Questions and Answers from 10-1-18 Child Care Changes

Questions have been asked and concern expressed about whether or not the 10-1-18 changes will work within the KEES system, and whether the changes have been tested in KEES. DCF Administration is very aware that all of the changes will not run automatically in KEES until system changes are made, and that could take a considerable amount of time. However, EES staff can rest assured that KEES staff have been kept in the loop in the development of these policies, and they have helped to develop ways that staff can manually make the system work until system changes can be made. We tried to incorporate into the implementation memo the information about these processes that staff will need to utilize to affect these changes. EES staff are encouraged to advise administration of any issues that they come across that have not already been mentioned. That being said, below are the questions have been received, along with answers to those questions.

Q1. If customer is both working 15 hours a week and going to school and getting Child Care related to Post-Secondary Education, what happens if early in the 12-month review period,

a. Customer drops out of school but continues working 15 hours a week – do we give the school CC hours for another 3 months but still give the work CC hours through the end of the review period?
b. Customer stops working but continues to go to school. Do we continue the work CC hours another 3 months, and then close the whole CC case after 3 months of continuation of care, because the customer is still no longer meeting the 15 hour a week work requirement to be able to get CC while going to school?

A1. In either of the two situations described, you would leave the total hours the same as was originally approved for the remainder of the 12-month eligibility period.

Q2. If the Agency makes an error in the calculation of benefits at the initial application which results in benefits received being more than the HH was entitled to – can we correct this benefit amount on the now ongoing CC case (since Agency error)?

A2. Yes. The policy around not reducing benefits during the 12-month eligibility period is with the assumption that the initial processing and calculation of benefits was done correctly.

Q3. Work Program cases receiving TANF Childcare – if they are transitioned over for any reason to EES (Income Eligible CC), will they continue to receive CC benefits at no family share until review?

A3. Yes.

Q4. Work Program cases receiving TANF Childcare – if they are transitioned over for any reason to EES (Income Eligible CC), will the plans continue as written barring any changes – in other words if the WP

plans were written to have 0 CC hours in all months after the 3rd month, since this is how the plan was approved would we have any obligation to give them any higher hours (under any circumstances)?

A4. If the client was originally set up for zero hours in the months after the 3rd month, but later reported a qualifying need for care, we would be obligated to provide child care for those hours for the remainder of the 12-month eligibility period.

Q5. When the CC transfers over from work programs and let's say it was given specifically for a 2nd degree program – since this is not something we allow in EES per policy for post-secondary education, would that policy (no CC for 2nd degrees) be allowed to override the 12 month plan and close benefits or would it have to be continued through review?

A5. The plan would continue through review.

Q6. If EES approves CC initially and the post-secondary childcare plan reaches their 24-month lifetime limit for school in the middle of the 12 months, how would this impact the 12-month plan. Would they get CC beyond their 24 months for this (till review), would we set up a plan with 0 hour months at that point they hit 24 months and they have some responsibility to come in and notify they have an ongoing need for CC?

A6. When EES staff are setting up the 12-month eligibility period in which we know the client will hit their 24-month maximum, they should change the next month to include only the work hours. The client does still have to responsibility to notify us if there is a change in their need for care.

Q7. Are we in EES allowed to put months at zero in the initial plan for any reason if needed? For example, if someone comes in and applies in October for childcare and is approved, but their current provider does not provide summer latchkey and/or they do not know who they will utilize for summer childcare. Can we set the summer months to zero and notify them they will need to inform us who the provider will be at that time?

A7. Yes, we can set up the child care plans at initial approval with zero benefits for some months if we know at that time that the circumstances will be different. In the example you mention, we know that the client will not be using the same provider during the summer months, so we could set the plans up with zero hours until the client notifies us of their summer plans. I would be careful in telling the client when to notify us, as that would be considered a change, and changes don't take effect until the month following the month they are reported. She would need to notify us by the end of May of her summer plans and not wait until June.

Q8. Child care is open for a work program training plan. It is discovered that the client is not attending, but is looking for work. Would this client be eligible for the three-month continuation of care? Would she be eligible for the three-month continuation if she does not want to do any activity and plans to stay home with her children?

Questions and Answers from 10-1-18 Child Care Changes

A8. If the client intends to look for work, she would be eligible for the three-month continuation of care. If she does not plan to do any activity and will be staying home with her children, she would not be eligible for the three-month continuation. Her child care case would be closed giving adequate notice only, since she will not be using the child care (see KEESM 1430, item #15 and 7640, item #10).

Q9. A JO child care case is open for employment, and the client reports that she lost her job. No good cause was found, and a penalty is applied to the TANF case. Would she be eligible for the three-month continuation if she intends to job search and return to employment? If she does not plan to job search, would she qualify for the three-month continuation?

A9. If she intends to job search and return to employment, she would qualify for the three-month continuation, but if she says does not intend to do so, she would not qualify for the continuation.

Q10. Child care was approved in May. When the plan was written, the worker forgot to take into account that child would be in school starting in September. Child care plans were approved for 215 per month for the entire year. The hours for the school months should have been 40. It was reported in October that client's hours were decreased at work. When this was reported, the error was discovered. Would we correct the plan for the 40 hours for the school months and those are the hours the client is eligible for the remainder of the review period even if the reduction in her employment hours drops the hours to 20 month?

A10. Yes. Due to the error in the initial eligibility determination, the plan would be corrected for the school months. The client would still qualify for those hours for the remainder of the eligibility period, even if her hours have dropped below the minimum required 28 hours per week.

Q11. Would it be in the agencies best interest to fix the CC case to what it should have been and carry this amount forward? Or should we be applying the new policy changes (no increase in family share and no decrease in hours) to the incorrect child care plan that was already in place? Does it make a difference if the corrected hours from the original determination would be more or less than the amount authorized in error?

A11. If an error was found in the original eligibility determination, the error should be corrected to what it should have been, and carry that amount forward, unless the client reports a change that would result in an increase in hours or decrease in family share.

Questions and Answers from 10-1-18 Child Care Changes

Q12. A childcare case is open with a January through December CC eligibility period. The client loses her job in October and reports it in October. Does client only get 2 months of continuation of care, since the eligibility period ends in December?

A12. Yes, if there are less than 3 months left in the 12-month eligibility period, the continuation would only go through the end of that 12-month period.

Q13. A childcare case is open with a January through December CC eligibility period. The client reports in early May that they want to change providers beginning in June. Do we make the change in providers for beginning in June and keep everything the same for the remainder of the review year, except for any adjustments due to the new provider's hours of operation or rate of pay?

A13. Because there are hours of care that won't be used (can't be used since the provider isn't open) we could reduce the hours. If the client indicates that they will be taking their children there for those hours, the provider will need to contact our provider enrollment staff to change the hours of operation that we have for them. They will also need to submit to provider enrollment a copy of their new parent/provider agreement that reflects their new hours.

Q14. On the flow chart "Increased Income Reported" should the diamond that says "Is the family share deduction greater than the cost of care?" be changed to "Will the family share deduction be greater than the cost of care for all months?"

A14. Yes. The flow chart has been changed to reflect this clarification and has been reposted to the 10-1-18 implementation memo.

Q15. If a client has been self-employed for 12 months already at the time they apply for Child Care assistance, but the net earnings are NOT equivalent to the minimum wage per hour, do we deny the application?

A15. Yes.

Q16. Same example as #15 but the customer has been doing the self-employment job for 6 months as the time they apply for CC assistance. Do we still consider that "new" self-employment and set the CC plan up for the 12-month review period? What about 3 months of previous self-employment, or 9 months of previous SE, when net earnings are not equivalent to the federal minimum wage per hour?

Questions and Answers from 10-1-18 Child Care Changes

A16. Unless the self-employment is a seasonal type business, if they've been in business for six or more months, that is sufficient to show that their earning will be at least the minimum wage times hours worked. If they have been operating for less than six months and earnings are not yet equal to or greater than the minimum wage times hours worked (but client expects to get there), then the application could be approved for one 12-month eligibility period to allow them to get their earnings up. If at review, they still aren't equal to or greater than minimum wage, the review would be denied.

Q17: Child is aging out of KEHS CC. We know we wouldn't be able to reduce the hours and would not be able to add a family share to ongoing CC. Would we need to request proof of income with the new CC changes?

A17: We do need to request verification of income whenever a case is being transitioned from KEHS CC for any reason, as we need to make sure their income is not over 85% of SMI based on our own eligibility determination. Remember that the countable income used by KEHS may be different from what we would count (i.e. KEHS does not count income of a BG in the home if not the parent of the child). If they continue to have countable income that does not exceed 85% of SMI, then the hours and family share would remain the same for the remainder of the 12-month eligibility period. This is assuming that the family is staying with the same provider or changing to a new provider whose hours of operation include the hours the family needs care.

Q18. KEHS provided a notice showing the client would be exiting the KEHS program as mom chose to take the children to another provider. Client has provided the name of a new DCF provider. We understand that we would leave the case open through the review, but do we need to update the Child Care Need Detail, as the need reason still shows EHS Partnership?

A18. Provided that the client continues to have countable income that does not exceed 85% of the SMI, and that the new provider's hours of operation include the hours the family needs care, you would leave the case open for the remainder of the 12-month eligibility period (same hours, zero family share), but the need reason does need to be changed.

Q19: We have a client who received a 3-month TANF WP program penalty effective 9/30/18. It She received a penalty for being fired from her job for poor attendance, not staying in contact with her WP provider and her career navigator. The TANF was closed 9/30/18 and WP noted they were giving her the 3 months of continuation of childcare. On 10/8/18 the client reports new fulltime job that will put her over the 185% but remains under the 85%SMI. Is it correct that we would need to increase the hours on her plan to meet the new work schedule and that the family share would remain the same as it was - $0 since this was an ongoing childcare case?

Questions and Answers from 10-1-18 Child Care Changes

A19. Yes, we would need to increase the hours for the new work schedule and keep the family share deduction at $0.

Q20. If a TANF client experiences a voluntary reduction in work hours below the 28 hours and receives a WP penalty. Since TANF clients do not have to meet that 28-hour criteria, is it correct that any client that has open CC at the time they receive a WP penalty will receive the 3-month continuation of care?

A20. Yes, it is correct that they would get the 3-month continuation of care unless they specifically say that they do not intend to look for work or resume attendance in a job training/educational program. In that case you would not allow the continuation of care.

Q21. A relative child care case receiving TANF for a grandchild in foster care, requests TANF closure due to the increase in the kinship foster care payments. With the new CC changes in Oct, how should we handle the change in childcare if the 1627b form has not been received yet? Would you change to EM childcare and override the family share to $0 until the form is received?

A21. If we don't have the 1627b form, we would have to treat the case like regular child care and the family has to meet financial and non-financial eligibility criteria. With the October changes, you are correct that you would have to change to EM child care due to the TANF closure and override the family share to $0 until the end of the review period. For these cases where we know there is a child in kinship foster care, staff should reach out to the foster care contractor to get a 1627b if you don't have one when the review app comes in. Please let me know if you have other questions about this.

Q22. Ongoing child care case, and PI comes in on October 10th to report that she has had a baby and is on maternity leave for 6 weeks. She reports that she intends to return to the work at the end of this 6-week period. If income for November is anticipated to be $0, would we reduce the family share to $0? If there is countable income in November (last pay before maternity leave started), would we reduce the family share to the lower amount based on the countable November income? Would this situation qualify for the 3-month continuation of care? If she states that she doesn't intend to return to work, would we close the case?

A22. Yes, if income for November is expected to be $0, the family share would be reduced to $0. Yes, if there is countable November income, the family share would be adjusted based on that amount. The three-month continuation of care would apply to this situation, keeping the hours the same, but adjusting the family share for the income change (this was part of the October 1 change). If she states that she doesn't intend to return to work, you would close the case giving timely and adequate notice. If, however, she said she would not be using child care, adequate notice only is needed.

Questions and Answers from 10-1-18 Child Care Changes

Q23. Is this still correct at review when determining eligibility for Tier 2:

• For the Income record: Verify on the SMI worksheet that household is under 85% of the SMI. Calculate the income using the Income Average Calculator, but enter the maximum income limit (185% FPL) based on the household size in the Reported Amount field.

Also, is a Standard Text Copy and Paste notice still required? Or since it is a 12-month review, do we use a regular notice?

A23. It is necessary to determine whether income is over 185% of FPL (but under 85% of SMI) to determine Tier II eligibility, and the regular review notice can be used. However, it will be necessary to append the notice and add the correct income to the comment section of the notice. The notice populates with the income we're counting, and for Tier II eligibility, we're entering the maximum income limit for 185% of FPL in KEES – not their actual income amounts, so the comment section will need to be used to let them know the actual income we're counting.

Q24. We have a customer applying today-2 parent household. The PI is employed over 28 hours a week and the SP has gone back to work as of yesterday as she was on maternity leave. She is anticipated to work over 28 hours a week. For the month of October, the SP will have $0.00 income as her first check will be received in November. In November the household will be well over income for CC. We are of two minds. Is the household eligible for only 1 month of CC and then over income for the second month since this information is known at the time of application/new eligibility? Or should the CC plan be written for a full 12 months based on the PI's income only because of the CC changes.

A24. Since the family qualifies for the first month of the 12-month eligibility period, they would continue eligible for the remainder of the 12-month period unless income exceeds 85% of the SMI. The family share would remain the same as the first month for the remainder of the eligibility period. Then at review, if income remains greater than 185% of FPL but less than 85% of SMI, a new 12-month eligibility period would be established, and the family share would be set at the highest level for the family size for the new eligibility period.

Q25. We had a childcare case where 2 children were removed from the home and placed in Foster Care. The 3rd child was removed from home by the courts and placed with his father. Would we be correct in allowing adequate notice only for the plan ending and closing of the CC case? There are no children remaining in the home.

A25. You are correct in allowing adequate notice only in this situation.