

STATE OF TENNESSEE
Department of Human Services

TENNESSEE DEPARTMENT OF
HUMAN SERVICES



Helping shape Tennessee lives.

**CHILD CARE CERTIFICATE
PROGRAM
Client Eligibility and
Staff Procedures
Manual**

Updated September 2010

| | |
|--|-----------|
| CHILD CARE CERTIFICATE PROGRAM OVERVIEW | 3 |
| SECTION 1: CERTIFICATE PROGRAM ELIGIBILITY | 5 |
| ELIGIBLE CHILDREN | 5 |
| CITIZENSHIP & ELIGIBLE ALIEN STATUS | 6 |
| PARTICIPANT IDENTIFICATION | 8 |
| CHILD IMMUNIZATIONS | 9 |
| FAMILIES FIRST CHILD CARE | 10 |
| TRANSITIONAL CHILD CARE (TCC)..... | 13 |
| AT-RISK CHILD CARE FOR TCC EXPIRATION (ACC)..... | 18 |
| AT-RISK CHILD CARE FOR CHILD-ONLY CARETAKERS (ARCO) | 23 |
| LOW-INCOME CHILD CARE ASSISTANCE..... | 26 |
| DIVERSION CHILD CARE | 30 |
| TEEN PARENT ASSISTANCE FOR CHILD CARE | 35 |
| DEPARTMENT OF CHILDREN'S SERVICES CHILD CARE | 38 |
| WORK REQUIREMENT EXEMPTIONS | 40 |
| INCOME ELIGIBILITY DETERMINATION POLICY | 42 |
| DETERMINING FAMILY HOUSEHOLD SIZE..... | 49 |
| LOW-INCOME DIAGNOSED DISABILITY AND DEVELOPMENTAL DELAY ASSISTANCE..... | 52 |
| APPEALS..... | 55 |
| SECTION II - CASE MANAGEMENT | 57 |
| CHILD CARE APPLICATION AND PARENT AGREEMENT FORM..... | 57 |
| CASE DOCUMENTATION..... | 58 |
| REDETERMINATION PROCEDURES POLICY | 59 |
| MONITORING CHILD ABSENCES..... | 62 |
| CHILD TRANSFERRING PROVIDERS..... | 63 |
| SECTION III – PROGRAM MANAGEMENT | 64 |
| PARENT CONSUMER EDUCATION..... | 64 |
| PROGRAM ABUSE AND FRAUD..... | 66 |
| INTERPRETIVE LANGUAGE SERVICES | 67 |
| CONFIDENTIAL CASELOAD POLICY..... | 68 |
| PUBLIC RECORDS POLICY | 69 |
| VOTER REGISTRATION POLICY | 71 |
| LOW-INCOME WAITING LIST..... | 72 |

CHILD CARE CERTIFICATE PROGRAM OVERVIEW

Child Care serves two primary functions – it is a support to allow families to work and/or attend school, and it is a means of promoting the physical, emotional, educational, and social development of children.

The Child Care Certificate Program provides subsidies to families in several categories of assistance with the goal of meeting both of those functions.

Child Care Sub-programs

Families may be eligible for child care assistance through one of the following programs:

- Families First Child Care (FF);
- Transitional Child Care (TCC);
- At-Risk Child Care;
 - For TCC Expirations (ACC)
 - For Families First Child-Only Caretakers (ARCO)
- Low-Income Child Care;
- Teen Parent Assistance for Child Care (TPACC);
- Diversion Child Care; or
- Department of Children’s Services Child Care (approval by DCS only).
 - Protective Services (SNC: Non-Custody)
 - Foster Care (SSC: State Custody)

DHS Family Assistance staff is responsible for processing parent eligibility for these sub-programs. In order to serve clients as efficiently as possible, Client Representatives serve this function for Families First clients as part of their duties in supporting individuals as they navigate that program's requirements. The other subprograms are primarily the responsibility of specialized eligibility workers, although each district, county, and office may organize staff differently to best serve clients in their area.

Eligible Providers

Parental choice is a hallmark of the Certificate Program. Parents have the option to enroll children with one of the following types of providers that meet contract requirements.

- DHS Licensed centers, group homes, or family homes;
- DOE (Department of Education) approved providers;
- DMHMR (Department of Mental Health and Mental Retardation) approved providers;
- DHS Approved-Exempt providers - Boys and Girls Club centers are exempt centers as specified under state statute. With official acknowledgement by the Director of DHS Licensing and after meeting certain agreements with the Tennessee Association of Boys and Girls Clubs, these exempt centers can receive certificate funds; or
- Unregulated providers (typically close friends or relatives).

Providers wishing to receive DHS payment for child care are responsible for signing the Provider Contract. The Contract includes **all** requirements for provider participation in the certificate program.

Provider Payments

Child care providers complete an EAV, or Enrollment Attendance Verification form, on either a semi-monthly, biweekly, or monthly basis. This attendance form is delivered to DHS fiscal services either via the Internet or mail, where it is used in conjunction with provider and client eligibility data to determine the amount the provider is to be paid for that period. After processing by DHS fiscal services, the Department of Finance and Administration makes payment to the provider.

SECTION 1: CERTIFICATE PROGRAM ELIGIBILITY

ELIGIBLE CHILDREN

To be eligible for the child care assistance, a child **must** be:

- under age 13; or,
- over age 13 if the child is:
 - under court supervision - defined as supervision under a written court order, as in county or state juvenile probation or parole. Typically used for before and/or after school supervision for unruly or delinquent children; or
 - physically or mentally incapable of self-care.

(These children become ineligible effective the date of their 18th birthday, or the date of their high school graduation if this date is before they turn 19, whichever is later).

and

- be related to, or in the “care and control” of, the eligible caretaker as defined in the policy for “**Determining Household Size;**” or
- live in the home and be in the caretaker’s care and control, if they are not in the assistance unit; or
- be included in the assistance unit except for the fact that they receive SSI.

CITIZENSHIP & ELIGIBLE ALIEN STATUS

All applicants for child care assistance must be a U.S. citizen, U.S. national, or a resident alien lawfully admitted to the United States and meet Family Assistance eligibility requirements in order to receive child care assistance.

Illegal and ineligible aliens are not eligible for the child care assistance program.

EXCEPTION: The child of an ineligible or illegal alien may be eligible for child care approved by the Department of Children’s Services in child protective services situations.

Individuals who are potentially eligible for Families First Child Care, Transitional Child Care (TCC), At-Risk Child Care (ACC), and At-Risk Child-Only Child Care (ARCO) have already had their citizenship/alien status verified in the process of applying for Families First benefits. However, in some instances, a parent/caretaker may need to add an individual to their case who was not in the household at the time Families First eligibility was determined. The verification process described below must be applied to those new household members.

Verification of Citizenship/Alien Status for Low-Income and TPACC Child Care Program, and new household members in other programs.

When a Low-Income, or TPACC applicant’s statement on citizenship or alien status is questionable or inconsistent with other information on the application, the applicant must provide acceptable verification of citizenship or alien status. It is the responsibility of the applicant to secure and present valid documentation. Acceptable forms of verification include:

- A birth certificate;
- INS certificate of citizenship or naturalization (U.S. nationals);
- A valid Voters Registration Card from the applicant’s county of residence (cards from out-of-county or out-of-state are not acceptable);
- A U.S. passport; or
- Religious records.

The following are not considered acceptable forms of verification for eligible alien status:

- Social Security card;
- Drivers license from any state; or
- Bank, credit, or check cashing cards.

If documentation is suspicious or appears to be invalid or falsified, additional documentation should be requested.

If the applicant acknowledges that she is an alien, then it must be verified if the individual is an “eligible alien” able to receive federal benefits.

Child Care programs will utilize Families First policy with respect to eligible alien status.

When documentation and utilization of the SAVE system is not adequate to satisfy alien status verification requirements, please follow the secondary verification procedures below:

1. Complete INS Form G-845 for each applicant who is not a U.S. citizen.
2. Copy the verification used to establish satisfactory immigration status.
3. Attach a copy of the verifications to the Form G-845 (USCIS requests that we staple the verifications to Form G-845 in the upper left-hand corner using only one staple).
4. Submit the verification and Form G-845 to USCIS at the address below:

U.S. Citizenship and Immigration Services (USCIS)
470-490 L`Enfant Plaza East, SW
Suite 8001
Washington, D.C. 20024
Attn: Immigration Status Verification Unit

Review the returned Form G-845 to ensure that legal alien status is validated and document CLRC.

PARTICIPANT IDENTIFICATION

All participants and countable family members are required to have a unique identifier assigned for them.

Families First participants are required under TANF regulations to provide SSNs in order to receive Families First benefits. This number will remain with the individual if he or she receives the programs associated with Families First/TANF - TCC, ACC, ARCO, and/or Diversion Payment Child Care.

Applicants for programs not associated with Families First/TANF may voluntarily submit SSNs for household members. If the participant does not wish to disclose SSNs for any of the household members, then those individuals will receive a unique identifier assigned by TCCMS. Participants who choose not to use their SSN as the unique identifier and receive an assigned identifier are not required to know or retain those numbers in order to conduct regular business related to their child care assistance.

(Authority: U.S. Department of Health & Human Services bulletin ACYR-PI-CC-00-04, October 27, 2000; Privacy Act of 1974)

CHILD IMMUNIZATIONS

(See CCDF Federal Regulations at Section 98.41.)

Immunization Requirements

Immunization Verification of Children In Regulated Care: immunization documentation is not required for children enrolled in **regulated** care since state licensing standards require all licensed providers to document child immunizations.

Immunization Verification of Children In **Unregulated** Care:

- For pre-school children: The immunization record or doctor's statement care must verified and documented within 30 days of placement. If not, then the placement will be terminated following ten (10) days advance notice. Failure to have current immunizations will be grounds to deny a parent the continued use of unregulated care until such time as the immunizations are brought up to date.
- For school-age children: It will be assumed that children who are enrolled in school meet immunization requirements or have been granted good cause by the school system.

Note: No exception will be made for FF, TCC, and At-Risk participants because the Families First grant may have been reduced due to failure to cooperate with immunization requirements.

Children will be exempted from the immunization requirement if:

- the child's physician or the Department of Health provides a signed and dated statement giving a medical reason why the child should not be given a specified immunization; or
- the child's caretaker/parent makes a clear statement that such immunizations conflict with their religious tenets and practices. If the participant claims that the child should not be immunized for religious reasons, document the participant's statement regarding this situation and continue/approve benefits without sanction.

FAMILIES FIRST CHILD CARE

Families First participants are eligible to receive this support service to assist in completing their approved activity on their Personal Responsibility Plan (PRP).

Child Care Disregard Option

A FF participant has one of two options in handling the family's child care expenses. Either:

- The child care assistance will be paid by DHS through a certificate; or
- The FF participant may pay her own child care expenses and take a standard budget deduction for the cost of child care from her earnings to make her eligible for cash assistance. The budget "disregard" is set at the following amounts per child:
 - \$200.00 per month for children under two years of age.
 - \$175.00 per month for children two years of age and older.

The disregard cannot be given in the same month that a child care subsidy payment is paid by a certificate. A disregard is considered taken regardless if all a parent's children were in care or not during the period.

Parent Eligibility for Families First (FF) Child Care Assistance

FF certificates will be issued for a period not to exceed of 12 months. Because client representatives are in regular contact with parents and work activity contractors, they are in a position to make changes to child care eligibility as needed based on compliance with the work requirements or other circumstances.

In two-parent Families First households, if both parents do not have a work requirement, the second parent will be screened by the client representative to determine if that person is "available, capable and appropriate" to provide the child care in the home. If the answer is "no" to any of these questions, then a FF certificate may be issued.

Parents/caretakers who are exempt from work requirements, with the exception of Child Only caretakers, illegal aliens and SSI recipients, may receive child care assistance if they choose to volunteer for work activities.

Five-Day Compliance Period

Typically, FF child care assistance cannot be approved prior to the date of eligibility for Families First. The five-day compliance period is the exception to this rule.

An individual may be approved for Families First child care prior to an approval date if they are participating in an activity during the five-day compliance period prior to approval under the Families First sanction policy.

- TCC parents who reapply for FF cash assistance and are starting a five-day compliance period will be transferred to FF child care.
- TCC parent co-pay fees stop during the five-day period.

Families First Exemption Due to Lack of Child Care

FF recipients can be temporarily exempted from the work requirement for good cause if the parent can demonstrate an inability to locate child care due to:

- the unavailability of appropriate child care within a reasonable distance from the individual's home or work site;
- the unavailability or unsuitability of informal care by a relative or inability to make other arrangements; or
- the unavailability of affordable formal child care.

If child care cannot be arranged for any of these reasons within two (2) calendar weeks of the date of the FF participant's referral to the work activity contractor, the client representative will approve a temporary exemption from work requirements. The participant will not be re-referred to the work activity contractor until child care arrangements are completed or unnecessary.

The parent's time counter towards lifetime limits will **NOT** be stopped during a period of exemption. All options should be exhausted to locate child care for the parent.

Terminating Eligibility or Services for FF Child Care

When it is necessary to terminate a parent or caretaker's eligibility or child enrollment, an advance ten (10) calendar day notice will be issued to the parent or caretaker.

Special Provider Payment Procedures for FF

A retroactive cash payment may be authorized when it is verified that child care costs were paid by the parent/caretaker during a period of FF child care eligibility and no direct payment was made to the provider by the Department during that time. The retroactive payment cannot exceed the state maximum rate for the type of child care provided. The parent or caretaker must have been in full compliance with the Personal Responsibility Plan during the period for which reimbursement is being requested.

TRANSITIONAL CHILD CARE (TCC)

Transitional Child Care or TCC (also referred to as Transitional Families First, or TFF) is available for qualifying families for 18 months following the closure of Families First cash assistance. Eligibility is redetermined every 6 months.

TCC Eligibility

The FF caseworker determines parent/caretaker's eligibility for TCC.

- **Start Date:** TCC eligibility begins the first day of the month after the Families First cash assistance ends.
- **Balance of TCC Period:** TCC assistance may not be needed at the time the FF cash case closes. If it is needed later in the 18-month period, the TCC assistance will begin when the need starts and may be provided for the remainder of the original 18-month period.
- **New 18-Month Periods:** A Families First cash assistance group is eligible to start a new 18-month period of TCC each time the FF cash assistance group closes. For example, a participant has used six months of her TCC. She reapplies for Families First and is approved. At a later date, the FF cash assistance is closed again. The participant is eligible to start a new 18-month period of TCC.
- **Exceptions to TCC Eligibility:** TCC eligibility will not be granted upon leaving FF cash assistance when the assistance group is closed for a failure to cooperate with child support enforcement. If a parent fails to cooperate with child support during a period of TCC eligibility, the client is ineligible for continued child care assistance. Once sanctioned during a TCC period, TCC eligibility can only be restored by returning to Families First cash assistance, even though the parent may again be cooperating.

Parent Work Participation Qualification Requirements

Thirty hours of paid work per week, including self-employment and/or education and training hours must be met to receive TCC. Work that does not meet the federal minimum wage requirement is allowed, but the "countable" hours per week will be determined by dividing the gross weekly income by the federal minimum wage. NOTE: Income averaging is not allowed if the individual actually work less than 30 hours/wk but makes more than the equivalent of 30 hours/wk at minimum wage.

If the education and training hours do not meet the 30-hour requirement, the difference must be made up with work.

The following education and training hours can be counted:

- Class hours in any public school, Tennessee Board of Regents (TBR) school (including Internet courses), or accredited private institution;
- Non-paid work performed in college “work-study” programs;
- Internship hours;
- Laboratory hours;
- Tutoring hours received or provided by the participant; and
- Clients participating in educational activities will be allowed to count supervised homework/study time **and** one hour of unsupervised homework/study time for each hour of class time. Supervised homework/study time must be verified and documented to be countable toward educational training hours. The total countable homework/study time may not exceed the hours required or advised by the educational program.

The following are non-countable Education Hours:

- Graduate or post-graduate college studies following a BA or BS degree.

Note: Fifth year courses are allowed when a license or certificate is required to perform that trade, e.g., teachers, registered nurses.

Limited Work Requirements

Work requirements of 30 hours per week apply unless the parent has a disabling condition that prevents full participation. Limited work hours may range anywhere from 1-29 hours, and FT or PT care for the child(ren) should be approved accordingly.

If the client was working or participating in an activity for reduced hours at the time of the Families First closure, those limited hours may continue to meet the work requirement for child care. If the client was not working/participating for limited hours at the time of Families First closure, but develops a debilitating condition during the receipt of TCC, then a doctor’s statement (on health provider letterhead) must be obtained that verifies the number of hours the client can participate, and when the need for the limited hours can be expected to end.

Special Employment Policies

Part Year Employees

Employees who are paid on a 12-month basis, but only actually work for ten months of the year, must have a full-time activity during their “off” months to continue receiving child care assistance during those off months. This policy also applies to those who work ten months and are paid on a ten-month basis (school systems and Head Start programs, for example).

If the participant elects not to take part in full-time activities during the off months, they may re-start child care assistance later as long as all eligibility factors are re-established and funding remains available.

Self-employment

Self-employed individuals who claim either non-farm or farm self-employment must be able to demonstrate at least the equivalent of 30 or more hours of employment per week.

To determine how many hours a self-employed individual is working for TCC purposes, divide weekly income by the federal minimum wage.

AmeriCorps and VISTA

Participants in these programs are considered “full-time” by their program and do not have to meet the full 30-hour work requirement to receive needed child care assistance.

School Age Teen Parents

School age, non-emancipated teen parents residing at home or in a supervised residence must be in school or GED preparation classes during the school year and maintain satisfactory grades and attendance. These teen parents’ school attendance fulfills their work hours requirement.

Teen parents must be in a summer program to receive child care during the summer months. Teen parents may work, attend full-time summer school, or volunteer to participate in state, county or faith-based funded self-improvement/training programs during the summer months and continue to receive child care assistance. Programs that meet three or more days per week will qualify for full-time child care.

Special Household Situations

Joint Custody:

Child care assistance will only be provided for those weeks the eligible parent has physical possession of the child. The other parent assumes full responsibility for the weeks he/she has possession of the child.

Additional Household Members and TCC work requirements:

Work requirements apply to the eligible parent or caretaker and the spouse, second parent, or father of the child residing in the home. They do not apply to other adult figures residing in the home.

Parent Co-pay Fees

Each family receiving TCC assistance is required to pay a portion of their child care costs. The weekly fee amount is based on a sliding income scale and adjusted according to the size of the family household. (See policies on “Determining Family Household Size” and “Income Eligibility Determination”)

See Child Care Provider Contract, Section C.5.c, for provider requirements with respect to collection of co-pay fees.

A parent whose co-pay fees go unpaid for more than 2 weeks may be terminated from TCC. Once terminated for failure to pay the co-pay fees, a TCC parent cannot return to TCC qualification without proof of payment or a repayment plan acceptable to the provider. A TCC parent who returns to FF eligibility and then later again becomes TCC eligible will not qualify without proof of payment or a repayment plan acceptable to the original provider to whom they were delinquent.

Reasons for Termination - TCC

A parent’s eligibility and child’s enrollment will be terminated when the following situations exist:

- the gross monthly income for the family/household exceeds the income standard for the families’ HH size;
- the parent/caretaker no longer meets work/education requirements and exceeds any of the approved work requirement exceptions or interruption periods;
- the parent/caretaker fails to pay parent co-pay fees or make a repayment plan;

- the parent/caretaker fails to cooperate with 6-month redetermination requirements;
- the parent/caretaker fails to cooperate with child support requirements;
- the 18-month TCC period ends (as funding permits, parents whose TCC period ends and remain qualified may be served in the At-Risk program for TCC Expirations (ACC); or
- the only child receiving care in the assistance group leaves the home or ages out.

Parent Qualification Termination Notices

A 10 day advance notice will be sent to the parent and provider when terminating a child for any of the reasons in the list above.

Special Provider Payment Procedures for TCC

A retroactive cash payment may be authorized to a parent or caretaker who verifies he or she paid child care costs during a period of TCC child care eligibility and no direct payment was made to the provider by the Department during that time.

- The retroactive payment cannot exceed the state maximum rate for the type of child care provided.
- The parent must provide proof that they met work/education requirements during the period for which they wish to be reimbursed.

Providers Not Eligible to Receive Certificate Payment

- See Section A.7.a of the child care provider contract with respect to parties that are not eligible to receive certificate payments.

AT-RISK CHILD CARE FOR TCC EXPIRATIONS (ACC)

The At-Risk program serves individuals who have exhausted their 18 months of Transitional Child Care, but who continue to need assistance in order to avert a return to Families First.

- Individuals whose eighteen months of Transitional Child Care expires after July 1, 2009 will be eligible, if they qualify, for **six** months of At-Risk Child Care.
- Individuals already receiving At-Risk Child Care as of July 1, 2009 are eligible, if they qualify, for twelve months.

Eligibility Start Date: The ACC eligibility can begin at any point during the applicable eligibility (6 or 12 months, depending on when TCC ended) period following the expiration of the 18-month TCC period.

The client does not have to be receiving child care during the 18th month of TCC eligibility to be eligible for ACC.

Parent Work Participation Qualification Requirements

Thirty hours of paid work including self-employment and/or education and training hours must be met to receive ACC. Work that does not meet the federal minimum requirement is allowed, but the “countable” hours will be determined by dividing the gross weekly income by the federal minimum wage.

NOTE: Income averaging is not allowed if the individual actually work less than 30 hours/wk but makes more than the equivalent of 30 hours/wk at minimum wage.

If the education and training hours do not meet the 30 hour requirement, the difference must be made up with work. Work that does not meet the federal minimum requirement is allowed, but the countable hours per week will be determined by dividing the gross weekly income by the federal minimum wage.

The following education and training hours can be counted:

- Class hours in any public school, Tennessee Board of Regents (TBR) school (including Internet courses), or accredited private institution;
- Non-paid work performed in college “work-study” programs;
- Internship hours;
- Laboratory hours;

- Tutoring hours received by or provided by the participant; and
- Clients participating in educational activities will be allowed to count supervised homework/study time and one hour of unsupervised homework/study time for each hour of class time. Supervised homework/study time must be verified and documented to be countable toward educational training hours. The total countable homework/study time may not exceed the hours required or advised by the educational program.

The following are non-countable Education Hours:

- Graduate or post-graduate college studies following a BA or BS degree.

Note: Fifth year courses are allowed when a license or certificate is required to perform that trade, e.g., teachers, registered nurses.

Limited Work Requirements

Work requirements of 30 hours per week apply unless the parent has a disabling condition that prevents full participation. . Limited work hours may range anywhere from 1-29 hours, and FT or PT care for the child/ren should be approved accordingly.

If the client was working or participating in an activity for reduced hours at the time of the Families First closure, those limited hours may continue to meet the work requirement for child care. If the client was not working/participating for limited hours at the time of Families First closure, but develops a debilitating condition during the receipt of TCC or ACC, then a doctor’s statement (on health provider letterhead) must be obtained that verifies the number of hours the client can participate and when the need for the limited hours can be expected to end.

Special Employment Policies

Part Year Employees

Employees who are paid on a 12-month basis, but only actually work for ten months of the year, must have a full-time activity during their “off” months to continue receiving child care assistance during those off months. This policy also applies to those who work ten months and are paid on a ten-month basis (such as school systems, Head Start programs).

If the participant elects not to take part in full-time activities during the off months, they may re-start child care assistance later as long as all eligibility factors are re-established and funding remains available.

Self-employment

Self-employed individuals who claim either non-farm or farm self-employment must be able to demonstrate at least the equivalent of 30 or more hours of employment per week.

To determine how many hours a self-employed individual is working for ACC purposes, divide weekly income by the federal minimum wage.

AmeriCorps and VISTA

Participants in these programs are considered “full-time” by their program and do not have to meet the full 30-hour work requirement to receive needed child care assistance.

School Age Teen Parents

School age, non-emancipated teen parents residing at home or in a supervised residence must either be in school or in a GED preparation class during the school year, and maintain satisfactory grades and attendance. These teen parents’ school attendance fulfills their work hour requirement.

Teen parents must be in a summer program to receive child care during the summer months. Teen parents may work, attend full-time summer school, or volunteer to participate in state, county or faith-based funded self-improvement or training programs during the summer months and continue to receive child care assistance. Programs that meet three or more days per week will qualify the teen parent for full-time child care.

Special Household Situations

Joint Custody

Child care assistance will only be provided for those weeks the eligible parent has physical possession of the child. The other parent assumes full responsibility for the weeks he or she has possession of the child.

Additional Household Members and ACC work requirements

Work requirements apply to the eligible parent or caretaker and the spouse, second parent, or father of the child residing in the home. They do not apply to other adults residing in the home.

Parent Co-pay Fees

Each family receiving ACC assistance is required to pay a portion of their child care costs. The weekly fee amount is based on a sliding income scale and adjusted according to the size of the family household. (See policies on “Determining Family Household Size,” and “Income Eligibility Determination.”)

See Child Care Provider Contract, Section C.5.c, for provider requirements with respect to collection of co-pay fees.

A parent whose co-pay fees go unpaid for more than 2 weeks may be terminated from ACC. Once terminated for failure to pay the co-pay fees, an ACC parent cannot return to ACC qualification without proof of payment or a repayment plan acceptable to the provider.

An ACC parent who returns to FF eligibility and then becomes TCC eligible will not qualify for TCC without proof of payment or a repayment plan acceptable to the original provider to whom they were delinquent.

Reasons for Termination - ACC

A parent’s eligibility and child’s enrollment will be terminated when the following situations exist:

- the gross monthly income for the family/household exceeds the income standard for the families’ HH size;
- the parent/caretaker no longer meets work/education requirements and exceeds any of the approved work requirement exceptions or interruption periods;
- the parent/caretaker fails to pay parent co-pay fees or make a repayment plan;
- the parent/caretaker fails to cooperate with 6-month redetermination requirements;
- the ACC period ends; or
- the only child receiving care in the assistance group leaves the home or ages out.

Parent Qualification Termination Notices

A 10 day advance notice will be sent to the parent and provider when terminating a child for any of the reasons in the list above.

AT-RISK CHILD CARE FOR CHILD-ONLY CARETAKERS (ARCO)

The At-Risk program serves caretakers in Families First child-only cases that are working and/or in school. Child-only caretakers are typically grandparents, aunts, or uncles that have care and control of a relative child.

- Eligibility Start Date: ARCO eligibility begins the date of the caretaker's interview. Note: A face to face interview is not required.
- Child-only caretakers who are an eligible adult in another Families First assistance group will not be eligible for child care under the ARCO program. They would receive their child care through Families First if they meet the requirements for assistance under that program.
- All mandatory household members must be included in the ARCO assistance group (See policy on "Determining Family Household Size").
- All mandatory household members' income must be included in determining ARCO eligibility (See "Income Eligibility Determination").
- Qualified applicants will be eligible for ARCO as long as funding is available. Certificates will be issued for six months and the case will be reviewed for continued assistance with all areas of eligibility being re-verified.

Caretaker Work Participation Qualification Requirements for ARCO

30 hours of paid work including self-employment and/or education and training hours must be met to receive ARCO. Work that does not meet the federal minimum requirement is allowed, but the "countable" hours will be determined by dividing the gross weekly income by the federal minimum wage. If the education and training hours do not meet the 30 hour requirement, the difference must be made up with work. Work that does not meet the federal minimum requirement is allowed, but the countable hours per week will be determined by dividing the gross weekly income by the federal minimum wage.

- Countable Education Hours:
 - Class hours in any public school, Tennessee Board of Regents (TBR) School (including Internet courses), or accredited private institution;
 - Paid or non-paid work performed in college "work-study" programs;
 - Internship hours;
-

- Laboratory hours;
- Tutoring hours received or provided by the participant; and
- Clients participating in educational activities will be allowed to count supervised homework/study time and one hour of unsupervised homework/study time for each hour of class time. Supervised homework/study time must be verified and documented to be countable toward educational training hours. The total countable homework/study time may not exceed the hours required or advised by the educational program.

The following are non-countable Education Hours:

- Graduate or post-graduate college studies following a BA or BS degree.

Note: Fifth year courses are allowed when a license or certificate is required to perform that trade, e.g., teachers, registered nurses.

Limited Work Requirements

Work/education/training requirements of 30 hours per week apply unless the caretaker has a disabling condition that prevents full participation. Limited work hours may range anywhere from 1-29 hours, and FT or PT care for the child(ren) should be approved accordingly.

If the client states he/she has a condition that prevents 30-hour participation, then a doctor's statement (on health provider letterhead) must be obtained that verifies the number of hours the client can participate and when the need for the limited hours can be expected to end.

Special Employment Policies

Part Year Employees-Employees who are paid on a 12-month basis, but only actually work for ten months of the year, must have a full-time activity during their "off" months to continue receiving child care assistance during those off months. This policy also applies to those who work ten months and are paid on a ten-month basis (such as school systems, Head Start programs).

If the participant elects not to take part in full-time activities during the off months, the household will not be eligible for those months off. They may restart child care assistance later as long as all eligibility factors are reestablished and funding remains available.

Self-employment

Self-employed individuals who claim either non-farm or farm self-employment must be able to demonstrate at least the equivalent of 30 or more hours of employment per week.

To determine how many hours a self-employed individual is working divide weekly income by the federal minimum wage.

AmeriCorps and VISTA

Participants in these programs are considered “full-time” by their program and do not have to meet the full 30-hour work requirement to receive needed child care assistance.

Special Household Situations

Joint Custody

Child care assistance will only be provided for those weeks the eligible parent has physical possession of the child. The other parent assumes full responsibility for the weeks he/she has possession of the child.

Additional Household Members and ARCO work requirements

Work requirements apply to the eligible parent or caretaker and the spouse, second parent, or father of the child residing in the home. They do not apply to other adults residing in the home.

Parent Co-pay Fees

Each family receiving ARCO assistance is required to pay a portion of their child care costs. The weekly fee amount is based on a sliding income scale and adjusted according to the size of the family household. Since the parent co-pay fee is a required point of eligibility, failure to pay the fee can result in termination from the program (see policies on “Determining Family Household Size” and “Income Eligibility Determination”).

See Child Care Provider Contract, Section C.5.c, for provider requirements with respect to collection of co-pay fees.

A parent whose co-pay fees go unpaid for more than 2 weeks may be terminated from ARCO. Once terminated for failure to pay the co-pay fees, an ARCO parent cannot return to the program without proof of payment or a repayment plan acceptable to the provider

Special ARCO situations

Some child-only caretakers are parents, or non-parents, on SSI. In the very unlikely event that one of these individuals is meeting the qualifications for the ARCO program, they may be approved. There may be “child only” FF cash assistance cases where the mother is an illegal alien, but where one or more of her children may be U.S. citizens or legal aliens. These children are **not** eligible for child care assistance.

In some instances, a parent may be an eligible adult in a child-only case. For example, a grandmother may be receiving a child-only grant for a grandchild when the child’s mother returns to the home. If the grandmother retains care and control of the child, the mother still must be included in the case and is subject to work requirements. In this situation, the need for child care is based on the grandmother’s work status, and ARCO would be the appropriate program if she qualifies. If the grandmother is not meeting the work/school qualifications, there is no need for child care, even if the mother is compliant with her work activity. Note: If the mother is exempt or interrupted from her work activity, ARCO would not be approved because the mother would be available to provide care for her child, unless verification is provided that she is unable to do so.

Reasons for Termination - ARCO:

A caretaker’s eligibility for ARCO and child enrollment will be terminated when the following situations exist:

- the Families First child-only grant stops for any reason (including failure to cooperate with child support requirements);
- the gross monthly income for the family/household exceeds the income standard for that family size;
- the caretaker no longer meets work/education requirements and exceeds any of the approved work requirement exceptions or interruption periods;
- the caretaker fails to pay parent co-pay fees or make a repayment plan with the provider;
- The parent fails to cooperate with redetermination requirements; or
- the only child receiving care in the assistance group leaves the home or ages out.

Parent Qualification Termination Notices

A 10 day advance notice will be sent to the caretaker and provider when terminating a child for any of the reasons in the list above.

LOW-INCOME CHILD CARE ASSISTANCE

As funding permits, child care assistance may be provided to low-income families that have no connection to the Families First program. This assistance is known as Low-Income Child Care. Eligibility is redetermined every 6 months.

Approvals for new Low-Income slots were discontinued in 2002. New additions to the waiting list for Low-Income assistance were stopped in July 2004. Previously approved cases remain authorized under the following eligibilities, which collectively make up the Low-Income program:

- CCDF-WP: For working parents (with some education in some cases);
- CCDF-ET: For parents involved primarily in education and training (with some work);
- CCDF-TP: For teen parents while attending school; and
- CCDF-DD: For children with diagnosed disabilities who are over age 13.

Parent Work Participation Qualification Requirements

Thirty hours of paid work including self-employment and/or education and training hours must be met to receive Low Income Child Care. Work that does not meet the federal minimum requirement is allowed, but the “countable” hours will be determined by dividing the gross weekly income by the federal minimum wage. NOTE: Income averaging is not allowed if the individual actually work less than 30 hours/wk but makes more than the equivalent of 30 hours/wk at minimum wage.

If the education and training hours do not meet the 30 hour requirement, the difference must be made up with work. Work that does not meet the federal minimum requirement is allowed, but the countable hours per week will be determined by dividing the gross weekly income by the federal minimum wage.

The following education and training hours can be counted:

- Class hours in any public school, Tennessee Board of Regents (TBR) school (including Internet courses), or accredited private institution;
- Non-paid work performed in college “work-study” programs;
- Internship hours;
- Laboratory hours;

- Tutoring hours received or provided by the participant; and
- Clients participating in educational activities will be allowed to count supervised homework/study time and one hour of unsupervised homework/study time for each hour of class time. Supervised homework/study time must be verified and documented to be countable toward educational training hours. The total countable homework/study time may not exceed the hours required or advised by the educational program.

The following are non-countable Education Hours:

- Graduate or post-graduate college studies following a BA or BS degree.

Note: Fifth year courses are allowed when a license or certificate is required to perform that trade, e.g., teachers, registered nurses.

Limited Work/Education/Training Hours

Work/education/training requirements of 30 hours per week apply unless the caretaker has a disabling condition that prevents full participation. If the client states he/she has a condition that prevents 30-hour participation, then a doctor's statement (on health provider letterhead) must be obtained that verifies the number of hours the client can participate and when the need for the limited hours can be expected to end.

Special Employment Policies

Part Year Employees

Employees who are paid on a 12-month basis, but only actually work for ten months of the year, must have a full-time activity during their "off" months to continue receiving child care assistance during those off months. This policy also applies to those who work ten months and are paid on a ten month basis (school systems, and Head Start programs, for example).

If the participant elects not to take part in full-time activities during the off months, they may restart child care assistance later as long as all eligibility factors are re-established and funding remains available.

Self-employment

Self-employed individuals who claim either non-farm or farm self-employment must be able to demonstrate at least the equivalent of 30 or more hours of employment per week.

To determine how many hours a self-employed individual is working, divide weekly income by the federal minimum wage.

AmeriCorps and VISTA

Participants in these programs are considered “full-time” by their program and do not have to meet the full 30-hour work requirement to receive needed child care assistance.

Special Household Situations

Joint Custody

Child care assistance will only be provided for those weeks the eligible parent has physical possession of the child. The other parent assumes full responsibility for the weeks he or she has possession of the child.

Additional Household Members and Low-Income Work Requirements

Work requirements apply to the eligible parent or caretaker and the spouse, second parent, or father of the child residing in the home. They do not apply to other adults residing in the home.

Parent Co-pay Fees

Each family receiving Low-Income assistance is required to pay a portion of their child care costs. The weekly fee amount is based on a sliding income scale and adjusted according to the size of the family household (see policies on “Determining Family Household Size” and “Income Eligibility Determination”).

See Child Care Provider Contract, Section C.5.c, for provider requirements with respect to collection of co-pay fee.

A parent whose co-pay fees go unpaid for more than 2 weeks may be terminated from Low-Income Child Care. A Low-Income parent who becomes eligible for FF and then later becomes TCC eligible will not qualify without proof of payment or of a repayment plan acceptable to the original provider to whom they were delinquent.

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Reasons for Termination - Low Income Child Care

A parent's eligibility and child's enrollment will be terminated when the following situations exist:

- the gross monthly income for the family/household exceeds the income standard for that family size;
- the parent/caretaker no longer meets work requirement;
- the parent/caretaker fails to pay parent co-pay fees or make a repayment plan; or
- the only child receiving care in the assistance group leaves the home or ages out.

Application Process for Low-Income Assistance

New applications are not being accepted for Low-Income Child Care Assistance. At which time funding becomes available to re-open the application process for this program, guidance on application procedures will be provided.

DIVERSION CHILD CARE

Individuals who are employed at the time a Diversion payment is authorized, or who become employed within 30 days of authorization, are eligible for three months of child care assistance.

Diversion Payments

A Diversion payment is a one-time lump sum payment of \$1,200. The following policies will govern the Diversion payment.

- To be eligible for a diversion payment, customers must meet all Families First criteria.
- Acceptance of the payment will prohibit the family from receiving Families First for one year.
- A Diversion payment month will not be a countable month in the lifetime 60-month count.
- Only clients who meet “certain criteria” will qualify for the program.
- Diversion Child Care will be made for 3 months only and HH’s who receive Diversion Payment Child Care cases are not eligible to receive TCC at the conclusion of the 3 month child care period.
- During the one year on ineligibility period, clients who require emergency assistance may qualify for Families First if they meet certain criteria.

Criteria that Qualifies a Client for the Diversion Child Care Program

To qualify for a Diversion Payment and the 3 months of child care, a client must:

- Meet Families First eligibility criteria;
- Have an identifiable one-time financial need as determined by the Families First client representative.;
- Be a resident of Tennessee for six months;
- Have not received cash assistance in any state in the last two years;

- Have no major barriers to employment like drug and alcohol problems;
- Have a GED or high school diploma; and
- Have a recent work history as determined by the Families First client representative.

Determining the Three Months of Eligibility for Diversion Child Care

In order to be eligible for the three months of Child Care the client must meet one of the following qualifications:

- Be working at the time of application; or
- Become employed within 30 days of authorization of a Diversion payment.

The client is eligible for three full months of child care from the date the Diversion payment is authorized. A client who is authorized for a partial month of child care eligibility is eligible for the partial month in addition to the three full months following the partial month.

Example 1: The client applies for FF on July 7, 2007, and is working 30 hours at the time of application. The client meets all points of eligibility and the Diversion payment is authorized on July 15, 2007. The client's three full months would be August, September, and October. Since the client was authorized on July 15, 2007, eligibility for child care begins on the date of application, July, 7, 2007 through Oct 31, 2007.

Example 2: The client applies for FF on July 29, 2007 and is not working and meets all eligibility requirements for a Diversion payment. The client's case is authorized on August 15, 2007. On August 19, 2007, the client starts working and reports this timely. The client's three full months of eligibility in this case are September, October, and November. The client is due a partial month starting on August 19, 2007 as that is when her employment began.

Example 3: The client applies for FF on August 10, 2007 and is not working and meets all eligibility requirements for a Diversion payment. The client's case is authorized on August 18, 2007. On October 29, 2007, the client reports employment starting that day. The client is not eligible for Diversion Child Care in this instance, as employment did not start within 30 days of the authorization of the Diversion payment.

Exception to Partial Month of Eligibility

If the client applies on the first day of the month or begins employment on the first day of the month within 30 days of the authorization, there is no partial month of child care eligibility.

Special Requirements of Diversion Payment

In addition to meeting all the criteria for Families First diversion child care payments, Diversion Child Care requires the following:

- Clients must be employed for 30 hours/week.
- Clients have a co-pay fee using the same criteria as the TCC co-pay fee. Failure to pay the co-pay fee can result in ineligibility for the Diversion Child Care.
- The client must not be over the income limit of 60% of the State Median Income Standard.
- Self-employed clients who claim either non-farm or farm self-employment must be able to demonstrate at least the equivalent of 30 or more hours of employment per week. To determine how many hours a self-employed individual is working for Diversion Child Care purposes, divide weekly income by the federal minimum wage. This would be the gross income minus expenses to run the business.
- AmeriCorps and VISTA participants are considered “full-time” by their program.

Special Household Situations

Joint Custody

Child care assistance will only be provided for those weeks that eligible parent has physical possession of the child. The other parent assumes full responsibility for the weeks he or she has possession of the child.

Additional Household Members and Diversion Child Care Work Requirements

Work requirements apply to the eligible parent or caretaker and the spouse, second parent, or father of the child residing in the home. Work requirements do not apply to other adults residing in the home.

Cooperation with Child Support is not an Eligibility Requirement

The Diversion household is not required to cooperate with Child Support if they opt to receive the Diversion payments, rather than get Families First.

Parent Co-pay Fees

Each family receiving Diversion Child Care assistance is required to pay a portion of their child care costs. The weekly fee amount is based on a sliding income scale and is determined by the size of the family (see policies on “Determining Family Household Size” and “Income Eligibility Determination”).

See Child Care Provider Contract, Section C.5.c, for provider requirements with respect to collection of co-pay fees.

A parent whose co-pay fees are unpaid for more than two weeks may be terminated from the Diversion Child Care program.. Once terminated for failure to pay the co-pay fees, a Diversion Child Care parent cannot return to Diversion Child Care without proof of payment or a repayment plan acceptable to the provider.

Termination of Qualification or Eligibility for Diversion Child Care

Reasons for Termination

A parent’s eligibility and child’s enrollment will be terminated when the following situations exist:

- the gross monthly income for the family/household exceeds the income standard for that family size;
- the parent/caretaker no longer meets work requirement;
- the parent/caretaker fails to pay parent co-pay fees or make a repayment plan;
- the 3-month Diversion period ends; or
- the only child receiving care in the assistance group leaves the home or ages out.

Termination Notices

A 10 day advance notice will be sent to the parent and provider when termination a child for any of the reasons in the list above.

Special Provider Payment Procedures for Diversion

A retroactive cash payment may be authorized to a parent or caretaker who verifies paid child care cost during a period of Diversion child care eligibility and no direct payments were made to the provider by the Department during that time.

- The retroactive payment cannot exceed the state maximum rate for the type of child care provided.
- The parent/caretaker will be referred to the Certificate Program to request the reimbursement.
- The parent must provide proof that they met the work/education requirements during the period for which they wish to be reimbursed.

Providers Not Eligible to Receive Certificate Payment

- See Section A.7.a of the child care provider contract with respect to parties that are not eligible to receive certificate payments.

TEEN PARENT ASSISTANCE FOR CHILD CARE (TPACC)

This Teen Parent Program serves individuals who are enrolled in and attending high school. Assistance will be available for all eligible teens living at home with their parent(s) and those teens that are emancipated and living independently from their parent(s).

Eligibility Start Date

The start date for the TPACC program will be the date the teen parent requests child care either by telephone or office visit. The teen parent cannot be approved until the application and verifications have been received.

Applications must be processed within ten (10) days of requested Child Care.

Parent Work Participation Qualifications Requests for TPACC

There is no work participation required for the teen parent or his/her parent(s) or guardian.

TPACC Eligibility Criteria

Teen parents must be enrolled in, or attending, either high school or an equivalent thereof to be eligible to apply for the TPACC Program. Written or verbal communication with the school staff that the school's requirements are met is adequate verification. Note: Teen parents who are being home-schooled are not eligible for TPACC.

- Age: The teen parent must be between the ages of 13 and 19.
 - Relationship must be verified. Birth certificate, passports and hospital records are all acceptable documents for verification.
 - Mandatory Household Members: Count the minor parent, the minor parent's child, spouse (if married), and the minor's parent(s) when determining the household size. (See Determining Family Household Size, page 49)
 - Income: Household income, both earned and unearned, of the minor's parent(s) living in the home, will be counted to determine eligibility. If the minor parent is married, the spouse's income will also be included in determining eligibility.
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Note: The 85% income limit on the Income Eligibility and Parent Co-Pay Fee Chart applies only to the TPACC program. Teen parents not eligible for child care assistance through Families First (due to being over income), or those who do not wish to apply for Families First may be eligible for child care assistance through TPACC.

- Summer Break: Child care assistance will continue during summer break, as there are no work or summer school requirements.

Parent Co-Pay Fees

Each teen parent is required to pay a weekly co-pay fee according to the Income Eligibility Limits and Parent Co-Pay Fee Table. The weekly fee amount is based on a sliding income scale and adjusted according to the size of the family household (see policies on “Determining Family Household Size” and “Income Eligibility Determination”).

Income of working teen parent will also be counted to determine the parent co-pay fee.

Management of TPACC Program

- A re-determination for continued eligibility will be completed every six (6) months (see Redetermination and Procedures Policy).
- Verification of enrollment and attendance is required for redetermination. This information can be mailed or faxed by the teen parent or school staff to the local Certificate Program office. A face-to-face interview is not required to complete a redetermination.
- Emancipated teen parents (a teen that is no longer living in the home of the parent(s) or guardian) will have their current household composition determined for the purpose of calculating income and weekly parent co-pay fee.

Termination Reasons for TPACC

- The teen parent reaches 20 years of age, stops attending school, graduates from high school, or obtains a GED certificate.
- The gross monthly income exceeds the income standard for the household size.
- The teen parent fails to make the required co-pay fees or make a repayment plan.

- The teen parent fails to cooperate with the 6-month redetermination requirement.
- The teen parent's child leaves the home of either the teen parent or moves out of the state.

Implementation and Enrollment Procedures

Brochures publicizing the Teen Parent Assistance for Child Care program have been distributed to all middle and high schools in Tennessee. Prospective clients will be directed to call the Child Care Resource and Referral (CCRR) hotline number (1-866-827-3372).

CCRR staff may refer prospective clients to their local DHS office. Verification that a prospective client is a teen parent may be obtained via telephone contact with a school representative or face-to-face interview. Telephone contact verification must be documented in case history. A face-to-face interview is not required.

Upon being determined potentially eligible for child care assistance, clients have the option to mail or fax an application.

Teen parents can only choose a licensed provider.

DEPARTMENT OF CHILDREN'S SERVICES CHILD CARE

DHS provides the certificate and provider payment processes as a service for the Department of Children's Services (DCS). The DCS state office provides the funding amounts and the fund utilization management for these funding sources. County and regional DCS program staff provides the child care referrals and provide the local management of regional DCS funds.

DCS Referrals

DCS provides DHS with a referral that determines eligibility for the child. DHS will service all DCS referrals even when child eligibility criteria may not be the same as used by DHS with its FF, TCC, At-Risk, and Low-Income children. The DCS case manager will refer the child to the responsible county of venue. DHS will make any out-of-region provider placements and issue the child care certificates for the provider to the DCS case manager. All DCS children referred should be placed only with DHS licensed or DOE approved providers enrolled in the Certificate Program. Unregulated care may be used only with DCS State Office approval. A provider may also be a DCS foster parent and receive DCS funding for that foster child.

Setting Up a TCCMS case for a State Custody Child (SSC)

DCS will provide the child's SSN and demographic information for case management and case tracking within the TCCMS database.

- The case "Parent" will be DCS case manager.
- The local DCS administrative office will be the "Parent" address and home county.
- The "Parent" SSN will be system generated.
- The "Parent" demographics will be randomly chosen.
- No in-person parent interview of the case manager is required in these cases.
- No application or service agreement forms are required for signature.

Setting Up a TCCMS case for a Non-Custody Child (SNC)

When a child continues to reside with its own family within the county of venue, the DCS case manager will provide the child and parent demographic information to the Certificate Program as required for its case management and case tracking within the TCCMS database. The case will be made in the parent's name and address and county.

Handling of DCS Cases

- The DCS case manager should be notified when changes in the foster parent's or child's situation may affect DCS eligibility or DCS case management needs.
- DCS cases will have certificates set for 6 months or as instructed by DCS.
- Enrollment and eligibility will be terminated when DCS does not provide a new referral when the previous certificate has expired.
- Care arrangement and eligibility will be terminated when requested by DCS.
- It is not necessary to issue the 10-day advance notification to the foster parent when terminating care or eligibility under notification by the DCS case manager.
- A child's enrollment (not eligibility) will be terminated when a provider terminates a child on the EAV. The DCS case manager will be immediately notified.

Utilization of Funds and Reporting to DCS

- DHS state office will provide periodic state level fund utilization and child count information as needed by the DCS state office.
- DCS is responsible for monitoring and administration of its own funding sources at the state and local levels.

WORK REQUIREMENT EXEMPTIONS

Parents on the Families First, Transitional, At-Risk, and Low-Income programs may be eligible during certain situations when they are not meeting program work participation requirements.

At Application (for Transitional, At-Risk, and Low-Income Programs)

Parents applying for TCC, At-Risk, and Low-Income assistance who do not meet work/school requirements may be given a 30-day certificate to reach them. To receive a 30-day certificate, it is not necessary for the parent to have any work/school hours. However, a client may not receive 2 consecutive 30-day certificates – there must be a period of full compliance before the client may be granted another 30 day window to reach the required hours. **EXAMPLE:** A TCC eligible client with no work/school hours is given a 30-day certificate to allow them to reach the required hours needed to qualify. After 30 days, the requirements have not been met and the assistance is stopped. The next time they attempt to access TCC, the parent must already be meeting the work/school requirement.

Bridge or Gap Coverage after Initial Approval

Parents may have up to 30 calendar days of continued eligibility and child care assistance to “bridge” coverage during periods of non-compliance with the program work participation requirements for illness, unemployment, short breaks in class schedules (not for summer months), or while waiting for Families First activity components to start. This bridge period will begin the day after the last day work/school requirements were met.

This coverage will not be granted in any situation when the parent or program knows at the start that the period will be over 30 days. (See Childbirth, Surgery, and Major Illness for exception below).

Any extension for continued eligibility or child care assistance for periods over 30 days will require State Office approval for a good cause on a case-by-case basis.

Childbirth, Major Surgery, and Major Illness

A parent may continue to receive child care assistance when the following circumstances exist.

- For no more than six weeks before or six weeks after childbirth. This period covers up to six weeks of bed rest prior to birth if ordered by a physician. A client may not receive more than six weeks on either side of the date of birth, but may receive the total of 12 weeks if circumstances warrant.

- For 6 weeks following major surgery or major illness that prevents a client from meeting work/education requirements. This requires a written statement from a doctor.

Child care coverage during these childbirth/surgery/illness periods will pay for continued child attendance and, child absences within the regular attendance and absence policies. This coverage will not be granted in any situation when the parent or program knows at the start that the period will be over 6 weeks.

If a redetermination of eligibility is scheduled to occur during this extended period, continued eligibility can be “presumed” until the parent returns to an activity. Redetermination in those instances will be conducted within 30 days following the end of the extended period.

INCOME ELIGIBILITY DETERMINATION POLICY

All recipients of TCC, At-Risk, Low-Income, TPACC, and Diversion Payment child care assistance must be determined eligible under the established income limits using the gross household income amount. All sources of income available to all mandatory household members will be considered. (See Income Eligibility Determination Policy and Determining Family Household size.) The gross household income from all countable sources will be verified prior to approval or continuation of benefits.

Sources of Monthly Gross Income to be Considered

In establishing eligibility for TCC, At-Risk, Low Income, TPACC, and Diversion Payment child care assistance, the following sources of gross family household income must be considered:

- Gross Wages or Salary

Wages or salaries include the total before tax or other withholding earnings received from work performed as an employee: wages, salary, Armed Forces pay, military housing allowance, commissions, tips, piece rate payments and cash bonuses earned before deductions are made for taxes, bonds, pensions, union dues and similar purposes. Payments to VISTA Volunteers (including subsistence and re-enrollment allowances) are not considered as income.

- Net Income from Non-Farm Self-Employment

Net income includes gross receipts minus business expenses from one's own business, professional enterprise or partnership.

- Gross receipts - include the value of all goods sold and services rendered.
- Expenses - include costs of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid, business taxes (not personal income taxes) and similar costs.
- The value of salable merchandise consumed by the proprietors of retail stores is not included as a part of net income. Certificate Programs will not pick which of the business expenses to count or not count. Federal income tax forms, e.g., personal "1040" and business Form C are forms of documentation.

- Net Income from Farm Self-Employment

Net income includes gross receipts minus operating expenses from the operation of a farm by a person on his own account as an owner, renter or sharecropper.

- Gross receipts include the value of all products sold, government crop loans, money received from the rental of farm equipment to others and incidental receipts from the sale of wood, sand, gravel and similar items.
- Operating expenses include the cost of feed, fertilizer, seed and other farming supplies, cash wages paid to farmhands, depreciation charges, cash rent, interest on farm mortgages, farm building repairs, farm taxes (not State and Federal income taxes) and similar expenses.
- The value of fuel, food or other farm products used for family living is not included as a part of the net income. Certificate Programs cannot pick which expenses to count or not count. Federal income tax forms, e.g., personal 1040, and business Form C, are forms of documentation.

- Social Security

Social Security income for any household members, including Social Security pensions, survivor's benefits, and permanent disability insurance payments made by the Social Security Administration (prior to deductions for medical insurance and overpayments) as well as railroad retirement insurance checks from the United States Government.

- Dividends, Interest, Income from Estates or Trusts, from Net Rental Income or Royalties

Dividends, including dividends from stockholdings or membership in associations; interest on savings or bonds, periodic receipts from estates or trust funds; net income from the rental of a house, store, or property; income from the real property of other people; income from boarders or lodgers; or, the net income from any royalties.

- Public Assistance or Welfare Payments

Includes family cash assistance payments such as Families First (FF), and Supplemental Security Income (SSI).

- Pensions and Annuities

Includes pensions or retirement benefits paid to a retired mandatory member of the household or his or her survivors by a former employer or by a union, either directly or through an insurance company; periodic receipts for annuities, or insurance.

- Unemployment Compensation

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Compensation received from government unemployment insurance agencies or private companies during periods of unemployment and strike benefits received from union funds.

- Worker's Compensation

Compensation received periodically from private or public insurance companies for injuries incurred at work. The cost of this insurance must have been paid by the employer and not by the person. The **exception** is the first \$20 of each monthly payment of Black Lung Benefits.

- Alimony

Any allowance paid to an individual for support by his or her spouse at the time of legal separation or following a divorce.

- Child Support

Regular payments or contributions received to defray living expenses made by one or both parents for the child's support. Child support may be court ordered or voluntary.

- Veterans Pension

Money paid by the Veterans Administration to disabled former members of the Armed Forces or to survivors of deceased veterans, subsistence allowances paid to veterans for education and on-the-job training as well as so-called "refunds" paid to ex-servicemen as GI insurance premiums.

- Education and Training Stipends

Most student assistance programs are not countable, but funds and stipends received directly by the student or to cover living expenses while an individual is in school or training program are considered income.

The following federal and state student assistance programs are not considered income:

- Pell Grants (Pell Grant or BEOG);
 - Federal Family Educational Loan Program (Guaranteed, Stafford, Perkins);
 - Federal Work-Study Program and Federal Supplemental Educational Opportunity Grants (SEOG);
 - Tennessee Student Assistance Award (TSAA);
 - Student education loans;
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- Revised Section 479B of Title IV of the Higher Education Act (HEA); and
- Bureau of Indian Affairs (BIA) Student Assistance Programs.

- Income of Sponsored Aliens

When determining the income eligibility of sponsored aliens for child care purposes, the sponsor's household income shall only be counted if the applicant is residing in that sponsor's household.

Sources of Income not to be Counted

In addition to exclusions noted in the above section, do not count:

- Food Stamps (FS income must be encoded in TCCMS for federal reporting purposes);
- Income tax refunds - state or federal;
- Earned Income Tax Credit - advances or year-end amounts;
- Summer or other part-time income for youth age 18 or under who are in school or training;
- Income, including Social Security retirement or disability income, of any member of the family household, e.g., the live-in grandparent, aunt or non-parental caretaker, who is not counted by the parent as part of her household;
- A reimbursement received by the parent from the Department for child care the parent had paid;
- Housing vouchers usable as cash (Voucher income must be encoded in TCCMS as a zero (\$0) dollar amount as this benefit is not used in Tennessee);
- The education funds mentioned in the above section; or

Income Deductions

- Child support paid to non-household members is deducted from the gross income.

Household Resources not to be Counted as Income

For child care eligibility and parent fee determination, **do not count** the following household resources as income:

- Savings accounts or certificates of deposit (CD);
- IDA - Individual Development Account savings;
- Automobiles or trucks or boats or motorcycles;
- Auto loan funds granted under the First Wheels program;
- Ownership of the house, land or other properties;
- Business assets of a self-employed individual; or
- Lump sum payments, e.g., Social Security back-payment.

Determining & Entering Gross Monthly Income

TCCMS will provide an automatic computation of monthly income when entered into the system. There are occasions when it may be necessary to complete an offline calculation of income. Use the following methods:

- Hourly income

Determine the hourly wage and multiply this amount by the number of hours worked during the individual's usual work day to determine gross daily pay. Multiply the daily pay by the number of days worked in the individual's work week to obtain weekly pay.

- Weekly income

Multiply the weekly income by 4.3 to determine monthly income.

- Income paid every two weeks

Multiply the amount received every two weeks by 2.15 to determine monthly income.

- Income received twice per month

Multiply the amount received twice a month by 2 to determine monthly income.

- Annual income

Divide total amount of annual income by 12 to determine monthly income.

- Regular overtime or seasonal income

Regular income may fluctuate from month to month due to overtime occurring on a regular basis. To produce a representative income, the income statements for the previous two-month period (8 weeks) will be averaged.

- Income from farm and non-farm self-employment

This type of income is usually received on an annual basis. Determine income and expenses in accordance with definitions of farm and non-farm employment, and convert to a monthly figure. It may be necessary to estimate initially until the client has some actual income data. If the family or individual has a deficit income due to expenses being greater than the income from farm or non-farm self-employment, the negative figure rather than zero must be included with other income when determining the family's gross income.

- Regular income obtained during a portion of the year

Some individuals have regular employment during certain months of the year: schoolteachers, school cafeteria workers, maintenance personnel, and Head Start workers. Some school employees are paid nine months of the year, some are paid 10 months, and some receive pay 12 months. The caseworker must determine the pay arrangement a school employee has so that income can be considered in appropriate months. The average monthly income will be considered available during the month it is received for school employees.

- For example: a school employee who is paid 10 months of the year would be considered to have income for 10 months and 0 income for 2 months.

- Predicting income not yet received

In cases where employment has just begun it may be necessary to estimate the income in order to determine eligibility and the parent fee amount.

Accept an employer's written statement describing the client's wage and hours

Acceptable Sources for Verification of Income

- Paycheck stubs covering a minimum of the last four (4) weeks of regular income
A determination should be made whether or not it is representative of usual pay.
The most recent stub submitted should be no more than 30 days old.
- Copies of court orders or legal documents
- Records of county or circuit courts
- Award letters, approval of benefits notices, written statements, both signed and dated, of employers showing weekly number of work hours, rate of pay, and gross income (when check stub or payment histories are not available)
- W-2 Forms or income tax forms, i.e., Form C
- Bank or financial institution records
- Business records maintained by self-employed persons
- Electronic eligibility system

DETERMINING FAMILY HOUSEHOLD SIZE

All individuals applying for TCC, ACC, ARCO, Low-Income, TPACC, and Diversion Payment child care assistance will have their family household composition determined for the purpose of calculating income eligibility.

Participants must report all changes in their household unit within ten (10) calendar days of a change. Failure to report such changes may result in a loss of eligibility and child care assistance. Certificate Programs shall inform all participants at the time of application to report any changes which may affect income and of the possible consequences for failure to report such changes.

Mandatory Members of the Family Household Unit

The following family members must be included in the household unit:

- The natural or adoptive parent or caretaker.
- The married spouse of the parent or caretaker, if residing in the home.
- A second parent or alleged parent of the children needing care when he or she is residing in the home, even if unmarried to the parent/caretaker.
- All children needing child care who are residing in the home and for whom the parent/caretaker has primary responsibility for care and control and who are related within a specified degree relationship.
- Any child needing child care residing in the home for whom the parent/caretaker or married spouse has primary responsibility for care and control.
- Any child siblings to the child needing care, including those siblings over age 18 or under 19 if the sibling is still attending high school.

Determining Other Household Members and Situations

- Other Adults and Their Children Residing in the Residence

The parent or caretaker may claim a separate family household for eligibility purposes while residing with other related or unrelated adults if these adults are not otherwise mandatory members.

- When another adult residing with the parent/caretaker is determined to be a mandatory member, then the children of this mandatory member may be counted when determining the family household size.

- **Caretakers Who Are Also Foster Parents**

If the caretaker adult is also a foster parent paid by the State or a private foster care agency, the foster child(ren) will be counted in the family household size and the foster care payments will be counted as income.

- **Non-Emancipated Minors**

The parents of a non-emancipated minor parent will be counted in the family household unit when determining household size and income. This family household will be tested against the child care income eligibility level

- **Emancipated Minors**

Minors under 18 years of age may be considered as a separate household from their parents, even if they reside in the same house, provided they are legally emancipated. This family household will be tested against the child care income eligibility level.

Verification of Relationships and Ages

Verification of relationships and age for Families First participants is completed during the eligibility determination process for that program. These verifications remain documented as the family transitions to TCC and ACC or elects to receive Diversion Payments.

Verification of relationship and age will be completed for applicants and individuals in cases that are added as members after the closure of the FF case.

The following documents can be used to verify relationships, whether legal or alleged, and for ages of persons.

- | | |
|--------------------------------|---|
| adoption/legitimization orders | birth certificates (original or copies) |
| school records | hospital birth records |
| SSA award letters | juvenile or other court orders |
| physician statements | social service agency records |
| family bible records | military records |
| | ACCENT |

A Low-Income caretaker relative does **not** have to be the legal guardian or custodian of a child who is within the 5th degree in order to receive child care assistance. Included as eligible “relatives” are those related to the child by half-blood, step-related, legally adoptive parents; and, the blood relations of these persons, legal spouses of any of these persons even though the marriage may have been terminated by death or by divorce.

A Low-Income caretaker **does** have to be the legal guardian or custodian of a child who is not within the 5th degree in order to receive child care assistance.

TCCMS Encoding Policy On Family Members

Only those household members determined to be included in the family household unit will be entered into TCCMS and identified by the appropriate codes, e.g., “Children Needing Care”, “Other Family Members”, etc., in order to compute the correct eligibility and parent fees. Those individuals residing in the house who were not deemed part of the family household unit should not be entered into TCCMS.

Special Situation – Deployed United States Soldiers

Situations in which a parent is temporarily out of the home due to military deployment (either foreign or domestic) do not change the child’s eligibility status. Family members or non-related individuals who have temporary care and control of the child may continue to receive child care assistance to prevent a disruption in the care, preserve the slot with the child care provider, and lessen the anxiety of the deployed parent.

- This policy applies to any child care eligibility.
- Any redetermination should be postponed until the eligible parent returns from duty.
- Any parent fees determined on the parent’s income will be continued at the same fee.
- The case should stay in the parent’s name if possible with the address of any new location for the child changed if needed.

LOW-INCOME DIAGNOSED DISABILITY AND DEVELOPMENTAL DELAY ASSISTANCE

Children who have a diagnosed disability or a developmental delay of a low-income family may apply for Low-Income child care assistance to enhance the child's early childhood adjustment. This program is only available when state and federal funding allows new admissions. Since 2002 funding has been insufficient to add new individuals to this program.

The individual(s) with the disability or the developmental delay is/are the only child(ren) eligible to receive assistance under this program. This special assistance is focused on the child's need, and not for the purpose of assisting a parent to work. Therefore, the parents do not have to meet work activity requirements. Non-disabled/developmentally delayed children in the family household, related or unrelated, do not qualify for this assistance program. If other non-disabled children in this family are to apply for assistance, the parents must meet the work requirement activity.

For tracking purposes, all children served under this eligibility will be placed under the funding source code "DD".

Diagnosed Disability

Verification of Disability:

The diagnosis of disability must be made in a signed statement by someone who is licensed to make it. Licensed persons, including the following medical professionals, may make the diagnosis of disability: physician, psychologist, psychiatrist, mental health clinic social worker. The statement must include the name of the person making the diagnosis, his/her title, the date of diagnosis, and the nature of the disability.

If a child is an SSI recipient or receiving special services through DMHMR, Part H, or other public school special education program, documentation that the child is eligible for those benefits is sufficient verification of a diagnosed disability.

If a diagnosis of permanent disability is obtained, it is not necessary to secure any further verification. This does not stop the need for regular eligibility redeterminations.

In cases where the disability is not permanent and may be subject to change, a current diagnosis must be obtained once a year.

Developmental Delay

Licensed or Regulated Care Only Limitation

Children with a developmental delay require professional child care. These children shall only be placed in a DHS licensed or DMH regulated care arrangement.

Program Scope

The effectiveness of using child care for addressing developmental problems should be monitored. If the child makes no progress after a year, termination of child care or a change in provider should be considered. Should the child make sufficient progress to be functioning in the acceptable range for his/her age or grade, child care should not be continued for more than one year after the initial assessment.

Children five years through eight years of age receiving regular school-day services may be authorized for part-time care only; however, full-time care is permitted during summer during the weeks no school services are provided.

Children age nine and older may be authorized for part-time or full-time care only during the summer weeks that school does not operate. Should an eight-year-old turn nine during the school year, services may be continued until the school year terminates.

Verification of Developmental Delay

A signed statement of developmental delay must be made by either a licensed professional (e.g., such as physician, psychologist, psychiatrist, mental health clinic social worker or the teacher working with the child) or a worker from an early intervention agency such as Tennessee Early Intervention System, Head Start special services staff, or similar agencies funded by DMH/MR.

For the school-age child or pre-school child receiving school services, a teacher or the professional must state in writing that (1) the child exhibits social, physical, cognitive, or emotional problems, or (2) the child is below grade level for her/his age or is not passing, or (3) assessments indicate the child is at-risk for educational problems.

Authorizing Schedule Types for Developmental Delay

Children ages six weeks through two years of age can be authorized for part-time or full-time care.

Children age three through four years of age may be authorized for full-time care if they receive fewer than 10 hours per week of school or specialized services. For those receiving 10 or more hours of school or specialized service per week, only part-time care may be authorized during the weeks these services are provided and full-time during any summer weeks when no specialized services are provided.

APPEALS

All parents and caretakers have the right to file an appeal on any action taken on their case by the Certificate Program.

Policies

The parent must be informed about her right to grieve or appeal at the start of child care assistance.

Individuals always have the right to appeal at any point before, during or after an impending action.

Appeal Timeframes:

To be considered valid, the appeal must be filed no later than ninety (90) calendar days following the effective date of the negative action causing the appeal. In order for benefits to continue during the appeal period, the appeal must be filed within 10 days of the effective date of the negative action.

The parent must be informed that if the negative action is upheld, then any continued child care service would be charged to them as an overpayment and subject to recovery. This recovery does not apply to any child care received during the 10-day advance notice period.

Individuals must continue to meet their work requirements and pay any assessed parent co-pay fees during the appeal process to receive continued child care service.

Procedures

An appeal may be requested by a client through the Certificate Program staff, Family Assistance staff, or Service Center staff. All appeals are processed by the Department of Appeals and Hearings (DAH). Both contract agencies and DHS operated Certificate Programs may continue any attempts to resolve the issue in question after the appeal is filed. Appeals forms should be mailed to:

Director of Intake and Conciliation
Tennessee Department of Human Services
Division of Appeals and Hearings
P.O. Box 198996
Nashville, TN 37219-8996

Or

faxed to 1-866-355-6136 (313-5013 for Nashville and 615 Area Code only)

The parent/caretaker filing the appeal must be provided with a copy of the completed appeal form.

SECTION II - CASE MANAGEMENT

CHILD CARE APPLICATION AND PARENT AGREEMENT FORM

All parents/caretakers will complete an application and a parent agreement for services.

Applications for Child Care Assistance

All parents must sign an application with basic demographic information.

Parent Agreement to Receive Child Care Assistance

The Certificate Program will inform all parents of the basic Certificate Program requirements and their rights as stated in the Parent Agreement Form. All parents will agree to accept the Certificate Program requirements and will sign the parent agreement form.

Issuance of Certificates

The Certificate Program will issue the child care certificate to all eligible parents.

CASE DOCUMENTATION

Case Notes

Case documentation in parent and provider histories should always answer the basic “who, what, when and why” questions.

Notes should include income (descriptions of what was utilized to verify) and household composition information and other important actions regarding events such as:

- contacts regarding a parent’s change in status and eligibility;
- child enrollment issues;
- special assistance in selection of care;
- complaints about service or the provider;
- supervisor case reviews;
- contacts regarding state office interventions;
- steps in an appeal; and
- any special circumstance that may later require explanation.

Documentation to Retain

A signed application must be kept on file and retained for at least three years or until any action related to an appeal or overpayment is completed, whichever is longer.

REDETERMINATION PROCEDURES POLICY

Redeterminations for TCC, ACC, ARCO, Low-Income, and TPACC Programs and Desk Reviews Polices for FF

Frequency

A redetermination for continued eligibility is required every six (6) months; or, whenever an individual's circumstances indicate the eligibility may have changed, for example, a change in monthly income, hourly wage, work hours, family size, etc.

All redetermination due dates should be set for the last day of the month when possible. (EXCEPTION: DCS state custody and protective services cases should be approved for the dates listed on the referral).

Options for Redetermination

- Face-to-face interviews are NOT required for redeterminations.
- Parents will complete an application at redetermination.
- Verifying documents for income and work hours are required.
- A new parent interview in TCCMS and redetermination of eligibility in TCCMS is required.

Notices and Reports for Redetermination

- A redetermination notice will be sent out to the parent 45 days prior to the redetermination due date. Parents are responsible to schedule or reschedule appointments for redetermination interviews or submit their information by mail/fax before the redetermination date.
- A closure notice will be sent to those parents who did not redetermine or schedule to redetermine by at least the 20th day of the month in which their redetermination is due. A copy of this notice is also sent to the provider.

Late Redeterminations Within Last 10 Days

Individuals who recertify (or mail in verification) within the last ten (10) calendar days prior to their redetermination due date and are found ineligible, will be provided the full ten (10) days of advance notice prior to termination of child care assistance. This advance notice applies even if child care service will be extended past the redetermination due date.

A new certificate may have to be issued to cover those extended days past the redetermination date. (The prior income may have to be used to continue “eligibility” for those extended days.)

Missed Redetermination Due Dates

Individuals who miss the redetermination due date:

- will have their eligibility and child enrollment terminated effective the redetermination due date using the “failure to redetermine” reason code;
- will be issued a termination and fair hearing notice; and
- will be responsible for any payments to their provider after the date of termination;
- Individuals reapplying for the Low Income programs who missed their redetermination will have to reapply for new child care assistance services and, depending on the availability of funding, may not be able to re-enroll in the program

Failure to Report On Time With Good Cause

If an individual appears or provides requested information within ten (10) days following the issuance of the termination notice and can prove good cause for not reporting, they may be returned to active status.

Good Cause Reasons:

- Late in providing additional verification information following an interview or mail-in prior to the redetermination date;
- Hospitalization of the participant or child; or
- Death of an immediate family member.

Non Good Cause Reasons:

- Lack of transportation to the office;
- Too busy working to set an appointment;
- Failing to reschedule an appointment; or
- Claims of not receiving the notices;

Situations in which Good Cause is approved will have the child care paid (backdated) for the days between termination and their return to active status

Setting New Redetermination Period Dates

The new eligibility period begins effective the day following the redetermination date if completed before that date. If the redetermination was completed after the redetermination due date, the new eligibility period will be started effective on that past redetermination due date if services are being backdated.

Desk Reviews FF Child Care Cases

A desk review should be completed on all Families First cases at the end of 12 months. The Desk Review should include a review of ACCENT screens for eligibility status and compliance. If it appears the client is non-compliant, appropriate action should be taken.

MONITORING CHILD ABSENCES

Failure to take appropriate action on excessive absences results in costly overpayments. Irregular attendance reports should be monitored for children with excessive absences and appropriate action taken.

Certificate Program Monitoring of Child Absences

Monitor the Irregular attendance report once a month to identify those children whose absences suggest child care may not be needed.

Parents with children absent 100% in a 30-day calendar period will be issued a ten-day advance child enrollment termination notice for excessive absences, unless an extended period exemption has been granted or extenuating circumstances exist.

For children with an absence rate of more than 50% in a 30-day calendar period, determine if care is no longer needed or if there is a good cause reason to approve an extended absence period. (Note: a 30-day extended absence period starts with the child's first day of absence and not on the day reported or discovered.)

If a good cause reason was determined for any absence days over the allowed limits, Fiscal Services must be notified for an adjustment payment to the provider to cover the child's approved extended absences.

Notify DHS Internal Audit when instances of suspected client or provider fraud are discovered as a result of monitoring absences.

DCS Cases and Enrollment Terminations

A copy of the child enrollment termination notice sent to the provider on a DCS case will also be sent to the DCS caseworker.

If a DCS caseworker calls on behalf of the parent or foster parent to state the parent is resuming attendance, then any enrollment termination action will be immediately canceled or the child re-enrolled.

CHILD TRANSFERRING PROVIDERS

Transfers When Parent Owes Back Co-Pay Fees

When a parent owes the current provider a parent co-pay fee debt, the transfer cannot be completed unless:

- the provider acknowledges the complete payment of any owed co-pay fees; or
- a payment plan satisfactory to the provider has been agreed upon.

Limits on Provider Transfers

The Department will allow a parent two (2) unquestioned requests to transfer providers within a twelve-month period. Any additional requests will be questioned as to the need and approved only under certain conditions to avoid unnecessary disruptions in a child's caregiver relationship.

Reasons to Approve an Additional Transfer

- The parent moved to a new residence.
- The parent changed job locations.
- The parent either:
 - complains of problems with the provider and has filed an allegation of abuse or neglect with the Department of Children's Services, or
 - makes an allegation of provider licensing violations with the DHS Child Care Complaint Hotline.
- The provider or regulatory agency closes the child care provider.
- The parent provides a written statement about specific concerns for the health or safety of her child at her unregulated provider.
- The parent transfers from an unregulated to a regulated provider.
- The child ages out of the care levels provided by the current provider.
- The parent cannot afford the cost difference between the state base rate and a provider's higher general public rate.

SECTION III – PROGRAM MANAGEMENT

PARENT CONSUMER EDUCATION

Information for Program Participants

At a minimum, each parent should receive the following information:

- The types of care covered by the Certificate Program, including both regulated and unregulated care;
- What to look for in selecting a provider;
- The Star Quality rated license program in Tennessee;
- The Department’s child care provider website address;
- How to file a child care complaint with the Department;
- How to file a report of suspected program abuse or fraud;
- Basic information on childhood immunizations;
- Opportunities for health coverage for the child; and
- The federal IRS Earned Income Tax Credit and Dependent Care Credit programs as income supports in covering the full cost of care.

Child Care Resource and Referral Center

Child Care Resource and Referral Centers (CCR&R) are available statewide and are a resource for parents who need additional information about early education. Parents should be referred to the CCR&R for special assistance in locating a child care provider or specialized providers If needed.

Parental Choice

Parental Choice is a vital component of child care assistance. The following guidelines ensure that parents are presented with as many options for care as possible:

- Parents will not be referred or “steered” to a specific provider by DHS staff.
-

- DHS Staff shall not accept gifts, gratuities, or favors from a child care provider.
- DHS staff may advise parents of the weekly rates or other miscellaneous fees of a provider when asked by the parent.
- DHS staff will advise parents that they are responsible for any cost difference when providers charge more than the state rate, as long as the provider advises them of the cost difference and the client agrees, in writing, to pay the difference.
- DHS staff will directly assist a parent who reports difficulty in finding care.
- DHS staff will provide a list of all providers in the parent's area if needed to assist in locating child care.

Parental Choice and Department of Children Services (DCS) Arrangements

DCS child care arrangements are typically made by the DCS caseworker. DHS staff will assist DCS or the foster parent if necessary in locating an available and/or affordable arrangement.

PROGRAM ABUSE AND FRAUD

Suspected abuse of program benefits or fraud by staff, clients or providers must be reported.

Reporting of Suspected Program Abuse or Fraud

DHS staff, parents, or providers who become aware of or suspect program abuse, misappropriation of funds, or fraudulent receipt or issuance of benefits should report these situations to the Comptroller of the Treasury's Fraud, Waste and Abuse Hotline at **1-800-232-5454**.

Staff members will also report the above instances to the Director of the Child Care Certificate Program.

Informants can remain anonymous when calling the fraud hotline.

Any specific information provided to Certificate Program staff on suspected Certificate Program abuse will be investigated and pursued by staff in order to correct the immediate problem, i.e., ineligibility, inaccurate enrollments or attendance.

INTERPRETIVE LANGUAGE SERVICES

Each applicant for and recipient of child care assistance who has limited English proficiency will have free interpretive services provided her or him under the federal Office of Civil Rights (OCR), Title VI of the 1964 Civil Rights Act. Persons with limited English proficiency must have fair and equal access to interpretive services when securing child care assistance. Language differences between agency staff and persons will not be a barrier to those individuals when receiving needed services.

CONFIDENTIAL CASELOAD POLICY

Any DHS employee who receives Certificate Program assistance will be placed in a special confidential caseload for special supervision and internal financial accountability.

Procedures

Each district's child care Certificate Program supervisor will designate a child care specialist for the special caseload.

The special caseload designee shall not be a recipient of child care assistance. The eligibility – referrals, verifications of income and work requirements, records of special cross checking with other data systems like ACCENT, periods of eligibility, assessment of parent co-pay fees, and certificate for child care assistance, etc., will be regularly checked by the program director or a supervisory designee.

Each redetermination of eligibility of these cases whether by schedule or change of circumstances will be checked by the program supervisor or designee.

The supervisor or designee will document these checks in the TCCMS parent history record.

Any detection of possible fraud or acts of favoritism shall be immediately reported to the State Office.

PUBLIC RECORDS POLICY

All information related to work performed under the Certificate Program is considered in the public record and is available to the public for review and copying (at the public's expense) during normal business hours pursuant to T.C.A. 10-7-501. This information includes:

- Provider enrollment status in the Certificate Program;
- Provider payment information;
- Parent eligibility for Low-Income child care (excludes FF and TCC); and
- Numbers of all clients, including FF and TCC, and all providers.

Exceptions

The following specific information is considered confidential and will not be released to the public:

- The names, addresses, Social Security numbers, telephone numbers and other identifying information regarding the children and families served by the certificate program who are:
 - receiving assistance under the Families First, Transitional, At-Risk, Diversion, or TPACC programs; or,
 - part of a Child Protective Services case or a Foster Care case administered by the Department of Children's Services;
- Low-Income parent Social Security numbers; and
- Provider Social Security numbers.

Local Procedures

- Each local office must have a procedure in place that details how requests from the public for information that is considered public record will be handled. This plan must designate the person who is to interact with the persons requesting the information and a backup person.
- Court ordered requests for records that contain information not to be released will be immediately forwarded to the State Office. Information or requested documents will not be released without permission from the State Office.

- “Blacking out” restricted information on court ordered documents does not lift the above requirement to first obtain state office permission to release such information.

VOTER REGISTRATION POLICY

Each individual who comes into a DHS office will be afforded the opportunity to register to vote or to decline that opportunity.

Program Goal

The National Voter Registration Act of 1993 (42 USCA 1973gg-5) requires that all state offices which provide public assistance with federal funds shall make available "mail-in" voter registration forms, assistance in the completion of registration applications, and the acceptance of completed registration application forms. The intent of this federal law is to establish procedures which will increase the number of eligible citizens who register to vote in elections for Federal offices, to protect the integrity of the electoral process, and to ensure that accurate and current voter registration rolls are maintained.

NVRA Quarterly Staff Training

Certificate Program supervisors and contract managers/directors will ensure all Certificate Program staff who are involved in providing, assisting with, and collecting the registration applications will receive documented quarterly training through their local DHS Family Assistance office.

LOW-INCOME WAITING LIST

As of June 30, 2004, new children were no longer being added to the Low-Income waiting list.

Local DHS offices are not required to maintain contact with families who have previously been on a waiting list to assess ongoing interest in Low-Income child care and/or potential eligibility.

Parents seeking to be added to the waiting list will instead be advised of the alternatives available to them.