

AMENDATORY SECTION (Amending WSR 19-08-020, filed 3/26/19, effective 4/26/19)

WAC 110-15-0190 WCCC benefit calculations.

(1) The amount of care a consumer may receive is determined by ~~((DSHS))~~ DCYF at application or reapplication. Once the care is authorized, the amount will not be reduced during the eligibility period unless:

- (a) The consumer requests the reduction;
- (b) The care is for a school-aged child as described in subsection (3) of this section; or
- (c) Incorrect information was given at application or reapplication.

(2) To determine the amount of weekly hours of care needed, ~~((DSHS))~~ DCYF reviews:

(a) The consumer's participation in approved activities and the number of hours the child attends school, including home school, which will reduce the amount of care needed.

(b) In a two parent household, the days and times approved activities overlap, and only authorize care during those overlapping times. The consumer is eligible for full-time care if overlapping care totals one hundred ten hours in one month.

(c) ~~((DSHS))~~ DCYF will not consider the schedule of a parent in a two parent household who is not able to care for the child.

(3) Full-time care for a family using licensed providers is authorized when the consumer participates in approved activities at least one hundred ten hours per month:

(a) Twenty-three full-day units per month will be authorized when the child ~~((needs))~~ is in care five or more hours per day;

(b) Thirty half-day units per month will be authorized when the child ~~((needs))~~ is in care less than five hours per day;

(c) Forty-six half-day units per month will be authorized during the months of April, May, June, July, and August for a school-aged child who ~~((needs))~~ is in care for five or more hours ~~((of care;))~~ per day.

(4) Partial-day monthly unit. A single partial-day monthly unit per month will be authorized for a school-age child attending a licensed family home child care when the child is:

(a) Authorized for care with only one provider;

(b) Eligible for full-time authorization, but is in care less than five hours on a typical school day; and

(c) Expected to need care before and after school.

(d) Only one monthly unit may be authorized per child per month.

~~((d))~~ (5) Supervisor approval is required for additional days of care that exceeds twenty-three full days ~~((or)),~~ thirty half days, or one partial-day monthly unit per month; ~~((and~~

~~(e) Care cannot exceed sixteen hours per day, per child.~~

~~(4)).~~

(6) Full-time care for a family using in-home/relative providers (family, friends and neighbors) is authorized when the consumer participates in approved activities at least one hundred ten hours per month:

(a) Two hundred thirty hours of care will be authorized when the child ~~((needs))~~ is in care five or more hours per day;

(b) One hundred fifteen hours of care will be authorized when the child ~~((needs))~~ is in care less than five hours per day;

(c) One hundred fifteen hours of care will be authorized during the school year for a school-aged child who ~~((needs))~~ is in care less than five hours per day and the provider will be authorized for contingency hours each month, up to a maximum of two hundred thirty hours;

(d) Two hundred thirty hours of care will be authorized during the school year for a school-aged child who ~~((needs))~~ is in care five or more hours in a day; and

(e) Supervisor approval is required for hours of care that exceed two hundred thirty hours per month~~((; and (f)))~~.

~~((7))~~ (7) Care cannot exceed sixteen hours per day, per child.

~~((5))~~ (8) When determining part-time care for a family using licensed providers and the activity is less than one hundred ten hours per month:

(a) A full-day unit will be authorized for each day of care that exceeds five hours;

(b) A half-day unit will be authorized for each day of care that is less than five hours; and

(c) A half-day unit will be authorized for each day of care for a school-aged child, not to exceed thirty half days.

~~((6))~~ (9) When determining part-time care for a family using in-home/relative providers:

(a) Under the provisions of subsection (2) of this section, ~~((DSHS))~~ DCYF will authorize the number of hours of care needed per month when the activity is less than one hundred ten hours per month; and

(b) The total number of authorized hours and contingency hours claimed cannot exceed two hundred thirty hours per month.

~~((7-DSHS))~~ (10) DCYF determines the allocation of hours or units for families with multiple providers based upon the information received from the parent.

~~((8-DSHS))~~ (11) DCYF may authorize more than the state rate and up to the provider's private pay rate if:

(a) The parent is a WorkFirst participant; and

(b) Appropriate child care, at the state rate, is not available within a reasonable distance from the approved activity site. "Appropriate" means licensed or certified child care under WAC 110-15-0125, or an approved in-home/relative provider under WAC 110-16-0010. "Reasonable distance" is determined by comparing distances other local families must travel to access appropriate child care.

~~((9))~~ (12) Other fees ~~((DSHS))~~ DCYF may authorize to a provider are:

(a) Registration fees;

(b) Field trip fees;

(c) Nonstandard hours bonus;

(d) Overtime care to a licensed provider who has a written policy to charge all families, when care is expected to exceed ten hours in a day; and

(e) Special needs rates for a child.

(13) Subject to the conditions described in WAC 110-15-0020(7), a consumer with a certification period ending in March, April, or May 2020, who reapplies and is approved, may be authorized care at the same level as the prior authorization.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-15-0023 Homeless grace period (HGP)

(1) Families experiencing homelessness will be eligible for HGP and will have a certification period of twelve months:

(a) When homelessness is verified within thirty days of the date of application or reapplication;

(b) When the family has not received HGP in the twelve calendar months prior to the month of application or reapplication; and

(c) When the family meets all eligibility requirements under WAC (~~(170-290-0005)~~) 110-15-0005 and (~~(170-290-0030)~~) 110-15-0030, except:

(i) Verifying participation or participating in approved activities in WAC (~~(170-290-0040)~~) 110-15-0040, (~~(170-290-0045)~~) 110-15-0045, (~~(170-290-0050)~~) 110-15-0050, or (~~(170-290-0055)~~) 110-15-0055; or

(ii) Providing required third-party verification of employment within thirty days of receipt of an application or reapplication; or

(iii) Having an outstanding copayment or not having a payment plan for the outstanding copayment.

(2) Families eligible for HGP will have a period of four months to provide:

(a) Verification of participation in approved activities in WAC (~~(170-290-0040)~~) 110-15-0040, (~~(170-290-0045)~~) 110-15-0045, (~~(170-290-0050)~~) 110-15-0050, or (~~(170-290-0055)~~) 110-15-0055;

(b) Required third-party verification of employment; and

(c) Verification of payment or payment plan arrangements for an outstanding copayment.

(3) Families must report changes as required in WAC (~~(170-290-0031)~~) 110-15-0031 and will remain eligible for HGP through the end of the fourth month, if their homeless status changes.

(4) If received in months one through four, the verification required in subsection (3) of this section will not need reverification for care to continue during months five through twelve.

(5) The four-month period begins on the first date of eligibility, which is the date of application or reapplication and the first month may be a partial month. The four-month period ends on the last day of the fourth month.

(6) Termination of HGP will occur on the last day of the fourth month if the family does not:

(a) Verify they have entered an approved activity;

(b) Provide the required third-party verification of employment;

(c) Pay or make payment arrangements of an outstanding copayment.

(7) DSHS will approve HGP for families using WCCC for the fourteen-day wait period (WAC ((~~170-290-0055~~) 110-15-0055)). If the family has verified their homeless status but not entered the approved activity by the fourteenth day:

(a) HGP is approved the first day following the end of the fourteen-day wait period instead of terminating WCCC;

(b) The copayment is waived effective the first day of the month following the last day of the fourteen-day wait period; and

(c) The copayment is waived for the remainder of the four-month period, even if it is less than four months.

(d) When homelessness is verified and HGP approved, an overpayment will not be established for the fourteen-day wait period.

(8) ((~~DSHS~~)) DCYF will approve HGP for families using WCCC for the sixty days of self-attestation of new employment (WAC ((~~170-290-0012~~) 110-15-0012)). If the family has verified their homeless status but not provided the required employment verification by the sixtieth day:

(a) HGP is approved the first day following the end of the sixty days of self-attestation period instead of terminating WCCC;

(b) The copayment is waived effective the first day of the month following the last day of the sixty days of self-attestation period; and

(c) The copayment is waived for the remainder of the HGP, even if it is less than four months.

(d) An overpayment is not established for the sixty days of self-attestations if homelessness is verified and HGP is approved.

(9)(a) HGP copayments will be determined at initial eligibility determination and be waived for the first four months. A copayment is required for months five through month twelve.

(b) If the copayment exceeds fifteen dollars, the family will not be eligible for the fifteen dollars copayment during the first two months of paying a required copayment.

(10) Families will be approved for full-time care during the four months of HGP and the remainder of the eligibility period. Full-time care means:

(a) Twenty-three full day units when the child needs five or more hours of care per day;

(b) Thirty half day units when the child needs less than five hours of care per day;

(c) Thirty half day units during the months of September through June when the child is school-aged, except that forty-six units will be approved for April and May 2020;
or

(d) Forty-six half day units during the months of July and August when the child is school-aged.

(11)(a) Only licensed, certified or ((~~DEL~~)) DCYF-contracted providers shall be authorized to provide child care during the four months of HGP. Payment to the provider will be either the provider rate or state rate, whichever is less.

(b) In-home/relative providers shall not be authorized to provide child care for families during the HGP, regardless of changes reported.

(c) Families may choose in-home/relative providers to provide care during months five through twelve, under WAC ((~~170-290-0125~~) 110-15-0125), ((~~170-290-0130~~) 110-15-0130), and ((~~170-290-0190~~) 110-15-0190).

(d) The four months of HGP are nontransferable; families may not change the four months of HGP, even when care was not provided.



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 21, 2020

TIME: 2:26 PM

WSR 20-09-138

Agency: Department of Children, Youth, and Families

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
- No
- If Yes, explain: _____

Purpose: For Working Connections and Seasonal Child Care: Increase from 30 to 46 half-day units of school-aged child care during April and May 2020 for families experiencing homelessness.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 110-15-0023
- Suspended:

Statutory authority for adoption: RCW 43.216.055 and 43.216.065

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: Governor Jay Inslee issued proclamation 20-05 declaring a state of emergency in all counties in the state of Washington as a result of the outbreak of COVID-19. The Governor's proclamation directed state agencies to do everything reasonably possible to respond to and recover from the COVID-19 outbreak. As of March 11, 2020, the World Health Organization has classified COVID-19 as a pandemic. The effects of its extreme risk of person-to-person transmission throughout Washington state significantly impact the life and health of our people, as well as our economy, and pose particular challenges to the availability of quality early learning and child care services for families with low incomes. These emergency amendments to WAC 110-15-0034 address these challenges by increasing the amount of care authorized for school-aged children for April and May 2020.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New ____ Amended 1 Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New ____	Amended ____	Repealed ____
Pilot rule making:	New ____	Amended ____	Repealed ____
Other alternative rule making:	New ____	Amended ____	Repealed ____

Date Adopted: April 21, 2020

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature:

