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**State of Wisconsin
Governor Jim Doyle**

TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators/Certifiers

FROM: Laura Saterfield, Acting Bureau Director
Bureau of Early Childhood Education
Division of Early Care and Education

DFES OPERATIONS MEMO					
No:	08-51				
DATE:	NOVEMBER 07, 2008				
FS	<input checked="" type="checkbox"/>	MA	<input type="checkbox"/>	BC+	<input type="checkbox"/>
SC	<input type="checkbox"/>	CTS	<input type="checkbox"/>	CC	<input checked="" type="checkbox"/>
W-2	<input checked="" type="checkbox"/>	FSET	<input checked="" type="checkbox"/>	EA	<input type="checkbox"/>
CF	<input type="checkbox"/>	JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>
RAP	<input type="checkbox"/>	WIA	<input type="checkbox"/>	Other	<input type="checkbox"/> *
EP					
PRIORITY: HIGH					

SUBJECT: Updated Child Care Manual

CROSS REFERENCE: Day Care Manual Chapters 1-3

EFFECTIVE DATE: Immediately

PURPOSE:

The purpose of this memo is to release the Child Care Manual, Chapter 1-3 and Appendix, which replaces the Day Care Manual, Chapters 1-3. An online version is available at: <http://dcf.wisconsin.gov/childcare/wishares/default.htm>. Chapter 4 of the Day Care Manual is now separate and will become the Certification Policy Manual when published.

Background:

The last update made to the Day Care Manual for the Wisconsin Shares Child Care assistance program was for Chapter 1 on August 29, 2003.

Organizational Structure Changes:

Chapter 1 and most of Chapter 2 of the Day Care Manual have been integrated into a new Chapter 1: Program Overview and Eligibility in the Child Care Manual. The glossary has been renamed as "Definitions" and has also included in the chapter.

Chapter 2 is now dedicated to Program Integrity and currently contains an update of Benefit Recovery: Program Integrity, Client Fraud and Intentional Program Violation (IVP), Overpayments, Fraud Referrals, Appeal Process, Confidentiality and Routine Disclosure from the old Chapter 1. Chapter 2: Program Integrity will be expanded at a later date.

Chapter 3 continues to cover Reimbursement policies.

Chapter 4: Certification has been updated and is now a separate manual.

Chapter 1: Program Overview and Eligibility

1.1.0 Program Overview

Ch 1, Section 1.1.0 has been changed to 1.1.0 Program Overview and expanded to include the following sections: 1.1.1 Program Purpose clarifies that the program purpose is for employment and employment-related activities, 1.1.2 Program Regulations, 1.1.3 Parental Choice, 1.1.4 Regulated Care Only, 1.1.5 Parental Co-Payment, 1.1.6 Additional Parent Costs, 1.1.7 Eligibility Determination: adds that Wisconsin Works agencies may subcontract eligibility determination to other agencies provided that the subcontract agency does not also provide child care, and integrates Ops Memo 06-02.

1.1.8 Program Administration: adds that county agencies may not subcontract their functions to agencies that also provide child care, and that they must submit a list of their subcontract agencies to the Department by the last day of January of the current contract year, outlines duties from Ops Memo 06-02 "Child Care Case Processing Responsibilities", and adds the changes from Administrator's Memo 07-09 "Child Care Administration Allocation" that provided clarification that eligibility redetermination activities (processing Six Month Review Forms/SMRF's and 12-month reviews and processing change reports that impact eligibility) are allowable costs for child care administration contracts per DWD 56.04(3) as of 1/1/2008, and 1.1.9 Confidentiality. 1.1.10 Bureau of Early Childhood Education: contains an updated staff contact list.

Sections 10.7.0 Contacts, 11.1.0 Child Care Case File, and use of administration funds to training providing physicals or TB tests for child care providers and local child care grants in Section 11.20, and 13.1.0 Policy for Contracted Care have been eliminated.

Chapter 2: Section 4.0.0 Fact Finding was eliminated and replaced by Fair Hearing procedures in Ops Memo 03-66. Sections 2.2.1 and 2.2.2 have been corrected and incorporated into Section 1.4.0 Non-Financial Eligibility Requirements/1.4.5 only children have to be US citizens or qualified aliens (not parents) per Ops Memo 05-42. Section 2.3.2 Anticipated Earnings has been updated to reflect Ops Memo 07-23 for the use of SEIRF reporting forms. Section 2.3.2.2 Income for Children of Foster/Court Ordered Kinship Care Minors has been corrected to say that minor parents in foster care financial eligibility for their dependent child(ren) is dependent upon the foster child's biological or adoptive family at the time of placement. See 1.11.4 Minor Parents in Foster Care, 1.13.8 Minor Parents in Kinship Care, and 1.13.9 Kinship Care Relative Parent of Minor Parent.

1.2.0 Definitions:

1. Definitions added from the current DWD 56 Administration of Child Care administration rules and from the child care program as follows: Absence, Approved Absence, Accredited, Administrative Error, Assistance Group, Break in Employment, Child Care Provider Certification (CCPC), Child Care Provider Information (CCPI), Child Care Administrative Agency, Child Care Funds, Child Care Provider or "Provider", Child Care Provider Price, Child Care Worker, Family or Family Group, Fellowship, Income, Intentional Program Violation, Kinship Care, Kinship Care Relative, Kinship Care-Long-Term, Kinship Care-Court Ordered, Parent Share, Person Acting in Place of a Parent, Physical Placement, Provider Price, School Bank Hours, Shared Placement, Sleep Shift, Special Health Condition, Temporary Absence from Approved Activities, Two Parent Households, and Weekly Ceiling.

2. Definitions Updated: Attendance Report, Certified Provider-Regular, Certified Provider-Provisional, Child Support, Effective Dates, Effective Eligibility Period, In-Home Provider, Migrant, Parent Share, Participant, Qualified Alien, and Unsubsidized Employment.
3. Definitions Eliminated: Application, Barrier, Bona-Fide Job Offer, Case Management, Case Management (CMO), Categorically Eligible (for FS), CARS, Case Management Resource Guide, Community Rehabilitation Program, Community Service Jobs (CSJ), Community Steering Committee, Contract, County Divisor, Day Care Price, Day Care System, Diversion, Employability Plan (EP), Employment Ladder, Employment Position, Employment Option, Formal Assessment, Incapacitation, Information Assessment, Job Access Loan (JAL), Job Center, Job Coach, Job Developer, JobNet, Job Orientation, Job Quit, Job Search, Learnfare Child Care Funding, Life Skills, Local Collaborative Planning Teams (LCPT), Monthly Attendance Reporting, Participation Agreement, Participation Period, Physical or Mental Handicap, Private Industry Council (PIC), Protective Payment, Qualified Assessing Agency, Reasonable Accommodation, Sponsor, Supportive Services Planner, Wisconsin Works (W-2) Child Support Demonstration, Wisconsin Works Group (W-2 Group), W-2 Reviews, and Workforce Development Boards.

1.3.0 Application Process

1.3.1 Request for Assistance allows the use of RFA from Client Registration CWW or DWSP-14880. 1.3.2 -1.3.3 Telephone Interviews integrates the telephone interview policy from Ops Memo 08-31 and also specifies the use of either Request for Assistance is allowable and that signatures are required on the Combined Application Form for the application to be considered complete. 1.3.4 Missing Verification addresses missing verification/ 1.3.5 adds policy on delayed approved activity start days. 1.3.6 Eligibility Determination requires eligibility confirmation within seven days of receipt of all verification and continues the current backdating policy for new applicants. 1.3.7 Program Add outlines steps for adding child care assistance to an open MA for FS case. 1.3.8 Assistance Groups divides Assistance Groups (AG) into six subcategories, each with examples. The last four categories pertain to the only situations that minor parents are allowed to head their own AG. 1.3.10 Non-Adjudicated Fathers and Assistance Groups excludes non-adjudicated fathers from an AG. 1.3.11 Relatives and parents and Assistance Groups excludes relatives from an AG if the parent is also living in the home.

1.4.0 Non-Financial Eligibility Requirements

No changes to the requirements under s. 49.155 (1m). In addition, 1.4.8 Participation in Approved Activities specifies that every parent in the AG must participate, 1.4.8.1 Single Parents Participation in Approved Activities states that single parents who are unable to participate in an approved activity are not eligible for child care assistance unless they meet the criteria set in the Holding the Slot policy in Chapter 3, and 1.4.8.2 Two-Parent and Three Generation Families indicates that both parents or both parents and minor parents must participate in approved activities unless a physician, psychiatrist, or psychologist verifies that the parent is unable to provide care for their children and are unable to participate in approved activities.

1.5.0 Approved Activities

1.5.1 Learnfare: no change.

1.5.2 High School: additions to current policy are if the student is under age 18 they may receive child care in their own AG if they are married in a marriage recognized under Wisconsin law; that supervised independent living situations must be documented in CARES case comments; that the adult does not need to be living with the student if they are at least 17 years old and the adult supervision is provided by a kinship care relative; a former foster parent, subsidized guardian or interim caretaker in Milwaukee, or a representative from a not-for-profit, child welfare, social service, or state corrections agency; that online high school course are contingent upon the child care authorizing agency approval and that verification of satisfactory progress is required and corresponding case comments entered in CARES.

1.5.3 Unsubsidized Employment: additions to current policy are that a work schedule verification is required if the reported work is questionable and if a parent is working for a child care provider and also has their children enrolled in the center; only two-categories of employment are recognized as meeting eligibility criteria 1) working for a qualified employer and 2) being legitimately self-employed. Qualified employers are defined per current Wisconsin Wage law verifiable if the employment is questionable. Guidance is located in the Appendix. The following qualified employment types were added: pre-job training, apprenticeships, sheltered employment, and youth employment. Self employment in validity in question must meet at least seven (7) criteria set listed from the Unemployment Compensation Division at DWD. Work study is eliminated as a stand-alone employment type if no approved post secondary education is also in the plan.

1.5.4 Wisconsin Works Employment Position: no change.

1.5.5 FSET: no change.

1.5.6 Basic Education: additions to basic education include a school and work schedule is required for each participant, the local agency must document in CARES case comments the employment skill will facilitate an effort to maintain current employment or enhance employment in the same or other field, the individual must be employed at least five (5) hours per week in employment that meets the qualified employment criteria above, child care is not provided for study time, online courses that are self-paced are not allowable for child care assistance, 24 months is the time limit and participation must be tracked in CSAW per Ops Memo 05-47; that W-2 subcontract agencies for eligibility may approve education as an approved activity; and, eliminated Ch 1 Section 2.2.1 8c that any educational course that will help the person to obtain new employment in another field of the person's choice or maintain the person's current level of employment qualifies under this section.

1.5.7 Technical College or Course of Study Producing Employment: additions are the same as 1.5.6 above, and the self the employment is not an unsubsidized or work study position it must be directly related to their participation in the employment while in school and must produce a measurable cash value equivalent to five hours per week at minimum wage. Examples of allowable employment include but are not limited to fellowships, working for room and board as a Resident Assistant in a dormitory or private apartment, or teaching assistants (TA's) positions for tuition credits. Student teaching and unpaid internships do not qualify as meeting the employment in this section. Also added W-2 subcontract agencies for eligibility may approve technical college or course of study producing employment as an approved activity. 24 months is the time limit and participation must be tracked in CSAW per Ops Memo 05-47.

1.6.0 Financial Eligibility Requirements

1.6.6 Prospective Income Calculations, (Exclude Some Migrant Families): prospective budgeting per Ops Memos 01-08 and 01-18 except retrospective budgeting was approved in Ops Memo 07-29 "New Child Care Eligibility Income Determination for Migrant Farmworkers" for migrant families who apply at local agencies for only for child care assistance and United Migrant Opportunity Services determines that they meet the definition of migrant farmworker.

1.6.9 Contractual Income: new policy matches the Foodshare contractual income policy.

1.6.11 Income Disregards: Adoption Assistance is now disregarded for child care assistance eligibility; CARES CWW programming changes are due to be completed in October 2008. Until it is completed manually disregard and document in CARES case comments.

1.6.15 Self-employment Income: updated to match Ops Memo 07-23 "New Self-Employment Income Calculating Process for FoodShare, Medicaid and Child Care Cases when Less than Six Months of Income Information is Available".

1.7.0 Verification Requirements

Updated to match Ops Memos 07-34 and 08-23 and adds that a court order or a letter from a child welfare agency with effective dates of a court order are allowable for court ordered Kinship Care child care. Adds paycheck stubs or signed letter or document from employer for

participation in approved activity; a copy of the signed contract between the applicant, employer, and Department of Workforce Development for Apprenticeships; enrollment letters from school for SHED, GED, or high school; and a letter from a doctor, psychiatrist, or psychologist for a parent from a two-parent family to be excused from approved activities.

1.8.0 Temporary Absence

Adds that the policy only applies to two-parent families; single families fall under the criteria of Holding a Slot policy in Chapter 3.

1.9.0 Shared Placement Cases

No changes in eligibility policy; see Chapter 3 for authorization/rate changes.

1.10.0 Migrant Farm Workers

Incorporates Ops Memo 07-29 "New Child Care Eligibility Income Determination for Migrant Farmworkers": [1.10.1 Migrant Farmer Worker Applications](#), [1.10.2 Twelve-Month Income Averaging Method](#), [1.10.3 Prospective Budgeting: Wisconsin Shares, Food share, and/or Medical Assistance Applications](#), [1.10.4 Income Exceeding 200% FPL for On-going Case](#), [1.10.5 Migrant Farmer Worker Definition](#), [1.10.6 No SSN or Proof of Citizenship for Parents Effective 2005](#), [1.10.7 Local Agency Requirement to Serve Migrants](#), [1.10.8 Requests for Assistance](#), [1.10.9 Migrant Assistance Groups](#), [1.10.10 Migrant Family Applicant without UMOS RFA](#), [1.10.11 Five Day Limit](#), [1.10.12 United Migrant Opportunity Services \(UMOS\) Responsibilities](#), [1.10.13 Migrant Farm Worker Family Reporting Requirements](#), [1.10.14 Eligibility Ends](#).

1.11.0 Foster Care: Child Care for Children Living in Foster Homes

[1.11.1 Application Location](#): foster parents apply for assistance in the county or at the tribal office of their residence, regardless of the foster child's residency in a different county or state. Children who are placed out of Wisconsin are not eligible for Wisconsin Shares child care assistance. Children placed in Wisconsin through the Interstate Compact are considered Wisconsin residents.

[1.11.2 Participation in Approved Activities](#): foster parents and all foster children who are also parents must participate in approved activities to receive child care assistance.

[1.11.3 Assistance Group](#): the AG for the foster family includes the foster children.

[1.11.4 Foster Child's Family Income](#): financial eligibility for foster children's child care assistance is based upon their natural or adoptive family's income being no more than 200% FPL at the time of placement. Foster children who are minor parents have financial eligibility for child care assistance for their dependent child calculated based upon using their natural or adoptive family's income at the time of placement in the foster home. Enter foster children and their family's income on the Manual Eligibility Page in Care Worker Web.

[1.11.4.1 Verifying Foster Child's Family Income](#): child welfare or child support agency is the income source. If income is not available at the time of application, enter zero; income must be verified by the first six month review and can be no more than 200% FPL at the time of the foster home placement unless child support is unable to locate the parents.

[1.11.5 Reporting Changes](#): foster parents are required to report changes that affect their eligibility, specifically when there is a change in their approved activity participation and when their foster children change placements in an out of their home.

[1.11.6 Six-Month Reporting Forms \(SMRF's\)](#): foster parents are required to meet the six month reporting requirement including submitting the required check stubs to verify continued employment.

[1.11.7 Foster Parent Potential Costs](#): the Department cannot pay for child care rates above the county weekly maximum reimbursement rate or for provider charged fees.

1.12.0 Subsidized Guardians/Interim Caretakers (Milwaukee County Only)

Policies for subsidized guardianship and interim caretaker cases in Milwaukee County mirror foster parent policies in Section 1.12.0 Foster Parents: Child Care for Children Living in Foster Homes.

1.13.0 Kinship Care

1.13.1 Kinship Care Relative Definition: the definition from DWD 56 Administration of Child Care administrative rules is added here as a foundation for all policies relating to relatives receiving child care. The definition is also located in the Definition Section of this chapter.

1.13.2 Kinship Care Relative Eligibility: relatives who meet the definition of a kinship care relative have their child care assistance financial eligibility determined by calculating either their Assistance Group gross income or the family (Assistance Group) of the child in their care dependent upon if they 1) receive kinship care benefits (or are on a waiting list to receive benefits) and 2) have a court order for care of the child or do not receive kinship care benefits and have a court order for care of the child. The two categories are referred to as court-ordered and non-court ordered kinship care child care.

1.13.3 Court Ordered Kinship Care: the income of kinship care relatives is excluded from financial eligibility calculations when they meet the definition for being kinship care relative and they 1) receive kinship care benefits on behalf of child and 2) have a court order for the child's care. The gross income of the child's biological or adoptive family is used to test financial eligibility and can be no higher than 200% FPL at the time of placement. Conditions 1 and 2 must be met to qualify as a court ordered kinship care case.

1.13.5 Court Order Types: the type of court order for court ordered kinship care may be Children in Need of Protection and Services (CHIPS) under CH. 48 or guardianship order under Ch 48, 54 or 880.

1.13.6 Verifying Biological or Adoptive Family Income: child welfare or child support agency is the income source. If income is not available at the time of application, enter zero; income must be verified by the first six month review and can be no more than 200% FPL at the time of the kinship care placement unless child support is unable to locate the parents.

1.13.8 Minor Parents in Kinship Care: the income of the kinship care minor parent is not used to determine eligibility for child care assistance for their child. Instead, the income of the minor parent's biological or adoptive family at the time of placement is testing and can be no more than 200% FPL.

1.13.9 Kinship Care Relative Parent of Minor Parent: minor parents cannot have their own Assistance Group if they are living with their parents. If their parent(s) are receiving a kinship care grant for the minor parent's child and also have a court order for their child's care, the Assistance Group for the household includes the grandparents, minor parent, and the child. The income limit for the Assistance Group is 200% FPL because it is a court ordered kinship care child care assistance case.

1.13.11 Manual Eligibility Page in CWW: the Manual Eligibility page in CARES Worker Web is to be used because it insures that the kinship care parent's income is excluded from the eligibility calculations.

1.14.0 Non-Court Ordered Kinship Care: all kinship care relative cases that do not both 1) receive kinship care and 2) have a court order for care are considered Non-Court ordered kinship care in the CARES Worker Web system.

1.14.1 Financial Eligibility: financial eligibility is calculated based upon the kinship care provider's gross family income being no more than 185% FPL at the time of application and 200% FPL for on-going cases.

1.15.0 On-going Eligibility: All Child Care Assistance Cases

1.15.5 Six Month Reviews and Six Month Review Forms (SMRF's): integrates Ops Memo 05-26 and adds if a case closed in month (6) for no SMRF, the client has thirty (30) days from the closing date to request a rescheduled review, and if continued eligibility is the result of the

review, the case must reopen back to the closing date. If the case closed in month (6) for no SMRF and the client has not requested a rescheduled review, the case closes and can only open for child care assistance if there is a new application and income will be tested at 185% FPL.

1.15.6 Twelve Month Reviews: integrates Ops Memo 08-31 and adds if a case closes in month twelve (12) for no review, the client has thirty (30) days from the closing date to request a rescheduled review, and if continued eligibility is the result of the review, the case must reopen back to the closing date.

If the case closes in month twelve (12) for no review and the client has not requested a rescheduled review during the month after the review, the case closes and can only open for child care assistance if there is a new application and income will be tested at 185% FPL.

Reviews may be conducted by child care administrative agency staff with parents either in person or over the telephone.

Notices for reviews are sent to families from workers via CARES either stating that the worker will schedule an appointment, or as a request for families to contact their worker to set up a review appointment. The type of Notice of Review is dependent upon the county or tribal preference and can be viewed in CMCO in the CARES system. Counties or tribes may change their preference by contacting the W-2 Help Desk at either: (608) 261-6317 and selecting the CARES menu option 3 or at W2CARESHD@dwd.state.wi.us.

Chapter 2: Program Integrity

Updated and corrected CARES and CSAW references where appropriate throughout the chapter.

2.1.0 Prevention

2.1.1 Front End Verification: Added two more “high risk” characteristics for Front End Verifications.

2.1.2 Data Exchanges: No changes.

2.2.0 Fraud & Intentional Program Violation (IPV)

2.2.1 Client Fraud: No changes.

2.2.2 Provider Fraud: Administrative Rule reference added to show agency’s authority.

2.2.3 Inaccurate Attendance Reports: New section added giving instructions on policy and options for handling situations where the provider submits inaccurate attendance.

2.3.0 Overpayments

2.3.1 Client Overpayments: Removed references to assets. Moved the information on provider overpayments to its own section.

2.3.2 Provider Overpayments: New section covering provider overpayment policies and procedures that were previously in Chapter 1, Section 10.3.0. Removed the overpayment reason of authorization being for too many hours as a reason for provider overpayment as typically this would be a client overpayment. Added a new overpayment reason – provider was not properly regulated during the hours of care for which attendance was paid.

2.3.2.1 Providers who are Over Capacity: New section explaining policy and procedure for providers that claim attendance for periods when they exceed the number of children allowed by their license/certification.

2.3.2.2 Providers Claiming Attendance Outside of Regulation: New section explaining policy and procedure for providers that claim attendance for periods when the care was either before

or after their certified/licensed business hours or when the care was provided at a location different from the certified/licensed location where care is authorized.

2.3.2.3 Establishing Overpayment Claims for Providers: Added section on how to establish overpayment claims specific to provider overpayments.

2.3.3 Determine Overpayment Period: Added language specific to provider overpayments. Corrected examples to reflect current 10 Notice policy.

2.3.4 Recovery of Client Overpayments: Removed W-2 Recoupment language as it no longer applies.

2.3.5 Recovery from Providers: Updated system procedures and screen names.

2.4.0 Fraud Referrals

Updated state agency names.

2.5.0 Appeal Process

Updated agency information.

2.6.0 Confidentiality & Routine Disclosure

No changes.

Chapter 3: Reimbursement

3.1.0 Reimbursement Policies

3.1.0 Reimbursement Policies: child care reimbursement is subject to provisions of the state plan with the federal government for use of Child Care Development (CCDF) and Temporary Assistance for Needy Families (TANF) block grant funds, current state and federal law, administrative rules, and departmental policies.

3.1.1 Reimbursement for Approved Activities: reimbursement is only for child care provided to enable a parent to participate in a specific approved activity.

3.1.2 Two-Parent Families: not a new policy, this section pertains to participation in approved activities being required for both parents.

3.1.4 Parental Choice: not a new policy, parents choose their own providers except for in-home child care which is allowable only under specific conditions.

3.1.6 Sleep Shift Hours: the combined number of hours for working 3rd shift and day sleep time cannot exceed 75 hours.

3.2.0 Child Care Regulation

There are no policy changes in this section from the previous Day Care Manual Chapters 1-3.

3.3.0 Provider Records

3.3.1 Provider Records in CSAW: explains how licensed provider records are created in CLC by licensing staff, certified provider records are created by county workers in CCPC, and how county workers must create unregulated, out-of-state and public school programs in CSAW.

3.3.2 W-9 Requirement: specifies that local agency workers are responsible for collecting and entering signed W-9 forms and provides details on certified and licensed providers.

3.3.3 1099 End of the Year Tax Statements: information who does and does not get 1099 forms; agency responsibility for keeping forms updated, issues related to incorrect tax data.

3.3.4 Tax ID Number and/or Type Change: technical information on what needs to happen when providers want to change tax numbers.

3.3.5 Child Care Center Name Different from Tax ID Number: if the provider wants their payment issued in another name, the name must be entered in the Check/EFT Payable Name field.

3.3.6 Child Care Purchased by a New Owner: explains the step required when a new owner purchases a child care center and when a new W-9 form needs to be collected by the local worker.

3.3.7 Certified Provider's Tax ID Change: local workers must collect a new W-9 form and update CSAW.

3.3.8 SSN Discrepancy Report: a quarterly report run in the Enterprise Outlook Solution (EOS) system. Local workers get an email notification when the report is run. The report identifies mismatched provider names, social security numbers, and date of birth compared to Social Security Administration. Local workers must work with providers to correct errors.

3.4.0 Child Care Subsidy Reimbursement Rate

3.4.1 Introduction to Maximum Rates: provides an overview of rate setting.

3.4.2 Provider Private Rates: must be entered for licensed providers before an authorization can be written

3.4.3 Provider Rate Survey: Counties are required under current law to annually collect rate information for licensed child care providers. Rate survey policy and instructions are contained in this section.

3.4.3 Provider Rate Survey and 3.4.4 Maximum Rate-Setting Method—Percent of Urbanization: both sections provide explanations of part of the rate setting steps that the state and county take to determine maximum payment rates per county.

3.4.5 Updating Provider Rates in CSAW: local agencies must update provider rates from the survey and when providers change their private rates on a yearly basis.

3.4.6 Special Needs Children: no changes to the existing policy that special needs children may receive a higher reimbursement rate for care, but the determination is on a case-by-case basis and is not necessarily granted for all special needs children.

3.4.7 Accredited Care: no change to policy.

3.4.8 Attendance Based Authorizations to Licensed Child Care Providers: no change to the existing policy regarding a 10% higher rate paid to licensed providers when they provide care under an attendance-based authorization unless they are already receiving a 10% increase for being an accredited provider.

3.4.9 In-Home Child Care: in-home care rates are limited to the current state minimum wage for a combination of all of the children in care.

3.4.13 Before/After School Rates: Integrates Ops Memo 05-42 establishment of Before and After School Rates for children age seven (7) and older. Rates must be received from child care providers and entered into CSAW before an authorization can be written. Ops Memo 05-47 information is included that indicates that the system gives an error message to workers when no Before and After school rates exists for a child care provider and the worker tries to enter an authorization for a child age 7 and older for fewer than 21 hours per week.

3.4.14 School Closed (School Banked Hours): added policy that school bank hours cannot be used/claimed for reimbursement until all regularly authorized hours are used and clarified that school bank hours are not to be used when a school age child is ill and cannot attend school. In these situations the authorizing worker must create a separate authorization to cover the sick days.

3.4.15 Provider Rates Above the County Maximum: providers who charge rates above the county/tribal rate are responsible for collection of the difference between the two rates.

3.4.16 Accredited Care: No change to policy.

3.4.17 In-home Child Care: child care providers may not receive a combined rate for all of the children they care for above the state minimum wage, and must receive at least state minimum wage for child care provided 15 or more hours per week.

3.4.18 Other Rate: integrates most of Ops Memo 05-47 where the Other Rate was created. New policy retains policies of using the Other Rate when a parent works for a provider and gets a child care discount rate or any other reason when the amount that the provider charges is less than the county/tribal maximum rate. Rejects the requirement in Ops Memo 05-47 that the Other Rate must be used in shared custody/placement situations or when there is a support order with child care requirements.

3.4.19 The Other Rate is Manually Calculate: The Other Rate is manually calculated the same way as in-home certified provider and special needs rates.

3.4.20 Registration Fees: are not longer covered by the Wisconsin Shares child care assistance program.

3.5.0 Process Flow: no change, just updated computer acronyms.

3.6.0 Authorizations

3.6.1.1 Authorizations for Self Employment: after the first six months of receiving child care assistant for self employment, a parent may receive authorized hours only for self employment that produced an income that is equivalent to at least the state minimum wage.

3.6.3 Entering Authorizations in CSAW: administrative agencies shall enter authorizations into CSAW.

3.6.4 Full-time Authorizations: are between 35 and 50 hours per week.

3.6.5 Part-time authorizations: are less than 35 hours per week.

3.6.6 Authorizations for Over 50 Hours of Care:

Children who need more than 50 hours of care per week may receive two authorizations, one full time and a second for the balance of the time needed.

a) Licensed Provider Enrollment Based Authorizations: enter one authorization for **50 hours** and a second for the remainder of the time needed.

b) Licensed Provider Attendance Based Authorizations: enter one auth for **35 hours** and a second authorization for the hours over 50 that are needed.

c) Certified Provider: enter one authorization for 50 hours and a second for the remained of the time needed.

3.6.7 Two Day Time Frame to Issue Authorizations: child care authorizations must be issued to parents and providers within two business day of confirmation of eligibility if the parent has provided the appropriate child care provider information per Administrator's Memo 99-01 "New Child Care Performance Standards". All reasons for delays in meeting this requirement must be documented in CARES comments.

3.6.8 Attendance Based: all authorizations to certified child care providers must be on an attendance basis. Attendance based authorizations reimburse a provider on an hourly basis up to the maximum number of hours authorized.

3.6.9 Attendance Based Authorizations to Licensed Providers: are allowed only if the schedule of the child care is to be used is expected to vary widely (or varies widely), and 2) if the agency has documented three (3) separate occasions where the provider significantly over reported the attendance of a child.

3.6.10 Significantly Over Reported Attendance is defined as per Ops Memo 03-07:

a) The child was reported as being in care when they did not attend, or

b) The child was reported as being in care hours equal to or greater than the divisor (full time hours which has been standardized to 35 hours per week) when the child was actually in care hours less than the divisor (part-time hours).

3.6.12 Authorizations for Licensed Providers Must Be Enrollment Exception:

1) when the schedule of the child care to be used is expected to vary widely, or varies widely, or

2) the agency has 3 document separation occasions where the provider significantly over reported attendance of a child.

3.6.13 Part-Time Enrollment Authorizations: authorizations based on enrollment do not have to be fulltime.

3.6.14 Agency Refusal to Authorize to a Child Care Provider: all per Ops Memo 03-07, authority was granted to agencies to refuse to authorize to a licensed provider if the provider refuses to submit documentation of their prices in response to an agency request. Agencies may refuse to issue new authorizations for a period not to exceed 6 months, revoke existing authorizations, or refuse to issue payments if the provider 1) submits false attendance reports, 2) refuses to provide documentation of the child's actual attendance, 3) gives false or inaccurate child care price

information, or 4) has not corrected a certification or licensing violation as described in the written violation corrective action notification. Requires that written notice must be given to the parent and provider before action is taken. And, if payment is not issued to the provider for any of the above they may not charge the parents the authorized amount. The parent remains responsible for paying the copayment and any amount that the parent agreed to above the maximum county rate for parents who hold authorizations. The child care agency may: a) require a provider to submit documentation signed by the parent showing the actual times that the child was dropped off and picked up from the provider, b) contact the parents to determine the child's actual hours, c) require a provider to submit attendance and payment records for families that pay for child care costs out of their own personal funds, d) require a provider to have attendance records available at the child care site whenever the agency requests to review them, and e) conduct on-site inspections to monitor the provision of authorized services, and 4) limit the number of children authorized for the period of time that it appears that the provider is over the group size limitations.

3.6.15 Agency May Refuse Confirmation of Attendance Submitted More than 3 Months Old: per Ops Memo 03-07.

3.6.16 Authorization Notices Limited to Saturday Batch Cycle: per Ops Memo 04-46.

3.6.20 School Age Authorization: School bank hours are to be claimed only when school is closed for short term timeframes and only when the existing authorized hours have been used in full for the week.

3.6.23 Authorizations for Persons Living in the Home: current law prohibits authorizations to persons living in the home of a child unless the care is necessary because of a special health condition.

3.6.24 Wrap Around Head Start Preschool and 4 and 5 year-old Kindergarten Programs Offered with Child Care Programs: authorize for the full amount of care needed when Head Start is on-site; when head start is an off-site program the authorization should cover only the child care hours and not the Head Start hours.

3.6.27 Authorizing When the Parent or Other Legally Responsible Adult is a Child Care Provider: The provision in Section 2.6.5 Authorizations to the Parent of a Child in Chapter 3 of the Day Care Manual that allowed an exemption for authorizing to a parent their center is a licensed group day care center is incorporated, non-profit, or government has been eliminated.

3.6.28 Backdating Authorizations: Late Six-Month-Report-Forms (SMRFs): the authorization should be backdated to the previous authorization date when a parent submits a "complete" SMRF during the month after the form was due if the parent has continued to be in an approved activity.

3.7.0 Co-Payments

3.7.1 Determination of Co-Payment Responsibility: Co-payments are the same level for both certified and licensed care per Ops Memo 08-11.

3.7.4 Kinship Care Relatives: there are no changes to co-payments for kinship care relatives, if there is a court order for care the amount is zero and code is KIN and if there is not a court order the amount is minimal and the code is NCK.

3.7.9 Differential Co-Payments: is a distribution method for co-payments that is used whenever an authorization is retroactively written (anytime after the current attendance period has ended). The explanation of differential co-payment methodology is expended from the current manual.

3.8.0 Authorization Changes

3.8.3 Reasons for Changing Authorizations: under utilization of hours authorized over a four (4) week period is added as a reason to change an authorization.

3.8.4 10-Day Notice When Changing Authorizations: as of February 2006, per Ops Memos 06-01 and 06-16, the only time a 10 day notice to providers is required when a parent loses eligibility. There are no changes to how to end the authorization if eligibility is lost and the parent

is still in an approved activity or has increased income, except when the parent failed to report a change that would make them ineligible.

3.8.11 Foster Parent Adoption of Their Foster Child: If eligibility is lost due to adoption the authorization should end on the last Saturday following the month of eligibility. A ten-day notice is required to both family and provider. CSAW will end the authorization if the case is closing at adverse action.

3.9.0 Shared Placements:

Workers are no longer required to manually calculate the authorization for shared placement and/or use the "Other Rate", or to attempt to enforce child support orders by altering the number of hours authorized for a parent. Authorizations must be written for a parent's need for child care to participate in their approved activities. Worker should refer court ordered obligations to the child support enforcement agency.

3.10.0 Payment Process

3.10.1 Attendance Reporting Forms (ARF's): added that local agencies should communicate their policy in writing to providers of the last day/time in which the provider can submit the AFT or enter attendance electronically on CCPI to assure issuance the following week.

3.10.2 Attendance Reporting: Licensing and certification rules require the provider to record actual arrival and departure times. The recommendation is that the parent signs the time in hours and minutes. Hours should be rounded to the nearest full or half hour. Examples are cited in the Child Care Manual.

3.10.3 Attendance Confirmation: the Department expects local agencies to monitor attendance reporting. Each county or tribe is allowed to elect if they are a Confirmation Agency or a Non-Confirmation Agency. When agencies choose to be a Non-Confirmation agency they continue to be responsible for developing a monitoring system for accurate attendance reporting (observing unusual utilization patterns, tracking for possible provider error or fraud, taking appropriate follow-up action).

3.11.0 Breaks in Employment:

3.11.1 Authority to Pay for Holding a Slot: integrates Ops Memo 07-28 and is limited to the parent having a temporary break in employment with the intent to return to work and continue to use the same child care provider.

3.11.2 Situations When a Slot Can Be Held and Time Limits: holding a slot for someone waiting to start an approved activity was eliminated.

3.11.3 Conditions Required for Holding a Slot: 1) the authorization must be on an enrollment basis, 2) the parent must be both receiving Wisconsin Shares and be employed prior to the leave, 3) the parent must intent to return to the same employer after the leave, 4) after the leave the parent must return to return to the same employer, 5) the provider must be the same before and after the leave.

3.11.4 Consecutive Leaves: leave times are limited to the maximum weeks in 11.2. Consecutive leaves are not approvable unless the parent has returned to work at least one week after the first leave ends and the second one begins.

3.11.5 Attendance While Holding a Slot: if the administrative agency is unable to negotiate a lower rate for the leave for the approved slot-holding time, the child care provider must let the child attend care.

3.11.6 Provider Vacation Policy: One week per year for enrollment authorizations only, per Ops Memo 04-04

3.11.7 Parent Time Off from Unsubsidized Employment: working parents are allowed to use child care for hours that they are legitimately approved for paid time off from their employer without incurring an overpayment (sick leave, vacation, etc.). If the employer does not approve the time off and child care is used, the hours paid by the program are considered a parent overpayment.

Good cause exemptions may be granted by a FEP for missing W-2 activities, a FSET worker for FSET activities, and by an administrative agency worker for non-W-2/non-FSET activities. Parents may not use child care for non-approved activities such as running errands.

3.11.8 Jury Duty: jury duty hours are allowable for child care assistance reimbursement if the parent was already receiving Wisconsin Shares. Child care reimbursement is limited to hours of approved activity missed for jury duty and does not cover jury duty hours for hours not normally associated with approved activities.

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*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, *Other EP – Other Employment Programs.

DCF/BECE/SM