

**ORANGE COUNTY 2013 APU**  
**APPENDIX K**  
 Child Care Administration

Describe how your local district is organized to administer the child care program, including any functions that are subcontracted to an outside agency.

1. Identify the unit that has primary responsibility for the administration of child care for:

Public Assistance Families: Child Care Subsidy Unit  
 Transitioning Families: Child Care Subsidy Unit  
 Income Eligible Families: Child Care Subsidy Unit  
 Title XX: Protective/Preventive Units in Children's Services

2. Provide the following information on the use of New York State Child Care Block Grant (NYSCCBG) Funds.

FFY 2009-2010 Rollover funds (available from the NYSCCBG ceiling report in the claiming system).....\$0  
 Estimate FFY 2010-11 Rollover Funds .....\$274,880.00  
 Estimate of Flexible Funds for Families (FFS) for child care subsidies.....\$0.00  
 NYSCBG Allocation 2011-12 .....\$6,452,497.00  
 Estimate of Local Share .....\$0.00  
**Total Estimated NYSCCBG Amount** .....\$6,727,377.00  
 a. Subsidy .....\$5,335,345.00  
 b. Other program costs excluding subsidy .....\$349,895.00  
 c. Administrative costs .....\$767,258.00

3. Does your district have a contract or formal agreement with another organization to perform any of the following functions?

| Function   | Organization                                     | Amount of Contract |
|--|--|--------------------|
| <input type="checkbox"/> Eligibility screening   |  |                    |
| <input checked="" type="checkbox"/> Determining if legally-exempt providers meet State-approved additional standards | Child Care Council of Orange County (7/11-6/12)  | 107711             |
| <input checked="" type="checkbox"/> Assistance in locating care  | Child Care Council of Orange County (1/11-12/11) | 245401             |
| <input type="checkbox"/> Child Care Information Systems  |  |                    |
| <input type="checkbox"/> Other   |  |                    |

**APPENDIX L**

**Other Eligible Families if Funds are Available (Required)**

Listed below are the optional categories of eligible families that your district can include as part of its County Plan. Select any categories your county wants to serve using the NYSCCBG funds and describe any limitations associated with the category.

| Optional Categories   | Option  | Limitations  |
|---|---|--|
| 1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No  |  |
| 2. PA families or families with income up to 200% of the State Income Standard when the caretaker is: <ul style="list-style-type: none"> <li data-bbox="240 730 906 810">a) participating in an approved substance abuse treatment program</li> <li data-bbox="240 947 906 1026">b) homeless</li> <li data-bbox="240 1142 906 1222">c) a victim of domestic violence</li> <li data-bbox="240 1337 906 1417">d) in an emergency situation of short duration</li> </ul> | <ul style="list-style-type: none"> <li data-bbox="922 730 1084 810"> <input checked="" type="checkbox"/> Yes<br/> <input type="checkbox"/> No               </li> <li data-bbox="922 947 1084 1026"> <input checked="" type="checkbox"/> Yes<br/> <input type="checkbox"/> No               </li> <li data-bbox="922 1142 1084 1222"> <input checked="" type="checkbox"/> Yes<br/> <input type="checkbox"/> No               </li> <li data-bbox="922 1337 1084 1417"> <input checked="" type="checkbox"/> Yes<br/> <input type="checkbox"/> No               </li> </ul> | <p>TANF only – On monthly basis, the parent must provide a written document confirming attendance in an approved substance abuse treatment program.</p> <p>When the homeless individual is employed or attending an approved college, school or vocational program.</p> <p>When the victim of domestic violence is employed or attending an approved college, school or vocational program.</p> <p>When the individual(s) are employed or attending an approved college, school or vocational program.</p> |
| 3. Families with an open child protective services case when child care is needed to protect the child.   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  |  |
| 4. Families with income up to 200% of the State Income Standard when child care services are needed because the child’s caretaker:  |   |  |
| <ul style="list-style-type: none"> <li data-bbox="240 1703 906 1782">a) is physically or mentally incapacitated</li> <li data-bbox="240 1793 906 1873">b) has family duties away from home</li> </ul>   | <ul style="list-style-type: none"> <li data-bbox="922 1703 1084 1782"> <input type="checkbox"/> Yes<br/> <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1793 1084 1873"> <input type="checkbox"/> Yes<br/> <input checked="" type="checkbox"/> No               </li> </ul>  |  |
| 5. Families with income up to 200% of the State   | <input type="checkbox"/> Yes  |  |

| Optional Categories   | Option   | Limitations   |
|---|--|---|
| Income Standard when child care services are needed for the child's caretaker to actively seek employment for a period up to six months.  | <input checked="" type="checkbox"/> No                                 |   |
| 6. PA families where a sanctioned parent is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |   |
| 7. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:  |  |   |
| a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | Will pay for high school diploma  |
| b) an education program that prepares an individual to obtain a NYS High School equivalency diploma   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | GED   |
| c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth grade level                    | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |   |
| d) a program providing literacy training designed to help individuals improve their ability to read and write   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |   |
| e) English as a second language (ESL) instructional program designed to develop skills in listening, speaking, reading, and writing the English language for individuals whose primary language is other than English | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |   |
| f) a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate degree or certificate of completion   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | Will only pay for an AAS and AS Degree. The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent(s) or caretaker must also work at least 17 ½ hours per week. The parent/caretaker cannot enroll in more than one |

| Optional Categories   | Option   | Limitations   |
|---|--|---|
| <p>g) a training program, which has a specific occupational goal and is conducted by an institution other than a college or university that is licensed or approved by the State Education Department</p> <p>h) a prevocational skill training program such as a basic education and literacy training program</p> <p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</p> <p><b>Note:</b> The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent/caretaker cannot enroll in more than one program.</p> | <p>program.</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> No</p> | <p>Limited to six (6) weeks</p> <p>Limited to six (6) weeks</p> <p>Vocational training and/or undergraduate degree programs must present a clear means towards employment upon completion.</p> <p>The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months.</p> |
| <p>8. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year program other than one with a specific vocational sequence (leading to an associate's degree or certificate of completion and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>   | <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> No</p>   | <p>The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months.</p> <p>The parent/caretaker cannot enroll in more than one program.</p>  |
| <p>9. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associate's degree or a certificate of completion that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per week. The</p>  | <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> No</p>   | <p>The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months.</p> <p>The parent/caretaker cannot enroll in more than one program.</p>  |

| Optional Categories   | Option   | Limitations  |
|---|--|--|
| parent/caretaker must demonstrate his or her ability to successfully complete the course of study.  |  |  |
| 10. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program leading to a bachelor's degree and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.  | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <p>The parent/caretaker must complete the selected programs listed under number seven within 60 consecutive calendar months.</p> <p>The parent/caretaker cannot enroll in more than one program.</p> |
| 11. Families with incomes up to the 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in a program to train workers in an employment field that currently is or is likely to be in demand in the future, if the caretaker documents that he or she is a dislocated worker and is currently registered in such a program, provided that child care services are only used for the portion of the day the caretaker is able to document is directly related to the caretaker engaging in such a program. | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <p>The caretaker is responsible for providing documentation directly related to enrollment in a program.</p>   |

## APPENDIX M

### Reasonable Distance, Very Low Income, Family Share, Case Closing and Openings, Recertification Period, Fraud and Abuse Control Activities (Required)

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#### Reasonable Distance

Define “reasonable distance” based on community standards for determining accessible child care.

The following defines “reasonable distance”:

A TANF recipient in Orange County would be expected to travel /commute from home to a work activity site with a stop at a day care provider along the way within one hour.

Describe any steps/consultations made to arrive at your definition:

The Welfare Reform Committee discussed and agreed to the above mentioned definition. The Committee consists of our Deputy Commissioners, the Director of Economic Independence, the Case Supervisor of Child Subsidy, Deputy Director of ETA and the Welfare to Work Coordinator of ETA. The Committee meets on a weekly basis and has since the inception of Welfare reform.

#### Very Low Income

Define “very low income” as it is used in determining priorities for child care benefits.

“Very Low Income” is defined as 200% of the State Income Standard.

#### Family Share

“Family share” is the weekly amount paid towards the costs of the child care services by the child’s parent or caretaker. In establishing family share, your district must select a percentage from 10% to 35% to use in calculating the family share and justify this percentage decision. The weekly family share of child care costs is calculated by applying the family share percentage against the amount of the family’s annual gross income that is in excess of the State Income Standard divided by 52.

Family Share Percentage selected by the county 35%.

**Note:** The percentage selected here must match the percentage selected in Title XX Program Matrix in WMS.

#### Case Closings

The district must describe below how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe below how districts will select cases to be closed in the event that there are insufficient or no funds available.

1. Identification of local priorities in addition to the required federal priorities (select one).
  - The district has identified local priorities in addition to the required federal priorities (Complete Section 2)
  - The district has not identified local priorities in addition to the required federal priorities (Complete Section 3).

2. Describe how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe in the space below how the district will select cases to be closed in the event that there are insufficient or no funds available.

a. The district will select cases to be closed based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will close cases from the highest income to lowest income.

2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

b. The district will select cases to be closed based ONLY on categories of families.

No.

Yes. List the categories in the order that they will be closed, including the optional categories selected in Appendix L:

c. The district will select cases to be closed based on a combination of income and family category.

No.

Yes. List the categories and income groupings in the order that they will be closed:

Cases will be closed from highest to lowest income based on the three bands explained in the Case Openings section. Families that have children with special needs will be closed last.

d. The district will select cases to be closed on a basis other than the options listed above.

No.

Yes. Describe how the district will select cases to be closed in the event that there are insufficient funds to maintain the district's current case load:

e. The last cases to be closed will be those that fall under federal priorities. Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income     Rank 1     Rank 2

Families that have a child with special needs     Rank 1     Rank 2

3. If all NYSCCBG funds are committed, case closings for families that are not eligible under a child care guarantee and are not a federally mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time the family has received child care services, but must be consistent for all families.
- a. Identify how the district will prioritize federal priorities. Cases that are ranked 1 will be closed last.
- Very low income     Rank 1     Rank 2
- Families that have a child with special needs     Rank 1     Rank 2
- b. The district will close cases based on the federal priorities and the amount of time the family has been receiving child care services.
- Shortest time receiving child care services
- Longest time receiving child care services
4. The district will establish a waiting list for families whose cases were closed because our county did not have sufficient funds to maintain our current caseload.
- No.
- Yes. Describe how these cases will be selected to be reopened if funds become available:
- All cases will be closed at 200% or below of the poverty level until funds are available to administer the subsidy program.

### Case Openings

Describe below how priority is given to federally mandated priorities and how the district will select cases to be opened in the event that insufficient funds are available.

1. The first cases to be opened will be those that fall under the federal priorities.
- Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be opened first.
- Very low income     Rank 1     Rank 2
- Families that have a child with special needs     Rank 1     Rank 2
2. The district will select cases to be opened based ONLY on income.
- No.
- Yes. Check 1 or 2 below.
- 1)  The district will close cases from the highest income to lowest income.
- 2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:



3. The district will select cases to be opened based ONLY on category.
- No.
- Yes. List the categories in the order that they will be opened, including the optional categories selected in Appendix L:
4. The district will select cases to be opened based on a combination of income and category of family.
- No.
- Yes. List the categories and income groupings in the order that they will be opened:
- We will review the Income Level of the unopened cases. Cases will be opened according to income bands starting with 100% going to 125%, 126% - 150%, 151% - 175%, and 176% - 200%. Within these bands those families on the waiting list the longest will be opened first.
5. The district selects cases to be opened on a basis other than the options listed above.
- No.
- Yes. Describe how the district will select cases to be opened in the event that there are not sufficient funds to open all eligible families:
6. The district will establish a waiting list when there are not sufficient funds to open all eligible cases.
- No.
- Yes. Describe how these cases will be selected to be opened when funds become available:
- We will review the Income Level of the unopened cases. Cases will be opened according to income bands starting with 100% going to 125%, 126% - 150%, 151% - 175%, and 176% - 200%. Within these bands those families on the waiting list the longest will be opened first

The district's recertification period is every  six months  twelve months

### **Fraud and Abuse Control Activities**

**Describe below the criteria the district will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payment in addition to procedures for referring such applications to the district's front-end detection system.**

Orange County previously (12/16/05) submitted the Front End Detection System (FEDS) Plan of Operation for Day Care. (see attached)

**Describe the sampling methodology used to determine which cases will require verification of an applicant's or recipient's continued need for child care, including, as applicable, verification of participation in employment, education, or other required activities.**

Orange County verifies the continued need for child care by conducting re-certifications every six months of 100% of service cases. The unit requests pay stub information and submission of employer worksheets.

**Describe the sampling methodology used to determine which providers of subsidized child care services will be reviewed for the purpose of comparing the child care provider's attendance forms for children receiving subsidized child care services with any Child and Adult Care Food Program inspection forms to verify that child care was actually provided on the days listed on the attendance forms.**

In the contract year October 1, 2009 through September 30, 2010 there were 70 Registered or Licensed providers and four (4) Legally Exempt providers active on the Child and Adult Care Food Program (CACFP). There were sixteen (16) Family Day Care Homes (FDCH) and 54 Group Family Day Care (GRDC). The Day Care Center (DCC) and School Age Child Care (SACC) have direct agreements with CACFP.

Orange County will compare the caregiver's attendance forms with any child and adult care food program (CACFP) inspection forms to verify that child care was actually provided on the days listed. Based on our universe size of 70, we will use a sample size of approximately 60. Therefore, we will review five (5) cases per month.

Orange County has asked an employee of the Child Care Council to conduct a random sampling of those providers in CACFP. She will cross reference the attendance sheets with the child and adult care food program information. Should there be questionable information discovered, the child Care Council representative would notify the worker in the Child Care Unit. If the worker believes that further investigation is warranted a referral would be made to our fraud unit.

**Inspections of Child Care Provider Records and Premises**

The district may choose to make announced or unannounced inspections of the records and premises of a provider/program that provides child care for subsidized children for the purpose of determining whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district Per 18 NYCRR 415.4(h) (3). Does the district choose to make inspections of such child care providers/programs?

No.

Yes. Provide the details of your inspections plan below.

A. The following *types* of subsidized child care providers/programs are subject to this requirement:

Legally-Exempt Child Care

In-Home;

Family Child Care;

Group programs not operating under the auspices of another government agency

Group programs operating under the auspices of another government agency

Licensed or Registered

Family Day Care;  Registered School Age Child Care

Group Family Day Care;  Day Care Centers;  Small Day Care Centers;

B. The district  *does* OR  *does not*:

Reserve the right to make inspections *PRIOR to subsidized children receiving care* in a **home** where the inspection is for the purpose of determining whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district.

C. The district will report violations of regulations as follows:

- Violations by a licensed or registered child care provider will be reported to the applicable Office of Children and Families (OCFS) Regional Office.
- Violations by an enrolled or enrolling legally-exempt child care provider will be reported to the applicable Enrollment Agency.

**FRONT END DETECTION SYSTEM (FEDS) PLAN OF OPERATION**

If an application has one or more of the indicators checked below on the district's approved FEDS plan, and the eligibility worker is not confident that an indicator has been explained or supported adequately, the application must be referred for a FEDS investigation. The wording of each indicator must appear exactly on the FEDS plan as well as the FEDS referral process/form.

**Section 1 – State Mandated Indicators**

All district plans must include these indicators:

- Financial obligations are current, but stated expenses exceed income *without a reasonable explanation***
- Working off the books (currently or previously)**
- Supported by loans or gifts from family/friends**
- Application is inconsistent with prior case information**
- Prior history of denial, case closing, or overpayment *resulting from an investigation.***

**Section 2 – State-Approved Optional Indicators**

This section may be left blank if a county chooses not to select any of these optional indicators for its FEDS process. If the district chooses to include any or all of these optional indicators in its plan, eligibility workers must also refer to FEDS any applications with these indicators:

- No absent parent information or information is inconsistent with application**
- No documentation to verify identity or documentation of identity is questionable**
- Landlord does not verify HH composition or provides information inconsistent with application *[not used for MAI]***
- Self-employed but *without adequate business records* to support financial assertions**
- Alien with questionable or no documentation to substantiate immigration status *[used only for MAI]***
- Documents or information provided are inconsistent with application, such as different name used for signature or invalid SSN *[used only for MAI]***
- P.O. Box is used as a mailing address *without a reasonable explanation*, e.g., high crime area**
- Primary tenant with no utility bills (e.g., phone or electric) in his/her name**
- Children under the age of six with no birth certificates available**
- Unsure of own address *[not used for MAI]***

**Section 3 – State-Approved County-Specific Indicators**

Eligibility workers are not allowed to refer cases based on an “other” box that they fill in for each FEDS referral. Indicators listed and checked here must be pre-approved by the State and must be pre-filled on the district’s FEDS referral process/form. This section may be left blank if a district chooses not to create any county-specific indicators for their FEDS process. Once the State approves this indicator, eligibility workers must also refer to FEDS any applications with these indicators:

( ) County-Specific Indicator: None

**Section 4 – Description of FEDS Process** - Please describe your FEDS process:

a. Specify what program areas will use FEDS:

TA     FS     Medicaid     CC    HEAP  Other (specify)

b. Describe how an application will be referred by the eligibility worker to the investigative unit. Include if this is a manual, e-mail or automated process, and if there is eligibility supervisory review. OTDA strongly encourages eligibility supervisory review.

**The FEDS referral check-off form is reviewed for every Family Assistance, Safety Net Assistance, Medicaid Assistance, Food Stamp Assistance and Day Care Subsidy Applications. The FEDS indicator review occurs during the initial screening of each applicant. If the initial screener indicates that one or more potential FEDS indicators are present, a referral for a FEDS review is mandatory.**

**The FEDS referral is attached to a copy of the application for services completed during the initial screening for applicants applying for assistance. The application and FEDS referral is sent by courier directly to the Head Examiner of the Special Investigation Unit (SIU) who logs in the referral and assigns the application for assessment and FEDS review. The Unit of origin maintains the original application and FEDS referral.**

**FEDS referrals will be made for Medical Assistance cases based upon the following indicators: Expenses exceed income, consumer working off the books (currently), self-employed without adequate business records to support financial assertions, an individual with no documentation to verify his/her identity or the identification is suspect and documents provided are inconsistent with applicant, such as different name used for signature or invalid SSN. No other indicators, including those mentioned on the first page of this FEDS Plan, will be used to conduct a FEDS on a Medical Assistance applicant. Each of these indicators have been approved by the New York State Department of Health, see attached. The MA examiner will complete the FEDS referral check-off form and forward the FEDS referral with the application to our SIU. Our SIU units are co-located to maximize communication between our investigative staff and eligibility workers. The Grade 13 supervisor in SIU reviews the referral and assigns the case to a special investigator.**

FEDS referrals for Day Care Subsidy cases will be referred consistent with the indicators mentioned above, with one exception, SSN. Our Day Care Subsidy Unit will initiate a FEDS referral in a manner consistent with the process described above. The referral will be reviewed by the Supervisor of the Day Care Unit and subsequently submitted to SIU for a FEDS review.

- c. Describe how the investigative unit logs and tracks the referral, as well as how it processes it (i.e., home visit, collateral contact, office interview, etc.).

The Head Examiner (SIU Director) with clerical support will log the referral in the SIU Unit. The SIU Director is responsible for logging, assigning and tracking the referral. All investigations will begin within seventy-two hours of receipt of the referral.

FEDS investigations are the responsibility of the Special Investigations Unit under the supervision of the Special Investigators Supervisor and Head Social Welfare Examiner. Orange County is currently involved with the Family Assistance and Safety Net Assistance Case Management Project. This project conducts in home assessments for all FA and SNA applicants. Case managers from this project will refer consumer applying for assistance for a FEDS investigation when a home visit reveals the presence of a FEDS indicator. Prior to forwarding a referral for a FEDS, the case manager from each project must have the case reviewed with the social welfare examiner assigned to manage their work on behalf of the consumer.

Potential FA and SNA consumers are screened in our offices located throughout Orange County. This initial screening will include the completion and collection of the application for assistance. As consumers are screened, the eligibility worker will schedule the initial home visit to conduct the eligibility assessment. This home visit is provided by one of the case managers from the Family Assistance and Safety Net Assistance Case Management Project.

Our FEDS process will focus on insuring that the consumer lives where they have reported, that the individuals in the household are represented on the application and the needs as identified on the application are valid. Additionally, this process will also include an improved assessment of the consumers needs by deploying a college education level case manager to assess the needs of the family beyond the traditional boundaries of income maintenance.

- d. Specify the targeted time frames for reporting investigative results back to the eligibility worker for final determination.

The bottom of the FEDS referral form has a section for case disposition. The eligibility worker will complete this section and have the referral returned to the SIU Director for processing. The original FEDS referral will be maintained by the SIU while a copy of the referral will be maintained in the consumer's case record. The results of each FEDS are reported back to the eligibility worker within 15 days of the receipt. This will allow time for information to be clarified if required by the eligibility worker.

Additionally, since the case managers who conduct the assessment and FEDS process will remain involved with the family or individual until the

**case is opened and assigned for undercare examiner services. Information regarding the disposition of the application process will be available through the social welfare examiner assigned to the case.**

- e. If your district contracts out for investigations, such as with a local sheriff's department, explain this process and staffing and identify the contractor.

**This District does not currently contract out for investigations; however, we are currently operating an advanced case management program for TANF applicants. This service provides in-home assessments, diversion, substance abuse, mental health and other forms of human service interventions. Our case management teams work together with out eligibility staff and SIU investigators to insure compliance with our FEDS process is maintained. On occasion, a contracted case manager during a meeting with the eligibility worker assigned to a case will request a FEDS based upon one of the approved indicators. On these occasions, this Department requires the eligibility worker to review and approve the FEDS referral prior to transmission to SIU. This process applies only to FA and SNA Public Assistance cases. For all other programs, MA, FS, HEAP and childcare, the eligibility worker sends the FEDS referrals directly to our SIU Unit. All investigations will begin within seventy-two hours of receipt of the referral. The FEDS process for these programs will focus on insuring that the consumer lives where reported, that the individuals in the household and their income are represented on the application, and the needs as identified on the application are valid by using collateral contacts as well as home visits where necessary.**

- f. Describe how and when the investigative unit is informed of the final action taken on the application, for inclusion in the FEDS monthly report.

**The SIU Director with clerical support will be responsible for insuring that the FEDS report is submitted within the timeframes established by OTDA, DOH,OCFS and OCDSS. The contracted case manager or special investigator will insure that any information required will be provided directly to the SIU Director by the last day of the month. The information will be compiled and reported to the OTDA Program Integrity Unit by the 10<sup>th</sup> day of the following month.**

**Monthly reports regarding the results of our local FEDS process will be developed through a process of insuring that Family Assistance, Safety Net Assistance, Medicaid and Family Health Plus referrals can be clearly identified. These results are typically compared and used to measure the success and/or failure of our local FEDS process. All information collected, measured and used to make future determinations regarding the use of FEDS will be reported by SIU to the appropriate departments within OTDA and DOH.**

- g. Attach copies of:

- Any letter used to inform an applicant of a FEDS interview or home visit (attached)
- Any letter used to inform an applicant that they may be investigated for FEDS (none)
- The FEDS referral form (attached)

- Any other FEDS form that passes between eligibility and investigations, such as a report of investigation. (none)

This Plan was completed by (please print): Janette Hendrick

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**APPENDIX N**  
**District Options (Required)**

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Districts have some flexibility to administer their child care subsidy programs to meet local needs. Check which options that your district wishes to include in your county plan. Complete the attached appendices for any area(s) checked.

1.  The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
2.  The district is using Title XX funds for the provision of child care services (complete Appendix P).
3.  The district has chosen to establish additional local standards for child care providers (complete Appendix Q).
4.  The district has chosen to make payments to child care providers for absences (complete Appendix R).
5.  The district has chosen to make payments to child care providers for program closures (complete Appendix S).
6.  The district has chosen to pay for transportation to and from a child care provider (complete Appendix T).
7.  The district has chosen to pay up to 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix T).
8.  The district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix T).
9.  The district has chosen to pay up to 75% of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 hours of training, which has been verified by the Legally-Exempt Caregiver Enrollment Agency (complete Appendix T).
10.  The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
11.  The district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix U).
12.  The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U)
13.  The district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).
14.  The district has chosen to pay for breaks in activity for low income families (non public assistance families). Complete Appendix U.

15.  The district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification, and/or enrollment forms (attach copies of the local equivalent forms your district uses).

*Any previous approvals for local equivalent forms will not be carried forward into this county plan. Therefore, any local equivalent forms a district wishes to establish or renew must be included in this plan and will be subject to review and approval by OCFS.*

**APPENDIX O**  
Funding Set-Asides (Optional)

**Total NYSCCBG Block Grant Amount, Including Local Funds**

|           |       |    |
|-----------|-------|----|
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |

**Total Set-Asides**.....\$

Describe for each category the rationale behind specific set-aside amounts from the NYSCCBG (e.g., estimated number of children).

Category:  
Description:

Category:  
Description:

Category:  
Description:

Category:  
Description:

The following amounts are set aside for specific priorities from the Title XX block grant:

|           |       |    |
|-----------|-------|----|
| Category: | ..... | \$ |
| Category: | ..... | \$ |
| Category: | ..... | \$ |

**Total Set-Asides (Title XX)**.....\$

Describe for each category the rationale behind specific amounts set aside from of the Title XX block grant (e.g., estimated number of children).

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

**APPENDIX P**  
Title XX Child Care (Optional)

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Enter projected total Title XX expenditures for the plan's duration: .....\$ 286,955

Indicate the financial eligibility limits (percentage of State Income Standard) your district will apply based on family size. Maximum reimbursable limits are 275% for a family of one or two, 255% for a family of three, and 225% for a family of four or more. Districts that are utilizing Title XX funds *only* for child protective and/or preventive child care services must not enter financial eligibility limits as these services are offered without regard to income.

Family Size: (2) 200%            (3) 200%            (4) 200%

Programmatic Eligibility for Income Eligible Families (Check all that apply.)

- Title XX:     employment                             education/training  
                  seeking employment             illness/incapacity  
                  homelessness                             domestic violence  
                  emergency situation of short duration  
                  participating in an approved substance abuse treatment program

Does the district apply any limitations to the programmatic eligibility criteria?

- Yes     No

(See Technical Assistance #1 for information on limiting eligibility.)

If yes, describe eligibility criteria:

Does the district prioritize certain eligible families for Title XX funding?

- Yes     No

If yes, describe which families will receive priority:

Does the district use Title XX funds for child care for open child protective services cases?

- Yes     No

Does the district use Title XX funds for child care for open child preventive services cases?

- Yes     No

## APPENDIX Q

### Additional Local Standards for Child Care Providers (Optional)

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The district may propose local standards in addition to the State standards for legally-exempt providers who will receive child care subsidies. This appendix must be completed for **each** additional standard that the district wishes to implement.

1. Check or describe in the space provided below the additional local standards that will be required of child care providers/programs.

- Verification that the provider has given the parent/caretaker complete and accurate information regarding any report of child abuse or maltreatment in which they are named as an indicated subject
- Local criminal background check
- Requirement that providers that care for subsidized children for 30 or more hours a week participate in the Child and Adult Food Care Program (CACFP)
- Site visits by the local district
- Other (please describe):

2. Check below the type of child care program to which the additional standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

- Legally-exempt family child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
  - Provider's household member age 18 or older

- Legally-exempt in-home child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer

- Legally-exempt group providers not operating under the auspices of another government agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer

- Legally-exempt group providers operating under the auspices of another government or tribal agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer

**3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.**

Local social services staff

Provide the name of the unit and contact person: Child Care/ Elaine Puglielle

Contracted agency

Provide the name of the agency and contact person:

**4. Are there any costs associated with the additional standard?**

Yes     No

**Note:** Costs associated with the additional standard cannot be passed on to the provider.

**5. Describe the steps for evaluating whether the additional local standard has been met.**

The district will include a release form in the enrollment packets it distributes to parents which will allow the Orange County Department of Social Services to conduct a check of the local child welfare records related to the child care attestations for the sole purpose of verifying the accuracy of the information submitted to the parent/caretaker per 18 NYCRR (f)(7)(ii). The individuals specified in question #2 above will be asked to sign the release. The records check will be required only for the types of child care specified in question #2 and will be required only to persons in the roles specified in question # 2.

The signed release(s) specified in question #2 is/are required, for all persons in the roles, for the enrollment packet to be considered complete. If any of the individuals checked in question #2 above refuses to sign the release, which would allow Orange County Department of Social Services to review only the existing local child welfare records related to the child care attestations, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency in accordance with State policy.

The local district will conduct the check of the local database to determine whether an individual checked in question #2 above is an indicated subject of a child abuse or maltreatment report. When the local records check reveals that an individual specified in question #2 above is an indicated subject of a child abuse or maltreatment report the proposed child care provider will be required to submit to Orange County Department of Social Services a copy of the written statement provided to the parent/caretaker concerning the indicated incident(s). This statement must be signed by the

parent/caretaker acknowledging receipt of this information and the parent/caretaker's wish to use this child care provider.

If the information regarding the indicated child protective report submitted by the provider does not substantially correlate with the information obtained during the local records check related to the child care attestations, the Orange County Department of Social Services will notify the provider that he or she has ten (10) calendar days to clarify the discrepancies in the information submitted to the district and parent/caretaker. Within the ten (10) calendar day period the provider must submit information to Orange County Department of Social Services and the parent/caretaker that either substantially correlates with the information obtained by the district's local database check of the records related to the child care attestations or the provider submits information to the district which documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate. If the provider fails to clarify the discrepancies the Orange County Department of Social Services will notify the Enrollment Agency that the additional standard has not been met.

If the information regarding the indicated child protective report submitted by the provider to the parent/caretaker and the local district correlates with the information obtained from the local database check and the parent/caretaker still chooses to use the provider, the Enrollment Agency will be notified that the additional standard has been met.

**6. Indicate how frequently reviews of the additional standard will be conducted. Check all that apply.**

Legally-Exempt Programs:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Initial enrollment | <input type="checkbox"/> During the 12-month enrollment period |
| <input checked="" type="checkbox"/> Re-enrollment      | <input type="checkbox"/> Other                                 |

**7. In the space below, described the procedures the district will use to notify the Legally-Exempt Caregiver Enrollment Agency (EA) as to whether the legally-exempt provider is in compliance with the additional local standards. Districts must notify the EA within 25 days from the date they received the referral from the EA. (Districts need to describe this procedure only if the additional local standard is applied to legally-exempt child care providers.)**

Within 25 days of the date of the referral, the local district will notify the Enrollment Agency in writing of the local district determination as follows:

The additional standard is met when:

- The local records check is conducted as specified in question # 5 and no record is found



- The local records check is conducted, a record is found and the district determines that the provider has given the parent/caretaker true and accurate information regarding any indicated reports applicable to the persons specified in question 2.

The additional standard is not met when:

- The local records check is conducted as specified in question # 5, a record is found and the district determines that the provider has NOT given the parent/caretaker true and accurate information regarding any indicated reports applicable to the persons specified in question 2.

The district will maintain a file, which documents how the determination was made as to whether or not the additional local standard has been met.

**8. Describe the justification for the additional standard in the space below.**

The local district wants to make sure that providers have told parents/caretakers about known child protective histories for themselves and any other persons specified in # 2. The additional standard supports 18 NYCRR (f)(7)(ii), a State requirement for enrollment which requires the provider and relevant site persons have given the parent true and accurate information regarding indicated child protective reports. The additional standard verifies the provider is telling the truth on the enrollment form. This promotes safer child care for children by verifying that true and accurate information about a caregiver's history has been shared with the child(ren)'s parent/caretaker.

**APPENDIX R**  
**Payment to Child Care Providers for Absences (Optional)**

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The following providers are eligible for payment for absences (check all that are eligible):

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care                       School Age Child Care  
 Family Day Care

Our county will only pay for absences to providers with which the district has a contract or letter of intent.

- Yes     No

Base period (check one)                       3 months                       6 months

Number of absences allowed during base period:

| Period      | Routine Limits<br>(# of days) | Extenuating<br>Circumstances<br>(# of days) | Total Number of<br>Absences Allowed<br>(# of days) |
|-------------|-------------------------------|---|--|
| In a month  | 12                            | 3   | 15   |
| Base period | 24                            | 16  | 40   |

List reasons for absences for which the district will allow payment:

Illness (Child's illness)

Medical Appointment/Treatment (Child's)

List any limitations on the above providers' eligibility for payment for absences:

Provider must submit a note explaining the reason the child was absent upon billing for absences. In addition, parent(s) may be requested to submit medical documentation for absences over five (5) consecutive days.

**Note:** Legally-exempt family child care and in-home child care providers are **not** eligible to receive payment for absences.

## APPENDIX S

### Payment to Child Care Providers for Program Closures (Optional)

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The following providers are eligible for payment for program closures:

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care       School Age Child Care  
 Family Day Care

The county will only pay for program closures to providers with which the district has a contract or letter of intent.

- Yes       No

Enter the number of days allowed for program closures (maximum allowable time for program closures is five days).

Five (5) days

List the allowable program closures for which the county will provide payment.

Up to five (5) snow days

**Note:** Legally-exempt family child care and in-home child car providers are **not** allowed to be reimbursed for program closures.

## APPENDIX T

### Transportation, Differential Payment Rates, Enhanced Market Rate for Legally-Exempt and In-Home Providers, and Sleep (Optional)

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#### Transportation

Describe any circumstances and limitations your county will use to reimburse for transportation. Include what type of transportation will be reimbursed (public vs. private) and how much your county will pay (per mile or trip). Note that if the county is paying for transportation, the Program Matrix in WMS should reflect this choice.

#### Differential Payment Rates

Indicate the percentage above the market rate your county has chosen.

- Accredited programs may receive a differential payment up to 15% above market rate.
- Care during non-traditional hours may be paid up to \_\_\_\_\_ % above market rate.
- Limitations to the above differentials:

N/A

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is more than 15% above the applicable market rate, describe below why the 15% maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

#### Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

Indicate if the district is electing to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers who have annually completed 10 or more hours of training and the training has been verified by the legally-exempt caregiver enrollment agency.

- No.
- Yes. Our market rate will not exceed 75% of the child care market rate established for registered family day care.

#### Sleep

The following describes the standards that will be used in evaluating whether or not to pay for child care services while a parent or caretaker that works a second or third shift sleeps, as well as any limitations pertaining to payment:

The district will authorize eight (8) hours of child care for any consumer who is required to work a third shift. The district will require written verification from the employer confirming consumer's actual work schedule.

Indicate the number of hours allowed by your district (maximum number of hours allowed is eight).

Eight (8)

## APPENDIX U

### Child Care Exceeding 24 Hours, Child Care Services Unit, Waivers, and Breaks in Activities (Optional)

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#### Child Care Exceeding 24 Hours

Child Care services may exceed 24 consecutive hours when such services are provided on a short-term emergency basis or in other situations where the caretaker's approved activity necessitates care for 24 hours on a limited basis. Check below under what circumstances the county will pay for child care exceeding 24 hours.

- On a short-term or emergency basis
- The caretaker's approved activity necessitates care for 24 hours on a limited basis

Describe any limitations for payment of child care services that exceed 24 consecutive hours.

#### Child Care Services Unit (CCSU)

Indicate below if your county will include 18-, 19-, or 20-year-olds in the CCSU, which is used in determining family size and countable family income.

The district will include the following in the CCSU (check all that apply).

- 18-year-olds                       19-year-olds                       20-year-olds

#### OR

The district will only include the following in the CCSU when it will benefit the family (check all that apply)

- 18-year-olds                       19-year-olds                       20-year-olds

Describe the criteria your district will use to determine whether or not 18-, 19-, or 20-year olds are included in the CCSU.

Orange County will include family members' age 18 years old; when the inclusion benefits the family in determining the family's eligibility for the child care subsidy and provides a favorable financial impact on the family share/parent fee.

#### Waivers

Districts have the authority to request a waiver of any regulatory provision that is non-statutory. Describe and justify why your county is requesting a waiver.

#### Breaks in Activities

Districts may pay for child care services for low income families during breaks in activities either for a period not to exceed two weeks or for a period not to exceed four weeks when child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period. Indicate below if your county will make such payments (check one).

- Two weeks                       Four weeks

Districts may provide child care services while the caretaker is waiting to enter an approved activity or employment or on a break between approved activities. The following low income families are eligible for child care services during a break in activities (check any that are eligible):

- Entering an activity
- Waiting for employment
- On a break between activities