CHILD CARE ELIGIBILITY & APPLICATION PROCESS	Number: 301
Approved: ***Signature on file***	Date: 1/1/99 (R03/08)

PURPOSE

The purpose of this procedure is to provide guidelines on the eligibility criteria and application process for the CalWORKs (CWs) child care program.

The intent of the regulation is that:

- WTW/Cal-Learn participants and former CalWORKs recipients are connected as soon as possible to local child care resources, make stable child care arrangements, and continue to receive subsidized child care after they no longer receive aid as long as they require those services and meet eligibility requirements;
- WTW/Cal-Learn participants and former CalWORKs recipients are moved from their relationship with welfare departments to institutions providing services to working families;
- Families that are former recipients, or transitioning off aid, receive their child care assistance in the same manner as other low-income working families;
- Families no longer rely on welfare to obtain child care subsidies beyond the time they are receiving other welfare services;

Families are moved quickly and seamlessly out of Stage 1 child care into Stage 2/3 after the county determines stability.

This policy also provides guidelines for processing child care applications/requests and completion of the Confidential Application for Child Development Services and Certification of Eligibility form (CD 9600).

DEFINITIONS

Alternative Payment Provider (APP):

An agency that contracts with the California Department of Education (CDE) to make payments to another agency or child care provider for the provision of child care and development services.

Assistance Unit:

A group of related persons living in the same home who have been determined eligible for CWs cash assistance.

Child Care Provider:

A person or organizations that provides child care services.

WTW/Cal-Learn Participant:

A client who is participating in the Welfare-To-Work Program or Cal-Learn Program.

Client:

An applicant for or recipient of CWs cash assistance, a former CWs participant/Timed out client, a recipient of diversion payments or services and/or a Cal-Learn teen, who receives or is eligible to receive child care through the CWs program.

Former CWs Client/Timed Out Client:

An individual who received cash aid under CWs in the prior 24 months and needs child care to continue his/her employment or fulfill his/her county-approved program activity.

Commute Hours:

The time it takes the participant to travel between the child care provider and the WTW activity/employment and return to the child care provider.

Co-Payment:

The amount the family is responsible to pay if the family chooses a child care provider who charges a fee higher than the maximum payment rate allowed.

Eligibility List:

A waiting list for admission to state and federally subsidized child care services administered by the CDE. This list is for subsidized child care programs other than CWs.

Family Fee:

The amount, if any, that the family is required to pay towards the family's child care costs based on the fee schedule established by the state.

Registration Fee:

A one-time or periodic fee charged by a child care provider.

Resource & Referral Program (R&R)

A program that provides information and referrals for child care, community services and coordination of community services. Children's Home Society is the R&R for Orange County.

SEAMLESS STAGES OF CHILD CARE

Child care for CWs clients is a three-stage seamless system.

- The County of Orange Social Services Agency (SSA) administers Stage 1 child care services. Clients will be provided Stage 1 services for up to six months or until the family is considered stable.
- The Children's Home Society of California (CHS) and the Orange County Department of Education (OCDE) are the two Alternative Payment Providers (APP) in Orange County who administer Stages 2 and 3 child care services. **Refer to policy 303 Child Care**

Stage 2 & 3 Referral & Tracking

AVAILABILITY OF CHILD CARE SERVICES	Child care is available in Stage 1 to assist CWs/Cal-Learn participants to participate in county approved Welfare-To-Work (WTW)/Cal-Learn activities and to obtain/retain employment. Participants are to be given the CalWORKs Stage One Child Care Informing Notice and Request Form (CCP7) that informs them of the availability of paid child care while they work or participate in county approved welfare-to-work activities at the CWs application process, the annual Redetermination/ Recertification/ Review (RRR), and each time the participant starts/amends a WTW activity/employment plan or Cal-Learn Adolescent Family Life Program (AFLP) case plan. Refer to Policy 302 Child Care Services – Stage One for additional information. **Note:** CHS Resource and Referral program staff, which are co-located in the regional offices, are available to assist participants with locating child care.
ESTABLISHING NEED	At any time a participant is employed or participating in county approved WTW/Cal-Learn activities, the Initial Services Worker (ISW), Ongoing Services Worker (OSW), Welfare To Work Case Manager (CM), or Cal-Learn Senior Social Worker (SSW) is to review the participant/teen parent's need for, and eligibility to, subsidized child care. The worker is to ask the participant if they are receiving child care subsidies from other sources. When establishing the need, child care services are to be available to the WTW/Cal-Learn participant or former/timed out CWs client to participate in the program activity to which assigned or to accept or retain employment. Child care services are provided when a family meets the following criteria and there is no parent, legal guardian or member of the AU living in the

home who can provide child care:

- Employed, or
- Participating in approved WTW activities, or
- Participating in other county approved activities (i.e., appraisal or assessment), or
- Participating in a combination of employment and WTW activities, or
- Participating in the Cal-learn Program.

Note:

CWs clients are eligible to child care services regardless of the number of hours employed or the time spent in WTW activities. If a client is working or participating less than 32/35 hours the OSW will notify the WTW CM.

ELIGIBILITY CRITERIA

Current CWs recipients are categorically eligible to receive CWs child care because the family receives CalWORKs cash assistance.

Former CWs clients are eligible for child care for 24 months after termination of cash aid if their family income does not exceed 75 percent of the State Median Income (SMI) and if otherwise eligible.

WTW/Cal-Learn participants or former clients who request child care must have a child who meets one condition in each of the two sections below:

1. The child:

a. Is in the CWs assistance unit (AU); **or**
b. Receives benefits under federal foster care; **or**
c. Receives benefits under Supplemental Security Income/State Supplementary Payment (SSI/SSP) program; **or**
d. Is the child of a Cal-Learn participant; **or**
e. Not in the assistance unit but the lack of child care would result in the caretaker not being able to participate in approved WTW activities or employment; **or**
f. A member of a family with a former CWs

client who has become employed.

2. The child is:

a. Under the age of 13; **or**
b. Physically or mentally incapable of caring for himself/herself based on a written statement from a physician or a licensed or certified psychologist or receipt of SSI/SSP ***and*** meets the CWs age requirements (under age 18 or 18 years old and will graduate from high school prior to age 19); **or**
c. Under court supervision for probation or parole and meets the CWs age requirements.

DIVERSION CLIENTS

Individuals receiving Diversion payments in lieu of CWs cash aid are to be referred to Stage 3 (APP) programs for child care services. If Stage 3 or other subsidized child care is not available, the family can be served in Stage 2. The Diversion payment may include funds to cover child care services during the period of Diversion. **Refer to policy 303 Child Care Stage 2 & 3 Referral & Tracking**

FORMER CLIENTS

Former CWs clients:

- Who are employed or in a county-approved program activity are eligible for child care in Stage 2. If child care is not available in Stage 2, former CWs recipients receive child care services in Stage 1.
- Requesting child care services will be evaluated for immediate need before being referred to CHS.
- Requests should be directed to the OSW unit for completion of a referral form (F063-41-106).
- Are eligible to receive child care for 24 months after termination of cash aid, if otherwise eligible. There is no time limit for Stage 3.
- Shall be eligible for child care services if their adjusted monthly income does not exceed 75% of the state median income level. Income must be verified at application and monthly. Property is not an eligibility factor for former CWs clients.
- Claiming former CWs recipient status in another county must have that eligibility verified prior to issuance of child care benefits. The worker must contact the other county

and verify when the clients received CWs cash aid and the termination date.

Note: Trustline Tracking Unit will need to track former client Stage 2 referrals on the TTU 106 Tracking Log. Refer to policy 303 Child Care Stage 2 & 3 Referral & Tracking

---

CHILD CARE BETWEEN ACTIVITIES

Child care may be paid for a period not to exceed one month where child care arrangements would otherwise be lost and an approved activity is scheduled to begin within that period.

If the new activity is unknown, the OSW worker will contact the CM for clarification.

CHILD CARE DURING PENALTY/SANCTION PERIODS

Child care may be paid when a parent is penalized or sanctioned as long as they are working or participating in a county approved WTW activity.

Sanctioned clients are treated as former clients and must meet eligibility requirements for former clients, including the 24-month post aid time limit.

CLIENTS ON-THE-JOB TRAINING ASSIGNMENTS

Participants in an On-the-Job Training (OJT) assignment who

lose eligibility for CWs due to earned income shall be eligible to receive child care payments for the duration of participation in the assignment.

CHILD CARE REQUESTS

A CalWORKs applicant or recipient may request Stage 1 child care from a CalWORKs worker either verbally or in writing upon entry into the CalWORKs assistance program, or at any subsequent time.

Written requests may include but are not limited to the Confidential Application for Child Development Services and Certification of Eligibility form (CD 9600), a notation on the CalWORKs Stage One Child Care Informing Notice and Request form (CCP7) or Quarterly Status Report, or a letter from the client received in person, by mail, electronically, or by fax. Verbal requests can be made in person or by phone. Regardless of how the request is made, necessary actions must be taken to approve or deny child care.

RESOURCE GUIDE (RG) NARRATIVES – CASE COMMENTS

All requests and outcomes must be narrated in CalWIN Case Comments.

STAFF RESPONSIBILITY

The Initial Services Worker (ISW), Ongoing Services Worker (OSW), Welfare to Work Case Manager (CM), or the Cal-Learn Senior Social Worker (SSW) is to:

- Follow the informing notice requirements as outlined in Policy 302 Child Care Services - Stage One, and
- Explain the child care program to the individual during the face-to-face interview.
- cases in Ongoing Services, the WTW CM/Cal-Learn SSW will complete a Supportive Services Referral and Information form (FO63-41-121) and forward it as an email attachment to the OSW for processing.

The ISW/OSW is to:

- Schedule a face-to-face interview to explain the eligibility criteria and procedures for obtaining payments,
- Provide the required forms needed to process the request.

Staff will also assist parents and providers in understanding the Stage 1 Child Care Program and the transition process to Stages 2 and 3.

CHILD CARE PLAN

The Child Care Plan (F063-41-18) provides important information to the parent and provider regarding the child care program and must be reviewed with each of them. The Child Care Plan lists the parent and provider information and responsibilities. The child care plan contains information necessary to process the child care request and is used to approve services.

A child care plan is required when:

- A client applies for child care benefits,

- A child care plan expires,
- A child is added,
- A client changes providers,
- A provider changes child care rates,
- A provider changes his/her address,
- There is a decrease in the Regional Market Rate,
- A family's circumstances have significantly changed.

APPLICATION PROCESS AND FORMS TO PROVIDE

During the child care application process, the ISW/OSW will:

1. Explain the child care program requirements to the individual including:

- Eligibility requirements,
- 30 day retroactive payment provisions,
- Parental choice,
- Provider types,
- Hours of care,
- Payment methods,
- Payment claims,
- Trustline Registration Requirements
- Reporting requirements, and
- The expectation to transition to Stage 2 child care as soon as the family is considered stable or within 6 months.
- The county's two alternative payment providers (APP), Children's Home Society (CHS) and the Orange County Department of Education (OCDE), administer Stage 2.

2. Explain to the individual any areas of difference between Stage 1 and Stage 2 programs in types of allowed child care providers. Stress that there may be a need to change providers to meet the APP requirements when they transition to Stage 2. Examples of such differences would be sectarian care or in-home license-exempt care.

3. Explain the role of the local resource and referral agency, Children's Home Society

(CHS), and their co-located staff. Refer the client to CHS co-located staff for assistance in finding suitable child care arrangements and/or for child care consumer education.

4. Search the CalWIN system for other open supportive service cases.

5. Check the TTU 106 Tracking Log located in the O-drive, under Operation - Office Support folder to verify if the individual has previously been referred to Stage 2 or Stage 3. Confirm with the appropriate agency that Stage 2 or Stage 3 is closed.

6. Review the appropriate child care packet with the client prior to giving them the forms (see below). Provide instructions on how the forms are to be completed, and by whom, and set a date for their return. Explain that the completed and signed forms must be returned by the due date but no later than 30 days from the date of request to allow time for processing the paperwork and ensuring that child care is in place prior to the start of their assigned WTW activity.

Child Care Packet forms for all providers:

- Child Care Cover Letter (F063-41-244 or F063-41-245),
- Child Care Plan (F063-41-18)
- Confidential Application for Child Development Services and Certification of Eligibility (CD 9600)
- Internal Revenue Service (IRS) W-9 Request for Taxpayer Identification Number and Certification
- Child Care Brochure (F063-41-21)

Additional forms for license-exempt providers:

- License Exempt Child Care Provider Questionnaire (F063-41-17),
- Health & Safety Facility Checklist (CCP6),
- Health & Safety Self-Certification (CCP4),

- Declaration of Exemption from Trustline and Health & Safety Certification (CCP1).
- Trustline Information Flyer (F063-41-240)

7. Request verification of the provider's age.

8. Request a copy of the child care license and rate sheet, if the provider is licensed.

If the participant does not return the completed forms by the due date, the ISW/OSW should contact the client to determine the reason and provide any assistance necessary to help him/her through the application process.

If the forms are not returned by the 30th day from date of request, the application is to be denied. However, if there are known barriers that the client is actively engaged in resolving, a 30 day extension may be granted.

NOTE: The 30 day retroactive payment rule may apply upon the individual's re-application for child care assistance.

PROCESSING RETURNED CHILD CARE PACKET

The ISW/OSW will review the child care application packet upon return from the client.

1. Review for Trustline registration or exemption:

- If the provider is a license-exempt provider who meets the Trustline registration exemption, the ISW/OSW will ensure that the Declaration for Exemption for Trustline Registration (CCP1) was completed. If incomplete, return the form and set a ten (10) day control for its return.
- If the provider is a license-exempt provider who does not meet the Trustline registration exemption, the ISW/OSW will explain the Trustline Registration requirements/ provisions, including:
- The reason why it is required;
- The 7 calendar day deadline to return the Trustline application;

- Child care payments will not be made until the child care provider is granted Trustline registration;
- Once the child care provider has been Trustline registered, retroactive child care payments can only be made for up to 120 calendar days from the date the provider became Trustline registered back to the date services were requested **and** child care services were provided;
- Answering any questions the client may have.
- Send a Trustline Communication form (F063-30-368) to the Trustline Coordinator via email to the Trustline Inbox on the same day.

The Trustline Coordinator will mail the Trustline packet to the client and verify with the Resource & Referral Network any provider's statements regarding pending or current Trustline registration. See CalWORKs Policy 304 -Trustline Registration for additional information.

- If the provider must comply with the Health and Safety requirements, ensure that the Health & Safety Self-Certification (CCP4) was completed. If incomplete, return the form and set a ten (10) day control for its return. See CalWORKs Policy 305-Health & Safety Self-Certification for additional information.

2. Review the IRS W-9 form for completeness. No child care plan is to be approved without a completed IRS W-9 form.

- If the provider has listed both a Social Security Number (SSN) and an Employer Identification Number (EIN), or the Taxpayer Identification Number (TIN) is incomplete or wrong, the W-9 form must be corrected or another completed to be legal. The SSN **or** the EIN is used for IRS reporting purposes.
- If the information is incomplete, contact the provider for clarification.

Note: The W-9 must be completed exactly as it

appears on the child care provider's Social Security Card or the Employer Identification Number.

3. Review the Child Care Plan (F063-41-18) for completeness:

- Compare the provider's rates to the Regional Market Rates (RMR) to ensure that the rates are allowable for the category and age of the child. Follow the guidelines outlined in CalWORKs Policy 307 – Child Care Payments for application of the RMR.
- Complete the Child Care Plan effective from and to dates for up to a maximum of six months for active clients and three months for former clients **(if immediate need for child care services has been determined)**.

  - Compute and enter the total monthly-authorized funds in the appropriate column of the County Use Section of the Child Care Plan (FO63-41-18). The certified need for child care hours must include any appropriate commute time.

4. Review the provider's license to ensure that it is current and covers the ages of the children listed on the child care plan. Call Community Care Licensing at (714) 703-2800 if the license is questionable or to obtain a waiver to allow the child, who is just below the age requirement, to attend the facility (e.g. the child is within a few months of the required age limit covered by the license).

5. Review the Confidential Application for Child Development Services and Certification of Eligibility (CD 9600) for completeness:

- A CD 9600 is to be completed when child care is initially requested. A copy is to be filed in the case.
- The ISW/OSW must complete the Agency Use Sections of the form, as the information is required for state data collection purposes. All other sections will be completed in

consultation with the family. Specific instructions are contained within the form. The parent and ISW/OSW must sign the form before Stage 1 child care can be approved.

Note: CHS and OCDE, who administer Stage 2 Child Care, will accept the CD 9600 as verification of the family's eligibility and need for child care services. Additional documentation will not be needed when the family transitions into Stage 2, providing a seamless transfer between the stages.

Families must notify the agency if there are changes in their family circumstances, family size, income, residence, or need for child care. Updated information is to be noted on the form and initialed by the ISW/OSW.

6. The OSW shall notify the WTW CM/Cal-Learn SSW of the status of the child care case.

PROVIDER CONTACT WHEN CHILD CARE PLAN RETURNED

When the client returns the child care plan the ISW/OSW must contact the provider to ensure their understanding of the CalWORKs Child Care assistance program, which includes the following information:

1. No child care payments will be made **prior** to the plan being approved and signed by the ISW/OSW and their supervisor.

2. Only approved hours as listed on the plan will be paid. The plan should include payment information for unscheduled need for care above the provider's standard hours or 52.5 hours (whichever is less), off-track school schedules, etc. The client is responsible for hours not authorized. The hours listed are a maximum authorized, not a guarantee that the provider will be paid this amount.

3. The plan is **not a contract**. The county does not act as the child care provider's employer.

4. The parent is responsible for notifying the worker and the provider when child care is no longer needed. Provider will only be paid until the end of their billing period not to exceed a 2 week notice period if applicable, when a child is removed from care and when the same documented terms apply to unsubsidized families.

5. The payment policy for absences requires that payments may only be made for temporary absences for the following verified reasons, provided an unsubsidized family is required to pay for the same absences:

- Illness of the child,
- Paid provider day of non-operation, up to 10-days per fiscal year,
- Court ordered visits with a parent or other relative of the child,
- Other reasons approved by the ISW/OSW in conjunction with the unit supervisor.

6. The payment process, including the submission of a completed and signed CalWORKs Child Care Reimbursement Report (CCP 2145) and the provider's reporting responsibilities (e.g. when a child has been absent three (3) consecutive days).

7. Reiterate that yearly payments totaling $600 or more are reported to the IRS and a 1099 will be issued to the provider.

8. In-home exempt providers are employees of the parent and the parent is responsible for complying with all laws governing financial and legal reporting requirements.

SUPERVISORY REVIEW

Once the child care packet is complete and ready to be approved, the ISW/OSW will submit it to the SSSI for review and approval.

When the child care plan is completed and all eligibility requirements are met, the unit supervisor is to review and approve the plan for up to a

maximum of six months for active clients and three months for former clients when immediate need for child care services has been determined).

RESOURCE GUIDE (RG) SUPPORTIVE SERVICE PROVIDER ID

All required forms are to accompany all plans submitted for approval. The supervisor will review the provider record to ensure that the information is correct prior to the ISW/OSW or Account Assistant II (AAII) developing a child care plan, assigning child care services, and authorizing payments via the CalWIN Employment Services Subsystem.

RESOURCE GUIDE (RG) SUPPORTIVE SERVICE PROVIDER MAINTENANCE

SSSI/ISW/OSW is to refer to the RG for guidelines on how to add a new provider.

SSSI is to refer to the RG for guidelines on how to change information to an existing provider.

The SSSI is to return the approved plan and required forms to the ISW/OSW with the provider ID number.

NOTE: The Taxpayer Identification Number (TIN) is either an Employee Identification Number (EIN) or a Social Security Number (SSN). The W-9 form must be completed exactly as it appears on the child care provider's social security card or EIN verification. This information must match the information on the CalWIN Search for Provider window.

The supervisor will clear the provider's Social Security Number in CalWIN to determine if the provider has any open assistance cases. If a case is open, the worker of record is to be notified that the provider will be receiving income for child care services provided and to control for income. See CalWORKs Policy 306 - Recipients Who Are Child Care Providers for additional information.

APPROVAL/DENIAL OF CHILD CARE PLAN

The ISW/OSW shall determine the eligibility of the client and child care provider within ten (10) calendar days of receiving the required information.

The appropriate approval or denial notice of action must be issued to the client.

When the child care plan is approved by the supervisor,

The AAII or ISW/OSW will:

1. Develop child care plans for applicable children and assign child care services via the CalWIN Employment Services Subsystem. Send the parent the CalWIN NOA, NA 832 WTW/CL Child Care Approval, which will be auto generated to the Client Correspondence in Print Queue window, with a copy of the approved child care plan and a supply of CCP 2145 reports. The original plan and all the documents required for the plan approval are to be filed in the case folder.

Note: The child care plan is not a replacement for the required notice of action.

2. Send the provider the CalWIN Form, 775 0 WTW Child Care Plan Approval-Provider Notice, with a copy of the approved child care plan.

a. **ISW/OSW will:**

3. Inform the client of his/her responsibilities:

- To notify the ISW/OSW immediately when they change providers or the provider's rate changes, because a new child care plan must be completed to ensure that the new rates charged do not exceed the RMR ceiling, nor that the client will incur costs beyond the 30 calendar day retroactive period,

- The parent may have to pay his/her own child care costs for unexcused absences other than the child's illness, paid provider day of non-operation (up to 10 days per fiscal year), or a reason that the worker has approved in advance,
- The parent may have to pay his/her own child care costs when they are not participating in the county approved activity to which they have been assigned, and they

continue to bring the child to the provider. (When the client is participating less than the required number of hours, the OSW will notify the WTW CM.)

- The parent will have to repay any child care payments made by the county that they are not entitled to. (Refer to guidelines outlined in Policy 320 Supportive Services Overpayments and Underpayments)

RESOURCE GUIDE (RG) SUPPORTIVE SERVICE OVERPAYMENTS

ISW/OSW is to follow the RG for Overpayment processing.

If the client fails to return the required information/paperwork by the 30th day, without responding to the worker's offer of assistance and/or providing a viable explanation, the application request is to be denied. The ISW/OSW will send the client the shelf stock NOA F063-41-776 Child Care Denial.

RESOURCE GUIDE (RG) CHILD CARE PLAN

ISW/OSW/Account Assistant II (AAII) is to follow the RG to enter the child care plan information.

RESOURCE GUIDE (RG) CHILD CARE SERVICES

ISW/OSW/AAII is to follow the RG to assign child care services to each of the children in the child care plan.

REFERRALS TO STAGE 2/3 CHILD CARE

Families are to be referred to Stage 2 Child Care when the case meets the guidelines for "stable" listed below or the family is no longer receiving CalWORKs Cash Assistance. (Refer to Policy 303 Child Care Stage 2 & 3 Referral & Tracking)

1. A participant's activity is considered stable when he/she:

- Has held a job for 30 days or is in a job less than 30 days with income anticipated to make them financially ineligible and is expected to be continuous
- Is in a county approved WTW activity, except job search (JSR), expected to last longer than 30 days

Note: Clients involved in good cause determinations for non-participation should remain in Stage 1 until

resolution of good cause.

2. A participant's child care is to be considered stable when he/she:

- Has identified a legal provider and the required paperwork is completed to authorize child care.

CONFIDENTIALITY

All client information is kept confidential and is not open to examination except for purposes directly connected to the administration of Social Services.

Alternative Payment Providers, Resource and Referral Programs and child care providers are an integral part of Stage 1 Child Care Service delivery. Client confidentiality would not be violated as long as the communication with these entities is directly related to providing Stage 1 Child Care Services or the transition to Stage 2.

REGULATIONS

47-101, 47-110, 47-120, 47-201, 47-220, 47-230, 47-301, 47-320, 47-430, 47-601, 47-610, 47-620, 47-630, 42-711, 47-750,

ACL 08-04

ATTACHMENTS

- CCP1 Declaration for Exemption for Trustline Registration
- CCP4 Health & Safety Self-Certification
- CCP6 Health & Safety Facility Checklist
- CCP7 CalWORKs Stage One Child Care Request Form and Payment Rules
- CCP 2145 CalWORKs Child Care Reimbursement Report
- CD 9600 Confidential Application for Child Development Services and Certification of Eligibility
- F063-41-17 License Exempt Provider Questionnaire
- F063-41-18 CalWORKs Child Care Plan
- F063-41-121 Supportive Service Referral & Information
- F063-41-240 Trustline Information Flyer
- F063-41-244 Child Care Cover Letter (Licensed Provider)
- F063-41-245 Child Care Cover Letter (Non-Licensed Provider)
- Regional Market Rate Chart
- W-9 Internal Revenue Service Request for Taxpayer Identification Number and Certification

- W-9 (SP) Internal Revenue Service Request for Taxpayer Identification Number and Certification