§1 (Table of Contents) renumbers §9.15.3 to §6.16 (Applicable Minimum Wage). It also adds a new section for §16.1 (CCAP Authorizations for Clients With an EP).

§3 (Applications) in the 2nd paragraph revises the CAF numbers and edits their hyperlinks. It deletes reference to eDocs as it is not needed.

§3.3 (Assistance Requests) in the 3rd paragraph revises the CAF-Child Care Addendum form number and edits its hyperlink.

§3.9 (Combined Application - Child Care Addendum) in the 1st & 4th paragraphs revises the Combined Application-Child Care Addendum form numbers and edits the hyperlinks. In the 3rd paragraph it also deletes reference to eDocs as it is not needed.

§4.3.3.15 (DWP Overview) in the 2nd paragraph revises the CAF - Child Care Addendum form number and edits its hyperlink.

§4.3.3.21 (MFIP/DWP Authorized Activities) in the 1st paragraph adds a new cross-references to §16.1 (CCAP Authorizations for Clients With an EP).

§4.9 (Cooperation With Child Support) in the 1st paragraph revises language for clarity.

§6 (Income Eligibility) in the 5th paragraph revises the CAF form numbers and edits their hyperlinks. Also, in the last paragraph it adds a cross-reference to new §6.16 (Applicable Minimum Wage).

§6.16 (Applicable Minimum Wage) is renumbered from §9.15.3.

§9 (Payments) deletes reference to §9.15.3 (Applicable Minimum Wage) as this section was renumbered §6.16 (Applicable Minimum Wage).

§10.6 (Redetermination Process) in the 2nd paragraph revises the Combined Application Child Care Addendum form number and edits its hyperlink. It also deletes the last sentence of the 3rd paragraph, as it is not necessary as all the forms hyperlinks takes you directly to the eDocs site.

§11.9 (Legal Non-Licensed (LNL) Providers) in the 3rd paragraph clarifies that LNL providers must complete the criminal background process prior to authorization. In the 9th bullet under the 8th paragraph, it revises the language for clarity.

§16 (Appendix) adds a cross-reference to new section §16.1 (CCAP Authorizations for Clients With an EP).
§16.1 (CCAP Authorizations for Clients With an EP) is a new section with information on CCAP authorization for families with an Employment Plan (EP).
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Before families can receive child care assistance, they must complete, sign an application, and meet eligibility requirements. Use the Minnesota Child Care Assistance Program Application (DHS-3550-ENG) or, in some cases you may use the CAF - Child Care Application Addendum (DHS-5223D-ENG). See §3.9 (Combined Application - Child Care Addendum).

You can order the DHS-3550 and the DHS-5223D from the Department of Human Services (DHS) Forms Supply through the normal ordering process.

Do not require a new application for families moving from one child care sub-program to another without interruption in service. See §4.3 (CCAP – Sub-programs).

"Applicant household" means people who apply for assistance together. If you find 2 or more families living in the same applicant household, each family MUST apply separately.

Your agency must have staff available during office hours to answer program questions and advise people of their right to file an application. See §3.3 (Assistance Requests).

Encourage people to apply for assistance in their county of residence. However, accept applications from residents of other Minnesota counties. Follow the instructions in §3.6 (Accepting and Processing Applications) for handling applications from residents of other counties. Also see §8.12 (Moving Between Counties).

When a person contacts your agency:

- Advise the person of his or her right to file an application, how and where to apply, and if necessary assist the person with the application.
- Give or mail the person an application. See §3.3 (Assistance Requests).

Once an application is filed:

- Request the necessary verification. See §7.3 (Verification – Initial Application).
- Determine eligibility and the date it begins.
- Notify the applicant of eligibility or ineligibility. See §12 (Notices).

The date of application is the date the application is signed. The application must be received by the agency within 15 calendar days after the date of signature. The application process and processing timetable start from the date the application is received by the
agency. The beginning date of eligibility may not be the same as the date of application. For more specific information, see §4.12 (Date of Eligibility). Complete the application process within designated time frames. See §3.6 (Accepting and Processing Applications).

Use forms developed by Department of Human Services (DHS) to inform and advise clients about their responsibilities and rights (this form is part of the application), the status of an application or redetermination, and ongoing eligibility for assistance. If DHS does not provide a form for a given purpose, your county may develop its own form. As required by Minnesota Statute, Section 256.016, forms directed to clients must be understandable at the 7th grade reading level and must meet all other requirements of the Plain Language Standards. These standards address the following areas:

Organization
- Present information in a meaningful order.
- Divide sections according to content.
- Identify sections with meaningful headings and sub-headings.

Language and Style
- Avoid unnecessarily long sentences (average 20 words or fewer).
- Avoid unnecessarily long paragraphs (average 60 or fewer words).
- Use simple names and identify the parties.
- Use active verb forms when appropriate.
- Use familiar vocabulary.
- Clarify conditions and exceptions.

Design
- Use easy-to-read type size (at least 10 point, 12 point is better).
- Allow adequate space between words, lines, and paragraphs.
- Use boldface or other emphasis for headings and sub-headings.

For more information on writing in plain English, counties should look for classes or workshops given by local colleges or through the community education system.

County-designed forms must also comply with the Minnesota Data Practices Act (refer to the Data Practices Manual or contact the DHS Privacy Official for additional information on this requirement). Contact the Privacy Official at the Minnesota Department of Human Services, Appeals and Regulations Division, PO Box 64941, St. Paul, MN 55164-0941.

The Americans with Disabilities Act (ADA) and language blocks should also be included on forms that are directed at clients. The Language Block is a graphics file that states in English and 10 other languages how Limited English Proficiency clients can get help with
understanding the information in a particular document at no cost to them. There are 2 versions of the DHS Language Block available for counties and other DHS partner organizations to use on their own documents. These 2 versions are as follows:

- “Attention. If you want free help translating this information, ask your worker.”

- “Attention. If you want free help translating this information, call (insert organization name and/or phone number here).”

To obtain electronic copies of these versions of the DHS Language Block or for general questions about the DHS Language Block, contact Lisa Slesinger at lisa.slesinger@state.mn.us or at 651-431-3627.

LEGAL AUTHORITY:
Minnesota Statutes 119B.025
Minnesota Rules 3400.0035
Minnesota Rules 3400.0060 Subp. 8
Minnesota Rules 3400.0040
When a family contacts you in person, by phone or in writing to ask for information about child care assistance:

- Tell people of the right to file an application, where to file it and the application process. See §3. 6 (Accepting and Processing Applications).

- Give the family information supplied by the Department of Human Services (DHS) regarding the availability of:
  - “Do You Need Help Paying for Child Care?” brochure.
  - Federal and state child and dependent care tax credits.
  - Federal earned income tax credits; Minnesota working family credits.
  - Early childhood family education and Head Start programs.
  - Early childhood screening.
  - MinnesotaCare.
  - Child care resource and referral services.
  - Other programs with services for young children and families.
  - The post-secondary child care grant program established in Minnesota Statutes, section 136A.125.

Also inform the family of the following:

- Eligibility requirements.

- Verification needed.

- If it appears the family would be eligible for the Basic Sliding Fee (BSF) sub-program, whether a waiting list exists and if so the number of families on the waiting list or estimated time that they will spend on the waiting list before reaching the top.

- The procedure for applying for child care assistance.
ASSISTANCE REQUESTS

- The family copayment fee schedule and how the fee is computed.
- How to choose a provider.
- The family’s responsibilities and rights when choosing a provider.
- The availability of special needs rates.
- The family’s responsibility for paying provider charges that exceed county maximum payments in addition to the copayment fee.
- The importance of promptly reporting a move to another county to avoid overpayments and increase the likelihood of continuing benefits.

When giving or mailing an application to a family, include at least the following in the application packet:

- The Minnesota Child Care Assistance Program Application (DHS-3550-ENG).
- OR
- The CAF-Child Care Addendum (DHS-5223D-ENG), if the family is also applying for other forms of assistance (for example cash and/or food assistance).

For At-Home Infant Child Care Program (AHIC):

- If the parent is a new CCAP applicant and is requesting AHIC, a copy of the MN AHIC booklet (DHS-4140) that explains the program, the Minnesota Child Care Assistance Program Application (DHS-3550) and the AHIC Program Application Supplement (DHS-4169).

- If the parent is already receiving BSF and is requesting AHIC, a copy of the AHIC booklet that explains the program, and the AHIC Program Application Supplement (DHS-4169).

- A cover letter that includes your agency’s address, office hours, and phone number.

LEGAL AUTHORITY:
Minnesota Statutes 119B.025
Minnesota Rules 3400.0035
Minnesota Rules 3400.0060 Subp. 6 & 8
The Combined Application-Child Care Addendum (DHS-5223D) form is a tool designed to simplify the child care assistance application process for families who are also applying for cash or food assistance and health care.

The purpose of the Addendum is to avoid duplication of information and verification requested from parents, and reduce the paperwork necessary to determine eligibility for these programs. Use of the Addendum is optional. You may choose to use the Child Care Addendum or the Minnesota Child Care Assistance Program Application (DHS-3350). Apply child care policy rules and verification requirements, and communicate reported changes in the Combined Application Forms (CAF) programs that apply to the CCAP case.

Use the Child Care Addendum when:

- A family completes the Combined Application Form (CAF) and requests child care assistance.
- The CAF is completed and the family is not eligible for cash assistance, but requests child care assistance.
- When the CAF has been completed and approved within the past 30 days and the family is now requesting child care assistance.

You can order the DHS-5223D from the Department of Human Services (DHS) Forms Supply through the normal ordering process.

LEGAL AUTHORITY:

Minnesota Statutes 119B.025
DWP is the Diversionary Work Program. It is a 4-month intensive program that focuses on immediate employment. All adults are considered job-seekers, and must develop an Employment Plan (EP) with a job counselor before any benefits are issued. DWP child care assistance is funded through MFIP child care assistance.

Because of the short duration of the program, and its intent to move people to employment as soon as possible, it is crucial to provide child care assistance as quickly as possible. To assist in this, financial workers obtain a child care application from DWP applicants during the intake interview if child care is needed. To make this process as easy and speedy for the applicant as possible, the Department of Human Services (DHS) developed a CAF – Child Care Addendum (DHS-5223D).

Apply the same child care eligibility requirements for DWP that you apply to MFIP child care assistance. See §4.3.3.3 (MFIP Overview).

Authorize child care for activities that are in the approved DWP Employment Plan (EP).

Encourage DWP participants to remain in DWP for at least 3 of the 4 allowable months, as it will affect their eligibility for the Transition Year (TY) and Transition Year Extension (TYE) child care assistance sub-programs. See §4.3.6 (Transition Year (TY)) and §4.3.9 (Transition Year Extension (TYE)).

LEGAL AUTHORITY:
Minnesota Statutes 256J.95
Minnesota Statutes 119B.011 to 119B.24
Approve child care assistance for MFIP recipients in authorized activities in an Employment Plan (EP), based on the prescribed number of hours. If number of hours is not specified, there is no specific limit; however, do not authorize more hours than the activity requires. Include travel time in the authorized hours. Never authorize more than 120 hours per 2 week period, per child. See §16.1 (CCAP Authorizations For Clients With an EP).

Treat the following activities outside of an EP as authorized activities:

- Job search up to 240 hours per calendar year per participant. There is no minimum amount of hours required for authorization. Job search includes locating and contacting potential employers, preparing for interviews, interviewing, and up to 2 hours travel time per day.

- Financial and employment services orientations and assessments.

- Appeals and hearings for cash assistance.

- Employment for an average of 20 hours per week, or 10 hours per week if a full-time student, and earning at least the minimum wage.

If the person receives other than an hourly wage, divide the salary by the hours worked to determine if the minimum wage requirement is met.

Education is NOT an authorized activity outside of an EP.

Treat the following activities in an approved EP as authorized activities:

- Employment services overviews and assessments.

- Social service and pre-employment activities.

- Appeals and hearings.

- Job search as identified in the EP.

- Participation in work as identified in the EP.

- Participation in training, using actual time in class and study time, as identified in the EP.
Authorize child care assistance for any activity included in the EP of an MFIP/DWP participant.

Families may be involved in a combination of activities.

Families receiving Family Stabilization Services (FSS) are eligible for child care according to the same rules and guidelines as other DWP or MFIP recipients. Child care is available for activities included in an FSS plan.

LEGAL AUTHORITY:
Minnesota Statutes 119B.011, subd. 12, 13a, 17 and 119B.05 and 119B.10
Minnesota Rules 3400.0040 and 3400.0080
COOPERATION WITH CHILD SUPPORT

Require all new applicants and current recipients to cooperate with child support for all minor children in the home with an absent parent. See §4.9.3 (Child Support Enforcement Referral Process).

Consider applicants to be cooperating when the Referral to Support and Collections form (DHS-3163B-ENG) is signed and filled out.

Cooperation with child support may include:

- Establishing paternity.
- Establishing a support order.
- Modifying a support order.
- Enforcing of an existing support order.

It also includes the following, as determined necessary by child support enforcement:

- Providing all known information relevant to the absent parent such as name, address, social security number, phone number, place of employment or school, and the names and addresses of any relatives.
- Appearing at interviews, hearings and legal proceedings.
- If under a judicial or administrative order, submitting to genetic tests including genetic testing of the child.
- Providing additional information necessary to cooperate in good faith with the child support agency.

If a court order establishes child care support for a child in care and subsidized by the Child Care Assistance Program, require the parent to assign this type of support to the State. Assignment of child care support is a condition of eligibility for child care. The Referral to Support and Collections form (DHS-3163B-ENG) is used for this purpose. If a client is receiving or has applied for MFIP, it is the financial worker’s responsibility to have an applicant complete and sign the Referral to Support and Collections form (DHS-3163B-ENG). Notify the applicant or recipient in writing of the right to claim a good cause exemption from cooperation with child support enforcement. If the client claims good cause, the Cooperation with Child Support Enforcement–Client Statement of Good Cause (DHS-2338-ENG) is used. See §4.9.6 (Child Support Good Cause Claim).
Consider applicants to **NOT** be cooperating when the family refuses to sign the Referral to Support and Collections (DHS-3163B-ENG) form.

**LEGAL AUTHORITY:**
- Minnesota Rules 3400.0040, Subp. 5 (a)
- Minnesota Statutes 119B.09, Subd. 1 (c)
- Minnesota Statutes 256.741, Subd. 5 & Subd. 2 (c)
This chapter covers policies and procedures regarding income eligibility.

Count earned and unearned income received by all family members, unless specifically excluded. See §6.12 (Excluded Income).

To determine income eligibility:

- Collect information regarding income received by all family members.
- Verify all income.
- Allow specific exclusions.
- Annualize all counted income.
- Annualize all allowable deductions.
- Apply annualized income after deductions to the appropriate income limit. See §6.3 (Income Limits).
- Calculate the family copayment if eligible.

The Minnesota Child Care Assistance Program Application (DHS-3550) asks the applicant to list all income received by all family members. This includes earned income, self-employment income and unearned income. It also requests information on non-reimbursed expenses.

Applicants may also use the Combined Application Form (CAF) (DHS-5223) along with the Combined Application – Child Care Addendum (DHS-5223D) if they are applying for cash assistance, food support, and/or health care programs as well. The CAF requests the same income information as the CCAP Application.

Additional information is included in the following sub-sections:

- §6.3 Income Limits
- §6.6 Earned/Unearned Income
- §6.9 Income Verification
- §6.12 Excluded Income
- §6.15 Annualizing Income
- §6.15.3 Annualizing MFIP & Earned Income
- §6.15.6 Annualizing Self-Employment Income
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§6.21.3.12 Bi-weekly Copayment: 8 & 9 Person Households
§6.21.3.15 Bi-weekly Copayment: 10 & 11 Person Households
§6.21.3.18 Bi-weekly Copayment: 12 & 13 Person Households
§6.21.6.3 Monthly Copayment: 2 & 3 Person Households
§6.21.6.6 Monthly Copayment: 4 & 5 Person Households
§6.21.6.9 Monthly Copayment: 6 & 7 Person Households
§6.21.6.12 Monthly Copayment: 8 & 9 Person Households
§6.21.6.15 Monthly Copayment: 10 & 11 Person Households
§6.21.6.18 Monthly Copayment: 12 & 13 Person Households

LEGAL AUTHORITY:
Minnesota Statutes 119B.09 Subd. 1
Minnesota Statutes 119B.011 Subd. 15
Minnesota Rules 3400.0170
The applicable minimum wage is Minnesota’s minimum wage, depending on the size of the employer, and in some instances age or disability of the employee.

A training wage may be paid to new employees under the age of 20 during their first 90 consecutive days of employment. This training wage is $4.90.

Small employers are enterprises whose annual gross volume of sales made or business done is less than $625,000. The minimum wage for small employers is $5.25.

Large employers are enterprises whose annual gross volume of sales made or business done is $625,000 or more. The minimum wage for large employers is $6.15.

The Minnesota Department of Labor & Industry grants waivers from minimum wage requirements for some sheltered workshops employing persons with disabilities.

**LEGAL AUTHORITY:**
- Minnesota Statutes 119B.10
- Minnesota Rules 3400.0040, Subp. 8 & 9
This chapter contains information about authorizing hours, payment rates, payment frequency, who receives payments, and methods of payment. See the specific topic below for detailed information:

§9.3 Payments to Providers  
§9.6 Payments to Families  
§9.9 Determination of Payment Amounts  
§9.12 Authorized Hours - Students  
§9.15 Authorized Hours – Employment  
§9.18 Authorized Hours - Job Search  
§9.21 Authorized Hours - Combinations of Activities  
§9.24 Provider Rates  
§9.24.3.3 Child Care Rates – Regions 1 through  
§9.24.3.39 Child Care Rates – Regions 11  
§9.24.41 Counties with NSH Rates  
§9.27 Rate Differential for Accreditation  
§9.27.3.3 Accreditation/Credential Child Care Rates–Regions 1 through  
§9.27.3.39 Accreditation/Credential Child Care Rates–Regions 11  
§9.30 Rate Authorization  
§9.33 Care for Sick Children  
§9.36 Care During Medical Leaves of Absence  
§9.39 Care During Child Absences  
§9.42 Holidays  
§9.45 Registration Fees  
§9.45.3 Maximum Child Care Registration Fees  
§9.48 Activity Fees  
§9.51 Non-Standard Hour Care  
§9.54 Special Needs  
§9.57 Correcting Underpayments

Also see §16.21 (Payment Policy Chart).

LEGAL AUTHORITY:  
Minnesota Statutes 119B.09 Subd. 10  
Minnesota Statutes 119B.13, Subd. 6
REDETERMINATION PROCESS

See information on the length of redeterminations in §10.3 (When to Redetermine Eligibility). The families and the agency must follow the redetermination process. See §10.6.3 (Redetermination Processing Standards).

The redetermination process is similar to the application process. The process includes:

- Sending the participant a Minnesota Child Care Assistance Program Application (DHS-3550), the Combined Application Child Care Addendum (DHS-5223D) or an approved county designed form and a cover letter indicating the need to verify income (earned and unearned) and any other changes.

- Request written documentation of income sources, see §6.3 (Income Limits).

- Allow adequate time for the participant to respond. A return date must be indicated.

- Notify the family of the result of the eligibility determination. See §12 (Notices).

You can order the DHS-3550 and the DHS-5223D from the Department of Human Services (DHS) Forms Supply through the normal ordering process.

You may be required to provide certain additional forms to clients at the time of redetermination. See §8.3.3 (Agency Responsibilities for Family Reporting).

Give a 15-day notice before terminating benefits if the family fails to comply with the redetermination process. See §10.6.3 (Redetermination Processing Standards).

If you fail to send a 15-day notice, continue benefits until you have given 15-day notice of adverse action. This applies even if the family’s current eligibility period has ended. This may cause the family to have an overpayment if the family does not meet eligibility factors such as income or other eligibility requirements.

If the family is ineligible for continued benefits or will receive reduced benefits based on information in the redetermination form, or if the information requires a reduction or suspension of the family’s benefits, the family must receive a notice 15 calendar days before the effective date of the adverse action or termination. If the change in the family’s benefit level was not reported timely, there may be an overpayment.

LEGAL AUTHORITY:

   Minnesota Statutes 119B.09 Subd. 4
   Minnesota Rules 3400.0180
REDETERMINATION PROCESS

Minnesota Rules 3400.0040 Subp. 4
Apply the following criteria to determine if a provider can be a Legal Non-Licensed (LNL) Provider:

- At least 18 years of age.
- Not a member of the MFIP assistance unit, or a member of the family applying for or receiving child care assistance.
- Provides child care only to related children, and/or provides child care to children from a single unrelated family at one time.

Related refers to the provider being a sibling, a step-sibling, a niece, a nephew, a grandparent, an aunt, or an uncle.

Inform applicants who select a legal non-licensed (LNL) provider of the following and require a signed provider acknowledgment of receipt of the information:

- Description of the registration process for LNLs.
- Description of the participant’s responsibilities and rights when choosing a provider.
- Acknowledgment that the participant and LNL provider have reviewed the health and safety information provided by your county.
- Assurance that the participant will provide an immunization record for each child to the LNL family child care provider within 90 days of the date that care begins, and will update the information as necessary.

Require a new LNL provider to register with your county. See §11.12 (Provider Registration) for specifics. In addition, LNL providers must be authorized by your county after a criminal background check. LNL providers must complete the criminal background process and be authorized by your county. See §11.21 (Provider Authorization).

Your county may choose to make provisional payments to LNL providers when all the requested information/documentation except the background check is available. These payments are temporary and end if your county denies the authorization request. Check your county’s Child Care Fund Plan to see if your county has chosen this option. For additional information on payments to providers, see §9.03 (Payments to Providers).
Included in the registration packet for LNL providers is the Child Care Assistance Program Authorization for Release of Background Study (DHS-5193). The LNL provider must return a signed DHS-5193 to the county for the provider and each household member age 13 and older. The county conducts a background study that includes findings from the Bureau of Criminal Apprehension, juvenile courts, and social service agencies.

If your local juvenile courts and social service agency do not maintain statewide records, contact the county where the provider currently resides and any counties where the provider resided in the past year. A finding that a delinquency petition is proven in juvenile court must be considered a conviction in state district court.

When the reports are returned, review (or have reviewed) for conviction, admission of guilt or a preponderance of evidence indicating that the person has committed a criminal act. Minnesota Statutes 119B.125, Subdivision 2 (b)-(e) is very specific as to the types of crimes, the degree of crimes and the length of time since the crime occurred which prohibit authorization of an LNL.

Additional actions which prohibit authorization of an LNL are:

- Identification of the person by the child protection agency in the county where the provider resides or has resided, or by the statewide child protection database as the person allegedly responsible for physical or sexual abuse of a child within the last 7 years.

- Identification of the person by the adult protection agency in the county where the provider resides or has resided, or by the statewide adult protection database as the person responsible for abuse or neglect of a vulnerable adult within the last 7 years.

- Refusal to give written consent for disclosure of criminal history records.

- Denial of a family child care license, or a fine or sanction as a licensed child care provider that was not reversed on appeal.

- Disqualification of family child care licensing that was not set aside.

- Admission or a preponderance of evidence that fraudulent information was given to the county on the child care assistance application or in submitting child care assistance bills for payment.

- Persons who have been found guilty of theft by wrongfully obtaining public assistance by a court conviction or through an administrative court process or other
judicial administrative process.

- Presence of a child age 13 or older who has access to children when care is provided, and who meets 1 of the conditions listed above (including criminal offenses as listed in Minnesota Statutes 119B.125, Subdivision 2 (b)-(e)).

- Presence of a child 10-12 years old who has access to children when care is provided and 1 of the following conditions exists:
  - Information or circumstances exist which provide the agency with reasonable cause to believe that further investigation may show that the child meets 1 of the conditions listed above (including criminal offenses as listed in Minnesota Statutes 119B.125, Subdivision 2 (b)-(e)).
  - The child meets 1 of the conditions listed above (including criminal offenses as listed in Minnesota Statutes 119B.125, Subdivision 2 (b)-(e)).

You may later authorize a previously denied LNL applicant if the person:

- Obtains a valid child care license from the State of Minnesota, tribe, or another state.
- Maintains the valid child care license.
- Provides child care in the area under the jurisdiction of the licensing tribe or in the state of licensure.

Counties shall provide each registered LNL provider with information about immunization and nutrition, health and safety, early childhood development, and school readiness material identified by the Department of Human Services (DHS) or materials that are available locally that meet the requirements. Also, refer the provider to the child care resource and referral agency in their area.

When an LNL is authorized in more than 1 county at the time reauthorization is required, the county with the longest current authorization must complete the reauthorization process.

If a family in one county selects an LNL already authorized in another county, a background investigation is not required unless 1 of the following exists:

- 2 years have passed since the 1st authorization.
Another person age 13 or older has joined the provider’s household since the last authorization.

A current household member has turned 13 since the last authorization.

Your county has reason to believe that a household member has a factor prohibiting authorization.

The county’s provisions for unsafe care differ from those established by the county responsible for the first authorization.

For information on the hourly rate to pay LNL providers, see §9.3 (Payments to Providers).

For information on registration fees paid to LNL providers, see §9.45 (Registration Fees).

LEGAL AUTHORITY:

Minnesota Statutes 119B.011 Subd. 19
Minnesota Statutes 119B.09 Subd. 5
Minnesota Statutes 119B.09 Subd. 8
Minnesota Statutes 119B.125 Subd. 1 and 2, 3
Minnesota Statutes 119B.125 Subd. 5
Minnesota Rules 3400.0120
Minnesota Rules 3400.0110 Subp. 2a
Minnesota Rules 3400.0140 Subp. 5a
Minnesota Rules 3400.0035 Subp. 8 and 9
This chapter includes resources that are necessary or helpful in administering the Child Care Assistance Program. See the various topics below for more information:

§16.1  CCAP Authorizations for Clients With an EP
§16.3  List of Agencies, Rules, Statutes, and Reports
§16.12 Authorizing Hours of Care Examples
§16.15 Authorized Activities Comparison Sheet
§16.18 CCAP & Child Support Enforcement Forms
§16.21 Payment Policy Chart
§16.24 At-Home Infant Child Care Program (AHIC) – Forms
§16.30 Special Needs Resource Contacts
§16.33 Eligibility While Participating in Other Programs
§16.36 Transition Year (TY) Eligibility Relative to 47% SMI

LEGAL AUTHORITY:
Minnesota Statutes 119B
Minnesota Rules 3400
An MFIP/DWP client is eligible for CCAP if the client meets all CCAP eligibility requirements. If a client meets CCAP eligibility requirements and has an Employment Plan (EP), the **amount of CCAP authorized** must be based on the parents’ schedule of participation in the activities identified in the EP, the child’s school schedule, the provider’s availability, and any other factors that would affect the amount of care that the child needs. The amount of child care authorized should reflect the child care needs of the family and minimize the out-of-pocket child care costs to the family.

CCAP workers and Employment Services (ES) workers have different policies and procedures that they must follow in their work with clients. CCAP and ES workers can, however, work together in ways that support clients. By communicating effectively and understanding CCAP and ES program policies and procedures, CCAP and ES workers can support the family’s ability to access the best child care for their family by:

- Preventing initial delays in child care authorizations;
- Preventing gaps in child care authorizations or services;
- Authorizing the most care possible to provide parents with the most options;
- Clustering EP activities to create blocks of time that fit with child care provider schedules and practices.

**CCAP/ES policy and procedure clarifications:**

If a MFIP/DWP client has an EP, the client is considered to be participating in the activities identified in the EP until the ES worker ends or changes the EP.

- All signed EPs are considered to be “approved.”
- The ES worker does not need to indicate a date that the EP or the EP activities will end if the ES worker believes that the family will continue to participate in ES activities.
- There are review dates on EPs that are sometimes interpreted as “end dates.” An EP does not necessarily end on this date. Only an ES worker can determine when and if a plan has ended. Until a plan has ended or is revised, the existing plan should be considered valid and in effect. CCAP should not automatically end when the EP review date has passed and a new EP has not been completed.

The ES worker determines if the client is participating in the activities in the EP and takes appropriate action as necessary. It is the responsibility of the ES worker to monitor the client’s activities on an ongoing basis, to adjust the EP as needed, and to determine if a client is out of compliance with his or her EP.
The ES worker develops the EP with the client. The ES worker sends the CCAP worker the information required for the CCAP worker to authorize child care for the family. The ES worker can use the DWP/MFIP Status Update Form (DHS-3165) or a county-created form to transmit the information to the CCAP worker. It is not required that the ES worker send the CCAP worker the EP.

The CCAP worker can use the DWP/MFIP Status Update Form or the county-created form as the verification of the client’s ES activities. The CCAP worker does not need to require additional activity verifications.

When changes are made to the EP that affect the hours of the activities or the types of activities, an update should be sent to the CCAP worker. If the changes to the EP result in a reduction in the CCAP authorization, the CCAP worker will send a 15 day notice of adverse action to the family and to the child care provider. The ES and CCAP worker should try to ensure that the childcare authorization continues without interruption in these situations.

When a participant is out of compliance with their EP and the noncompliance results in a sanction, the ES worker should consider whether the participant is working towards curing the sanction:

- If the participant IS working towards curing the sanction, CCAP should remain in place. During the Notice of Intent to Sanction phase, child care should not be cancelled, assume child care is needed to prevent the sanction.

- If the participant IS NOT working towards curing the sanction, send a transmittal to CCAP staff to end CCAP for that participant. The CCAP worker will send a 15 day closing notice to the participant and the child care provider and close the CCAP case.

**Employment plans (EP) and CCAP overpayments:**

At the time an EP changes, ends, or the client is sanctioned, the ES worker should contact the CCAP worker to inform the CCAP worker of the EP changes. If the ES worker informs the CCAP worker of the change timely, there is no overpayment to the client. If the ES worker does not notify the CCAP worker timely there could be a possible overpayment to the client (agency error). CCAP policy requires that the change be reported within 10 days. Additionally, there may be a CCAP overpayment if a client does not timely report changes in income, family composition, cooperation with child support, or any other factors that affect the client’s CCAP eligibility.

An ES worker may determine that a client has not been in compliance for a prior period of time with some or all of the activities identified in the EP. Just as there is no MFIP overpayment or
retroactive adverse action for a client’s non-compliance with the activities in his or her EP, there should not be a CCAP overpayment due to lack of or reduced participation in the EP activities, except in cases of fraud.

It is important that ES workers and CCAP workers communicate efficiently and effectively to allow for a timely initial CCAP authorization and to prevent unnecessary breaks in the CCAP authorization so the family can participate in their activities and maintain a consistent relationship with the child care provider and so overpayments are minimized.

The county should develop a process to support communication between the ES worker and the CCAP worker that allows for timely transmission of the information necessary for the CCAP worker to authorize child care assistance. The CCAP worker should not need to re-verify activity information that is held and monitored by the ES worker. The ES worker and CCAP worker can communicate through a variety of methods (including, but not limited to fax and email) to update EP information.

The county should implement safeguards to ensure that the appropriate amount of care is being provided to CCAP clients. Safeguards might include EP/CCAP audits.

LEGAL AUTHORITY:
  Minnesota Statutes 119B.05
  Minnesota Statutes 119B.07
  Minnesota Rules 3400.0080