

ORIGINAL: 2549

Comments on Regulation No. 14-505
Department of Public Welfare
Proposed Rulemaking
55PA.Code Chapter 168

GENERAL COMMENT

The Child Care Information Services of Montgomery County supports the Department's plan to create a consistent system of policies governing the eligibility and payment for all subsidized child care services under the Department's purview, which are currently divided between the Office of Income Maintenance (OIM) and the Office of Child Development (OCD). Integral to this process is the inclusion of regulation 168.4, which allows DPW to delegate the management of subsidized child care for TANF, General Assistance (GA), and Food Stamp (FS) recipients to the Child Care Information Services (CCIS) or another approved entity.

Consolidating the management of all subsidized child care under the CCISs, with consistent policies in as many areas as legally possible, will result in improved services to families, both parents and children. CCISs exist in every county in Pennsylvania and are the recognized experts in the management of child care funding and child care Resource & Referral (R&R) services. The CCMIS used by the CCIS to provide R & R services, provide case management for families, and manage child care provider payments, is state-of-the-art. Incorporating all subsidized funding under CCMIS will provide a far more consistent, stable child care service for families and their child care providers. Connecting families with the CCIS R&R service at the time of their first need for child care services will give parents the knowledge and tools to help them find and choose quality child care from their first involvement with the subsidized system. And finally, CCISs, with the use of CCMIS, offer a high level of accountability for how subsidized dollars are used.

There are several overriding issues that should be considered if the changes in these regulations are to have their intended result:

- 1- Policies relative to family eligibility for child care enrollment, family co-payment, provider eligibility, and provider payment must be consistent across all funding streams, within the limits of the law.
- 2- With the vital importance of CCMIS to the management of a unified subsidy system, DPW must not implement these regulations for "Unification" until all facets of the revised system have been fully tested and are fully functional. CCMIS should be designed based on the policies governing the subsidized system.
- 3- Adequate on-going funding must be provided for the on-going maintenance and upgrading of CCMIS.
- 4- DPW must commit adequate financial resources for CCIS administration of the unified subsidized system to insure that CCISs can maintain the level of quality customer service (parent and provider) they have achieved managing the system for low income and former TANF clients.

Comments on Regulations

168.1 Policy on payment of child care

(b)(3) As written, this regulation states that all TANF, GA, and FS clients must be “promptly informed” that “child care payments will be made in advance of the date payment is required by the provider....”. We recommend that this be removed from subsection (b), and given it’s own subsection (letter), indicating that advance payment will be made based on a non-vendor provider’s requirement for payment in advance of service, to enable a parent to start a work related activity and have access to the provider of their choice.

(c) and (f) In both of these paragraphs “CAO” has been replaced by “Department”. In most places throughout the regulations where “Department” appears, the intent is that the action is taken by the CCIS as the Department’s delegate. However in these two paragraphs, the actions being taken are not ones the CCIS are normally involved with or aware of, ie. development or revision of the AMR. Needs to be clear who is expected to sited information to TANF, GA and FS clients.

168.11 General Requirements

(c) This section refers to “preexpenditure approval” and to the concept of, what seems to be, sporadic, day by day, payment for child care. These are not terms or concepts that are used in current the CCIS subsidy payment system. It is unclear as to the intent of this regulation, and how it will relate to the 168.11(b), requiring use of providers who meet standards of provider participation. Paragraph refers to contact with “worker” without specifying CAO or Department worker.

168.18 Need for child care

(a) & (b) It is difficult to determine the intent of this regulation in its current format. It is not clear if section (a) and (b) are unconnected. If that is the case, it then allows a single parent to get child care if (1) and (2) are met, which are not consistent with CCIS policy.

If section (b) is meant to only apply when there is one parent who meets the criteria in (a) and there is another parent in the budget group who meets exceptions (1) or (2), then this section needs to be rewritten/reformatted to make that clear.

(c)(2) The intent of this regulation is unclear. Based on current CCIS policy, seems that the words “for entry into or” should have been deleted.

- (d) We support the inclusion of this regulation
- (e) We support the inclusion of this regulation

- (f) We strongly support this requirement. Direct contact between the CCIS worker and the parent at the parent's earliest involvement with child care subsidy insures that parents have accurate information on the services available to them, the limitations, policies and procedures relative to receiving child care subsidy, knowledge of what is considered an eligible provider under DPW standards, and the importance of quality early care and education for their children. The more information the parent has at the beginning of their TANF child care experience, the better likelihood that they will make good child care choices resulting in more consistency and stability for their work-life and for their children.

We support the concept proposed by PA Child Care Campaign that the time a parent needs for their Face-to-Face interview with the CCIS be counted as part of their required work related activity time.

168.41 Verification requirements

This section needs to be clearer when using the term "eligibility" whether it is referring to the "eligibility" solely connected to subsidized child care enrollment, as "eligibility" is also used in the more global way relative to TANF, GA and FS benefits.

- (2) In this section, needs to be clearer exactly what types of "eligibility" are being referred to. If it is to relate to the rules the CCIS will be responsible for implementing, that needs to be spelled out. CCIS and CCMIS refer to reducing, increasing or terminating services vs. payments.

168.49 Verification of payment of co-payment for the employed budget group

We support the Department's change in the policy to reflect the current delinquent co-payment reporting policy in place for CCIS subsidized child care. However, we do not support the addition to the regulation of the words "...and when satisfactory arrangements for payment of a delinquent co-payment have been made". This is not in the current regulations governing regular child care subsidy, chapter 3041. To have different policies on what is allowable for resolving delinquent co-payments depending upon which funding stream is subsidizing a family will be confusing to both parents and providers.

168.72 Determining monthly child care costs

This wording of the heading and introductory paragraph is not consistent with how subsidized child care is managed under a vendor payment system. The first sentence, "the actual child care costs reported and verified as paid or incurred" does not reflect our understanding of how TANF, GA and FS child care payments will be handled under a unified system. Seems this language needs to be revised to be consistent with current CCIS payment determination.

168.81 Payment Methods and 168.82 Time frames for authorization of payment

Both of these sections need to be totally reviewed and revised. As written, these sections are not clear enough on setting limitations on when and for how long a payment will be made to a parent. 168.81(1) MUST clearly state that ALL providers must participate in the vendor payment system and that direct checks to the client will only be made under two circumstances. The time limit on payment for a provider who will not participate must be clearly spelled out.

Time frames for authorization need to be presented in two separate sections: one for advance payments, and one for normal payments done in the form of reimbursement to providers. The time frames for normal payments MUST be consistent with time frames currently in place for Low Income and Former TANF subsidized child care. This is especially true since the unified system and CCMIS is designed to issue one attendance and one payment to providers for all subsidized children they serve, regardless of the funding stream.

Respectfully submitted by:

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