

EES Policy No. 20-04-03	RE: Hero Relief Program: Child Care for Parents Performing Essential Functions for COVID-19
Policy Memo	Contact Persons: Sally Hargis
From: Sandra Kimmons	KEESM Reference: 2835 & 2831
Date: April 15, 2020	Other:
Primary DCF Areas Affected: EES	Where Posted on Web: http://content.dcf.ks.gov/ees/KEESM/Policy_Memo/policy_memo_list.htm

Due to the recent declaration of the COVID-19 pandemic, there are parents who must continue to work and who are medical professionals, healthcare workers and other essential medical staff, first responders and food and agriculture workers, judicial branch (essential services), National Guard, frontline child and adult protection specialists, child care providers caring for children of eligible workers listed above that need a safe and healthy environment for their children to go to during this time. To help address these needs, the child care assistance program is allowing certain parents performing essential functions access to subsidy via the Hero Relief Program, providing child care under the social service need within the following guidelines:

1. **Eligible Essential Staff.** Due to limited funds, the decision has been made to restrict eligibility to medical professionals, healthcare workers and other essential medical staff in various settings including hospitals, outpatient services, nursing and other care facilities, first responders, food and agriculture workers, judicial branch (essential services), National Guard, frontline child and adult protection specialists, child care providers caring for children of eligible workers listed above. Reasonable verification of the parent's employment in one of these settings is required. Minimum work requirements are applicable to this program. See flag instructions below if an application must be denied for failure to meet the minimum work requirements. In a two-adult household, only one must qualify as an essential worker as defined below for the household to qualify for child care through the Hero Relief Program. Normal child care scheduling rules for these households will apply when determining hours of care needed.
2. **Income Limit.** Due to limited funds, the decision has been made to restrict eligibility to families who have countable income of 250% FPL or less. **This income determination will need to be made off the system using Appendix worksheet W-14.** It is not necessary to enter income in the system.
3. **Eligibility Period.** These plans will remain open and eligible for 6 months. The review will need shortened to 6 months. If a family who is currently eligible for child care and meets the definition of eligible essential staff contacts the agency and provides verification of their status, their current child

care plan will be ended with the current month, and a new Hero Relief Program plan for child care written for 6 months with a social service need reason. The review due month in KEES will need to be changed to match the end of the 6-month period.

Families applying for the Hero Relief Program will use the regular application form ES-3100. There is no place on the application for them to indicate that they are applying for this specific type of child care. EES staff will need to screen each application for child care that they are working on. Based on the place of employment listed and/or employment verifications provided, the prudent person concept will need to be used to make this determination. It may be necessary to contact applicants if EES staff have questions about this. If there are questions, decisions regarding whether or not someone qualifies as an essential worker will be made by the region's EES PA or APA. **Note that families applying for this assistance must be continuing to work.** However, if they should temporarily stop working after approval, eligibility will continue through the 6-month eligibility period.

As with other child care cases with a social service need, no family share deduction is assigned to these families.

Families who qualify for the Hero Relief Program will need special processing on the Child Support referral pages. In KEES, EES staff will add the following note to the referral: "CC-COVID" to flag it for CSS staff. In addition, the non-custodial parent must be listed as unknown to assist with tracking. If there is good cause to not require CSS cooperation, EES staff will approve the application even if there is an existing non-cooperation penalty that has not been resolved.

If a family who qualifies for the Hero Relief Program is using a provider who is not currently enrolled with DCF and they want to become enrolled, EES staff must note on the referral to provider enrollment that this provider will provide care for a family who qualifies for the Hero Relief Program.

All cases receiving child care through the Hero Relief Program must be flagged in KEES using the "Child Care-COVID-19" flag. The processing date will be the begin date and the end of the 6-month plan will be the end date for the flag. This flag must also be used for any case that is denied due to not meeting the 20 hour per week work requirement. The negative action reason "Failed 28 Hr Work Req" will be used to deny the application. The worker will need to append the NOA using the Standard Copy and paste from the KEES user manual at this link: [CC Denial/Discontinuance for Failure to Meet Work Hour Requirements](#).

This program will begin on April 20, 2020 and will remain in place until the Kansas COVID-19 Emergency Declaration incident period is end dated. DCF staff will be notified when it is end dated.

For applications received in April prior to the 20th but not yet processed, if the family's countable income is over 185% of FPL but under is less than or equal to 250% of FPL, the application will be approved with a plan start date of April 20, 2020. It will be necessary to append the approval notice in KEES and use the comment section to advise the family that they were not eligible prior to April 20th because their income exceeded allowable limits for child care that was available at that time. The Hero Relief Program for essential workers begins on April 20th. For the same situation, if the family's countable income is 185% of FPL but the application has not yet been processed, the application will be approved back to the date of application using the guidelines for the Hero Relief Program with no family share deduction assigned.

Examples:

1. A family applied for child care on April 16th, and the eligibility worker is processing the application on April 21st. The family's countable income is 200% of the FPL for their household size, and the parent meets the definition of an essential worker. Since the household did not qualify for regular child care due to excess income, but would qualify for the Hero Relief Program, the application will be approved with a child care plan starting on April 20th, the first day of the new program. The approval notice is appended and a note is added to the comment section to explain the April 20th start date of the child care plan.
2. Same scenario as example #1, except that the family's countable income is 150% of the FPL. In this case, the application will be approved with a start date of April 16th.

It is not intended for EES staff to find and rework applications that have already been correctly processed. However, if staff are contacted by a family that applied within 30 days and was correctly denied for excess income at the time of processing, but would qualify for child care through the Hero Relief Program, the family will not be required to reapply. Child care will be approved beginning with the date of the contact, but no sooner than April 20, 2020. For example, a client applied on April 1st, and on April 6th was correctly denied due to countable income that was 200% of the FPL. On April 20th the client hears about the new Hero Relief Program and contacts the agency to ask about child care. If qualified, the original application may be used and the application approved effective April 20th. Child care plans will not start before April 20th.

Essential workers are being defined as follows.

Healthcare workers:

- Workers who perform critical clinical research, development, and testing needed for COVID-19 response.
- Healthcare providers and Caregivers including physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, optometrists, speech pathologists, chiropractors, and diagnostic and therapeutic technicians and technologists.
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).
- Workers in other medical and biomedical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Nursing Care Facilities, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers, and retail facilities specializing in medical good and supplies).
- Public health / community health workers, including those who compile, model, analyze and communicate public health information.
- Blood and plasma donors and the employees of the organizations that operate and manage related activities.
- Workers who manage health plans, billing, and health information, who cannot practically work remotely.
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance,

compiling, analyzing and communicating public health information, who cannot practically work remotely.

- Workers performing information technology and cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
- Pharmacy employees necessary to maintain uninterrupted prescription filling.

First responders:

- Public and private personnel (front line and management) in emergency management, law enforcement, fire and rescue services, emergency medical services, and private security, to include public and private hazardous material responders, air medical service providers (pilots and supporting technicians), corrections, and search and rescue personnel.

Food and agriculture workers:

- Workers supporting groceries, pharmacies, convenience stores, and other retail (including unattended and vending) that sells human food, animal/pet food and pet supply, and beverage products, including retail customer support service and information technology support staff necessary for online orders, pickup and delivery.
- Restaurant carry-out and quick serve food operations, including dark kitchen and food prep centers, and carry-out and delivery food employees.
- Food manufacturer employees and their supplier employees—to include those employed in food ingredient production and processing facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging.
- Farmers, farm workers, and agribusiness support services to include those employed in auction and sales: grain and oilseed handling, processing and distribution; animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically and for export.
- Farmers, farm workers, support service workers, and their supplier employees to include those engaged in producing and harvesting field crops; commodity inspection; fuel ethanol facilities; biodiesel and renewable diesel facilities; storage facilities; and other agricultural inputs.
- Employees and firms supporting the distribution of food, feed, and beverage and ingredients used in these products, including warehouse workers, vendor- managed inventory controllers and blockchain managers.
- Workers supporting the sanitation and pest control of all food manufacturing processes and operations from wholesale to retail.
- Employees in cafeterias used to feed employees, particularly employee populations sheltered against COVID-19.
- Workers in animal diagnostic and food testing laboratories in private industries and in institutions of higher education.
- Government, private, and non-governmental organizations' workers essential for food assistance programs (including school lunch programs) and government payments.
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including seeds,

pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids.

- Animal agriculture workers to include those employed in veterinary health (including those involved in supporting emergency veterinary or livestock services); raising of animals for food; animal production operations; livestock markets; slaughter and packing plants, manufacturers, renderers, and associated regulatory and government workforce.
- Transportation supporting animal agricultural industries, including movement of animal medical and reproductive supplies and materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, live animals, animal by-products, and deceased animals for disposal.
- Workers who support sawmills and the manufacture and distribution of fiber and forest products, including, but not limited to timber, paper, and other wood and fiber products.
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary for agricultural production and distribution.

Judicial branch (essential services):

- Judicial officers and personnel deemed essential by The Office of Judicial Administration to ensure the continued operations of the Kansas court system

National Guard:

- National Guard members that are on orders, to include state active duty, Title 32, or Title 10 orders and members in an Inactive Duty for Training status.
- At the discretion of the Adjutant General, this category also includes full-time staff of the Kansas National Guard or Department of Military Affairs that are necessary for the execution of the National Guard's mission.

Frontline child and adult protection specialists

- Social workers and human services or social services staff employed by the Kansas Department for Children and Families (or one of its protection and prevention services case management grantees) whose jobs require in-home and other face-to-face interactions with members of the public

Child care providers:

- Educators and other workers in these childcare centers, family childcare, schools, and other facilities who are caring for children of eligible workers listed above. Client statement will be used as verification.