



General Assembly

Substitute Bill No. 273

February Session, 2012

* _____SB00273KIDAPP031412_____*

AN ACT CONCERNING THE CARE4KIDS PROGRAM.

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

1 Section 1. Section 17b-749 of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2012*):

4 (a) For purposes of this section:

5 (1) "High school" means a day program accredited by the state
6 Department of Education or the New England Association of Schools
7 and Colleges, a general educational development test preparation
8 program, adult education program, technical high school program or
9 vocational secondary school program, which will lead to a high school
10 level diploma or certificate.

11 (2) "School-based child care program" means a child care program
12 administered by a public school system, or administered by a
13 municipal agency or department and is located in a public school
14 building, or a program administered by a private school, which is in
15 compliance with section 10-188 and is approved by the State Board of
16 Education or is accredited by an accrediting agency recognized by the
17 State Board of Education.

18 (3) "Teen parent" means any parent under the age of twenty.

19 [(a)] (b) The Commissioner of Social Services shall establish and
20 operate a child care subsidy program to increase the availability,
21 affordability and quality of child care services for (1) families with a
22 parent or caretaker who is working, attending high school or who
23 receives cash assistance under the temporary family assistance
24 program from the Department of Social Services and is participating in
25 an approved education, training, or other job preparation activity, and
26 (2) teen parents not receiving cash assistance under the temporary
27 family assistance program from the Department of Social Services,
28 who are enrolled in high school and regularly attend classes at such
29 high school. Services available under the child care program shall
30 include the provision of child care subsidies for children under the age
31 of thirteen or children under the age of nineteen with special needs.
32 The department shall open and maintain enrollment for the child care
33 subsidy program and shall administer such program within the
34 existing budgetary resources available. The department shall issue a
35 notice on the department's Internet web site and shall provide written
36 notice to recipients of program benefits and to service providers any
37 time the department closes the program to new applications, changes
38 eligibility requirements, changes program benefits or makes any other
39 change to the program's status or terms, provided the department shall
40 not be required to issue such notice when the department expands
41 program eligibility. Any change in the department's acceptance of new
42 applications, eligibility requirements, program benefits or any other
43 change to the program's status or terms for which the department is
44 required to give notice pursuant to this subsection, shall not be
45 effective until thirty days after the department issues such notice.

46 [(b)] (c) The commissioner shall establish income standards for
47 applicants and recipients at a level to include a family with gross
48 income up to fifty per cent of the state-wide median income, except the
49 commissioner (1) may increase the income level to up to seventy-five
50 per cent of the state-wide median income, (2) upon the request of the
51 Commissioner of Children and Families, may waive the income
52 standards for adoptive families so that children adopted on or after

53 October 1, 1999, from the Department of Children and Families are
54 eligible for the child care subsidy program, and (3) on and after March
55 1, 2003, shall reduce the income eligibility level to up to fifty-five per
56 cent of the state-wide median income for applicants and recipients
57 who qualify based on their loss of eligibility for temporary family
58 assistance. The commissioner may adopt regulations in accordance
59 with chapter 54 to establish income criteria and durational
60 requirements for such waiver of income standards.

61 (d) When determining the eligibility of the teen parent for the child
62 care subsidy program, the commissioner, subject to available
63 appropriations for such child care subsidy program, shall not include
64 the income of the parent or legal guardian of the teen, regardless of
65 whether the teen parent was residing with the parent or legal guardian
66 at the time of such determination.

67 [(c)] (e) The commissioner shall establish eligibility and program
68 standards including, but not limited to: (1) A priority intake and
69 eligibility system with preference given to serving recipients of
70 temporary family assistance who are employed or engaged in
71 employment activities under the department's "Jobs First" program,
72 working families whose temporary family assistance was discontinued
73 not more than five years prior to the date of application for the child
74 care subsidy program, teen parents, low-income working families,
75 adoptive families of children who were adopted from the Department
76 of Children and Families and who are granted a waiver of income
77 standards under subdivision (2) of subsection [(b)] (c), and working
78 families who are at risk of welfare dependency; (2) health and safety
79 standards for child care providers not required to be licensed; (3) a
80 reimbursement system for child care services which account for
81 differences in the age of the child, number of children in the family, the
82 geographic region and type of care provided by licensed and
83 unlicensed caregivers, the cost and type of services provided by
84 licensed and unlicensed caregivers, successful completion of fifteen
85 hours of annual in-service training or credentialing of child care

86 directors and administrators, and program accreditation; (4)
87 supplemental payment for special needs of the child and extended
88 nontraditional hours; (5) an annual rate review process for providers;
89 which assures that reimbursement rates are maintained at levels which
90 permit equal access to a variety of child care settings; (6) a sliding
91 reimbursement scale for participating families; (7) an administrative
92 appeals process; (8) an administrative hearing process to adjudicate
93 cases of alleged fraud and abuse and to impose sanctions and recover
94 overpayments; (9) an extended period of program and payment
95 eligibility when a parent who is receiving a child care subsidy
96 experiences a temporary interruption in employment or other
97 approved activity; and (10) a waiting list for the child care subsidy
98 program that reflects the priority and eligibility system set forth in
99 subdivision (1) of this subsection, which is reviewed periodically, with
100 the inclusion of this information in the annual report required to be
101 issued annually by the Department of Social Services to the Governor
102 and the General Assembly in accordance with subdivision (10) of
103 section 17b-733. Such action will include, but not be limited to, family
104 income, age of child, region of state and length of time on such waiting
105 list.

106 [(d)] (f) Not later than January 1, 2011, an applicant determined to
107 be eligible for program benefits shall remain eligible for such benefits
108 for a period of not less than eight months from the date that such
109 applicant is determined to be eligible, provided the commissioner has
110 not determined, during such eight-month period, that the applicant's
111 circumstances have changed so as to render the applicant ineligible for
112 program benefits. The commissioner shall not make an eligibility
113 determination for a recipient of program benefits more than one time
114 per eight-month period, except as provided in subsection [(e)] (h) of
115 this section.

116 (g) Within available appropriations, a recipient of program benefits
117 who takes unpaid leave from her employment due to the birth or
118 impending birth of a child shall be granted not more than twelve

119 weeks of payment eligibility during the leave if: (1) The recipient
120 intends to return to work at the end of the unpaid leave; (2) the
121 recipient verifies that eligibility is needed to prevent the loss of a slot
122 in a school-based program or licensed child care setting; and (3) the
123 child receiving child care services under the program continues to
124 attend the program during the recipient's leave.

125 [(e)] (h) Not later than October 15, 2011, the commissioner shall
126 submit a report, in accordance with the provisions of section 11-4a, to
127 the joint standing committees of the General Assembly having
128 cognizance of matters relating to human services and appropriations
129 and the budgets of state agencies concerning eligibility
130 redeterminations made on an eight-month basis. Such report shall
131 include an analysis of overpayments of program benefits made by the
132 department and administrative costs incurred by the department as a
133 result of eligibility redeterminations made on an eight-month basis. On
134 and after October 15, 2011, the commissioner may make eligibility
135 redeterminations on a six-month basis if, after January 1, 2011, the
136 department's overpayments of program benefits have increased in
137 comparison with the period between January 1, 2010, and December
138 31, 2010, as a result of having an eight-month eligibility
139 redetermination period.

140 [(f)] (i) A provider under the child care subsidy program that
141 qualifies for eligibility and subsequently receives payment for child
142 care services for recipients under this section shall be reimbursed for
143 such services until informed by the Department of Social Services of
144 the recipient's ineligibility.

145 [(g)] (j) All licensed child care providers and those providers exempt
146 from licensing shall provide the Department of Social Services with the
147 following information in order to maintain eligibility for
148 reimbursement: (1) The name, address, appropriate identification,
149 Social Security number and telephone number of the provider and all
150 adults who work for or reside at the location where care is provided;
151 (2) the name and address of the child's doctor, primary care provider

152 and health insurance company; (3) whether the child is immunized
153 and has had health screens pursuant to the federal Early and Periodic
154 Screening, Diagnostic and Treatment Services Program under 42 USC
155 1396d; and (4) the number of children cared for by the provider.

156 [(h)] (k) On or after January 1, 1998, the commissioner shall adopt
157 regulations, in accordance with the provisions of chapter 54, to
158 implement the provisions of this section.

159 [(i)] (l) The commissioner shall submit to the joint standing
160 committees of the General Assembly having cognizance of matters
161 relating to human services and appropriations and the budgets of state
162 agencies a copy of the Child Care and Development Fund Plan that the
163 commissioner submits to the Administration for Children and Families
164 pursuant to federal law. The copy of the plan shall be submitted to the
165 committees not later than thirty days after submission of the plan to
166 the Administration for Children and Families.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	17b-749

KID

Joint Favorable Subst. C/R

APP