



General Assembly

February Session, 2006

Raised Bill No. 480

LCO No. 2503

02503_____HS_

Referred to Committee on Human Services

Introduced by:
(HS)

AN ACT CONCERNING CHILD CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 19a-490 of the 2006 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective October 1, 2006*):

4 (d) "Home health care agency" means a public or private
5 organization, or a subdivision thereof, engaged in providing
6 professional nursing services and the following services, available
7 twenty-four hours per day, in the patient's home or a substantially
8 equivalent environment: Homemaker-home health aide services as
9 defined in this section, physical therapy, speech therapy, occupational
10 therapy or medical social services. A substantially equivalent
11 environment may include, but not be limited to, facilities that provide
12 child day care services, as defined in subsection (a) of section 19a-77,
13 and after school programs, as defined in section 10-16x of the 2006
14 supplement to the general statutes. The agency shall provide
15 professional nursing services and at least one additional service
16 directly and all others directly or through contract. An agency shall be
17 available to enroll new patients seven days a week, twenty-four hours

18 per day.

19 Sec. 2. Subsection (b) of section 8-210 of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2006*):

22 (b) The state, acting by and in the discretion of the Commissioner of
23 Social Services, may enter into a contract with a municipality, a human
24 resource development agency or a nonprofit corporation for state
25 financial assistance in developing and operating child day care centers
26 for children disadvantaged by reasons of economic, social or
27 environmental conditions, provided no such financial assistance shall
28 be available for the operating costs of any such day care center unless
29 it has been licensed by the Commissioner of Public Health pursuant to
30 section 19a-80, as amended. Such financial assistance shall be available
31 for a program of a municipality, of a human resource development
32 agency or of a nonprofit corporation which may provide for personnel,
33 equipment, supplies, activities, program materials and renovation and
34 remodeling of physical facilities of such day care centers. Such contract
35 shall provide for state financial assistance, within available
36 appropriations, in the form of a state grant-in-aid (1) for a portion of
37 the cost of such program as determined by the Commissioner of Social
38 Services, if not federally assisted, or (2) equal to one-half of the amount
39 by which the net cost of such program as approved by the
40 commissioner exceeds the federal grant-in-aid thereof. Effective July 1,
41 2006, the Commissioner of Social Services shall increase the unit cost
42 reimbursement rate paid to a service provider under the program for
43 children under three years of age so that such rate is equal to the unit
44 cost reimbursement rate for children three years of age and older
45 under the school readiness program established pursuant to section 10-
46 16p of the 2006 supplement to the general statutes, provided the
47 Commissioner of Social Services determines that the service provider
48 meets standards established by the department in accordance with this
49 section which are comparable to the standards prescribed in subsection
50 (b) of section 10-16p of the 2006 supplement to the general statutes.

51 Effective July 1, 2006, the Commissioner of Social Services shall
52 increase the unit cost reimbursement rate paid to a service provider
53 under the program for children three and four years of age and
54 children five years of age who are not eligible to enroll in school
55 pursuant to section 10-15c, so that such rate is an amount equal to the
56 unit cost reimbursement rate for the school readiness program
57 established pursuant to section 10-16p of the 2006 supplement to the
58 general statutes, provided the Commissioner of Social Services
59 determines that the service provider meets standards established by
60 the department in accordance with this section which are comparable
61 to the standards prescribed in subsection (b) of section 10-16p of the
62 2006 supplement to the general statutes. The Commissioner of Social
63 Services may authorize child day care centers provided financial
64 assistance pursuant to this subsection to apply a program surplus to
65 the next program year. The commissioner shall consult with directors
66 of child day care centers in establishing fees for the operation of such
67 centers.

68 Sec. 3. Section 17b-749 of the general statutes is repealed and the
69 following is substituted in lieu thereof (*Effective July 1, 2006*):

70 (a) The Commissioner of Social Services shall establish and operate
71 a child care subsidy program to increase the availability, affordability
72 and quality of child care services for families with a parent or caretaker
73 who is working, attending high school or who receives cash assistance
74 under the temporary family assistance program from the Department
75 of Social Services and is participating in an approved education,
76 training, or other job preparation activity. Services available under the
77 child care program shall include the provision of child care subsidies
78 for children under the age of thirteen or children under the age of
79 nineteen with special needs. The department shall open and maintain
80 enrollment for the child care subsidy program and shall administer
81 such program within the existing budgetary resources available.

82 (b) The commissioner shall establish income standards for

83 applicants and recipients at a level to include a family with gross
84 income up to fifty per cent of the state-wide median income, except the
85 commissioner (1) may increase the income level to up to seventy-five
86 per cent of the state-wide median income, (2) upon the request of the
87 Commissioner of Children and Families, may waive the income
88 standards for adoptive families so that children adopted on or after
89 October 1, 1999, from the Department of Children and Families are
90 eligible for the child care subsidy program, and (3) on and after March
91 1, 2003, shall reduce the income eligibility level to up to fifty-five per
92 cent of the state-wide median income for applicants and recipients
93 who qualify based on their loss of eligibility for temporary family
94 assistance. The commissioner may adopt regulations in accordance
95 with chapter 54 to establish income criteria and durational
96 requirements for such waiver of income standards.

97 (c) The commissioner shall establish eligibility and program
98 standards including, but not limited to: (1) A priority intake and
99 eligibility system with preference given to serving recipients of
100 temporary family assistance who are employed or engaged in
101 employment activities under the department's "Jobs First" program,
102 working families whose temporary family assistance was discontinued
103 not more than five years prior to the date of application for the child
104 care subsidy program, teen parents, low-income working families,
105 adoptive families of children who were adopted from the Department
106 of Children and Families and who are granted a waiver of income
107 standards under subdivision (2) of subsection (b) of this section, and
108 working families who are at risk of welfare dependency; (2) health and
109 safety standards for child care providers not required to be licensed;
110 (3) a reimbursement system for child care services which account for
111 differences in the age of the child, number of children in the family, the
112 geographic region and type of care provided by licensed and
113 unlicensed caregivers, the cost and type of services provided by
114 licensed and unlicensed caregivers, successful completion of fifteen
115 hours of annual in-service training or credentialing of child care
116 directors and administrators, and program accreditation; (4)

117 supplemental payment for special needs of the child and extended
118 nontraditional hours; (5) an annual rate review process which assures
119 that reimbursement rates are maintained at levels which permit equal
120 access to a variety of child care settings; (6) a sliding reimbursement
121 scale for participating families; (7) an administrative appeals process;
122 (8) an administrative hearing process to adjudicate cases of alleged
123 fraud and abuse and to impose sanctions and recover overpayments;
124 and (9) a waiting list for the child care subsidy program that reflects
125 the priority and eligibility system set forth in subdivision (1) of this
126 subsection, which is reviewed periodically, with the inclusion of this
127 information in the annual report required to be issued annually by the
128 Department of Social Services to the Governor and the General
129 Assembly in accordance with subdivision (10) of section 17b-733. Such
130 action will include, but not be limited to, family income, age of child,
131 region of state and length of time on such waiting list.

132 (d) [On or after January 1, 1998, a] A provider under the child care
133 subsidy program that qualifies for eligibility and subsequently receives
134 payment for child care services for recipients under this section shall
135 be reimbursed for such services until informed by the Department of
136 Social Services of the parent's ineligibility.

137 (e) All licensed child care providers and those providers exempt
138 from licensing shall provide the Department of Social Services with the
139 following information in order to maintain eligibility for
140 reimbursement: (1) The name, address, appropriate identification,
141 Social Security number and telephone number of the provider and all
142 adults who work for or reside at the location where care is provided;
143 (2) the name and address of the child's doctor, primary care provider
144 and health insurance company; (3) whether the child is immunized
145 and has had health screens pursuant to the federal Early and Periodic
146 Screening, Diagnostic and Treatment Services Program under 42 USC
147 1396d; and (4) the number of children cared for by the provider.

148 (f) For the fiscal year ending June 30, 2007, and each fiscal year

149 thereafter, the commissioner shall reimburse providers of child care
 150 services, participating in the child care subsidy program, at a level
 151 equivalent to the seventy-fifth percentile weekly market rate of the cost
 152 of providing child care services. The seventy-fifth percentile weekly
 153 market rate shall be determined by utilizing the most recent weekly
 154 market rate of the cost of providing child care services in the state for
 155 the period of time immediately preceding the rate period, as set forth
 156 in the weekly market rate survey of child care providers, conducted
 157 biennially by the Department of Social Services in accordance with
 158 federal law.

159 [(f)] (g) [On or after January 1, 1998, the] The commissioner shall
 160 adopt regulations, in accordance with the provisions of chapter 54, to
 161 implement the provisions of this section.

162 Sec. 4. (*Effective July 1, 2006*) The sum of ____ dollars is
 163 appropriated to the Department of Social Services, from the General
 164 Fund, for the fiscal year ending June 30, 2007, for the purpose of
 165 increasing reimbursement rates paid to state-funded child care centers
 166 and providers of child care services participating in the child care
 167 subsidy program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	19a-490(d)
Sec. 2	<i>July 1, 2006</i>	8-210(b)
Sec. 3	<i>July 1, 2006</i>	17b-749
Sec. 4	<i>July 1, 2006</i>	New section

Statement of Purpose:

To: (1) Modify the definition of home health care agency to allow reimbursement under the Medicaid program for children who require therapies, to receive such therapies at facilities providing child day care services or after school programs, establish parity in the rates paid to state-funded child care centers and school readiness programs, and (2) increase reimbursement rates paid to state-funded child care

centers and providers of child care services participating in the child care subsidy program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]