DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

November 5, 1996

ALL-COUNTY LETTER NO. 96-61

Reason for this Transmittal
[ ] State Law Change
[X] Federal Law or Regulation Change
[ ] Court Order
[ ] Clarification Requested by One or More Counties
[ ] Initiated by CDSS

TO: COUNTY WELFARE DIRECTORS
COUNTY GAIN COORDINATORS
COUNTY CAL-LEARN COORDINATORS
COUNTY NET COORDINATORS
COUNTY SCC COORDINATORS
COUNTY CAAP COORDINATORS
COUNTY TCC COORDINATORS
CAL-LEARN CASE MANAGEMENT AGENCIES

SUBJECT: CDSS CHILD CARE PROGRAMS

This letter provides information on the immediate effects of the passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 on the child care programs administered by the California Department of Social Services (CDSS). The following programs are affected:

- Greater Avenues for Independence (GAIN) Child Care
- Cal-Learn Child Care
- Non-GAIN Education and Training (NET)
- Supplemental Child Care (SCC)
- California Alternative Assistance Program (CAAP)
- Transitional Child Care (TCC)
- At-Risk Child Care Program (ARCCP)
- AB 2184 Tracking and Expansion

As you may know, the PRWORA makes numerous significant changes to the existing Child Care and Development Block Grant (CCDBG). These changes include a repeal of all existing Title IV-A child care programs and creation of three funding streams which include the existing CCDBG funds, former Title IV-A child care funds, plus matching grant funds. For your information, CDE refers to the CCDBG funding as the Child Care and Development Fund (CCDF).

Under current state law, the lead agency for the CCDBG is the California Department of Education (CDE). CDE has agreed to provide CDSS, subject to development and approval of an interagency agreement and expenditure authority, funds necessary to continue operation of the current child care programs, and to work with CDSS to reassess welfare-related child care needs as the State moves forward with welfare reform.

Under current state law, counties are required to continue administration of all the child care programs listed above, except the AB 2184 tracking system. CDE contractors and counties should discontinue the tracking process immediately.

Those counties receiving AB 2184 expansion funds will continue to receive those funds during State Fiscal Year 1996/97 and are still required to refer clients to CDE's contractors. Furthermore, CDE is now responsible for the ARCCP administration. This does not change the county's responsibility for providing information about the ARCCP to families being discontinued from aid or TCC. In addition, although the NET program is the result of a court order and the basis for the order has been eliminated, counties are required to continue providing NET benefits until the Department obtains an amended court order. The dependent care disregard which provides an income deduction for child care costs in the AFDC grant computation is not part of the CCDBG so it is not affected.

Other significant CCDBG provisions that will impact CDSS child care programs include the following:

- Existing CCDBG health and safety requirements for license-exempt child care providers now apply to CDSS child care programs. Aunts, uncles, grandparents, great-grandparents, and non-resident siblings of the child in care are exempt from these requirements. These exemptions are different than the existing Trustline exemptions. Trustline regulations and forms will be revised and forwarded to counties in the near future. Also, CDSS has designed an additional process similar to the existing CDE process, which requires license-exempt child care providers to self-certify that they meet other health and safety requirements. The details of the process are provided in Attachment 1 and counties are expected to implement this process as soon as possible. Furthermore, counties will soon receive an allocation and instructions for fiscal claiming of the administrative costs associated with this new requirement.

- The CCDBG parental access requirements also apply to CDSS child care programs under the new block grant requirements. Child care providers must afford parents unlimited access to their children whenever the children are in their care. This requirement is met for licensed providers under existing State licensing requirements. This requirement is met for license-exempt providers on the CCP 4 form developed to meet the above health and safety requirements.

- The CCDBG contains extensive data reporting requirements. For your information, Attachment 2 lists the reporting requirements. CDE and CDSS are jointly developing the new data reporting procedures and will forward them to counties in the future. In the meantime, counties are required to continue to complete and submit the Title IV-A Child Care Statistical Report (ACF 115).

- Existing CCDBG requirements include a requirement to record complaints received about child care providers with the ability to provide the information to the public on request. This requirement now applies to CDSS child care programs. Although the Community Care Licensing regional offices maintain lists of licensed child care providers, a record of the complaints

received, and provide information about the complaint to the public when requested, a process must be in place for county welfare departments to meet this requirement for license-exempt providers. A process parallel to the process currently used by CDE is now effective. That process is as follows:

> Each CWD shall maintain a record of parental complaints and make this information available to the public upon request. Complaints shall be limited to failure of a license-exempt provider to comply with the requirements of the Health and Safety Self-Certification. The written declaration shall include the nature of the complaint, the date and approximate time of occurrence, and the name and address of the provider about whom the complaint is made and the complaint shall be signed by the parent. The CWD shall inform the exempt provider of the parent's complaint and inform the provider of the right to submit a written rebuttal. Upon a request about a specific exempt provider, the CWD shall inform the inquirer of the general nature of the complaint and whether or not the provider submitted a rebuttal.

CDE and CDSS, in conjunction with county welfare department respresentatives and other involved parties, will be examining the parental complaint process in the future to determine if changes are warranted. However, until further notice, the above process must be in place.

- The CCDBG requires that states collect and provide to parents consumer education information that promotes informed child care choices. The Department has established a workgroup, which includes county representatives, that will develop a plan for meeting this requirement.

- The CCDBG requires states to fund activities designed to improve availability and quality of child care. The Department is working with CDE, county representatives and others to identify and implement these activities.

We look forward to implementing a more seamless and efficient statewide child care program in California and envision positive changes to the current child care delivery system in the near future. Unfortunately, the federal law is not clear in some areas. We will continue our joint efforts with CDE to seek clarification and secure favorable decisions for California in these areas. In the meantime, we welcome your input. If you have any questions, please contact Linda Page, Chief of the Child Care Unit, at (916) 657-2144.

Bruce Wagstaff

BRUCE WAGSTAFF
Deputy Director
Welfare Programs Division

Attachments

cc: CWDA

PROCEDURES FOR THE SELF-CERTIFICATION PROCESS FOR LICENSE-EXEMPT CHILD CARE PROVIDERS

The new Child Care and Development Block Grant (CCDBG) requires that as of October 1, 1996, all license-exempt child care providers serving families that receive child care from the GAIN, Cal-Learn, NET, SCC, CAAP and TCC programs must meet minimum health and safety standards. This provision does not apply to aunts, uncles, grandparents, great-grandparents, or non-resident siblings related to the child in care by blood, marriage or court decree. In addition, this provision does not apply to child care providers who will be providing temporary child care for 30 calendar days or less.

To meet the health and safety requirements, a process has been established which consists of providing an informing notice and self-certification form to all families currently using license-exempt providers and to families planning to begin using license-exempt providers. Providers must self-certify to meeting the basic health and safety standards in the following categories:

- The prevention and control of infectious diseases (including immunization);
- Building and physical premises safety; and
- Minimum health and safety training appropriate to the provider setting.

Therefore, for the existing license-exempt providers serving families eligible for the GAIN, Cal-Learn, NET, SCC, CAAP or TCC programs, counties must take the following steps:

STEP 1: Identify all families currently using license-exempt child care providers.

STEP 2: Provide each family with the Informing Notice (CCP 5) that explains that their license-exempt child care provider must complete the enclosed Health and Safety Self-Certification form (CCP 4). The parent must read and complete the appropriate sections on the CCP 4 form and submit it to the county within 30 days of the date the family received the notice.

STEP 3: Flag the cases with the appropriate 30-day time limit and, if the completed form is not submitted timely, a notice of action (NOA) must be sent to the family to inform them that their child care provider is ineligible for payment after the ten-day period required for all timely notices.

STEP 4: After the completed form (CCP 4) is received in the county, counties must review for completion and retain the form in the case file. If the CCP 4 is determined incomplete in any of the required items on the form, counties should return the form to the family with a NOA

informing them that their child care provider is ineligible for payment after the ten-day timely notice period unless the provider completes the CCP 4 and the completed form is sent to the county before the end of the ten days.

For new families planning to use license-exempt providers in the GAIN, Cal-Learn, NET, SCC, CAAP and TCC programs, counties should provide the Informing Notice (CCP 5) and the Health and Safety Self-Certification form (CCP 4) at the same time the Trustline information is provided and then follow the steps listed above.

The following forms are enclosed:

- Informing Notice - Health and Safety Requirements (CCP 5)
- Health and Safety Self-Certification form (CCP 4)

Both of these forms are required but substitutes are permitted. Under the GAIN program regulations in the Eligibility and Assistance Standards (EAS) Manual Section 42-750.313 some of the same questions are required. Therefore, GAIN offices will need to modify their current form(s) to obtain the provider's self-certification on the additional health and safety requirements.

To obtain a camera-ready copy of the English and/or Spanish versions of the forms, telephone or write to:

CDSS Forms Management Unit
744 P Street, MS 7-182
Sacramento, CA 95814
(916) 657-1907/ATSS 437-1907

In addition, the following NOA has been developed and is enclosed:

- NA 120 (New 10/96) Child Care Payment Denial - Ineligible Child Care Provider

The NA 120 is used to inform families that their license-exempt child care provider is ineligible for payment after a ten-day period because a completed CCP 4 was not received or the CCP 4 that the county received was incomplete.

If counties have any additional questions on the Health and Safety requirements, please call Mr. Michael Fishel in the Child Care Unit at (916) 654-3825.

PROCEDURES FOR THE SELF-CERTIFICATION PROCESS FOR LICENSE-EXEMPT CHILD CARE PROVIDERS

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To meet the health and safety requirements, a process has been established which consists of providing an informing notice and self-certification form to all families currently using license-exempt providers and to families planning to begin using license-exempt providers. Providers must self-certify to meeting the basic health and safety standards in the following categories:

- The prevention and control of infectious diseases (including immunization);
- Building and physical premises safety; and
- Minimum health and safety training appropriate to the provider setting.

Therefore, for the existing license-exempt providers serving families eligible for the GAIN, Cal-Learn, NET, SCC, CAAP or TCC programs, counties must take the following steps:

STEP 1: Identify all families currently using license-exempt child care providers.

STEP 2: Provide each family with the Informing Notice (CCP 5) that explains that their license-exempt child care provider must complete the enclosed Health and Safety Self-Certification form (CCP 4). The parent must read and complete the appropriate sections on the CCP 4 form and submit it to the county within 30 days of the date the family received the notice.

STEP 3: Flag the cases with the appropriate 30-day time limit and, if the completed form is not submitted timely, a notice of action (NOA) must be sent to the family to inform them that their child care provider is ineligible for payment after the ten-day period required for all timely notices.

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If counties have any additional questions on the Health and Safety requirements, please call Mr. Michael Fishel in the Child Care Unit at (916) 654-3825.

INFORMING NOTICE ON THE HEALTH AND SAFETY REQUIREMENTS FOR LICENSE-EXEMPT CHILD CARE PROVIDERS

Effective October 1, 1996, a new federal law passed that requires license-exempt child care providers to meet new health and safety requirements before they can get paid, or the families they are serving can get paid, under the following child care programs:

Greater Avenues for Independence (GAIN) Child Care
Cal-Learn Child Care
Non-GAIN Education and Training (NET)
Supplemental Child Care (SCC)
California Alternative Assistance Program (CAAP)
Transitional Child Care (TCC)

Therefore, if you want child care benefits from any of these programs and are using or plan to use a license-exempt child care provider, you must take these steps:

Step 1: Get your child care provider to complete a Health and Safety Self-Certification form (CCP 4).

Step 2: Read, complete and sign the CCP 4 form yourself.

Step 3: Give the completed CCP 4 to your worker within 30 days from the day you got this notice.

If your provider will not complete the form, you need to get a new provider that is either licensed or will complete the CCP 4 form so you can keep getting child care benefits. If you get a new provider, tell your worker immediately.

If you have any questions, call your worker.

HEALTH AND SAFETY SELF-CERTIFICATION
(For license-exempt providers)

INSTRUCTIONS: As a license-exempt child care provider who is serving a family that gets help to pay for their child care costs, you must complete this form. Providers who are the aunt, uncle, grandmother/father, great grandmother/father, or non-resident sibling of the child(ren) in care must complete PART A and PART B. All other providers must complete PART A and PART C. After you have completed the form, give the form to the parent who must read it, complete the appropriate sections and send it to the county within 30 days from when they got the notice.

COUNTY USE ONLY
CASE NAME
CLIENT CASE NUMBER
WORKER NAME
WORKER NUMBER

PART A GENERAL INFORMATION:

1. Name of Provider _____

   Address _____ City _____ State _____ Zip _____

   Phone ( ) _____ Social Security Number _____ / _____ / _____
   (Earnings subject to IRS Reporting Requirements)

   THE STATE OF CALIFORNIA REQUIRES PROVIDERS TO PROVE THEY ARE 18 YEARS OF AGE OR OLDER. A COPY OF PROVIDER'S DRIVERS LICENSE OR OTHER PHOTO I.D. MUST BE ATTACHED.

   Provider's Date of Birth _____ / _____ / _____

2. LIST THE NAME AND ADDRESS OF THE FAMILY YOU ARE WORKING FOR.
   Name of Parent/Guardian _____ Phone ( ) _____
   Address _____ City _____ State _____ Zip _____

3. ADDRESS WHERE CARE IS TO BE PROVIDED:
   Address _____ City _____ State _____ Zip _____

4. CHILD CARE WILL BE PROVIDED IN (*CHECK ONE*): ☐ Child's Home ☐ Provider's Home

PART B DECLARATION OF EXEMPTION FROM HEALTH AND SAFETY REQUIREMENTS:

1. **I declare under penalty of perjury under the laws of the United States of America and the State of California that I am by blood, marriage or court decree the** _____
   (AUNT, UNCLE, GRANDMOTHER/FATHER, GREAT GRANDMOTHER/FATHER, NON-RESIDENT SIBLING)

of

_____ NAME OF CHILD	_____ NAME OF CHILD	_____ NAME OF CHILD
_____ NAME OF CHILD	_____ NAME OF CHILD	_____ NAME OF CHILD

I understand that because I am an aunt, uncle, grandmother/father, great grandmother/father or non-resident sibling, I am exempt from the Health and Safety requirements listed in PART C of this form.

I understand that giving wrong or incomplete information can result in legal prosecution with penalties of fine and imprisonment or both.

Signature of Provider _____ Date _____

2. I declare that I am the parent of the child(ren) listed on this form, that I have read the declaration of my child care provider and that I agree with the declaration regarding the provider's relationship to my child(ren).

Signature of Parent/Guardian _____ Date _____

PART C HEALTH AND SAFETY SELF-CERTIFICATION REQUIREMENTS:

1. DESCRIBE YOUR ABILITY TO PROVIDE CHILD CARE BY COMPLETING THIS STATEMENT. I have the following child care experience and educational qualifications:

_____

_____

_____

2. THE HOME IN WHICH THE CARE IS PROVIDED MUST BE A SAFE AND HEALTHFUL PLACE FOR CHILDREN. BASIC HEALTH AND SAFETY STANDARDS ARE LISTED BELOW. IT IS THE RESPONSIBILITY OF THE PARENT AND THE PROVIDER TO SEE THAT THESE BASIC STANDARDS ARE MET BEFORE CARE BEGINS.

THE PARENT AND THE PROVIDER MUST PUT THEIR INITIALS TO THE LEFT OF EACH STATEMENT TO CERTIFY THAT THE HOME WHERE CHILD CARE IS PROVIDED MEETS BASIC HEALTH AND SAFETY STANDARDS.

Parent's Initial	Provider's Initial	
_____	_____	Working smoke detectors and fire extinguishers that meet standards set by the State Fire Marshal are available.
_____	_____	I understand that as the provider I shall refrain from using corporal punishment.
_____	_____	I understand that as the provider I must allow unlimited parental access to the children while in my care.
_____	_____	I understand that as the provider I must be free of communicable diseases; be physically and mentally capable of caring for children; have proof that was shown to the parent that I was tested in the last 12 months and am free of active tuberculosis.
_____	_____	I certify that the home, yard and play areas have been checked and are safe for children. Children are protected from dangers such as pools, hot tubs, electrical outlets, stairs, etc.
_____	_____	I understand that as the provider I must be able to quickly get to a telephone in case of emergencies, and I have access to emergency telephone numbers and a phone.
_____	_____	I understand that as the provider I will use accepted infection control procedures including hand washing.
_____	_____	All dangerous or poisonous materials, including cleaning supplies and medicines are locked up or out of reach of children.
_____	_____	No dangerous or poisonous materials are stored with foods.
_____	_____	Weapons and ammunition are locked up or out of reach of children.

INFORMATION ABOUT HEALTH AND SAFETY TRAINING IS AVAILABLE FROM THE LOCAL CHILD CARE RESOURCE AND REFERRAL PROGRAM AND OTHER COMMUNITY AGENCIES SUCH AS THE AMERICAN RED CROSS, COMMUNITY COLLEGES, FIRE DEPARTMENTS, ETC.

3. **LIST ALL OTHER ADULTS LIVING IN THE HOME WHERE CARE IS PROVIDED AND THE RELATIONSHIP TO THE PROVIDER.**

Name _____ Relationship _____

Name _____ Relationship _____

Name _____ Relationship _____

Name _____ Relationship _____

4. **PROVIDE THE ADDRESSES AND TELEPHONE NUMBER OF TWO LOCAL CHARACTER REFERENCES OTHER THAN THE PARENT.** These references should be contacted by the parent of the children to prove good character and the ability to provide child care.

Name _____ Name _____

Address _____ Address _____

City/State _____ City/State _____

Phone ( ) _____ Phone ( ) _____

5. **ADDITIONAL IMPORTANT NFORMATION:**

- If you, THE PARENT, choose child care in your home (in-home care), you are the employer and are responsible for social security tax and state worker's compensation insurance. You may also be responsible for unemployment taxes.
- PARENT/GUARDIANS are not required to withhold federal or state income taxes from the child care provider's earnings. The PROVIDER IS RESPONSIBLE FOR REPORTING INCOME AND PAYMENT OF ANY FEDERAL OR STATE INCOME TAXES.
- FOR MORE INFORMATION ABOUT YOUR RESPONSIBILITIES AS AN EMPLOYER, CONTACT YOUR LOCAL CHILD CARE RESOURCE AND REFERRAL PROGRAM.

6. **PROVIDER'S STATEMENT:** All information contained on this form is true and correct to the best of my knowledge. If care occurs in my home, I certify that my home meets health and safety requirements. I understand that health and safety training information is available from the local Child Care Resource and Referral program and other community agencies. I understand that I am not an employee of the county welfare department or other payment agency.

Signature of Provider _____ Date _____

7. **PARENT'S STATEMENT:** I have interviewed and approved this child care provider. I have read the statements provided on this form and, if provided, have contacted the character references above. If care occurs in my home, I certify by my signature that my home meets health and safety requirements. I am aware that my child care provider can receive health and safety training information from the local Child Care Resource and Referral Program and other community agencies. If child care is in my home, I am aware that I am the employer of this provider and know my responsibilities. I understand it is my responsibility to make sure that the child care provided to my child(ren) and the place where care is provided is safe. I also understand that the county welfare department or other payment agency did not and will not check the safety of the care provided by this provider to my child(ren) and they did not and will not check to see that the information contained on this form is correct. I take full responsibility for the care provided by this provider to my child(ren).

Signature of Parent/Guardian _____ Date _____

Signature of Parent/Guardian _____ Date _____

COUNTY USE ONLY

NOTICE OF ACTION

COUNTY OF

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case
Name : _____
Number : _____
Worker
Name : _____
Number : _____
Telephone: _____
Address : _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how.

As of _____, you can no longer get child care payments from the program checked below:

- ☐ Greater Avenues for Independence (GAIN)
- ☐ Cal-Learn Child Care
- ☐ Non-GAIN Education and Training (NET)
- ☐ Supplemental Child Care (SCC)
- ☐ California Alternative Assistance Program (CAAP)
- ☐ Transitional Child Care (TCC)

Here's why:

- ☐ You failed to return a completed Health and Safety Self-Certification form (CCP 4) for your license-exempt child care provider,_____.
- ☐ The Health and Safety Self-Certification form (CCP 4) you gave the county is incomplete.

If you want to keep getting child care benefits from the program(s) checked above, you must immediately send in a CCP 4 completed by your license-exempt provider or you must find a new provider that is licensed or will complete the CCP 4. Tell your worker when you find a new provider.

If you have any questions, call your worker.

Rules: These rules apply. You may review them at your welfare office: MPP 42-750.3, 44-503, 47-140

FEDERAL DATA REPORTING REQUIREMENTS UNDER HR 3734

The following data reporting requirements are currently required under HR 3734 for the receipt of the Child Care and Development Block Grant (CCDBG):

- States are required to collect on a monthly basis, and report on a quarterly basis, the following information on families receiving child care assistance:

  1. Family income;
  2. County of residence;
  3. The gender, race, age of children receiving benefits;
  4. Whether the family includes only one parent;
  5. The sources of family income, including:
     - The amount obtained from employment, including self-employment;
     - Cash assistance or other assistance;
     - Housing assistance;
     - Food stamps; and
     - Other public assistance;
  6. The number of months the family has received benefits;
  7. The type of care in which the child was enrolled (family day care, center, license-exempt, own home);
  8. Whether the provider was a relative;
  9. The cost of care; and
  10. The average hours per week of care.

- States must submit the following aggregate data twice a year:

  1. The number of providers separately identified in accord with each type of provider that received funding;
  2. The monthly cost of child care services and the portion of such cost paid with assistance from the PRWORA by type of care;
  3. The number of payments by the state in vouchers, contracts, cash, and disregards from public benefit programs by type of care;
  4. The manner in which consumer education information was provided and the number of parents who received it, and;
  5. The total number (unduplicated) of children and families served.