



# Iowa Department of Human Services

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## GENERAL LETTER NO. 13-G-43

ISSUED BY: Bureau of Child Care  
Division of Adult, Children and Family Services

SUBJECT: Employees' Manual, Title 13, Chapter G, **CHILD CARE ASSISTANCE**,  
Contents (page 2), revised; and pages 1, 64 through 67, 73, 74, and  
77, revised.

### Summary

Chapter 13-G is revised to:

- ◆ Remove references to centers that are exempt from licensing by the Department of Human Services (DHS) being eligible to receive Child Care Assistance (CCA) funding. These facilities must now be licensed by DHS in order to get CCA funding.
- ◆ Clarify in-home provider policy when the provider lives with the family.

### Effective Date

January 1, 2016

### Material Superseded

This material replaces the following pages from Employees' Manual, Title 13, Chapter G:

<u>Page</u>	<u>Date</u>
Contents (page 2)	January 4, 2013
1	September 23, 2011
64	January 4, 2013
65	June 26, 2015
66	January 4, 2013
67	July 19, 2013
73, 74	January 4, 2013
77	September 23, 2011

### Additional Information

Refer questions about this general letter to your service area manager, income maintenance administrator, or Iowa Workforce Development coordinator.

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## **Overview**

Child Care Assistance (CCA) is funded with state child care and protective funds and the federal Child Care and Development Fund. All requirements, policies, and procedures found in this manual apply, regardless of the funding source.

CCA is provided to people participating in activities approved under the PROMISE JOBS program and people who are recipients of the Family Investment Program (FIP) without regard to CCA eligibility requirements if there is a need for child care services. PROMISE JOBS staff administer CCA for child care needed to participate in PROMISE JOBS activities.

CCA may be provided to the children of income-eligible parents who are absent for a portion of the day due to employment or participation in academic or vocational training or PROMISE JOBS activities. Assistance may also be available for a limited period of time when:

- ◆ A parent is looking for employment, or
- ◆ The parent who normally cares for the child is absent from the home due to hospitalization or outpatient treatment for physical or mental illness, or
- ◆ The parent who normally cares for the child is present in the home but unable to care for children, as verified by a physician.

Child care services for a child with protective needs are provided without regard to income. To receive protective child care services, the family must meet specific requirements, and child care must be identified in the child's case plan as a necessary service.

Child care may be provided in a licensed child care center, a registered child development home, a nonregistered child care home, or the child's own home.

## **Legal Basis**

Iowa Code Chapter 217 governs the establishment, purpose, and general duties of the Department of Human Services. The authority of the Department to regulate child care providers is found in Iowa Code Chapter 237A.

Departmental rules concerning Child Care Assistance are found in 441 Iowa Administrative Code Chapter 170, "Child Care Services."

FIP recipients, PROMISE JOBS participants, those receiving Child Protective Services and those who were receiving CCA when they became a member of AmeriCorps \*Vista are eligible for Child Care Assistance regardless of this issue.

**Comment:**

AmeriCorps and AmeriCorps \*Vista members have access to child care benefits that allows participants to select from a full range of state-approved child care providers.

A program that does not allow participants to select from a full range of state-approved child care providers, such as a free child care service for students at the school the parent attends, does not meet the criteria of this policy.

## **Identifying the Provider**

In many situations, parents will have already selected the child care provider by the time they apply for child care services. If the parent needs assistance in choosing a provider, refer the parent to the Child Care Resource and Referral agency serving the county, direct them to the child care website provider search link, or provide the parent with a list of providers in their local area.

The policies and procedures for identifying eligible providers and the requirements that must be met by a provider are organized into the following sections:

- ◆ [Eligible providers](#)
- ◆ [Provider requirements](#)

### **Eligible Providers**

**Legal reference:** 441 IAC 170.4(3)

A parent can choose care from:

- ◆ A licensed child care center.
- ◆ A registered child development home.
- ◆ A nonregistered child-care home.
- ◆ A provider who provides care in the child's own home.

The parent indicates the choice of provider on form 470-3624 or 470-3624(S), *Child Care Assistance Application*, or 470-0462 or 470-0462(S), *Financial Support Application*. There are limits to parental choice of provider:

- ◆ Children who are receiving **protective** child care services must be served in a licensed center or registered child development home, unless the service worker determines that a nonregistered provider is the most appropriate choice for the specific case. Consider the child's needs when child care is part of a protective services plan to prevent or alleviate child abuse or neglect.

The worker determines that a child is in need of social skills and language development and that the child would benefit more from placement in a child care center where the peer group experience is optimal. The parent chooses a registered child development home, where the child is the only child receiving care besides the provider's own child.

The child care arrangement chosen by the parent is not approved, because it is determined not to be in the best interest of the child.

- ◆ Approve **in-home** care only when the family has three or more children who require care. If the parent has chosen in-home care, but does not have at least three children requiring care, the parent must select another type of care.

EXCEPTION: If the provider lives in the same household as the children requiring care, treat the provider as either a registered child development home or a nonregistered home as long as the home is a single-family residence that the provider owns, rents, or leases. If the provider does not own, rent or lease the location, and the family does not have at least three children needing care, inform the family that they will need to select a different provider.

Ms. A and her two preschool children live with her mother, Ms. B, who owns the home. Ms. B agrees to provide child care for her two grandchildren while Ms. A works. Ms. B is treated like a nonregistered child care provider and will be paid the nonregistered home rate instead of the in-home rate.

All of the children in the family requiring child care must receive their care from the in-home provider. However, the children need not all receive the same number of units of service in a 24-hour period. For example, the care may include both before- and after-school care to the school-aged children in the family and full-day care to the preschool children in the family.

- ◆ Do not approve providers who live **outside Iowa**. If the client's circumstances indicate that an out-of-state provider is the only available child care provider, the client must request an exception to policy for the provider to become approved. See [1-B, EXCEPTIONS TO POLICY](#).
- ◆ Do not approve providers who have been sanctioned by the CCA program. See [Overpayment Recovery: Sanctions for Provider Fraud](#) for more information.

### **Provider Requirements**

**Legal reference:** 441 IAC 170.4(3)

**Policy:** Providers must meet specific requirements in order to be eligible for payment from the Child Care Assistance (CCA) program. The requirements vary according to the type of provider. Refer to the following sections:

- ◆ [Provider cooperation with investigations](#)
- ◆ [Required forms](#)
- ◆ [Licensed or registered providers](#)
- ◆ [Nonregistered providers](#)

#### **Provider Cooperation with Investigations**

**Legal reference:** 441 IAC 170.5(1)"c"

#### **Policy:**

To be eligible for payment from CCA, all providers must cooperate with the Economic Fraud Control Unit of the Department of Inspections and Appeals (DIA) when the provider is referred for investigation.

DIA conducts front-end and fraud investigations of providers upon referral from DHS.

#### **Procedure:**

When the Economic Fraud Control Unit notifies you that a provider has failed to cooperate in an investigation, deny or cancel the provider agreement. Issue a timely *Notice of Decision* to cancel the provider agreement.

Procedures for what to do when a provider reappplies after the provider agreement has been revoked for failure to cooperate are explained in the [Child Care Assistance Provider Agreement](#) section.

### **Required Forms**

**Legal reference:** 441 IAC 170.4(3)

#### **Policy:**

Child care providers must meet the requirements specified by the following documents, depending on the classification of the provider.

#### **Procedure:**

Verify the status of the provider before you approve payment.

<b>PROVIDER TYPE</b>	<b>REQUIREMENTS</b>
Child care center	<ul style="list-style-type: none"><li>◆ <i>Certificate of License, 470-0618</i></li><li>◆ <i>Child Care Assistance Provider Agreement, 470-3871</i></li></ul>
Registered child development home	<ul style="list-style-type: none"><li>◆ <i>Certificate of Registration, 470-3498</i></li><li>◆ <i>Child Care Assistance Provider Agreement, 470-3871</i></li></ul>
Nonregistered child care home	<ul style="list-style-type: none"><li>◆ <i>Minimum Health and Safety Requirements for Nonregistered Child Care Home Providers, Comm. 95 or Comm. 95(S)</i></li><li>◆ <i>Payment Application for Nonregistered Providers, 470-2890 or 470-2890(S)</i></li><li>◆ <i>Child Care Assistance Provider Agreement, 470-3871 or 470-3871(S)</i></li><li>◆ <i>Record Check Authorization, 470-5143</i></li><li>◆ <i>Completed Federal Fingerprint Card, form FD-258</i></li><li>◆ <i>Waiver Agreement and Statement, form DCI-45</i></li></ul>
In-home care	<ul style="list-style-type: none"><li>◆ <i>Minimum Health and Safety Requirements for Nonregistered Child Care Home Providers, Comm. 95 or Comm. 95(S)</i></li><li>◆ <i>Payment Application for Nonregistered Providers, 470-2890 or 470-2890(S)</i></li><li>◆ <i>Child Care Assistance Provider Agreement, 470-3871 or 470-3871(S)</i></li><li>◆ <i>Record Check Authorization, 470-5143</i></li><li>◆ <i>Completed Federal Fingerprint Card, form FD-258</i></li><li>◆ <i>Waiver Agreement and Statement, form DCI-45</i></li></ul>

Check the Sex Offender Registry for all individuals listed on the *Non-Law Enforcement Record Check Request Form A*, form 595-1489 or 595-1489(S), as follows:

- ◆ Access the Sex Offender Registry at: [www.iowasexoffender.com](http://www.iowasexoffender.com).
- ◆ Enter the person's last name:
  - Select ALL under "county." Do not choose a specific county.
  - Select SEARCH.
- ◆ If the search shows a conviction that occurred in Iowa, check the DCI form to make sure this conviction also appears there.
- ◆ If the search shows a conviction that occurred outside Iowa, add this conviction to the letter that is sent with form 470-2310, *Record Check Evaluation*.

When all of the record checks have been returned and all are clear, proceed with approving the *Child Care Assistance Provider Agreement*.

If any record check is returned showing a criminal conviction, a founded and registered child abuse, or placement on the Sex Offender Registry, send that information to the team that does the evaluations for registered child care homes and licensed child care centers.

The evaluation team will notify the DHS worker of the results of the evaluation. If the evaluation is returned stating the person is not permitted to provide child care, or is not permitted to reside in a child care home, the provider **is not eligible** for payment by the CCA program.

The DHS worker sends form 470-4558, *Notice of Decision: Child Care*, informing the person that the person is not eligible for payment of child care services using public funds or is not permitted to reside in a home providing such child care.

Also, notify the client that although the client is eligible for CCA, the provider selected is not approved due to not meeting health and safety requirements, so the client must choose another provider.

The flowchart on the following page outlines the CCA eligibility determination process and form flow described above.

Page 74 is reserved for future use.

- ◆ If the provider does not have a half-day, full-day or hourly rate, calculate the half-day rate by dividing the provider's weekly rate by 5 to get a daily rate and then dividing this daily amount by 2 to get the half-day rate.

Use this method for establishing the half-day rate for basic and special needs care. However, refer to [Special Needs Rate](#) for the conditions that must be met before the special needs rate can be paid.

Approve the half-day rate providing the following policies are met:

- ◆ No rate can be approved that is above the maximum rate applicable to the type of care, the provider, and the age group.
- ◆ No rate can be approved that exceeds the rate the provider charges a private pay individual.
- ◆ Each rate type the provider has should be calculated and approved on the *Child Care Assistance Provider Agreement* and entered separately into KinderTrack (i.e., standard, before and after school, 2<sup>nd</sup> child discount, employee discount, etc.).

EXCEPTION: In-home care is paid at the minimum wage amount. The half-day unit rate for all in-home care providers must be \$36.25 (the current hourly minimum wage rate of \$7.25 times five hours). The only KinderTrack rate type applicable to in-home providers is the in-home rate type. Other rate types should not be entered for this type of provider.

### **Maximum Payment Rates**

The following definitions apply in the use of the rate tables:

“**Child care center**” means a licensed child care center.

“**Registered child development home**” means a person or program that has received a certificate of registration from the state to provide child care to six or more children at any one time.

“**Nonregistered child care home**” means a family child care home caring for five or fewer children (including relative care) that is not registered with the state.