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**CHAPTER 47-400 PAYMENT FOR CHILD CARE SERVICES**

**47-401 CHILD CARE PAYMENT LIMITS 47-401**

- .1 Maximum Payment Rate  
The maximum payment rate for all Stage One child care shall be care costing no more than 1.5 market standard deviations above the mean cost of care for the region where care is provided.
  
- .11 Payment Basis  
Counties shall calculate payments for child care on a monthly basis, weekly basis, daily basis or hourly basis, depending on the client's needs and the contractual terms used by the child care provider to charge other members of the public receiving the same services.
  
- .2 Payment Limits  
Payment for Stage One child care services shall not exceed the fee charged to other members of the public receiving the same service.
  - .21 Exception to Payment Limits  
Counties shall not be bound by the rate limit described in Section 47-401.1 when there are, in the region, no more than two child care providers of the type needed by the recipient of child care services provided under this Division.
  
- .3 Co-Payment  
A client may choose a child care provider who charges a fee higher than the maximum payment rate. The county shall not pay those child care costs that are in excess of the maximum payment rate. The client is responsible for those costs.
  
- .4 Hours of Care  
The county shall pay for child care on behalf of the client during the following times:
  - .41 Participation Hours  
When a client is participating in county-approved activities;



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**.8 Family Fee Schedule**

The Family Fee Schedule, established by the Superintendent of Public Instruction is as follows:

**FAMILY FEE SCHEDULE**  
**September 2000**

Family Pays			Family Size and Income Level										
Hourly	Part-time Daily	Full-time Daily	1-2	3	4	5	6	7	8	9	10	11	12
0.20	1.00	2.00	1820	1950	2167	2513	2860	2925	2990	3055	3120	3185	3250
0.25	1.25	2.50	1893	2028	2253	2614	2974	3042	3109	3177	3245	3312	3380
0.30	1.50	3.00	1965	2106	2340	2714	3089	3159	3229	3299	3369	3440	3510
0.35	1.75	3.50	2038	2184	2426	2815	3203	3276	3349	3421	3494	3567	3640
0.40	2.00	4.00	2111	2262	2513	2915	3317	3393	3468	3544	3619	3694	3770
0.45	2.25	4.50	2184	2340	2600	3016	3432	3510	3588	3666	3744	3822	3900
0.53	2.65	5.30	2257	2418	2686	3116	3546	3627	3707	3788	3869	3949	4030
0.61	3.05	6.10	2329	2496	2773	3217	3661	3744	3827	3910	3993	4076	4160
0.69	3.45	6.90	2402	2574	2860	3317	3775	3861	3946	4032	4118	4204	4290
0.77	3.85	7.70	2475	2652	2946	3418	3889	3978	4066	4154	4243	4331	4420
0.85	4.25	8.50	2548	2730	3033	3518	4004	4095	4186	4277	4368	4459	4550
0.93	4.65	9.30	2621	2808	3120	3619	4118	4212	4305	4399	4492	4586	4680
1.01	5.05	10.10	2693	2886	3206	3719	4232	4329	4425	4521	4617	4713	4810
1.05	5.25	10.50	2730	2925	3250	3770	4290	4387	4485	4582	4680	4777	4875

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**47-401 CHILD CARE PAYMENT LIMITS (Continued)** **47-401**

.9 Services Provided During Excused Absences | Counties shall have the option to pay for child care during excused absences of the child or the client.

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.91 Excused Absences | Excused absences may include, but are not limited to, illness or quarantine of the child or client, court ordered visitations, family emergencies, or court appearances.

.92 Fixed Schedule | Payment for absences may include payments to the child care provider who has a policy that child care is on a fixed schedule, whether the child attends or not.

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858c, 45 CFR 98.43; Sections 8202(g)(3), 8208, 8208.1, 8221, 8222, 8263, 8351, and 8357, Education Code; Sections 11320.3, 11323.2, 11323.4 and 11323.8, Welfare and Institutions Code.

**47-420 PAYMENT OF CHILD CARE COSTS** **47-420**

.1 Child Care Payments to Providers | The county shall issue child care payments on behalf of the client directly to the child care provider except as provided in Section 47-420.2.

.2 Child Care Payments to Clients | Child care payments may be made directly to the client, as the employer, if child care is provided in the home of the client. The county shall inform the client of his/her corresponding legal and financial reporting requirements.

.21 Information Needed for Payment | The county shall issue a child care payment only when the client provides the following information on a monthly basis:

.211 Hours of Care | Number of hours of care given per child.

.212 Cost Per Child | Cost per child as verified by the child care provider's rate schedule.

.213 Signatures | Signatures provided by both the child care provider and the client under penalty of perjury, verifying the accuracy of the information.

**47-420 PAYMENT OF CHILD CARE COSTS (Continued) 47-420**

.22 Timing of Payments to Providers                      At county option, the child care provider may be paid in advance or after the services are provided, depending on how the child care provider charges the public for the same services.

.3 Notices for Payment                      The county shall notify the client whenever there is an approval, denial, change or discontinuance in the amount of subsidy paid by the county for child care, as required by Sections 22-001(a)(1), 22-001(t)(1), 22-071 and 22-072.

.31 State Hearings                      Notices for payment of child care shall contain information on the client's right to a state hearing as required by Sections 22-001(a)(1) and 22-071.1.

.32 Child Care Pending the Hearing Decision                      When a client requests a hearing within the period of timely notification (see Section 22-022.5) to appeal a suspension, reduction, or termination of CalWORKs child care, or a change in the method of providing such services, the client shall be entitled to a continuation of CalWORKs child care in the same amount or form pending the hearing decision. The client shall not be entitled to such a continuation when the basis of action appealed is the health and safety of the child, including failure of the provider to satisfy health and safety requirements pursuant to Section 47-630, failure of the provider to obtain Trustline Registry pursuant to Chapter 47-600, or if the provider is denied payment pursuant to Section 47-420.4.

.4 Denial of Payment                      The county shall deny payment for child care services that are exempt from licensure if the child care case file contains credible information that the provider has been convicted of a crime specified in the Penal Code Sections referenced in Health and Safety Code Section 1596.871(f)(1).

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 98.43; Sections 8352 and 8357, Education Code; Section 1596.871(f)(1), Health and Safety Code; Sections 10950, 11054, 11323.2, 11323.8, and 11324(c), Welfare and Institutions Code.

**47-430 RETROACTIVE PAYMENTS****47-430**


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- .1 Intent It is the intent of the Legislature that all CalWORKs applicants and recipients be aware of their potential liability for child care payment, and that child care providers be promptly paid for their services to eligible families.

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- .2 Retroactive Payment Limit Payments for child care services shall not be made for services provided more than 30 calendar days prior to the applicant's/recipient's request for child care if the applicant/recipient case file contains a copy of the informing notice signed by the applicant/recipient within the last year or a notation that the applicant/recipient refused to sign and/or return the informing notice within the last year.
- .21 Payment Limit Application Each time the applicant/recipient chooses a new child care provider, the retroactive payment limit shall be applied based on the date the applicant/recipient notified the county that they changed providers. However, the county is not required to provide the applicant/recipient with an informing notice each time the applicant/recipient changes providers.
- .22 Payment Limit Exemption The limit on retroactive payment shall not apply to retroactive payment claims submitted by the applicant/recipient prior to the date he or she first signed or refused to sign and/or return an informing notice.
- .3 Former CalWORKs Clients Section 47-430 shall apply to former CalWORKs clients who receive child care services in Stage One.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Section 11323.3, Welfare and Institutions Code.

<b>47-440</b>	<b>OVERPAYMENTS AND UNDERPAYMENTS</b>	<b>47-440</b>
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|-----|---|--|
| .1  | Overpayments and Underpayments                    | The county shall take steps to promptly correct any overpayment or underpayment for child care services.   |
| .11 | Collection of Overpayments                        | The county shall collect overpayments if it determines that it is administratively cost effective.   |
| .12 | Offset of Overpayments                            | The county shall not offset the child care overpayment against the CalWORKs grant unless the recipient agrees or volunteers to submit to such an offset.   |
| .13 | Services Provided During Periods of Ineligibility | If payments are made to a child care provider for child care during a period when the client was not eligible for child care because the client was not participating in county-required activities, the client is responsible for the erroneous payment.      |
| .14 | Overpayments to Providers                         | In those cases in which the child care provider is paid for child care services that were not provided, the child care provider is responsible for the overpayment.  |
| .15 | Deferring Overpayment Collection                  | The county shall have the option to defer the collection and recovery of an overpayment if the collection and recovery would result in the disruption of child care arrangements, preclude participation in county-approved activities, or prevent employment. |
| .16 | Tracking and Collection of Overpayments           | The county shall identify and track any overpayments involving clients or child care providers.  |
| .17 | Overpayments Resulting From Fraud                 | Overpayments resulting from suspected fraud on the part of the client or the child care provider shall be referred for investigation, subject to the county's criteria for fraud referrals.  |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11320.3, 11323.2, 11323.4 and 11324, Welfare and Institutions Code.

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**CALWORKS CHILD CARE  
TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS**

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**CHAPTER 47-600 TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS**

**47-601 INTRODUCTION TO TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS FOR CALWORKS LICENSE-EXEMPT CHILD CARE PROVIDERS 47-601**

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.1 Introduction

The Trustline Registry system, hereafter referred to as "Trustline," provides for criminal record clearance and substantiated child abuse report checks for child care providers who are exempt from licensing requirements and who care for children eligible for CalWORKs Stage One child care. Specified license-exempt child care providers must apply for and be cleared through Trustline in order to receive payment for CalWORKs child care services.

To help ensure the health, safety, and welfare of a child(ren) within a child care arrangement, specified license-exempt child care providers must also meet the Health and Safety requirements of this Chapter to prevent and control infectious diseases and provide building and physical premises safety.

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NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

47-602 DEFINITIONS

47-602

In addition to Section 47-110e.(2), the following definitions shall apply:

- a. (Reserved)
- b. (Reserved)
- c. (Reserved)
- d. (Reserved)
- e. (Reserved)
- f. (Reserved)
- g. (Reserved)

- h. (1) Health and Safety Requirements

Health and Safety Requirements - means the completion of: 1) the Health and Safety Self-Certification, CCP 4, which certifies that the home where child care is provided meets basic health and safety standards, including the prevention and control of infectious diseases; and 2) the Health and Safety Facility Checklist, CCP 6, which provides parents with a list of suggested questions to ask their child care provider to help ensure that the building and physical premises where child care is provided is a safe and healthy place for their child(ren).

- i. (Reserved)
- j. (Reserved)
- k. (Reserved)
- l. (Reserved)
- m. (Reserved)
- n. (Reserved)
- o. (Reserved)

47-602 DEFINITIONS (Continued) 47-602

- p. (Reserved)
- q. (Reserved)
- r. (Reserved)
- s. (Reserved)
- t. (1) Trustline Registry Trustline Registry - means a computer based registry of child care providers who have had a background check to ensure that child care providers have no disqualifying criminal convictions or substantiated reports of child abuse.
- u. (Reserved)
- v. (Reserved)
- w. (Reserved)
- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

**47-610 TRUSTLINE REGISTRY PAYMENT ELIGIBILITY FOR LICENSE-EXEMPT CHILD CARE PROVIDERS 47-610**

- .1 Eligible Child Care Provider To be eligible for CalWORKs child care payment/reimbursement, all license-exempt child care providers shall apply for Trustline. The following are exempt from this requirement:
  - .11 Exempt Child Care Providers Aunts, uncles, grandparents, great grandparents, great aunts, and great uncles of the child(ren) in care, by blood, marriage or court decree.

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- .111 Court Decree Court decree includes, but is not limited to, adoptions or other court orders impacting family relationships.
- .112 Declaration of Relationship Counties should obtain a self-certification declaration that substantiates the relationship of the exempt provider to the child(ren).

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- .12 Exempt School or Recreation Programs A public recreation program as defined in Health and Safety Code Section 1596.792 or a public or private school.
- .2 Prior Income Disregard Reimbursement All providers whose fees were reimbursed through income disregard prior to January 1, 1998 are exempted from Trustline unless one of the following apply:
  - .21 New Child Care Services Provided The provider begins to provide child care to an eligible family for which he or she has not provided care.
  - .22 Lapse in Child Care The provider begins to provide child care to an eligible family subsequent to a lapse in care.

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324(c)(1) and (2), Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

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**CALWORKS CHILD CARE**

**Regulations TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS 47-620 (Cont.)**

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**47-620 TRUSTLINE REGISTRY APPLICATION REQUIREMENTS 47-620**

- |      |  |  |
|------|--|--|
| .1   | Trustline Registry Application Requirements      | All families requesting license-exempt child care who are subject to Trustline shall be provided a Trustline Registry application package, which includes a Trustline Registry application and two fingerprint cards; one card to check the Criminal History background, and the second to check the FBI background of the provider. |
| .11  | R & R's Receipt of Completed Application Package | The provider has no more than 28 calendar days from the first day that CalWORKs child care services began in which to return the completed application package to the California Child Care Resource and Referral Agency (R & R) for processing.   |
| .111 | County's Reasonable Shorter Time Period          | The county may establish a reasonable shorter time period, within county procedures, to complete the Trustline application process.  |
| .112 | Discontinuance of Child Care                     | The county shall provide temporary child care and discontinue child care if the county is not notified that the Trustline Registry application was received by the 28th calendar day from the first day that CalWORKs child care services began.   |
| .2   | Denial of Payment                                | The county shall deny payment for child care services which are exempt from licensure if either of the following apply:  |
| .21  | Conviction of a Crime                            | The provider has been convicted of a crime specified in subdivision (f)(1) of Section 1596.871 of the Health and Safety Code.  |
| .3   | Continuing Payment Eligibility                   | Once the Trustline Registry application has been received by the R & R, the county shall issue child care payments for care that is otherwise eligible, unless the county is notified of one of the following:   |
| .31  | Application Denied                               | The Trustline Registry application is denied.  |
| .32  | Case File Closed                                 | The Trustline case file is closed.   |
| .33  | Registration Revoked                             | The Trustline registration is revoked.   |

**47-620 TRUSTLINE REGISTRY APPLICATION REQUIREMENTS 47-620**  
(Continued)

- .4 Immediate Notification to the Recipient      Upon receipt that the Trustline Registry application has been denied, the case file closed, or registration is revoked, the county shall immediately notify the recipient.
- .5 Timely Notice of Action      Counties shall issue a timely Notice of Action [see MPP Section 22-001t.(1)] prior to discontinuing child care payment.

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 11324, Welfare and Institutions Code; Sections 1596.67 and 1596.607, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

**47-630 HEALTH AND SAFETY REQUIREMENTS FOR LICENSE-EXEMPT CHILD CARE PROVIDERS 47-630**

- .1 Health and Safety Requirements for License-Exempt Child Care Providers      To be eligible for CalWORKs child care, all license-exempt child care providers in a private residence shall complete a Health and Safety Self-Certification with the parent of the child(ren) to be placed in care. This document shall be returned to the county within 28 calendar days from the first day that CalWORKs child care services began. The following are exempt from this requirement:
  - .11 Exemptions      Aunts, uncles, grandparents, great grandparents, great aunts, and great uncles of the child(ren) in care, by blood, marriage or court decree.
- .2 Health and Safety Facility Checklist      The county shall provide a Health and Safety Facility Checklist to the participant that assists the parent in determining the home where care is to be provided is a safe and healthy place for the child(ren).

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324, Welfare and Institutions Code; Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8179.5, 8181(a) and 8182.5, Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 11324, Welfare and Institutions Code; Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8179.5, 8181(a), 8182.5, and 8358(a), Education Code; 42 U.S.C. 9858c.(c)(2)(F); and Assembly Bill 1542, Chapter 270, Statutes of 1997.

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**ELIGIBILITY AND ASSISTANCE STANDARDS  
RECORDS**

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**DIVISION 48 RECORDS****CHAPTER 48-000 RECORDS-GENERAL****48-001 COUNTY DEPARTMENT RESPONSIBILITY FOR RECORDS****48-001**

- .1 The county shall maintain a record for each applicant and recipient which identifies each individual and family, their address and household composition for AFDC. The record shall identify each child and his/her parents, their address and household composition. (See Section 20-005 on record requirements for fraud cases.) The record shall also include:
  - .11 Records - Eligibility and Grant
    - .111 The appropriate Form CA 2 completed by or on behalf of the applicant.
    - .112 All evidence obtained to support the linking and the nonlinking factors of eligibility. The county may maintain a copy or a written record of the type of evidence and its pertinent content where the evidence has been returned to the applicant.
    - .113 The original or a copy of pertinent forms completed during the determination or redetermination of eligibility, i.e., budget work sheets, authorizations, forms relating to intercounty transfers, etc.
    - .114 Section 48-001.114(MR) shall become inoperative and Section 48-001.114(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.
      - (MR) The basis for county action granting, denying, changing, suspending, delaying, cancelling, or discontinuing aid.
      - (QR) The basis for county action granting, denying, changing, not changing following a recipient mid-quarter report, delaying, cancelling, or discontinuing aid.
    - .115 The computation of any overpayment and the basis for a conclusion that the overpayment is or is not subject to adjustment or repayment. If the overpayment is subject to repayment, a copy of any demands for repayment, the facts regarding the determination of the debtor's ability to repay and collection activity (unless this information is recorded centrally elsewhere).
    - .116 The worker's evaluation of the applicant's ability or inability to understand his/her program rights and responsibilities.
  - .12 Records - Intraprogram Status Change
    - .121 A record of any intraprogram status change as provided in Section 40-183.

**48-001 COUNTY DEPARTMENT RESPONSIBILITY FOR RECORDS (Continued) 48-001**

.13 Records - Care in a Medical Institution

.131 For the recipient who is a patient in a public or private medical institution, all pertinent information to support the determination of eligibility or ineligibility. (Chapter 42-500.)

.14 Case Records - Certification for Medi-Cal

.141 A record of the certification and each recertification of the recipient for medical care under the Medi-Cal Program.

.15 Case Records - Narrative

.151 Each notation or entry in the case record whether it be on a form or supplemental narrative shall be dated and the person making the entry shall be identified.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11265.3, Welfare and Institutions Code.

**48-003 RETURN OF PERSONAL DOCUMENTS 48-003**

.1 Personal documents shall be returned to the applicant after the pertinent information has been copied or recorded.

**48-005 ASSIGNMENT OF STATE NUMBERS 48-005**

.1 A state number shall be assigned to each application. (See Sections 23-250 and 23-275.)