Certified preschool
6. Religiously exempt child day center

## 5.6. Background Checks

All vendors; any employee; prospective employee; volunteers; agents involved in the day-to-day operation; all agents who are alone with, in control of, or supervising one or more children; and any other adult (18 years of age or older) living in a family day home must obtain satisfactory background checks.

Background checks include:

1. State Criminal History Record Check or Sex Offender and Crimes Against Minors Registry Check through the Virginia State Police;
2. Central Registry Child Protective Services Check; and
3. Sworn Statement or Affirmation as to whether the individual has ever been:
    i. The subject of a founded complaint of child abuse or neglect; or
    ii. Convicted of a crime or is the subject of any pending criminal charges within the Commonwealth or any equivalent offense outside the Commonwealth.

The provisions for background checks for licensed and regulated child day programs are provided in §§ 63.2-1704, 63.2-1720, 63.2-1721, 63.2-1722, 63.2-1724, and 63.2-1727 of the *Code of Virginia*.

1. Level 2 Vendors are not required to provide documentation of background checks to the Department because the documents have been reviewed by the applicable regulatory agency.
2. Level 1, License-Exempt Regulated Vendors are not required to provide documentation of background checks to the local CCRC as the license-exempt vendors self-certify to the regulatory agency.

Background check requirements for child day centers or family day homes that are not licensed, registered, approved, or exempt from licensure and receive federal, state or local child care funds are required in § 63.2-1725 of the *Code of Virginia*. Per *Code*, all Level 1, Unlicensed Vendors must obtain satisfactory background checks.

1. Child Care Aware - Virginia provides the vendor with directions for completing the applicable background check forms.
2. Once completed, the forms and payment are submitted to CCA-VA; at which time CCA-VA reviews the documents for accuracy and sends the form and payment to the applicable agency for processing.
3. All processed forms are returned to CCA-VA to determine if the results are satisfactory and the vendor is advised accordingly.

4. Background checks for vendors will remain valid for three years as long as the vendor provides continuous services under the child care subsidy program.
5. For any other individual required to have background checks according to § 63.2-1725, the background checks remain valid for three years as long as the individual maintains continuous employment, residence or volunteer status with that vendor.

Any individual who begins employment, service, or residence in the home after the vendor coordinator's approval of the vendor for child care subsidy must provide the required background checks within 30 days of the individual's beginning date of employment, service, or residence in the home.

Authorized payment for child care must be denied if:

1. The Virginia State Police name search for criminal history or sex offender and crimes against minors registry search shows that the person checked has been convicted of a barrier crime"; or
2. The Central Registry Child Protective Services Check reveals that the person checked is in the CPS Central Registry as "Founded."

A complete listing of child care barrier crimes can be found in the Appendix E.

## 5.7. Additional Vendor Requirements

Level 1, License-Exempt Regulated Vendors and Level 2 Vendors are exempt from the requirements of section 5.7.A. and section 5.7.B. because documentation is required and reviewed by the applicable regulatory agency.

A. Tuberculosis Screening for Level 1, Unlicensed Vendors

The vendor, all adults (18 years of age or older) living in the household (for family day home providers), and any persons providing care must be screened for tuberculosis. The vendor must request and pay for tuberculosis screenings.

> EXCEPTION: Relative care providers including grandparents, great grandparents, aunts, uncles and adult siblings of the children in care (if the adult sibling resides in a separate residence), are exempt from this requirement unless otherwise subject to regulation.

The results of each tuberculosis screening must be forwarded to the local CCRC in the form of a statement that the person is free of tuberculosis in a communicable form. The statement must be signed by a physician, the physician's designee, or an official of a local health department.

Authorized payment of child care subsidy must be denied if the result of the tuberculosis screening shows that the person is not free of tuberculosis in a communicable form.

Subsequent tuberculosis screenings are required every three years.
Local government-approved recreation programs may self-certify by annually submitting a letter signed by the program director that for each staff person working directly with children, the program has a statement signed by a physician, the physician's designee, or an official of a local health department that the individual is free of tuberculosis in a communicable form.

B. Health and Safety Checklist for Level 1, Unlicensed Vendors

The health and safety checklist must be completed for each family at the time of enrollment and every three years thereafter.

The checklist is intended as a self-assessment tool to help the parent and vendor assess the health and safety of the services the family will receive. The parent and the vendor will fill out the form together in the home where care will be provided. The checklist must be completed, signed by both the parent and the vendor, and forwarded to the local CCRC.

EXCEPTION: Grandparents, great grandparents, aunts, uncles and adult siblings of the children in care (if the adult sibling resides in a separate residence) are exempt from this requirement unless otherwise subject to regulation.

The provider must complete a Health and Safety Checklist prior to being approved as a vendor and once every three years thereafter. Authorized subsidy payments must be denied if the health and safety checklist is returned incomplete. After receiving the completed health and safety checklist, the local CCRC will approve or deny the vendor and will send a copy of the checklist to the parent and to the vendor for their records.

Subsidy payments cannot be denied based solely upon the responses to the statements on the checklist.

Local government-approved recreation programs may certify by annually submitting a letter signed by the director that the program complies with the safety and supervision requirements established by their local government.

Level 2 Vendors are exempt from the requirements of section 5.7.C. and section 5.7.D. because documentation is required and reviewed by the applicable regulatory agency.

C. Skills Training for Level 1 Vendors

The vendor and all individuals who work directly with children must complete four hours of skills training relating to child health, safety, and/or development annually. Orientation training on local department policy or financial requirements for vendors will not count toward the four-hour skills training requirement. The cost of the skills training will be paid by the vendor.

The vendor must provide documentation of skills training annually to the local CCRC for all individuals who work directly with children.

The following vendor types may certify by annually submitting a letter signed by the director that the vendor and all individuals who work directly with children complete four hours of skills training annually:

1. Religious-exempt child day centers
2. Voluntarily registered family day homes
3. Certified preschools
4. Local government-approved recreation programs.

The vendor must complete four hours of skills training within one year of the date of approval to continue to receive subsidy payments and annually thereafter.

All persons who work directly with children must complete four hours of skills training within one year of the vendor's approval for subsidy payments or within one year of the date the individual begins to work directly with children and annually thereafter.

D. First Aid and CPR for Level 1 Vendors

Whenever a child is in care for whom child care subsidy is received, the vendor or a staff member on site must have current certification in first aid and CPR as appropriate for the age of the children in care. The cost of the first aid and CPR training will be paid by the vendor. The first aid and CPR certifications must have been issued by one of the following:

1. American Red Cross;
2. American Heart Association;
3. National Safety Council;
4. American Safety and Health Institute (ASHI);
5. Medic First Aid;
6. EMS Safety Services;
7. Community college;
8. Hospital;
9. Rescue squad;
10. Fire department;
11. American Lifeguard Association (ALA); or
12. Emergency Care and Safety Institute (ECSI)

The vendor must provide documentation of current certification in first aid and CPR before any child care payment authorization will be made.

The following vendors may certify by annually submitting a letter signed by the program director that the vendor or a staff member has current certification in first aid and CPR:

1. Religious-exempt child day centers
2. Voluntarily registered family day homes
3. Certified preschools
4. Local government-approved recreation programs.
5. Licensed family day system-approved providers

E. Telephone
All vendors participating in the subsidy program must have a working telephone at each site where child care is provided.

F. Record Retention

Vendors must retain child care payment and attendance records for five years. These records must be made available to local, state, or federal staff upon request. This requirement is part of the Vendor Agreement.

G. English Proficiency

There is no citizenship requirement for vendors. There is the expectation that all vendors be able to speak, read, and write in English sufficiently to:

1. Communicate effectively with parents, children, and licensing or local department personnel;
2. Carry out assigned job responsibilities; and,
3. Communicate effectively with emergency responders.

## 5.8. VaECC and Vendor Attendance Tracking

Parents and vendors must use the Virginia Electronic Child Care (VaECC) system to record time and attendance of children receiving subsidy. POS devices and instructions have been supplied to local departments so local Child Care Workers can help recipients and vendors understand the use of the swipe machines.

There are two ways to record time and attendance in VaECC, by using the Point of Service (POS) device or by using Interactive Voice Response (IVR) System. All Level 2 Vendors and Level 1, License-Exempt Regulated Vendors must utilize the POS device as their primary method for recording attendance. All Level 1, Unlicensed Vendors have the option of using the POS device or using the IVR system as the primary method for recording attendance.

Only the parent or secondary cardholder may use the VaECC swipe card to record attendance. Vendors cannot use the card. Child care services may be terminated if the VaECC card is given to someone else, including the child care vendor.

A. Point of Service (POS) Device

A parent may track attendance using the POS Device by using their individual swipe card and PIN.

The vendor equipment necessary to use the POS device is a standard, analog landline or a high speed internet connection. An electrical outlet is necessary to power the POS. The POS device and standard 6-foot cords and cables are provided to the vendor at no cost.

B. Interactive Voice Response (IVR) System

The Parent IVR and the Vendor IVR have separate functions and separate telephone numbers. A child's parent must use the Parent IVR, from the vendor's registered telephone number, to enter time and attendance information for children receiving subsidized child care services. The vendor equipment necessary to use the IVR system is a touch tone telephone number registered with VDSS.

C. Manual Attendance

Manual attendance forms may only be used in the following situations:

1. VaECC Card: the parent has not yet been issued their VaECC swipe card. Attendance can be recorded manually prior to the parent's receipt of their VaECC swipe card.
2. POS/IVR Problems: The POS device has not yet been installed; the POS/IVR system was not functioning for the parent to check in/out. In the event this occurs, the vendor must report the system or device malfunction to the Xerox Vendor Helpdesk at (877) 918-2776 within 24 hours.
3. Retroactive Authorization: If a local department of social services issues a POSO with an effective begin date that occurs in the past, authorized attendance recorded outside of the nine-day back swipe limit, defined as the current day plus previous eight days, may be reported manually.

**NOTE:** If a vendor has a problem with the POS device, the IVR system should be the back-up for submitting attendance. Manual attendance should only be the used as a final option.

All manual attendance must be submitted on the VaECC Vendor Attendance Report form # 032-05-0546-02-eng (11/12). Manual attendance report forms must be received by VDSS within 60 days of the end of the service period that is being reported. Each month is divided into two service periods, the first period runs from the 1st through the 15th of the month and the second service period runs from the 16th through the last day of the month.

## 5.9. Complaints in the Child Care Setting

A. Child Abuse or Neglect

All complaints regarding possible child abuse or neglect occurring in a child care setting must be referred to the Child Protective Services (CPS) unit at the local department serving the area where the vendor is located. Information regarding the complaint must be shared with the agency responsible for licensure or approval.

In situations when parents select a vendor for whom there are child protective services concerns, local departments must weigh the vendor's right to confidentiality with the parent's right to be informed and the child protected. If parents have been informed and continue to place their child in an unsafe environment, a referral to CPS may be in order.

B. Other Complaints

All other complaints should be referred to the regulatory authority. In the case of licensed day care centers, licensed family day homes, voluntarily registered family day homes, certified preschools and religious exempt child day centers, the complaint would go to the Department's regional licensing office serving that area.

**NOTE:** Complaints can also be made online at the VDSS website http://www.dss.virginia.gov/about/email_licensing_complaint.cgi

All other complaints should be referred to the approval authority for the vendor.

## 5.10. Vendor Fraud, Repayment, Disqualification & Appeals

When it is suspected that there has been a deliberate misrepresentation of facts in order to receive payments, the local department must determine whether or not fraud was committed. There must be clear and convincing evidence that demonstrates that the vendor committed or intended to commit fraud.

Suspected instance of child care fraud must be referred to the local department's fraud staff for investigation. Local departments must send copies of fraud investigation final reports to their appropriate regional child care consultant and copy the Vendor Management Coordinator. If there is clear and convincing evidence that fraud has occurred, the case will be referred to the attorney for the Commonwealth to determine if the case will be prosecuted.

A. Overpayment Due to Fraud

In addition to any criminal punishment, anyone who causes the Department to make an improper vendor payment by withholding required information or by providing false information will be required to repay the amount of the improper payment.

Vendors will be permanently disqualified from participating in the child care subsidy program upon the first finding of child care fraud.

B. Non-Fraud Overpayment

In the case of non-fraud overpayment, the vendor will not be disqualified from participating in the subsidy program as long as a repayment schedule is entered into with the local department and payments are made according to that schedule.

Vendors who fail to enter into a written repayment schedule with the local department for non-fraud overpayment will be disqualified from participating in the child care subsidy program until entering into a written repayment schedule.

Vendors who fail to make a payment according to the written repayment schedule for non-fraud overpayments will be disqualified from participating in the child care subsidy program until all delinquent payments are made.

Upon payment of all delinquent payments according to the written repayment schedule, child care subsidy payment will resume for vendors who are otherwise eligible.

C. Appeals of VDSS Actions

Disputes between the vendor and VDSS regarding the payment for services rendered and decisions by VDSS to terminate the Vendor Agreement or to disqualify the vendor from future participation in the Program, may be appealed by the Vendor. The vendor must notify VDSS in writing that it is appealing the action by VDSS within 30 days of the date VDSS' action occurred. Upon receiving such notification, VDSS will hold an informal conference at which the vendor may provide such further information or present any additional facts for VDSS to reconsider its action. VDSS must render a decision after the conclusion of the informal conference and may or may not uphold its original action. The vendor may further appeal this decision and request a formal hearing to be presided over by a hearing officer pursuant to the Virginia Administrative Process Act (the "VAPA"; Va. Code § 2.2-4000 *et seq.*), who will recommend a decision to the Commissioner of the Virginia Department of Social Services. The vendor may seek court review of the Commissioner's decision pursuant to the VAPA. All formal hearings and court review of the Commissioner's decisions are governed by the VAPA. The vendor may waive the holding of the informal conference and request the formal hearing directly upon written notice to VDSS. This is the sole remedy for disputes under the Vendor Agreement and the parties thereby waive their right for judicial review in the courts of the Commonwealth of Virginia except as provided by the VAPA.

# Section 6. APPENDICES

A. State Income Eligibility Scale For Child Care Subsidy
B. Sliding Copayment Scale
C. Child Care Program Budget Lines
D. Child Care Program Cost Code Descriptions
E. Barrier Crimes for Child Day Programs
F. Maximum Reimbursable Rates Per Type Of Vendor
G. Child Care Subsidy Service Application and Redetermination Form (**032-25-0147-00-eng (06/16)**) Instructions
H. Child Care Waiting List Screening Form (032-05-0547-00-eng (08/11) Instructions
I. Child Care Notice of Action Form Instructions
J. Child Care Client Communication Form (032-05-18-00-eng) Instructions
K. Child Care Verification Checklist (032-05-0541-00-eng) Instructions
L. Childhood Immunization Certification (032-03-960)
M. Level 1 Maximum Reimbursable Rates
N. Level 2 Maximum Reimbursable Rates
O. Metropolitan Statistical Area Groupings
P. Child Care Purchase of Service Order (032-05-0540-01-eng (07/12) Instructions

## Appendix A. State Income Eligibility Scale for Child Care Subsidy

Maximum Monthly Income Level
Effective 10/1/15

| Family Size | 100% of Federal Poverty Guidelines | GROUP I 150% of Poverty | GROUP II 160% of Poverty | GROUP III 185% of Poverty | *250% of Poverty |
|---|---|---|---|---|---|
| 1 | $981 | $1,472 | $1,570 | $1,815 | $2,453 |
| 2 | $1,328 | $1,992 | $2,124 | $2,456 | $3,319 |
| 3 | $1,674 | $2,512 | $2,679 | $3,098 | $4,186 |
| 4 | $2,021 | $3,032 | $3,234 | $3,739 | $5,053 |
| 5 | $2,368 | $3,552 | $3,788 | $4,380 | $5,919 |
| 6 | $2,714 | $4,072 | $4,343 | $5,022 | $6,786 |
| 7 | $3,061 | $4,592 | $4,898 | $5,663 | $7,653 |
| 8 | $3,408 | $5,112 | $5,452 | $6,304 | $8,519 |
| 9 | $3,754 | $5,632 | $6,007 | $6,946 | $9,226† |
| 10 | $4,101 | $6,152 | $6,562 | $7,587 | $9,422† |

Notes:
FFY 2016 State Median Income - Federal Register, Vol. 80, No. 111, Wednesday, June 10, 2015 page 39,958-39,959
FFY 2016 Poverty Guidelines - Federal Register, Vol. 80, No. 14, Thursday, January 22, 2015, page 3,236-3,237. For a household greater than 8 add $4,160 for each additional person.
*Eligibility is set at 250 percent of the Federal Poverty Guidelines for families residing in Fairfax and Alexandria. **In all other localities**, if the applicant or recipient is acting in loco parentis, eligibility is set at 250 percent of the Federal Poverty Guidelines (capped at 85% of SMI).
†Maximum income levels are capped at 85% of state median income. This symbol indicates that the 85% limit has been reached.

# Appendix B. Family Copayment Scale for Child Care Subsidy

## Child Care Subsidy Program Family Copayment Scale

*eff.* 10/1/2015

| Percent of Poverty | Number of Household Members | | | | | | | | | | | | | | Copayment Percent |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9[1] | 10[1] | 11[1] | 12[1] | 13[1] | 14[1] | 15[1,2] | |
| 0 - 100% | $0<br>$1,328 | $0<br>$1,674 | $0<br>$2,021 | $0<br>$2,368 | $0<br>$2,714 | $0<br>$3,061 | $0<br>$3,408 | $0<br>$3,754 | $0<br>$4,101 | $0<br>$4,448 | $0<br>$4,794 | $0<br>$5,141 | $0<br>$5,488 | $0<br>$5,834 | 5.0% |
| >100% - <=125% | $1,329<br>$1,660 | $1,675<br>$2,093 | $2,022<br>$2,527 | $2,369<br>$2,960 | $2,715<br>$3,393 | $3,062<br>$3,827 | $3,409<br>$4,260 | $3,755<br>$4,693 | $4,102<br>$5,127 | $4,449<br>$5,560 | $4,795<br>$5,993 | $5,142<br>$6,427 | $5,489<br>$6,860 | $5,835<br>$7,293 | 6.0% |
| >125% - <=150% | $1,661<br>$1,992 | $2,094<br>$2,512 | $2,528<br>$3,032 | $2,961<br>$3,552 | $3,394<br>$4,072 | $3,828<br>$4,592 | $4,261<br>$5,112 | $4,694<br>$5,632 | $5,128<br>$6,152 | $5,561<br>$6,672 | $5,994<br>$7,192 | $6,428<br>$7,712 | $6,861<br>$8,232 | $7,294<br>$8,752 | 7.0% |
| >150% - <=160% | $1,993<br>$2,124 | $2,513<br>$2,679 | $3,033<br>$3,234 | $3,553<br>$3,788 | $4,073<br>$4,343 | $4,593<br>$4,898 | $5,113<br>$5,452 | $5,633<br>$6,007 | $6,153<br>$6,562 | $6,673<br>$7,116 | $7,193<br>$7,671 | $7,713<br>$8,226 | $8,233<br>$8,780 | $8,753<br>$9,335 | 8.0% |
| >160% - <=185% | $2,125<br>$2,456 | $2,680<br>$3,098 | $3,235<br>$3,739 | $3,789<br>$4,380 | $4,344<br>$5,022 | $4,899<br>$5,663 | $5,453<br>$6,304 | $6,008<br>$6,946 | $6,563<br>$7,587 | $7,117<br>$8,228 | $7,672<br>$8,870 | $8,227<br>$9,511 | $8,781<br>$10,152 | $9,336<br>$10,404† | 9.0% |
| >185% - <=250% | $2,457<br>$3,319 | $3,099<br>$4,186 | $3,740<br>$5,053 | $4,381<br>$5,919 | $5,023<br>$6,786 | $5,664<br>$7,653 | $6,305<br>$8,519 | $6,947<br>$9,226† | $7,588<br>$9,422† | $8,229<br>$9,619† | $8,871<br>$9,815† | $9,512<br>$10,011† | $10,153<br>$10,208† | $10,404†<br>$10,404† | 10.0% |
| 100% of Poverty* | $1,328 | $1,674 | $2,021 | $2,368 | $2,714 | $3,061 | $3,408 | $3,754 | $4,101 | $4,448 | $4,794 | $5,141 | $5,488 | $5,834 | |
| 85% of SMI** | $4,449 | $5,496 | $6,543 | $7,590 | $8,637 | $8,833 | $9,030 | $9,226 | $9,422 | $9,619 | $9,815 | $10,011 | $10,208 | $10,404 | |

†Income amounts with this symbol are above the income eligibility limits for that household size.
[1] Income levels are not to exceed 85% of State Median Income (SMI) or 250% of poverty.
[2] VaCMS is able to calculate copayments for up to a family of 20.
*FFY 2016 Poverty Guidelines - Federal Register, Vol. 80, No. 14, Thursday, January 22, 2015, page 3,236-3,237. For a household greater than 8 add $4,160 for each additional person.
**FFY 2016 Virginia SMI - Federal Register, Vol. 80, No. 111, Wednesday, June 10, 2015 page 39,958-39,959.

## Appendix C. Child Care Program Budget Lines

| LANCER CODE | COST CODE | COST CODE DESCRIPTION | BUDGET LINE | COPAYMENT | FUNDING PERCENTAGES | | |
|---|---|---|---|---|---|---|---|
| | | | | | FEDERAL | STATE | LOCAL |
| 540 | 87101 | VIEW Working (all VIEW cases) | 871 | No | 50% | 50% | - |
| 541 | 87102 | VIEW Transitional (former VIEW) | 871 | Yes | 50% | 50% | - |
| 517 | 87103 | TANF Transitional (not a former VIEW case) | 871 | Yes | 50% | 50% | - |
| 529 | 87104 | TANF Working (non-VIEW) | 871 | No | 50% | 50% | - |
| 543 | 87105 | Learnfare | 871 | No | 50% | 50% | - |
| 507 | 87106 | SNAPET | 871 | Yes (if income is above federal poverty guidelines) | 50% | **50%** | **-** |
| | | | | | | | |
| 544 | 87801 | Head Start Wrap-Around | 878 | Yes (if income is above federal poverty guidelines or paying for siblings not enrolled in Head Start) | 100% | - | - |
| | | | | | | | |
| 545 | 88302 | Fee Program (100% Federal) | 883 | Yes | 100% | - | - |
| 547 | 88304 | TANF Education/Training (non-VIEW) | 883 | No | 100% | - | - |
| | | | | | | | |
| 378 | 89001 | Quality Initiative Grant | 890 | N/A | 50% | **34.5%** | **15.5** |

## Appendix D. Child Care Program Cost Code Descriptions

| | |
|---|---|
| **Cost Code 87101** | VIEW Working Child Care is mandated in the *Code of Virginia* and all justifiable requests for supplemental funding will be approved. TANF recipients enrolled in VIEW are eligible for child care to support an assigned activity. For VIEW Working Child Care there is no copayment. |
| **Cost Code 87102** | Parents may receive up to 12 months of child care subsidy to support employment (or training when approved by VIEW for Transitional Employment and Training) if they have received TANF (former VIEW case), the TANF case is closed, and they are found to be income eligible. This includes needed child care for children who are not on the assistance unit, but dependent on the parent. For Transitional Child Care there is a copayment of 5-10% of gross income. |
| **Cost Code 87103** | Parents may receive up to 12 months of Transitional Child Care subsidy to support employment if they have received TANF (not a former VIEW case), the TANF case is closed, and they are found to be income eligible. This includes needed child care for children who are not on the assistance unit, but dependent on the parent. For Transitional Child Care there is a copayment of 5-10% of gross income. |
| **Cost Code 87104** | TANF Working Child Care subsidy assists (VIEW exempt) working families receiving TANF benefits. If there is a need for child care and all eligibility requirements are met, recipients of TANF are eligible for needed child care to support employment. For TANF Working Child Care there is no copayment. |
| **Cost Code 87105** | LEARNFARE Child Care is for children of a minor/teen parent in a TANF public assistance unit to enable them to attend school and comply with compulsory school attendance laws. Priority will be given for child care subsidy to teen parents engaged in completing high school. This assumes the parent of the minor teen cannot provide care because of work, education/training, disability, or another hardship exemption. For LEARNFARE Child Care there is no copayment. |
| **Cost Code 87106** | SNAP Child Care is considered a federally mandated service. This type of child care subsidy is available for children of recipients of Virginia's Supplemental Nutrition Assistance Program Employment and Training (SNAPET) program while participating in an activity approved by a SNAPET worker. For SNAPET Child Care, there is no copayment if the family's income is at or below 100% of the federal poverty guidelines. |
| **Cost Code 87801** | Funding for the Head Start Wraparound program is earmarked in the Appropriations Act. **Head Start Wrap-Around Child Care services are available only to the extent of appropriated funding.** This is a child care subsidy program that pays for additional hours beyond those provided by Head Start in order to provide full day/full year child care services for Head Start enrolled children. There is no copayment for families with income at or below the federal poverty guidelines if all children are enrolled in Head Start. Families must be found to be income eligible and must pay a copayment of 5-10% of their gross income if their income exceeds the federal poverty guidelines or if the siblings of a Head Start enrolled child also need child care subsidy. |
| **Cost Code 88302** | Fee Child Care program provides child care subsidies to income eligible recipients who are employed, in approved education/training activities, or in need of protective services. For Fee Child Care there is a copayment of 5-10% of gross income. Fee child care is not mandated by the *Code of Virginia*. |
| **Cost Code 88304** | The TANF Education and Training Child Care program provides child care services for TANF families in education or training. For TANF Education and Training Child Care there is no copayment. |
| **Cost Code 89001** | These are funds that are available to local departments of social services to enable the implementation of initiatives to develop, enhance, and strengthen the quality of care delivered to children. |

## Appendix E. Barrier Crimes for Child Day Programs

Including:
-Licensed Child Day Centers
-Religiously Exempt Child Day Centers
-Certified Preschools
-Licensed Family Day Homes
-Voluntarily Registered Family Day Homes
-Licensed Family Day Systems
-Licensed System-Approved Family Day Homes
-The Following if Receiving Federal, State, or Local Child Care Funds:

- Local ordinance – approved family day homes
- Programs of recreational activities offered by local governments
- Unregulated family day homes (including in-home care)

Code of Virginia §§ 63.2-1717(E) (7); 63.2-1719; 63.2-1720; 63.2-1720.1; 63.2-1721; 63.2-1721.1; 63.2-1725.

In addition to the offenses listed below, the following are also barrier crimes: 1) the conviction of any other felony within or outside the Commonwealth unless 5 years have elapsed since the conviction; and 2) a founded complaint of child abuse or neglect within or outside the Commonwealth.

Convictions include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth.

§ 63.2-1719

*Exceptions: See Assault and Battery below.*

| **OFFENSE**<br>**Or Equivalent Offense in Another State**<br>**** Only Applies to Family Day Homes** | **VA CODE SECTION** |
|---|---|
| Abduction (Kidnapping) | Subsection A or B of 18.2-47 |
| Abduction for Immoral Purposes | 18.2-48 |
| Abuse and Neglect of Children | 18.2-371.1 |
| Abuse and Neglect of Incapacitated Adults | 18.2-369 |
| Aggressive Use of a Machine Gun | 18.2-290 |
| Arson | Article 1 (18.2-77 et seq.) of Chapter 5 of Title 18.2 |
| Arson - Burning Building or Structure While in Such Building or Structure with Intent to Commit Felony | 18.2-82 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Arson - Burning or Destroying Any Other Building or Structure | 18.2-80 |
| Arson - Burning or Destroying Dwelling House, Etc. | 18.2-77 |
| Arson - Burning or Destroying Meeting House, Etc. | 18.2-79 |
| Arson - Burning or Destroying Personal Property, Standing Grain, Etc. | 18.2-81 |
| Arson - Carelessly Damaging Property by Fire | 18.2-88 |
| Arson - Causing, Inciting, Etc. Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, Etc. | 18.2-84 |
| Arson - Manufacture, Possession, Use, Etc. of Fire Bombs or Explosive Materials or Devices | 18.2-85 |
| Arson - Setting Fire to Woods, Fences, Grass, Etc. | 18.2-86 |
| Arson - Setting Off Chemical Bombs Capable of Producing Smoke in Certain Public Buildings | 18.2-87.1 |
| Arson - Setting Woods, Etc., on Fire Intentionally Whereby Another is Damaged or Jeopardized | 18.2-87 |
| Arson - Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, Etc. | 18.2-83 |
| Assaults and Bodily Woundings | Article 4 (18.2-51 et seq.) of Chapter 4 of Title 18.2 |
| Assaults and Bodily Woundings - Adulteration of Food, Drink, Drugs, Cosmetics, Etc. | 18.2-54.2 |
| Assaults and Bodily Woundings - Aggravated Malicious Wounding | 18.2-51.2 |
| Assaults and Bodily Woundings - Allowing Access to Firearms by Children | 18.2-56.2 |
| Assaults and Bodily Woundings - Assault and Battery (Exception: A child day center may hire for compensated employment persons who have been convicted of not more than 1 misdemeanor offense under § 18.2-57 if 10 years have elapsed following the conviction, unless the person committed such offense while employed in a child day center or the object of the offense was a minor. § 63.2-1720.1) | 18.2-57 |
| Assaults and Bodily Woundings - Assault and Battery Against a Family or Household Member | 18.2-57.2 |
| Assaults and Bodily Woundings - Attempts to Poison | 18.2-54.1 |
| Assaults and Bodily Woundings - Bodily Injuries Caused by Prisoners, State Juvenile Probationers, and State and Local Adult Probationers or Adult Parolees | 18.2-55 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Assaults and Bodily Woundings - Disarming a Law-Enforcement or Correctional Officer | 18.2-57.02 |
| Assaults and Bodily Woundings - Hazing of Student at Any School, College, or University | 18.2-56 |
| Assaults and Bodily Woundings - Hazing of Youth Gang Members | 18.2-55.1 |
| Assaults and Bodily Woundings - Maiming, Etc., of Another Resulting from Driving While Intoxicated | 18.2-51.4 |
| Assaults and Bodily Woundings - Maiming, Etc., of Another Resulting from Operating a Watercraft While Intoxicated | 18.2-51.5 |
| Assaults and Bodily Woundings - Malicious Bodily Injury by Means of Any Caustic Substance or Agent or Use of Any Explosive or Fire | 18.2-52 |
| Assaults and Bodily Woundings - Malicious Bodily Injury to Law-Enforcement Officers, Firefighters, Search and Rescue Personnel, or Emergency Medical Service Providers | 18.2-51.1 |
| Assaults and Bodily Woundings - Pointing Laser at Law-Enforcement Officer | 18.2-57.01 |
| Assaults and Bodily Woundings - Possession of Infectious Biological Substances or Radiological Agents | 18.2-52.1 |
| Assaults and Bodily Woundings - Reckless Endangerment of Others by Throwing Objects from Places Higher than One Story | 18.2-51.3 |
| Assaults and Bodily Woundings - Reckless Handling of Firearms; Reckless Handling While Hunting | 18.2-56.1 |
| Assaults and Bodily Woundings - Shooting, Etc., in Committing or Attempting a Felony | 18.2-53 |
| Assaults and Bodily Woundings - Shooting, Stabbing, Etc., with Intent to Maim, Kill, Etc. | 18.2-51 |
| Assaults and Bodily Woundings - Strangulation of Another | 18.2-51.6 |
| Assaults and Bodily Woundings - Use or Display of Firearm in Committing Felony | 18.2-53.1 |
| Burglary | Article 2 (18.2-89 et seq.) of Chapter 5 of Title 18.2 |
| Burglary - Breaking and Entering Dwelling House with Intent to Commit Other Misdemeanor | 18.2-92 |
| Burglary - Entering Bank, Armed, with Intent to Commit Larceny | 18.2-93 |
| Burglary - Entering Dwelling House, Etc., with Intent to Commit Larceny, Assault and Battery, or Other Felony | 18.2-91 |
| Burglary - Entering Dwelling House, Etc., with Intent to Commit Murder, Rape, Robbery, or Arson | 18.2-90 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Burglary - Possession of Burglarious Tools, Etc. | 18.2-94 |
| Carjacking | 18.2-58.1 |
| Convictions of Any Offense that Requires Registration on the Sex Offender and Crimes Against Minors Registry** | 9.1-902 |
| Crimes Against Nature Involving Children | 18.2-361 |
| Delivery of Drugs to Prisoners | 18.2-474.1 |
| Drive-By Shooting | 18.2-286.1 |
| Electronic Facilitation of Pornography | 18.2-374.3 |
| Employing or Permitting a Minor to Assist in an Act Constituting an Offense under Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2 | 18.2-379 |
| Employing or Permitting a Minor to Assist in - Advertising, Etc., Obscene Items, Exhibitions, or Performances | 18.2-376 |
| Employing or Permitting a Minor to Assist in - Coercing Acceptance of Obscene Articles or Publications | 18.2-378 |
| Employing or Permitting a Minor to Assist in - Creation of Image of Another | 18.2-386.1 |
| Employing or Permitting a Minor to Assist in - Display of Child Pornography or Grooming Video or Materials to a Child | 18.2-374.4 |
| Employing or Permitting a Minor to Assist in - Indecent Exposure | 18.2-387 |
| Employing or Permitting a Minor to Assist in - Obscene Exhibitions and Performances | 18.2-375 |
| Employing or Permitting a Minor to Assist in - Obscene Sexual Display | 18.2-387.1 |
| Employing or Permitting a Minor to Assist in - Possession, Reproduction, Distribution, Solicitation, and Facilitation of Child Pornography | 18.2-374.1:1 |
| Employing or Permitting a Minor to Assist in - Production, Publication, Sale, Possession, Etc., of Obscene Items | 18.2-374 |
| Employing or Permitting a Minor to Assist in - Production, Publication, Sale, Financing, Etc., of Child Pornography | 18.2-374.1 |
| Employing or Permitting a Minor to Assist in - Unlawful Dissemination or Sale of Images of Another | 18.2-386.2 |
| Employing or Permitting a Minor to Assist in - Use of Communications Systems to Facilitate Certain Offenses Involving Children | 18.2-374.3 |
| Escape from Jail | 18.2-477 |
| Extortion by Threat | 18.2-59 |
| Failure to Secure Medical Attention for an Injured Child | 18.2-314 |
| Felonies by Prisoners | 53.1-203 |
| Incest | 18.2-366 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Malicious Wounding by Mob | 18.2-41 |
| Murder or Manslaughter | 18.2-30 et seq. Article 1 of Chapter 4 of Title 18.2 |
| Murder or Manslaughter - Felony Homicide | 18.2-33 |
| Murder or Manslaughter - Involuntary Manslaughter | 18.2-36 |
| Murder or Manslaughter - Involuntary Manslaughter; Driving a Vehicle While Under the Influence | 18.2-36.1 |
| Murder or Manslaughter - Involuntary Manslaughter; Operating a Watercraft While Under the Influence | 18.2-36.2 |
| Murder or Manslaughter - Killing a Fetus | 18.2-32.2 |
| Murder or Manslaughter - Murder, Capital | 18.2-31 |
| Murder or Manslaughter - Murder, First and Second Degree | 18.2-32 |
| Murder or Manslaughter - Murder of a Pregnant Woman | 18.2-32.1 |
| Murder or Manslaughter - Voluntary Manslaughter | 18.2-35 |
| Obscenity Offenses | 18.2-374.1 |
| Pandering | 18.2-355 |
| Possession of Child Pornography | 18.2-374.1:1 |
| Possession or Distribution of Drugs (Felony Convictions) | Article 1 (18.2-247 et seq.) of Chapter 7 or Title 18.2 |
| Possession or Distribution of Drugs - Allowing a Minor or Incapacitated Person to be Present during Manufacture or Attempted Manufacture of Methamphetamine (Felony Convictions) | 18.2-248.02 |
| Possession or Distribution of Drugs - Assisting Individuals in Unlawfully Procuring Prescription Drugs (Felony Convictions) | 18.2-258.2 |
| Possession or Distribution of Drugs - Certain Premises Deemed Common Nuisance (Felony Convictions) | 18.2-258 |
| Possession or Distribution of Drugs - Distributing Certain Drugs to Persons under 18 (Felony Convictions) | 18.2-255 |
| Possession or Distribution of Drugs - Drug Attempts (Felony Convictions) | 18.2-257 |
| Possession or Distribution of Drugs - Drug Conspiracy (Felony Convictions) | 18.2-256 |
| Possession or Distribution of Drugs - Maintaining a Fortified Drug House (Felony Convictions) | 18.2-258.02 |
| Possession or Distribution of Drugs - Manufacturing, Selling, Giving, Distributing, or Possessing with the Intent to Distribute the Substances Gamma-Butyrolactone or 1, 4-Butanediol When Intended for Human Consumption (Felony Convictions) | 18.2-251.3 |
| Possession or Distribution of Drugs - Manufacturing, Selling, | 18.2-248.5 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Giving, Distributing, or Possessing with the Intent to Manufacture, Sell, Give, or Distribute Any Anabolic Steroid (Felony Convictions) | |
| Possession or Distribution of Drugs - Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute a Controlled Substance or an Imitation Controlled Substance (Felony Convictions) | 18.2-248 |
| Possession or Distribution of Drugs - Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Methamphetamine (Felony Convictions) | 18.2-248.03 |
| Possession or Distribution of Drugs - Obtaining Drugs, Procuring Administration of Controlled Substances, Etc., by Fraud, Deceit, or Forgery (Felony Convictions) | 18.2-258.1 |
| Possession or Distribution of Drugs - Possession and Distribution of Flunitrazepam (Felony Convictions) | 18.2-251.2 |
| Possession or Distribution of Drugs - Possession of Controlled Substances (Felony Convictions) | 18.2-250 |
| Possession or Distribution of Drugs - Sale, Gift, Distribution, or Possession with Intent to Sell, Give, or Distribute Marijuana (Felony Convictions) | 18.2-248.1 |
| Possession or Distribution of Drugs - Sale or Manufacture of Drugs On or Near Certain Properties (Felony Convictions) | 18.2-255.2 |
| Possession or Distribution of Drugs - Transporting Controlled Substances into the Commonwealth (Felony Convictions) | 18.2-248.01 |
| Robbery | 18.2-58 |
| Sexual Assault | Article 7 (18.2-61 et seq.) of Chapter 4 of Title 18.2 |
| Sexual Assault - Aggravated Sexual Battery | 18.2-67.3 |
| Sexual Assault - Attempted Aggravated Sexual Battery | 18.2-67.5 |
| Sexual Assault - Attempted Forcible Sodomy | 18.2-67.5 |
| Sexual Assault - Attempted Object Sexual Penetration | 18.2-67.5 |
| Sexual Assault - Attempted Rape | 18.2-67.5 |
| Sexual Assault - Attempted Sexual Battery | 18.2-67.5 |
| Sexual Assault - Carnal Knowledge of Certain Minors | 18.2-64.1 |
| Sexual Assault - Carnal Knowledge of a Child Between 13 and 15 Years of Age | 18.2-63 |
| Sexual Assault - Carnal Knowledge of an Inmate, Parolee, Probationer, Detainee, or Pretrial or Post Trial Offender | 18.2-64.2 |
| Sexual Assault - Forcible Sodomy | 18.2-67.1 |
| Sexual Assault - Infected Sexual Battery | 18.2-67.4:1 |

| OFFENSE<br>Or Equivalent Offense in Another State<br>** Only Applies to Family Day Homes | VA CODE SECTION |
|---|---|
| Sexual Assault - Object Sexual Penetration | 18.2-67.2 |
| Sexual Assault – Rape | 18.2-61 |
| Sexual Assault - Sexual Abuse of a Child under 15 Years of Age | 18.2-67.4:2 |
| Sexual Assault - Sexual Battery | 18.2-67.4 |
| Stalking (Felony Convictions) | 18.2-60.3 |
| Taking Indecent Liberties with Children | 18.2-370; 18.2-370.1 |
| Threats of Death or Bodily Injury | 18.2-60 |
| Use of a Machine Gun in a Crime of Violence | 18.2-289 |
| Use of a Sawed-Off Shotgun in a Crime of Violence | Subsection A of 18.2-300 |
| Violation of a Protective Order (Felony Convictions) | 18.2-60.4; 16.1-253.2 |

Revised August 2015

## Appendix F. Maximum Reimbursable Rates per Type of Vendor

| LEVEL 1<br>MAXIMUM REIMBURSABLE RATE | LEVEL 2<br>MAXIMUM REIMBURSABLE RATE |
|---|---|
| Unlicensed and Unregulated Vendors including In-Home Vendors<br>(In-Home Vendors are paid minimum wage not to exceed Level 1 MRR for # of children in care) | Licensed Family Day Homes |
| Local Government-Approved Recreation Programs | Licensed Child Day Centers (including Short-Term Child Day Centers) |
| Religiously-Exempt Child Day Centers | Local Ordinance Approved Vendors (that meet or exceed *Standards for Licensed Family Day Homes)** |
| Voluntarily Registered Family Day Homes | Licensed Family Day System-Approved Family Day Homes |
| Certified Preschools | Child Care Centers run by the United States Department of Defense |

* Localities that approve providers by local ordinances (in accordance § 15.2-914 of the *Code of Virginia)* must have guidelines that meet or exceed the *Standards for Licensed Family Day Homes* to pay at Level 2 MRR. To pay at Level 2 MRR, local departments must certify and provide written documentation to their appropriate child care consultant that their local ordinance approval process does meet or exceed *Standards for Licensed Family Day Homes.*

# Appendix G. Child Care Subsidy Service Application and Redetermination Form Instructions

NUMBER: **032-25-0147-00-eng (06/16)**

PURPOSE: To record all eligibility related information provided by an applicant for child care subsidy payments in the VaCMS. To be completed by the applicant at application, at redetermination or when a case becomes a transitional case. Form may be completed by the applicant in the Customer Portal or submitted in writing to the local department. Information must be recorded in the VaCMS.

USE: To provide a record of new applications, redeterminations, the beginning of a transitional case and changes reported by an applicant that would affect their eligibility for child care subsidy in the VaCMS. For reported changes, the worker must record the change(s) in the VaCMS. The revised information will be stored in the VaCMS.

This form is available on the Customer Portal in the VaCMS. The form is available on the Child Care and Development web site and the VDSS public web site. Printed copies may be distributed at the local department, or the form can be printed from the VDSS public web site by the applicant.

COPIES: The information will be stored in the VaCMS. The signature page of the form, signed by the applicant and the worker, must be kept in the child care case record. A copy of the signature page must be given to the applicant.

INSTRUCTIONS FOR PREPARING THE FORM:

General Information about the form:

This form is to be completed by an applicant for child care services. It is the responsibility of the worker to discuss all information with the applicant to ensure accuracy. It is the responsibility of the worker to evaluate all information provided by the applicant and to verify eligibility requirements. If the worker changes information completed by the applicant, both the worker and the applicant must initial the change and indicate the date the change was made.

| | |
|---|---|
| Box for Office Use Only | Provides space for the worker to record local department and case specific information. Forms submitted to the local department must be time and date stamped. |
| Rights of Applicants For Child Care Subsidy Services | Outlines for applicants their responsibilities related to their application for child care subsidy or their continued eligibility for child care subsidy. |
| Section A | The applicant must provide their contact information |
| Sections B – D | The applicant must indicate the reason they are applying for child care assistance. They may request information about any additional programs or services in which they are interested, and they must indicate if a vendor has been selected. |
| Section E | The applicant must provide information regarding receipt of prior benefits or services. |
| Section F | The applicant must provide general information about all members of their household. |
| Section G | The applicant must provide the income sources and the dollar amounts for all household members. |
| Section H. | The applicant must provide employment information for up to three household members. A supplementary sheet is available for additional household members who are employed. |
| Section I. | The applicant must provide education/training information for up to three household members. A supplementary sheet is available for additional household members in education or training. |
| Section J - L | The applicant must provide information related to eligibility about children for whom care is requested. |
| Responsibilities of Child Care Services Workers | Outlines duties an applicant for child care can expect a child care worker to fulfill. |
| Appeal Instructions | Outlines the steps an applicant for or recipient of child care services must take to appeal an adverse agency decision. |
| Acknowledgements of Applicant's Responsibilities | Provides guidance for the worker and the applicant to discuss the application process, the |

information provided by the applicant and the responsibilities of the worker and the applicant. Provides a space for the applicant to initial each point of discussion. Provides space for the applicant and the worker to sign indicating that all required information has been submitted or requested.

CHILD CARE PARENT RESPONSIBILITIES:

PURPOSE: To inform customers of their responsibilities to cooperate with eligibility determination and to report all changes that might affect that eligibility. To assure that customers understand what constitutes welfare fraud and the consequences of fraud.

USE: This information will be recorded in the VaCMS as part of the service application. The local department service worker will review the information with customers, sign, and date the page along with the applicant/recipient both at initial eligibility determination and at redetermination.

COPIES/DISPOSITION: One copy is given to the customer. One copy is retained in the record.

INSTRUCTIONS: Reporting Changes – Item 1 – Worker must fill in the amount of the family's gross monthly income that would cause the total amount to exceed the maximum monthly income level allowed for a family of its size in the locality where the child care services have been authorized.

## Appendix H. Child Care Waiting List Screening Form Instructions

| | |
|---|---|
| NUMBER: | 032-05-0547-00-eng (08/11) |
| PURPOSE: | To screen customers for placement on a child care Waiting List. |
| USE: | The local department worker will use the information on this form to screen applicants onto the Waiting List. Once this screening for the Waiting List is complete in the VaCMS, the worker will add the family to the Waiting List. |
| COPIES/DISPOSITION: | A copy will be retained in the VaCMS. |

## Appendix I. Child Care Notice of Action Instructions

PURPOSE: To notify an applicant/recipient of child care subsidy of an action to be taken on their child care case.

USE: To give the applicant/recipient of child care subsidy a ten-day notice before an action is taken. More than one action may be indicated on a single NOA. This form is generated from the VaCMS to be printed by the worker and sent to the applicant. The Correspondence ID # of the form and the mailing date must be recorded in the case narrative to verify the form was mailed to the applicant/recipient.

COPIES: One copy will be stored in the VaCMS, and one copy must be mailed to the applicant/recipient.

INSTRUCTIONS FOR PREPARING THE FORM:

A NOA completed in and generated from the VACMS must be sent 10 days in advance of the action when a case action affecting eligibility, copayment or the amount of services authorized is taken. A copy of the applicant's NOA must never be sent to a Vendor.

Information will be preprinted on the form that is generated from the VaCMS. The Child Care Worker must sign the NOA before it is sent to the applicant/recipient.

The back of the form provides information on the fair hearings and appeal process.

## Appendix J. Child Care Communication Form Instructions

NUMBER: 032-05-0518-00-eng (11/10)

PURPOSE: To notify applicant for/recipient of child care subsidy of a change in their application/case which does not affect eligibility, copayment or the amount of services authorized.

USE: To communicate information to the applicant/recipient of an action to be taken.

COPIES: One copy for the applicant/recipient. Copy is saved in the VaCMS for the case record.

INSTRUCTIONS FOR PREPARING THE FORM:

A Child Care Client Communication form is used to communicate to an applicant or recipient information related to their child care case that does not affect eligibility, copayment or the amount of services authorized. This form is intended for the applicant/recipient and should not be sent to anyone else.

The VaCMS will pre-fill the identifying information for the applicant/recipient the worker contact information.

The bottom of the form provides space for the worker to type in the information to be communicated.

This form is available in the VaCMS. Completing this form in the VaCMS automatically saves a copy of the form in the case record. The form is printed and sent to the applicant/recipient. The Correspondence ID# and mailing date must be recorded in the case narrative.

The back of the form provides information on the fair hearings and appeal process.

## Appendix K. Child Care Verification Checklist Instructions

NUMBER: 032-05-0541-00-eng

PURPOSE: To notify applicant/recipient as to information they must provide in order for determination/redetermination of eligibility

USE: To provide applicant/recipient with a list of items to be submitted in order to verify and to document required documentation for eligibility to be determined.

COPIES: One copy for the case record. One copy must be sent to the applicant/recipient.

INSTRUCTIONS FOR PREPARING THE FORM:

Any time a requirement for determination of eligibility needs to be verified or to be documented, a verification checklist must be provided to the applicant/recipient.

This form will be included in the redetermination package sent to the recipient.

A copy must be generated to send to the applicant/recipient. The worker will complete the form after printing it. A copy must be kept in the case record. The worker must record in the case narrative that the form was provided to the applicant/recipient as documentation.

## Appendix L. Childhood Immunization Certification

COMMONWEALTH OF VIRGINIA DEPARTMENT OF SOCIAL SERVICES

**Childhood Immunization Certification**
**Temporary Assistance for Needy Families (TANF) & Child Care Subsidy**

Parents: Children need shots at about 2, 4, 6, 12-15 months of age, before kindergarten, and at 11-12 years of age. You must show that your child has the shots he/she needs or you could lose some of your TANF benefits/child day care subsidy. To avoid losing benefits/subsidy:

- Take this form and shot records with you each time you take your child to the doctor or health department.
- Have your doctor or nurse sign below each time your child gets shots.
- Take this form with you each time you see your eligibility worker or child day care worker.

| CHILD'S NAME | SSN | DOB | CASE NO. |
|---|---|---|---|
| PARENT/GUARDIAN NAME | | | |

Doctor/Providers: Children who receive TANF benefits and who are not in school or in licensed daycare are required to have certification that they are up-to-date for all recommended immunizations, that they are being brought up-to-date or that they are medically exempt. All children who receive a child day care subsidy are required to be age-appropriately immunized. Failure to document immunizations may result in the child losing a portion of his/her TANF benefits or child day care subsidy.

Please complete one visit section of this form each time you screen immunization records for or immunize the child named above.

1. FIRST VISIT

| Please check the correct box. | Medical Provider Name: |
|---|---|
| □ The above-named child is age-appropriately immunized, as of the date of this visit.<br>□ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Address:<br><br>Phone:<br><br>Signature/Stamp:<br><br>Visit Date: |

Month/Day/Year next Immunization Due: _____

2. SECOND VISIT

| Please check the correct box. | Medical Provider Name: |
|---|---|
| □ The above-named child is age appropriately immunized, as of the date of this visit.<br>□ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the | Address:<br><br>Phone: |

| | |
|---|---|
| date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Signature/Stamp:<br><br>Visit Date: |
| Month/Day/Year next Immunization Due: | |
| 3. THIRD VISIT | |
| Please check the correct box.<br>□ The above-named child is age appropriately immunized, as of the date of this visit.<br>□ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Medical Provider Name:<br><br>Address:<br><br>Phone:<br><br>Signature/Stamp:<br><br>Visit Date: |
| Month/Day/Year next Immunization Due: | |
| 4. FOURTH VISIT | |
| Please check the correct box.<br>□ The above-named child is age appropriately immunized, as of the date of this visit.<br>□ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Medical Provider Name:<br><br>Address:<br><br>Phone:<br><br>Signature/Stamp:<br><br>Visit Date: |
| Month/Day/Year next Immunization Due: | |
| 5. FIFTH VISIT | |
| Please check the correct box.<br>□ The above-named child is age appropriately immunized, as of the date of this visit.<br>□ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Medical Provider Name:<br><br>Address:<br><br>Phone:<br><br>Signature/Stamp:<br><br>Visit Date: |
| Month/Day/Year next Immunization Due: | |
| 6. SIXTH VISIT | |
| Please check the correct box.<br>□ The above-named child is age appropriately immunized, as of the date of this visit. | Medical Provider Name:<br><br>Address: |

| | |
|---|---|
| □ The child has received at least one dose of each of the vaccines to make him/her appropriately immunized, as of the date of this visit.<br>□ The child is medically exempt from these vaccines, as of the date of this visit.<br>This contraindication is permanent □<br>This contraindication is temporary □<br>Please name the vaccines: | Phone:<br><br>Signature/Stamp:<br><br>Visit Date: |
| Month/Day/Year next Immunization Due: | |

For immunization information, please call your local Health Department or the Virginia Department of Health, Bureau of Immunization at 1-800-568-1929.

032-03-960/2 (6/00)

## Appendix M. Level 1 Maximum Reimbursable Rates

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**CENTRAL**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Amelia | 007 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |
| Buckingham | 029 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |
| Caroline | 033 | 26 | 25 | 15 | 15 | 18 | 18 | 11 | 11 |
| Charles City | 036 | 20 | 19 | 16 | 17 | 14 | 13 | 11 | 12 |
| Chesterfield/ Colonial Heights | 041 | 28 | 27 | 23 | 22 | 20 | 19 | 16 | 15 |
| Cumberland | 049 | 17 | 16 | 12 | 12 | 12 | 11 | 8 | 8 |
| Essex | 057 | 18 | 18 | 16 | 16 | 13 | 13 | 11 | 11 |
| Fluvanna | 065 | 29 | 25 | 21 | 20 | 20 | 18 | 15 | 14 |
| Goochland | 075 | 25 | 24 | 19 | 19 | 18 | 17 | 13 | 13 |
| Hanover | 085 | 27 | 25 | 20 | 19 | 19 | 18 | 14 | 13 |
| Henrico | 087 | 31 | 28 | 23 | 21 | 22 | 20 | 16 | 15 |
| Hopewell | 670 | 20 | 20 | 16 | 15 | 14 | 14 | 11 | 11 |
| King & Queen | 097 | 21 | 21 | 15 | 16 | 15 | 15 | 11 | 11 |
| King William | 101 | 20 | 20 | 17 | 16 | 14 | 14 | 12 | 11 |
| Lancaster | 103 | 21 | 21 | 17 | 17 | 15 | 15 | 12 | 12 |
| Lunenburg | 111 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |
| Middlesex | 119 | 21 | 19 | 19 | 19 | 15 | 13 | 13 | 13 |
| New Kent | 127 | 21 | 21 | 18 | 17 | 15 | 15 | 13 | 12 |
| Northumberland | 133 | 21 | 21 | 16 | 17 | 15 | 15 | 11 | 12 |
| Nottoway | 135 | 17 | 16 | 15 | 13 | 12 | 11 | 11 | 9 |
| Petersburg | 730 | 18 | 19 | 17 | 15 | 13 | 13 | 12 | 11 |
| Powhatan | 145 | 23 | 21 | 18 | 17 | 16 | 15 | 13 | 12 |
| Prince Edward | 147 | 18 | 16 | 16 | 16 | 13 | 11 | 11 | 11 |
| Richmond | 760 | 26 | 26 | 20 | 19 | 18 | 18 | 14 | 13 |
| Richmond Co. | 159 | 21 | 21 | 17 | 17 | 15 | 15 | 12 | 12 |
| Westmoreland | 193 | 24 | 22 | 18 | 17 | 17 | 15 | 13 | 12 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**CENTRAL**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Amelia | 007 | 20 | 18 | 17 | 17 | 14 | 13 | 12 | 12 |
| Buckingham | 029 | 12 | 12 | 12 | 10 | 8 | 8 | 8 | 7 |
| Caroline | 033 | 17 | 16 | 14 | 13 | 12 | 11 | 10 | 9 |
| Charles City | 036 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| Chesterfield/ Colonial Heights | 041 | 21 | 20 | 19 | 17 | 15 | 14 | 13 | 12 |
| Cumberland | 049 | 14 | 14 | 13 | 13 | 10 | 10 | 9 | 9 |
| Essex | 057 | 16 | 14 | 14 | 14 | 11 | 10 | 10 | 10 |
| Fluvanna | 065 | 20 | 19 | 20 | 18 | 14 | 13 | 14 | 13 |
| Goochland | 075 | 19 | 18 | 15 | 15 | 13 | 13 | 11 | 11 |
| Hanover | 085 | 20 | 20 | 17 | 16 | 14 | 14 | 12 | 11 |
| Henrico | 087 | 22 | 20 | 20 | 17 | 15 | 14 | 14 | 12 |
| Hopewell | 670 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| King & Queen | 097 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| King William | 101 | 16 | 15 | 14 | 14 | 11 | 11 | 10 | 10 |
| Lancaster | 103 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| Lunenburg | 111 | 16 | 17 | 13 | 12 | 11 | 12 | 9 | 8 |
| Middlesex | 119 | 16 | 16 | 15 | 15 | 11 | 11 | 11 | 11 |
| New Kent | 127 | 17 | 17 | 15 | 15 | 12 | 12 | 11 | 11 |
| Northumberland | 133 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| Nottoway | 135 | 12 | 12 | 14 | 12 | 8 | 8 | 10 | 8 |
| Petersburg | 730 | 17 | 16 | 15 | 13 | 12 | 11 | 11 | 9 |
| Powhatan | 145 | 17 | 17 | 15 | 14 | 12 | 12 | 11 | 10 |
| Prince Edward | 147 | 14 | 13 | 13 | 12 | 10 | 9 | 9 | 8 |
| Richmond | 760 | 18 | 18 | 15 | 14 | 13 | 13 | 11 | 10 |
| Richmond Co. | 159 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| Westmoreland | 193 | 16 | 14 | 13 | 14 | 11 | 10 | 9 | 10 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**EASTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Accomack | 001 | 17 | 16 | 15 | 13 | 12 | 11 | 11 | 9 |
| Brunswick | 025 | 13 | 13 | 10 | 10 | 9 | 9 | 7 | 7 |
| Chesapeake | 550 | 27 | 25 | 20 | 18 | 19 | 18 | 14 | 13 |
| Dinwiddie | 053 | 21 | 21 | 15 | 15 | 15 | 15 | 11 | 11 |
| Franklin City | 620 | 22 | 21 | 16 | 16 | 15 | 15 | 11 | 11 |
| Gloucester | 073 | 20 | 21 | 17 | 18 | 14 | 15 | 12 | 13 |
| Greensville/ Emporia | 081 | 21 | 21 | 13 | 13 | 15 | 15 | 9 | 9 |
| Hampton | 650 | 25 | 21 | 18 | 16 | 18 | 15 | 13 | 11 |
| Isle Of Wight | 093 | 22 | 20 | 15 | 13 | 15 | 14 | 11 | 9 |
| James City | 095 | 25 | 25 | 22 | 19 | 18 | 18 | 15 | 13 |
| Mathews | 115 | 17 | 15 | 15 | 12 | 12 | 11 | 11 | 8 |
| Newport News | 700 | 24 | 24 | 20 | 17 | 17 | 17 | 14 | 12 |
| Norfolk | 710 | 25 | 24 | 20 | 18 | 18 | 17 | 14 | 13 |
| Northampton | 131 | 17 | 14 | 14 | 13 | 12 | 10 | 10 | 9 |
| Portsmouth | 740 | 26 | 19 | 17 | 17 | 18 | 13 | 12 | 12 |
| Prince George | 149 | 23 | 20 | 19 | 17 | 16 | 14 | 13 | 12 |
| Southampton | 175 | 19 | 15 | 13 | 11 | 13 | 11 | 9 | 8 |
| Suffolk | 800 | 22 | 20 | 17 | 16 | 15 | 14 | 12 | 11 |
| Surry | 181 | 21 | 21 | 18 | 16 | 15 | 15 | 13 | 11 |
| Sussex | 183 | 21 | 21 | 12 | 12 | 15 | 15 | 8 | 8 |
| Virginia Beach | 810 | 28 | 26 | 21 | 20 | 20 | 18 | 15 | 14 |
| Williamsburg | 830 | 27 | 27 | 23 | 21 | 19 | 19 | 16 | 15 |
| York/ Poquoson | 199 | 24 | 23 | 18 | 18 | 17 | 16 | 13 | 13 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**EASTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Accomack | 001 | 14 | 14 | 14 | 13 | 10 | 10 | 10 | 9 |
| Brunswick | 025 | 15 | 14 | 13 | 13 | 11 | 10 | 9 | 9 |
| Chesapeake | 550 | 18 | 17 | 17 | 15 | 13 | 12 | 12 | 11 |
| Dinwiddie | 053 | 16 | 16 | 14 | 14 | 11 | 11 | 10 | 10 |
| Franklin City | 620 | 15 | 14 | 14 | 20 | 11 | 10 | 10 | 14 |
| Gloucester | 073 | 16 | 16 | 14 | 13 | 11 | 11 | 10 | 9 |
| Greensville/ Emporia | 081 | 18 | 13 | 12 | 12 | 13 | 9 | 8 | 8 |
| Hampton | 650 | 17 | 17 | 15 | 15 | 12 | 12 | 11 | 11 |
| Isle Of Wight | 093 | 16 | 15 | 15 | 15 | 11 | 11 | 11 | 11 |
| James City | 095 | 20 | 20 | 17 | 17 | 14 | 14 | 12 | 12 |
| Mathews | 115 | 16 | 16 | 15 | 14 | 11 | 11 | 11 | 10 |
| Newport News | 700 | 17 | 16 | 14 | 15 | 12 | 11 | 10 | 11 |
| Norfolk | 710 | 18 | 16 | 15 | 14 | 13 | 11 | 11 | 10 |
| Northampton | 131 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 11 |
| Portsmouth | 740 | 15 | 15 | 14 | 13 | 11 | 11 | 10 | 9 |
| Prince George | 149 | 16 | 16 | 14 | 13 | 11 | 11 | 10 | 9 |
| Southampton | 175 | 16 | 14 | 14 | 14 | 11 | 10 | 10 | 10 |
| Suffolk | 800 | 16 | 15 | 15 | 15 | 11 | 11 | 11 | 11 |
| Surry | 181 | 16 | 15 | 12 | 12 | 11 | 11 | 8 | 8 |
| Sussex | 183 | 15 | 15 | 14 | 14 | 11 | 11 | 10 | 10 |
| Virginia Beach | 810 | 19 | 17 | 16 | 15 | 13 | 12 | 11 | 11 |
| Williamsburg | 830 | 20 | 17 | 17 | 16 | 14 | 12 | 12 | 11 |
| York/ Poquoson | 199 | 18 | 16 | 16 | 15 | 13 | 11 | 11 | 11 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**NORTHERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Alexandria | 510 | 38 | 36 | 29 | 29 | 27 | 25 | 20 | 20 |
| Arlington | 013 | 40 | 40 | 34 | 33 | 28 | 28 | 24 | 23 |
| Clarke | 043 | 22 | 19 | 15 | 16 | 15 | 13 | 11 | 11 |
| Culpeper | 047 | 18 | 18 | 15 | 15 | 13 | 13 | 11 | 11 |
| Fairfax Co./ City & Falls Church | 059 | 38 | 37 | 33 | 30 | 27 | 26 | 23 | 21 |
| Fauquier | 061 | 27 | 26 | 20 | 20 | 19 | 18 | 14 | 14 |
| Frederick/ Winchester | 069 | 18 | 17 | 16 | 15 | 13 | 12 | 11 | 11 |
| Fredericksburg | 630 | 27 | 26 | 20 | 19 | 19 | 18 | 14 | 13 |
| Greene | 079 | 22 | 20 | 15 | 15 | 15 | 14 | 11 | 11 |
| King George | 099 | 25 | 24 | 17 | 16 | 18 | 17 | 12 | 13 |
| Loudoun | 107 | 36 | 34 | 28 | 27 | 25 | 24 | 20 | 19 |
| Louisa | 109 | 22 | 20 | 21 | 18 | 15 | 14 | 15 | 13 |
| Madison | 113 | 19 | 19 | 16 | 16 | 13 | 13 | 11 | 11 |
| Manassas | 683 | 33 | 30 | 26 | 23 | 23 | 21 | 18 | 16 |
| Manassas Park | 685 | 38 | 36 | 27 | 20 | 27 | 25 | 19 | 14 |
| Orange | 137 | 21 | 21 | 18 | 17 | 15 | 15 | 13 | 12 |
| Page | 139 | 22 | 20 | 17 | 16 | 15 | 14 | 12 | 11 |
| Prince William | 153 | 31 | 31 | 26 | 25 | 22 | 22 | 18 | 18 |
| Rappahannock | 157 | 23 | 23 | 20 | 20 | 16 | 16 | 14 | 14 |
| Rockingham/ Harrisonburg | 165 | 24 | 23 | 19 | 19 | 17 | 16 | 13 | 13 |
| Shenandoah | 171 | 15 | 15 | 14 | 14 | 11 | 11 | 10 | 10 |
| Spotsylvania | 177 | 26 | 25 | 20 | 20 | 18 | 18 | 14 | 14 |
| Stafford | 179 | 26 | 26 | 22 | 20 | 18 | 18 | 15 | 14 |
| Warren | 187 | 20 | 17 | 15 | 15 | 14 | 12 | 11 | 11 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**NORTHERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Alexandria | 510 | 28 | 28 | 27 | 26 | 20 | 20 | 19 | 18 |
| Arlington | 013 | 29 | 30 | 28 | 29 | 20 | 21 | 20 | 20 |
| Clarke | 043 | 18 | 16 | 16 | 16 | 13 | 11 | 11 | 11 |
| Culpeper | 047 | 16 | 15 | 16 | 16 | 11 | 11 | 11 | 11 |
| Fairfax Co./ City & Falls Church | 059 | 31 | 30 | 29 | 27 | 22 | 21 | 20 | 19 |
| Fauquier | 061 | 22 | 23 | 20 | 19 | 15 | 16 | 14 | 13 |
| Frederick/ Winchester | 069 | 18 | 17 | 16 | 16 | 13 | 12 | 11 | 11 |
| Fredericksburg | 630 | 19 | 17 | 17 | 17 | 13 | 12 | 12 | 12 |
| Greene | 079 | 20 | 18 | 18 | 16 | 14 | 13 | 13 | 11 |
| King George | 099 | 20 | 18 | 18 | 17 | 14 | 13 | 13 | 12 |
| Loudoun | 107 | 30 | 30 | 28 | 26 | 21 | 21 | 20 | 18 |
| Louisa | 109 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 11 |
| Madison | 113 | 15 | 13 | 13 | 12 | 11 | 9 | 9 | 8 |
| Manassas | 683 | 29 | 26 | 25 | 25 | 20 | 18 | 18 | 18 |
| Manassas Park | 685 | 27 | 26 | 24 | 22 | 19 | 18 | 17 | 15 |
| Orange | 137 | 18 | 18 | 16 | 22 | 13 | 13 | 11 | 15 |
| Page | 139 | 12 | 11 | 11 | 11 | 8 | 8 | 8 | 8 |
| Prince William | 153 | 27 | 26 | 23 | 20 | 19 | 18 | 16 | 14 |
| Rappahannock | 157 | 21 | 18 | 18 | 17 | 15 | 13 | 13 | 12 |
| Rockingham/ Harrisonburg | 165 | 18 | 16 | 15 | 15 | 13 | 11 | 11 | 11 |
| Shenandoah | 171 | 15 | 14 | 13 | 12 | 11 | 10 | 9 | 8 |
| Spotsylvania | 177 | 21 | 16 | 16 | 16 | 15 | 11 | 11 | 11 |
| Stafford | 179 | 23 | 21 | 19 | 20 | 16 | 15 | 13 | 14 |
| Warren | 187 | 19 | 18 | 17 | 17 | 13 | 13 | 12 | 12 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**PIEDMONT**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Albemarle/ Charlottesville | 003 | 29 | 29 | 23 | 23 | 20 | 20 | 16 | 16 |
| Alleghany/ Covington | 005 | 21 | 18 | 18 | 17 | 15 | 13 | 13 | 12 |
| Amherst | 009 | 17 | 17 | 12 | 12 | 12 | 12 | 8 | 8 |
| Appomattox | 011 | 17 | 14 | 12 | 13 | 12 | 10 | 8 | 9 |
| Augusta/ Staunton/ Waynesboro | 015 | 23 | 21 | 18 | 18 | 16 | 15 | 13 | 13 |
| Bath | 017 | 22 | 20 | 16 | 13 | 15 | 14 | 11 | 9 |
| Bedford Co./ City | 019 | 19 | 19 | 14 | 14 | 13 | 13 | 10 | 10 |
| Botetourt | 023 | 21 | 20 | 15 | 14 | 15 | 14 | 11 | 10 |
| Campbell | 031 | 17 | 13 | 13 | 13 | 12 | 9 | 9 | 9 |
| Charlotte | 037 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |
| Craig | 045 | 18 | 14 | 14 | 14 | 13 | 10 | 10 | 10 |
| Danville | 590 | 20 | 18 | 13 | 13 | 14 | 13 | 9 | 9 |
| Franklin Co. | 067 | 22 | 17 | 14 | 12 | 15 | 12 | 10 | 8 |
| Halifax/ South Boston | 083 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |
| Henry/ Martinsville | 089 | 20 | 18 | 13 | 12 | 14 | 13 | 9 | 8 |
| Highland | 091 | 22 | 20 | 17 | 16 | 15 | 14 | 12 | 11 |
| Lynchburg | 680 | 18 | 17 | 14 | 13 | 13 | 12 | 10 | 9 |
| Mecklenburg | 117 | 16 | 16 | 14 | 13 | 11 | 11 | 10 | 9 |
| Nelson | 125 | 22 | 17 | 15 | 17 | 15 | 12 | 11 | 12 |
| Pittsylvania | 143 | 14 | 14 | 13 | 13 | 10 | 10 | 9 | 9 |
| Roanoke | 770 | 25 | 23 | 18 | 17 | 18 | 16 | 13 | 12 |
| Roanoke Co. | 161 | 29 | 29 | 22 | 20 | 20 | 20 | 15 | 14 |
| Rockbridge/ Buena Vista/ Lexington | 163 | 22 | 19 | 19 | 15 | 15 | 13 | 13 | 11 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**PIEDMONT**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Albemarle/ Charlottesville | 003 | 22 | 22 | 20 | 20 | 15 | 15 | 14 | 14 |
| Alleghany/ Covington/ Clifton Forge | 005 | 16 | 16 | 15 | 15 | 11 | 11 | 11 | 11 |
| Amherst | 009 | 12 | 12 | 12 | 12 | 8 | 8 | 8 | 8 |
| Appomattox | 011 | 16 | 15 | 14 | 14 | 11 | 11 | 10 | 10 |
| Augusta/ Staunton/ Waynesboro | 015 | 17 | 16 | 16 | 16 | 12 | 11 | 11 | 11 |
| Bath | 017 | 18 | 16 | 16 | 15 | 13 | 11 | 11 | 11 |
| Bedford Co./ City | 019 | 18 | 16 | 15 | 13 | 13 | 11 | 11 | 9 |
| Botetourt | 023 | 16 | 16 | 16 | 13 | 11 | 11 | 11 | 9 |
| Campbell | 031 | 14 | 13 | 12 | 12 | 10 | 9 | 8 | 8 |
| Charlotte | 037 | 14 | 14 | 13 | 13 | 10 | 10 | 9 | 9 |
| Craig | 045 | 15 | 13 | 13 | 12 | 11 | 9 | 9 | 8 |
| Danville | 590 | 12 | 12 | 10 | 10 | 8 | 8 | 7 | 7 |
| Franklin Co. | 067 | 15 | 14 | 14 | 13 | 11 | 10 | 10 | 9 |
| Halifax/ South Boston | 083 | 16 | 15 | 15 | 13 | 11 | 11 | 11 | 9 |
| Henry/ Martinsville | 089 | 13 | 12 | 12 | 12 | 9 | 8 | 8 | 8 |
| Highland | 091 | 15 | 13 | 12 | 12 | 11 | 9 | 8 | 8 |
| Lynchburg | 680 | 17 | 18 | 16 | 13 | 12 | 13 | 11 | 9 |
| Mecklenburg | 117 | 15 | 13 | 13 | 13 | 11 | 9 | 9 | 9 |
| Nelson | 125 | 12 | 16 | 16 | 15 | 8 | 11 | 11 | 11 |
| Pittsylvania | 143 | 11 | 11 | 11 | 11 | 8 | 8 | 8 | 8 |
| Roanoke City | 770 | 17 | 16 | 15 | 14 | 12 | 11 | 11 | 10 |
| Roanoke Co. | 161 | 16 | 16 | 16 | 15 | 11 | 11 | 11 | 11 |
| Rockbridge/ Buena Vista/ Lexington | 163 | 20 | 20 | 18 | 18 | 14 | 14 | 13 | 13 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**WESTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Bland | 021 | 16 | 16 | 14 | 15 | 11 | 11 | 10 | 11 |
| Bristol | 520 | 19 | 19 | 16 | 15 | 13 | 13 | 11 | 11 |
| Buchanan | 027 | 16 | 16 | 14 | 15 | 11 | 11 | 10 | 11 |
| Carroll | 035 | 14 | 14 | 12 | 12 | 10 | 10 | 8 | 9 |
| Dickenson | 051 | 16 | 16 | 14 | 15 | 11 | 11 | 10 | 11 |
| Floyd | 063 | 20 | 18 | 14 | 14 | 14 | 13 | 10 | 10 |
| Galax | 640 | 15 | 15 | 13 | 13 | 11 | 11 | 9 | 9 |
| Giles | 071 | 16 | 16 | 15 | 15 | 11 | 11 | 11 | 11 |
| Grayson | 077 | 16 | 16 | 13 | 13 | 11 | 11 | 9 | 9 |
| Lee | 105 | 16 | 15 | 15 | 15 | 11 | 11 | 11 | 11 |
| Montgomery | 121 | 21 | 21 | 18 | 16 | 15 | 15 | 13 | 11 |
| Patrick | 141 | 15 | 13 | 13 | 13 | 11 | 9 | 9 | 9 |
| Pulaski | 155 | 20 | 18 | 15 | 13 | 14 | 13 | 11 | 9 |
| Radford | 750 | 20 | 19 | 15 | 14 | 14 | 13 | 11 | 10 |
| Russell | 167 | 14 | 14 | 13 | 13 | 10 | 10 | 9 | 9 |
| Scott | 169 | 14 | 14 | 13 | 14 | 10 | 10 | 9 | 10 |
| Smyth | 173 | 16 | 13 | 12 | 12 | 11 | 9 | 8 | 8 |
| Tazewell | 185 | 15 | 14 | 13 | 14 | 11 | 10 | 9 | 10 |
| Washington | 191 | 17 | 18 | 15 | 15 | 12 | 13 | 11 | 11 |
| Wise/ Norton | 195 | 16 | 16 | 13 | 13 | 11 | 11 | 9 | 9 |
| Wythe | 197 | 17 | 16 | 13 | 13 | 12 | 11 | 9 | 9 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 1**
**WESTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Locality** | **FIPS** | **Infant** | **Toddler** | **Pre-School** | **School Age** | **Infant** | **Toddler** | **Pre-School** | **School Age** |
| Bland | 021 | 13 | 12 | 12 | 11 | 9 | 8 | 8 | 8 |
| Bristol | 520 | 13 | 13 | 13 | 13 | 9 | 9 | 9 | 9 |
| Buchanan | 027 | 18 | 18 | 18 | 18 | 13 | 13 | 13 | 13 |
| Carroll | 035 | 12 | 12 | 10 | 10 | 8 | 8 | 7 | 7 |
| Dickenson | 051 | 16 | 16 | 15 | 14 | 11 | 11 | 11 | 10 |
| Floyd | 063 | 11 | 12 | 11 | 10 | 8 | 8 | 8 | 7 |
| Galax | 640 | 12 | 12 | 12 | 11 | 8 | 8 | 8 | 8 |
| Giles | 071 | 14 | 12 | 12 | 12 | 10 | 8 | 8 | 8 |
| Grayson | 077 | 12 | 12 | 10 | 9 | 8 | 8 | 7 | 6 |
| Lee | 105 | 14 | 14 | 15 | 11 | 10 | 10 | 11 | 8 |
| Montgomery | 121 | 17 | 17 | 15 | 14 | 12 | 12 | 11 | 10 |
| Patrick | 141 | 10 | 10 | 10 | 10 | 7 | 7 | 7 | 7 |
| Pulaski | 155 | 12 | 12 | 12 | 12 | 8 | 8 | 8 | 8 |
| Radford | 750 | 20 | 15 | 14 | 11 | 14 | 11 | 10 | 8 |
| Russell | 167 | 12 | 12 | 12 | 12 | 8 | 8 | 8 | 8 |
| Scott | 169 | 14 | 14 | 14 | 14 | 10 | 10 | 10 | 12 |
| Smyth | 173 | 11 | 11 | 11 | 11 | 8 | 8 | 8 | 8 |
| Tazewell | 185 | 15 | 15 | 12 | 12 | 11 | 11 | 8 | 8 |
| Washington | 191 | 16 | 13 | 12 | 12 | 11 | 9 | 8 | 8 |
| Wise/ Norton | 195 | 14 | 13 | 12 | 12 | 10 | 9 | 8 | 8 |
| Wythe | 197 | 12 | 13 | 13 | 13 | 8 | 9 | 9 | 9 |

## Appendix N. Level 2 Maximum Reimbursable Rates

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**CENTRAL**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Amelia | 007 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Buckingham | 029 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Caroline | 033 | 38 | 30 | 27 | 30 | 27 | 21 | 19 | 21 |
| Charles City | 036 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Chesterfield | 041 | 46 | 44 | 34 | 33 | 32 | 31 | 24 | 23 |
| Cumberland | 049 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Essex | 057 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Fluvanna | 065 | 34 | 29 | 26 | 20 | 24 | 20 | 19 | 14 |
| Goochland | 075 | 42 | 38 | 31 | 28 | 30 | 27 | 22 | 20 |
| Hanover | 085 | 41 | 39 | 32 | 29 | 29 | 27 | 22 | 20 |
| Henrico | 087 | 45 | 41 | 33 | 31 | 31 | 29 | 23 | 22 |
| Hopewell | 670 | 24 | 23 | 18 | 19 | 17 | 16 | 13 | 14 |
| King & Queen | 097 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| King William | 101 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Lancaster | 103 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Lunenburg | 111 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Middlesex | 119 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| New Kent | 127 | 34 | 32 | 28 | 27 | 23 | 22 | 19 | 19 |
| Northumberland | 133 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Nottoway | 135 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Petersburg | 730 | 23 | 20 | 20 | 17 | 16 | 14 | 14 | 13 |
| Powhatan | 145 | 42 | 34 | 32 | 27 | 30 | 23 | 22 | 19 |
| Prince Edward | 147 | 23 | 23 | 22 | 21 | 16 | 16 | 16 | 15 |
| Richmond | 760 | 33 | 31 | 26 | 22 | 23 | 22 | 18 | 17 |
| Richmond Co. | 159 | 28 | 27 | 25 | 20 | 20 | 19 | 17 | 14 |
| Westmoreland | 193 | 30 | 27 | 22 | 22 | 21 | 19 | 16 | 16 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**CENTRAL**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Amelia | 007 | 20 | 18 | 17 | 17 | 14 | 13 | 12 | 12 |
| Buckingham | 029 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Caroline | 033 | 25 | 24 | 22 | 20 | 18 | 17 | 15 | 14 |
| Charles City | 036 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Chesterfield | 041 | 30 | 27 | 27 | 25 | 21 | 19 | 19 | 18 |
| Cumberland | 049 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Essex | 057 | 21 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| Fluvanna | 065 | 26 | 26 | 23 | 25 | 18 | 18 | 16 | 18 |
| Goochland | 075 | 28 | 25 | 24 | 20 | 20 | 18 | 17 | 15 |
| Hanover | 085 | 32 | 28 | 27 | 20 | 22 | 20 | 19 | 15 |
| Henrico | 087 | 30 | 28 | 25 | 22 | 21 | 20 | 18 | 17 |
| Hopewell | 670 | 24 | 18 | 18 | 15 | 16 | 13 | 12 | 13 |
| King & Queen | 097 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| King William | 101 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Lancaster | 103 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Lunenburg | 111 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Middlesex | 119 | 23 | 20 | 20 | 18 | 16 | 14 | 14 | 18 |
| New Kent | 127 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Northumberland | 133 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Nottoway | 135 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Petersburg | 730 | 20 | 18 | 17 | 15 | 14 | 13 | 12 | 12 |
| Powhatan | 145 | 28 | 25 | 24 | 20 | 20 | 18 | 17 | 15 |
| Prince Edward | 147 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Richmond | 760 | 25 | 23 | 21 | 18 | 18 | 16 | 15 | 15 |
| Richmond Co. | 159 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Westmoreland | 193 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**EASTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Accomack | 001 | 29 | 27 | 20 | 18 | 20 | 19 | 14 | 14 |
| Brunswick | 025 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Chesapeake | 550 | 39 | 35 | 30 | 25 | 27 | 25 | 21 | 19 |
| Dinwiddie | 053 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Franklin | 620 | 29 | 27 | 24 | 18 | 20 | 19 | 17 | 14 |
| Gloucester | 073 | 30 | 30 | 32 | 27 | 21 | 21 | 22 | 20 |
| Greensville | 081 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Hampton | 650 | 35 | 32 | 26 | 24 | 25 | 22 | 18 | 17 |
| Isle Of Wight | 093 | 30 | 27 | 26 | 20 | 21 | 19 | 18 | 14 |
| James City | 095 | 38 | 38 | 31 | 28 | 27 | 26 | 22 | 20 |
| Mathews | 115 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Newport News | 700 | 35 | 29 | 25 | 23 | 24 | 20 | 18 | 17 |
| Norfolk | 710 | 35 | 31 | 27 | 22 | 24 | 22 | 19 | 15 |
| Northampton | 131 | 29 | 27 | 24 | 18 | 20 | 19 | 17 | 14 |
| Portsmouth | 740 | 40 | 34 | 28 | 24 | 28 | 24 | 19 | 17 |
| Prince George | 149 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Southampton | 175 | 29 | 27 | 24 | 18 | 20 | 19 | 17 | 14 |
| Suffolk | 800 | 29 | 29 | 26 | 18 | 21 | 21 | 18 | 14 |
| Surry | 181 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Sussex | 183 | 28 | 27 | 22 | 20 | 20 | 19 | 16 | 14 |
| Virginia Beach | 810 | 41 | 36 | 32 | 30 | 29 | 25 | 22 | 21 |
| Williamsburg | 830 | 38 | 34 | 29 | 25 | 27 | 24 | 20 | 18 |
| York | 199 | 38 | 34 | 32 | 22 | 27 | 24 | 22 | 17 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**EASTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Accomack | 001 | 20 | 17 | 17 | 17 | 14 | 12 | 12 | 12 |
| Brunswick | 025 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Chesapeake | 550 | 26 | 25 | 22 | 20 | 18 | 17 | 15 | 16 |
| Dinwiddie | 053 | 26 | 22 | 18 | 15 | 18 | 15 | 12 | 13 |
| Franklin | 620 | 17 | 16 | 16 | 20 | 12 | 11 | 11 | 15 |
| Gloucester | 073 | 24 | 24 | 18 | 16 | 17 | 17 | 13 | 13 |
| Greensville | 081 | 19 | 18 | 15 | 15 | 13 | 12 | 11 | 15 |
| Hampton | 650 | 26 | 24 | 22 | 20 | 18 | 17 | 15 | 16 |
| Isle Of Wight | 093 | 20 | 19 | 17 | 16 | 14 | 13 | 12 | 13 |
| James City | 095 | 27 | 28 | 27 | 26 | 19 | 20 | 19 | 18 |
| Mathews | 115 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Newport News | 700 | 26 | 24 | 22 | 21 | 18 | 17 | 15 | 14 |
| Norfolk | 710 | 25 | 22 | 20 | 18 | 18 | 15 | 14 | 14 |
| Northampton | 131 | 20 | 19 | 20 | 20 | 14 | 13 | 14 | 14 |
| Portsmouth | 740 | 25 | 20 | 19 | 18 | 17 | 14 | 13 | 14 |
| Prince George | 149 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Southampton | 175 | 20 | 19 | 17 | 16 | 14 | 13 | 12 | 13 |
| Suffolk | 800 | 28 | 25 | 19 | 17 | 19 | 18 | 13 | 16 |
| Surry | 181 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Sussex | 183 | 24 | 20 | 18 | 16 | 17 | 14 | 13 | 13 |
| Virginia Beach | 810 | 30 | 27 | 27 | 25 | 21 | 19 | 19 | 18 |
| Williamsburg | 830 | 26 | 24 | 22 | 20 | 18 | 17 | 15 | 15 |
| York | 199 | 34 | 28 | 28 | 25 | 23 | 20 | 20 | 17 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**NORTHERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Alexandria | 510 | 66 | 53 | 46 | 35 | 46 | 37 | 32 | 27 |
| Arlington | 013 | 76 | 74 | 63 | 57 | 53 | 52 | 44 | 40 |
| Clarke | 043 | 33 | 30 | 27 | 27 | 23 | 21 | 19 | 19 |
| Culpeper | 047 | 38 | 35 | 26 | 27 | 27 | 25 | 18 | 19 |
| Fairfax Co. | 059 | 63 | 60 | 53 | 48 | 44 | 42 | 37 | 33 |
| Fauquier | 061 | 42 | 36 | 32 | 33 | 29 | 25 | 22 | 23 |
| Frederick | 069 | 33 | 30 | 27 | 25 | 23 | 21 | 19 | 18 |
| Fredericksburg | 630 | 38 | 35 | 35 | 34 | 27 | 25 | 25 | 24 |
| Greene | 079 | 28 | 28 | 25 | 18 | 20 | 20 | 18 | 13 |
| King George | 099 | 38 | 35 | 32 | 30 | 27 | 25 | 22 | 21 |
| Loudoun | 107 | 64 | 62 | 46 | 37 | 45 | 43 | 33 | 26 |
| Louisa | 109 | 31 | 28 | 23 | 20 | 22 | 20 | 17 | 14 |
| Madison | 113 | 38 | 35 | 32 | 30 | 27 | 25 | 22 | 21 |
| Manassas | 683 | 43 | 41 | 36 | 35 | 30 | 29 | 25 | 26 |
| Manassas Park | 685 | 61 | 58 | 50 | 39 | 42 | 41 | 35 | 27 |
| Orange | 137 | 38 | 35 | 32 | 30 | 27 | 25 | 22 | 21 |
| Page | 139 | 31 | 28 | 25 | 20 | 22 | 20 | 18 | 14 |
| Prince William | 153 | 49 | 47 | 42 | 29 | 34 | 33 | 29 | 20 |
| Rappahannock | 157 | 38 | 35 | 32 | 30 | 27 | 25 | 22 | 21 |
| Rockingham | 165 | 31 | 31 | 26 | 20 | 22 | 21 | 18 | 14 |
| Shenandoah | 171 | 27 | 27 | 24 | 20 | 19 | 19 | 17 | 14 |
| Spotsylvania | 177 | 37 | 34 | 31 | 30 | 26 | 24 | 21 | 21 |
| Stafford | 179 | 39 | 37 | 34 | 34 | 27 | 26 | 24 | 23 |
| Warren | 187 | 28 | 28 | 25 | 20 | 20 | 20 | 18 | 14 |
| Winchester | 840 | 33 | 30 | 27 | 25 | 23 | 21 | 19 | 18 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**NORTHERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Alexandria | 510 | 50 | 45 | 40 | 40 | 35 | 32 | 28 | 30 |
| Arlington | 013 | 50 | 50 | 40 | 40 | 35 | 35 | 28 | 28 |
| Clarke | 043 | 25 | 22 | 20 | 20 | 18 | 15 | 14 | 16 |
| Culpeper | 047 | 30 | 25 | 25 | 25 | 21 | 18 | 18 | 18 |
| Fairfax Co. | 059 | 44 | 40 | 37 | 34 | 31 | 28 | 26 | 25 |
| Fauquier | 061 | 33 | 31 | 31 | 31 | 23 | 22 | 21 | 21 |
| Frederick | 069 | 29 | 26 | 24 | 23 | 20 | 18 | 16 | 17 |
| Fredericksburg | 630 | 30 | 26 | 25 | 24 | 21 | 18 | 18 | 16 |
| Greene | 079 | 22 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| King George | 099 | 30 | 26 | 25 | 24 | 21 | 18 | 18 | 16 |
| Loudoun | 107 | 44 | 40 | 37 | 36 | 31 | 28 | 26 | 28 |
| Louisa | 109 | 22 | 20 | 19 | 19 | 15 | 14 | 14 | 14 |
| Madison | 113 | 28 | 26 | 26 | 24 | 19 | 18 | 18 | 16 |
| Manassas | 683 | 41 | 31 | 28 | 33 | 29 | 21 | 20 | 25 |
| Manassas Park | 685 | 40 | 40 | 35 | 35 | 28 | 28 | 25 | 25 |
| Orange | 137 | 25 | 24 | 22 | 22 | 18 | 17 | 15 | 16 |
| Page | 139 | 22 | 20 | 20 | 18 | 15 | 14 | 14 | 13 |
| Prince William | 153 | 36 | 33 | 30 | 29 | 25 | 23 | 21 | 20 |
| Rappahannock | 157 | 30 | 26 | 25 | 24 | 21 | 18 | 18 | 16 |
| Rockingham | 165 | 25 | 25 | 28 | 21 | 18 | 18 | 20 | 16 |
| Shenandoah | 171 | 22 | 20 | 16 | 16 | 15 | 14 | 12 | 12 |
| Spotsylvania | 177 | 29 | 25 | 24 | 20 | 20 | 17 | 17 | 14 |
| Stafford | 179 | 35 | 31 | 30 | 28 | 25 | 22 | 21 | 20 |
| Warren | 187 | 22 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| Winchester | 840 | 29 | 26 | 24 | 23 | 20 | 18 | 16 | 17 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**PIEDMONT**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Albemarle | 003 | 50 | 45 | 42 | 34 | 35 | 32 | 29 | 23 |
| Alleghany | 005 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Amherst | 009 | 24 | 22 | 18 | 20 | 17 | 15 | 13 | 14 |
| Appomattox | 011 | 24 | 21 | 19 | 18 | 17 | 15 | 13 | 13 |
| Augusta | 015 | 30 | 28 | 25 | 25 | 21 | 20 | 18 | 18 |
| Bath | 017 | 31 | 28 | 25 | 20 | 22 | 20 | 18 | 14 |
| Bedford Co. | 019 | 30 | 26 | 20 | 18 | 21 | 18 | 14 | 13 |
| Botetourt | 023 | 27 | 27 | 21 | 18 | 19 | 19 | 15 | 14 |
| Campbell | 031 | 26 | 19 | 19 | 17 | 18 | 13 | 14 | 12 |
| Charlotte | 037 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Charlottesville | 540 | 50 | 45 | 42 | 34 | 35 | 32 | 29 | 23 |
| Craig | 045 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Danville | 590 | 24 | 22 | 21 | 20 | 17 | 15 | 14 | 14 |
| Franklin Co. | 067 | 27 | 27 | 21 | 21 | 19 | 19 | 15 | 15 |
| Halifax | 083 | 24 | 21 | 19 | 20 | 17 | 15 | 13 | 14 |
| Henry | 089 | 22 | 21 | 17 | 15 | 15 | 15 | 12 | 11 |
| Highland | 091 | 31 | 28 | 25 | 20 | 22 | 20 | 18 | 14 |
| Lynchburg | 680 | 26 | 24 | 20 | 20 | 18 | 17 | 14 | 14 |
| Mecklenburg | 117 | 24 | 21 | 16 | 15 | 17 | 15 | 12 | 10 |
| Nelson | 125 | 28 | 28 | 28 | 20 | 20 | 20 | 19 | 14 |
| Pittsylvania | 143 | 24 | 21 | 20 | 17 | 17 | 14 | 14 | 12 |
| Roanoke | 770 | 39 | 31 | 28 | 21 | 28 | 22 | 19 | 17 |
| Roanoke Co. | 161 | 39 | 37 | 28 | 26 | 28 | 26 | 19 | 18 |
| Rockbridge | 163 | 33 | 33 | 28 | 27 | 23 | 23 | 20 | 19 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**PIEDMONT**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Albemarle | 003 | 25 | 25 | 25 | 20 | 18 | 18 | 18 | 14 |
| Alleghany | 005 | 18 | 17 | 16 | 15 | 13 | 12 | 12 | 12 |
| Amherst | 009 | 20 | 18 | 16 | 14 | 14 | 13 | 11 | 12 |
| Appomattox | 011 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Augusta | 015 | 25 | 22 | 21 | 22 | 18 | 15 | 15 | 20 |
| Bath | 017 | 22 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| Bedford Co. | 019 | 25 | 22 | 24 | 20 | 18 | 15 | 16 | 16 |
| Botetourt | 023 | 20 | 18 | 20 | 15 | 14 | 13 | 14 | 12 |
| Campbell | 031 | 25 | 20 | 18 | 20 | 18 | 14 | 13 | 16 |
| Charlotte | 037 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Charlottesville | 540 | 25 | 25 | 25 | 20 | 18 | 18 | 18 | 14 |
| Craig | 045 | 18 | 16 | 15 | 15 | 13 | 11 | 11 | 12 |
| Danville | 590 | 15 | 15 | 15 | 12 | 11 | 11 | 11 | 12 |
| Franklin Co. | 067 | 24 | 21 | 21 | 21 | 16 | 15 | 15 | 15 |
| Halifax | 083 | 18 | 16 | 16 | 15 | 13 | 11 | 12 | 12 |
| Henry | 089 | 18 | 15 | 15 | 13 | 13 | 11 | 11 | 11 |
| Highland | 091 | 22 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| Lynchburg | 680 | 20 | 18 | 20 | 17 | 14 | 13 | 14 | 14 |
| Mecklenburg | 117 | 20 | 18 | 16 | 15 | 14 | 13 | 11 | 12 |
| Nelson | 125 | 22 | 20 | 20 | 20 | 15 | 14 | 14 | 14 |
| Pittsylvania | 143 | 16 | 15 | 14 | 14 | 11 | 11 | 10 | 10 |
| Roanoke | 770 | 20 | 19 | 17 | 16 | 14 | 13 | 12 | 11 |
| Roanoke Co. | 161 | 25 | 22 | 23 | 23 | 18 | 15 | 16 | 16 |
| Rockbridge | 163 | 22 | 21 | 20 | 20 | 15 | 15 | 14 | 14 |

**CENTER CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**WESTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Bland | 021 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Bristol | 520 | 23 | 22 | 21 | 18 | 16 | 15 | 14 | 12 |
| Buchanan | 027 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Carroll | 035 | 20 | 19 | 18 | 15 | 14 | 14 | 12 | 11 |
| Dickenson | 051 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Floyd | 063 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Galax | 640 | 20 | 23 | 23 | 17 | 14 | 16 | 17 | 12 |
| Giles | 071 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Grayson | 077 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Lee | 105 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Montgomery | 121 | 30 | 30 | 29 | 25 | 21 | 21 | 20 | 18 |
| Norton | 720 | 20 | 20 | 21 | 17 | 14 | 14 | 15 | 12 |
| Patrick | 141 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Pulaski | 155 | 24 | 22 | 17 | 17 | 17 | 15 | 12 | 12 |
| Radford | 750 | 24 | 22 | 20 | 17 | 17 | 15 | 14 | 12 |
| Russell | 167 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Scott | 169 | 20 | 20 | 19 | 17 | 14 | 14 | 13 | 12 |
| Smyth | 173 | 20 | 20 | 19 | 15 | 14 | 14 | 13 | 11 |
| Tazewell | 185 | 20 | 18 | 17 | 16 | 14 | 12 | 12 | 13 |
| Washington | 191 | 20 | 20 | 20 | 18 | 14 | 14 | 14 | 13 |
| Wise | 195 | 20 | 20 | 21 | 17 | 14 | 14 | 15 | 12 |
| Wythe | 197 | 21 | 21 | 18 | 17 | 15 | 15 | 13 | 12 |

**FAMILY CHILD CARE MAXIMUM REIMBURSABLE RATES – LEVEL 2**
**WESTERN**
**Full Day, Part Day Rate**

| | | Full Day | | | | Part Day | | | |
|---|---|---|---|---|---|---|---|---|---|
| Locality | FIPS | Infant | Toddler | Pre-School | School Age | Infant | Toddler | Pre-School | School Age |
| Bland | 021 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 10 |
| Bristol | 520 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 10 |
| Buchanan | 027 | 19 | 19 | 19 | 18 | 13 | 13 | 14 | 13 |
| Carroll | 035 | 18 | 17 | 17 | 15 | 12 | 12 | 12 | 11 |
| Dickenson | 051 | 20 | 16 | 16 | 15 | 14 | 11 | 12 | 10 |
| Floyd | 063 | 20 | 17 | 15 | 15 | 14 | 12 | 11 | 12 |
| Galax | 640 | 15 | 15 | 15 | 15 | 11 | 11 | 10 | 10 |
| Giles | 071 | 18 | 16 | 15 | 15 | 13 | 11 | 11 | 12 |
| Grayson | 077 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 10 |
| Lee | 105 | 15 | 15 | 16 | 15 | 11 | 11 | 12 | 10 |
| Montgomery | 121 | 20 | 22 | 20 | 17 | 14 | 15 | 14 | 12 |
| Norton | 720 | 18 | 18 | 18 | 15 | 13 | 13 | 13 | 10 |
| Patrick | 141 | 18 | 14 | 13 | 15 | 13 | 9 | 9 | 12 |
| Pulaski | 155 | 18 | 19 | 19 | 18 | 13 | 13 | 13 | 12 |
| Radford | 750 | 20 | 16 | 15 | 15 | 14 | 11 | 11 | 12 |
| Russell | 167 | 18 | 16 | 15 | 15 | 13 | 11 | 11 | 10 |
| Scott | 169 | 17 | 17 | 16 | 15 | 12 | 12 | 12 | 12 |
| Smyth | 173 | 14 | 14 | 14 | 14 | 10 | 10 | 10 | 12 |
| Tazewell | 185 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 12 |
| Washington | 191 | 17 | 16 | 16 | 17 | 12 | 11 | 11 | 12 |
| Wise | 195 | 18 | 18 | 18 | 15 | 13 | 13 | 13 | 10 |
| Wythe | 197 | 15 | 15 | 15 | 15 | 11 | 11 | 11 | 10 |

## Appendix O. Metropolitan Statistical Area Groupings

| FIPS | LOCALITY | INCOME CAP GROUP |
|---|---|---|
| 001 | Accomack | I |
| 005 | Alleghany | I |
| 007 | Amelia | I |
| 009 | Amherst | I |
| 011 | Appomattox | I |
| 015 | Augusta | I |
| 017 | Bath | I |
| 019 | Bedford County/City | I |
| 021 | Bland | I |
| 023 | Botetourt | I |
| 520 | Bristol | I |
| 025 | Brunswick | I |
| 027 | Buchanan | I |
| 029 | Buckingham | I |
| 031 | Campbell | I |
| 033 | Caroline | I |
| 035 | Carroll | I |
| 037 | Charlotte | I |
| 580 | Covington | I |
| 045 | Craig | I |
| 049 | Cumberland | I |
| 590 | Danville | I |
| 051 | Dickenson | I |
| 057 | Essex | I |
| 063 | Floyd | I |

| FIPS | LOCALITY | INCOME CAP GROUP |
|---|---|---|
| 067 | Franklin County | I |
| 620 | Franklin City | I |
| 069 | Frederick County | I |
| 640 | Galax | I |
| 071 | Giles | I |
| 077 | Grayson | I |
| 081 | Greensville/Emporia | I |
| 083 | Halifax | I |
| 660 | Harrisonburg | I |
| 089 | Henry | I |
| 091 | Highland | I |
| 097 | King & Queen | I |
| 101 | King William | I |
| 103 | Lancaster | I |
| 105 | Lee | I |
| 109 | Louisa | I |
| 111 | Lunenburg | I |
| 680 | Lynchburg | I |
| 113 | Madison | I |
| 690 | Martinsville | I |
| 117 | Mecklenburg | I |
| 119 | Middlesex | I |
| 121 | Montgomery | I |
| 125 | Nelson | I |
| 131 | Northampton | I |
| 133 | Northumberland | I |

| FIPS | LOCALITY | INCOME CAP GROUP |
|---|---|---|
| 720 | Norton | I |
| 135 | Nottoway | I |
| 137 | Orange | I |
| 139 | Page | I |
| 141 | Patrick | I |
| 143 | Pittsylvania | I |
| 147 | Prince Edward | I |
| 155 | Pulaski | I |
| 750 | Radford | I |
| 157 | Rappahannock | I |
| 159 | Richmond County | I |
| 770 | Roanoke | I |
| 161 | Roanoke County | I |
| 163 | Rockbridge/Buena Vista/Lexington | I |
| 165 | Rockingham | I |
| 167 | Russell | I |
| 169 | Scott | I |
| 171 | Shenandoah | I |
| 173 | Smyth | I |
| 175 | Southampton | I |
| 790 | Staunton | I |
| 181 | Surry | I |
| 183 | Sussex | I |
| 185 | Tazewell | I |
| 191 | Washington | I |
| 820 | Waynesboro | I |

| FIPS | LOCALITY | INCOME CAP GROUP |
|---|---|---|
| 193 | Westmoreland | I |
| 840 | Winchester | I |
| 195 | Wise | I |
| 197 | Wythe | I |
| 003 | Albemarle | II |
| 036 | Charles City | II |
| 540 | Charlottesville | II |
| 041 | Chesterfield/Colonial Heights | II |
| 550 | Chesapeake | II |
| 053 | Dinwiddie | II |
| 065 | Fluvanna | II |
| 073 | Gloucester | II |
| 075 | Goochland | II |
| 079 | Greene | II |
| 650 | Hampton | II |
| 085 | Hanover | II |
| 087 | Henrico | II |
| 670 | Hopewell | II |
| 093 | Isle of Wight | II |
| 095 | James City | II |
| 115 | Mathews | II |
| 127 | New Kent | II |
| 700 | Newport News | II |
| 710 | Norfolk | II |
| 730 | Petersburg | II |
| 740 | Portsmouth | II |

| FIPS | LOCALITY | INCOME CAP GROUP |
|---|---|---|
| 145 | Powhatan | II |
| 149 | Prince George | II |
| 760 | Richmond City | II |
| 800 | Suffolk | II |
| 810 | Virginia Beach | II |
| 830 | Williamsburg | II |
| 199 | York-Poquoson | II |
| 510 | *Alexandria | III |
| 013 | Arlington | III |
| 043 | Clarke | III |
| 047 | Culpeper | III |
| 059 | *Fairfax City/County | III |
| 061 | Fauquier | III |
| 630 | Fredericksburg | III |
| 099 | King George | III |
| 107 | Loudoun | III |
| 683 | Manassas City | III |
| 685 | Manassas Park | III |
| 153 | Prince William | III |
| 177 | Spotsylvania | III |
| 179 | Stafford | III |
| 187 | Warren | III |

*Eligibility is set at 250 percent of the Federal Poverty Guidelines for families residing in Fairfax and Alexandria (capped at 85% of SMI).

## Appendix P. Instructions for Child Care Purchase of Service Orders

FORM NUMBER - 032-05-0540-02-eng (07/12)

(Please refer to the Finance Guidelines Manual for Local Departments of Social Services Section 5.20 – Purchase of Service for specific Purchase of Service guidance)

PURPOSE – This form is used to order services from child care vendors (vendor). If the vendor accepts a Purchase of Service Order (POSO), it enters into a contract for a specific purchase. This form is also used for early termination of an existing POSO. A revised POSO must be mailed to the vendor any time the information on the POSO needs revision, as revisions change the terms of the contract.

USE – This form is prepared by the child care case worker (worker) by entering information into the VaCMS and the fiscal officer, or the director's designee, as noted, and sent to the primary vendor. The form is never sent directly to a subcontractor.

NUMBER OF COPIES – This form is generated from the VaCMS. The worker must print two copies, one copy for the vendor and a copy for the parent. It should be printed as a two-sided form if possible; the front is the POSO and the back is the authorized vendor invoice schedule.

DISPOSITION – The form is pre-filled according to the information entered by the child care worker into the VaCMS. The worker prints two copies of the form and sends them to the fiscal officer (refer to Section 5.2 of Finance Guidelines mentioned above) for approval, additional completion, and signature. If approved, the forms with original signatures are sent back to the worker. If not approved, the forms will be returned to the worker by the fiscal officer, unsigned. The worker will terminate or revise the POSO as needed.

One copy with original signatures is sent to the child care vendor. If accepted by the vendor, the copy with all original signatures must be returned to the local department. If not accepted by or signed by the vendor, the worker will terminate the POSO.

A copy must be sent to the parent. Signatures on this copy do not need to be original. This copy of the POSO is notification to the parent how many units of care have been authorized, the effective date of the POSO, the family copayment amount and the copayment effective begin date.

A new POSO must be sent to the vendor with the revised information if child care services continue.

Instructions For Preparation Of The Front Of The Purchase Of Services Order

All information is pre-filled by the system.

CORRESPONDENCE ID – This is the POSO number and is prefilled by the system.

SIGNATURE OF FISCAL WORKER OR DIRECTOR DESIGNEE – The fiscal worker must co-authorize the purchase by signing here. "The decision to delegate the fiscal signatory responsibilities to an employee other than the fiscal officer would be made by the LDSS Director. The Director would be responsible for ensuring the designee has the fiscal knowledge required to sign as the authorizing agent while maintaining the appropriate segregation of duties." (Finance Guidelines Manual for Local Departments of Social Services Section 5.20 – Purchase of Service-Vendor Process, Section 3, Purchase of Service Order, Page 5) If the designee selected by the Director is the Child Care Supervisor, the supervisor should sign both the fiscal officer and supervisor signature lines.