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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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INDEPENDENT REGULATORY
REVIEW COMMISSION

November 5, 2004

Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
333 North Market Street, 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

The following reflects our comments and recommendations regarding the Proposed Regulation # 14-489 (Subsidized Child Care Eligibility) submitted to my office by the members of the House Children and Youth Committee.

(1) Section 3041.3 (Definitions) & Section 3041.52 (Pre-Kindergarten program)

The proposed rulemaking would exclude children and those parents that choose to send them to religious facilities because those facilities are not required to receive a certificate of compliance. The proposed regulations further exceed the statutory authority of the Department of Public Welfare.

(2) Section 3041.130 (Re-determination of eligibility) & Section 3041.164 (Notice of ineligibility)

Upon the conclusion of the 6 month re-determination period and it is found that the applicant is no longer eligible to receive the subsidized child care co-payment; specifically due to an income increase, the eligibility agency should implement a "phase out" program, where the applicant will receive a determined % decrease in co-payment for the next 6 months. The "Phase-Out" program will allow the applicant to adjust to the decrease in the co-payment over a period of 6 months rather than an immediate loss of subsidy. This would provide a more "user-friendly" system that would support the effort of families to achieve financial self-sufficiency.

Thank you for your attention to our comments and recommendations. We look forward to continued work with you on the proposed regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Birmelin".

Representative Jerry Birmelin, Chairman
House Children and Youth Committee

JB/bjj

cc: Representative Michael Gruitza