

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

November 14, 2006

MEMORANDUM**What's Inside:**

Protocols for accessing child care services for Children's Division cases.

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND CHILDREN'S DIVISION STAFF

FROM: PAULA NEESE, DIRECTOR

SUBJECT: CHILD CARE SERVICES FOR CHILDREN'S DIVISION CASES

REFERENCE: CHILDREN'S DIVISION AND FAMILY SUPPORT DIVISION

## DISCUSSION:

The purpose of this memorandum is to clarify the process for requesting child care services for Children's Division cases.

## BACKGROUND:

The Child Care program is governed by a federal block grant, the Child Care and Development Fund (CCDF). The CCDF is intended to assist eligible families with the cost of child care while they are employed, in training, or in an approved educational program. In order to draw from this fund, all states are bound by certain federal and state rules and statutory requirements. Recently, it has come to our attention that in some circuits child care arrangements for adoptive and foster children may not be in compliance with these requirements.

The Child Care and Development Fund has federal rules by which every state must abide. These federal rules are found in the Department of Health and Human Services, Administration for Children and Families, section 45 of the Code of Federal Regulation (CFR), Parts 98 and 99. Federal rule 98.20 defines eligible children to include children who reside with a parent or parents (including adoptive parents) and children who are in foster care.

The Child Care and Development Fund also mandates that states have in place policies and procedures that identify eligible child care providers.

Missouri must provide certain assurances and certifications that providers meet minimum health and safety standards. In Missouri, these assurances, for non-licensed/license exempt providers, are statutorily mandated in RSMO 210.025 and RSMO 210.027. These statutes are the governing requirements for:

- child care providers being at least eighteen years of age,
- background screenings of providers and their household members age 17 and older,
- testing for Tuberculosis,
- maintaining adequate smoke detectors,
- providing notification to parents if they do not have immediate access to a telephone; and,
- making providers aware of local opportunities for training in first aid and child care.

## ADOPTION SUBSIDY/GUARDIANSHIP CHILD CARE

Adoption Subsidy/Guardianship families may use a child care provider of their choice as long as their choice of provider meets the requirements discussed in this memorandum.

If an Adoption Subsidy/Guardianship family's child care arrangement is with a licensed and contracted child care provider, continue following current procedures for authorizing children.

If an Adoption Subsidy/Guardianship family is currently utilizing a non-licensed/license exempt child care provider who is not registered with the Department of Social Services, the parent must discuss their child care arrangement with their Children's Division worker. The CD worker will collect the necessary information, including the name, address, telephone number, and Social Security Number of the provider. Once that information is obtained, the CD worker will contact the Child Care Provider Relations Unit (CCPRU) in Jefferson City at (573)522-1385 or at [cd.askccpru@dss.mo.gov](mailto:cd.askccpru@dss.mo.gov) to have a registration packet mailed to the provider.

The registration packet includes the necessary forms the provider is required to complete (FA 350, Child Care Registration Application and Agreement; FA 351, Child Care Health and Safety Information; and FA 352, Child Care Invoicing and Payment Information). Samples of these forms are attached to this memorandum.

Along with the required forms, the following steps must be completed by the provider in order to process their registration request. Information about each of these steps is included in the registration packet that is mailed to the provider.

- The **provider** must submit two sets of fingerprints for processing a background screening for state and federal criminal history and child abuse and neglect history. The fingerprinting process is done through the Missouri State Highway Patrol's program called MOAPS. More information about this service may be found at <http://www.identix.com/iis/mo.html>.
- The **provider, and any member of the provider's household who is age seventeen or older**, must register with the Family Care Safety Registry (FCSR) and be screened for certain background histories, including criminal history, child abuse/neglect history and child care or foster care license revocation. The FCSR website may be accessed at : <http://www.dhss.mo.gov/FCSR/AboutRegistry.html>
- The **provider** must be tested for Tuberculosis and show that they are not a carrier or are not contagious.
- In areas of Missouri where it is a city or local ordinance to have a local fire inspection, one must be completed and proof provided. In other areas where it is

not mandated, the provider is required to self declare that they meet these requirements. There is also an expectation that the provider will self declare that they have sufficient certified, working fire extinguishers. The self declaration is part of the registration agreement (FA 351)

Due to special circumstances, some Adoption Subsidy/Guardianship families have their child care provider come to their home to provide care for their children. While this type of arrangement is allowed, the requirements for a provider who comes to the parent's home are the same requirements as those who provide care in the provider's own home. This type of arrangement is subject to the same federal and state rules.

The Children's Division is allowing a grace period that will allow parents to make arrangements with their child care provider to become registered. Until March 1, 2007, child care will continue to be paid as it is now. This will provide opportunity for providers to comply with the necessary requirements and to have the paperwork submitted and processed. Our goal is that services be uninterrupted. The local CD worker and the CCRU will work together with providers and parents to assist in any way possible.

#### FOSTER CARE CHILD CARE:

The Children's Division policy for children placed in CD custody requires child care services to be provided by a licensed/contracted provider. However, the Division acknowledges that accessing licensed care may not be possible. In situations where licensed care is not available (limited number of licensed providers in the parent's locale or there are no current openings), accessible (distance from the parent's home, to a licensed provider, and to employment exceeds one hour commute, or care is needed during hours the licensed facility is closed), or appropriate (no licensed care that can meet the special needs of a child), the parent may request to use a non-licensed/registered provider. In those circumstances, the Children's Division worker must submit a waiver request to the Early Childhood and Prevention Services section. **Waiver requests only apply to foster care cases (and in situations discussed later in this memorandum for Intensive In-home Services and Family Centered Services cases). Waivers are not required for Adoption Subsidy/Guardianship cases.** The following information must be included in a waiver request:

- Name and DCN of the child;
- Name, address, telephone number, and DVN (if available) of the child care provider;
- Full address of the foster parent's residence;
- Location of where the foster parent is during the time the child is in child care;
- Information on efforts taken to secure licensed care that includes, at a minimum, contacting the local Child Care Resource and Referral agency;
- A description of the extenuating circumstances justifying the need to use non-licensed/registered care.

Information on the location of your local Child Care Resource and Referral agency can be found at <http://www.moccrn.org>.

Requests for waivers may be sent, via e-mail, either directly to Joyce Koerner at [Joyce.A.Koerner@dss.mo.gov](mailto:Joyce.A.Koerner@dss.mo.gov) or [cd.askecps@dss.mo.gov](mailto:cd.askecps@dss.mo.gov) . A "Child Care Waiver

Request Form" (attached) will be completed by the requesting worker and returned to either of the two e-mail addresses listed above. You may also call Joyce when you have questions about the waiver process at 573-526-9587. Staff is encouraged to submit requests by e-mail to expedite the process.

Once a waiver has been approved by ECPS, the process for requesting a registered child care provider is the same as with Adoption Subsidy/Guardianship families. The same timeframe allowed for securing a registered provider applies. If the waiver and/or registration process is not completed by March 1, 2007, future payments for child care subsidy may be discontinued. If extenuating circumstances exist, after March 1, 2007, requests for ongoing services may be considered on a case by case basis. These requests will be reviewed by ECPS before approval is granted.

#### INTENSIVE IN-HOME AND FAMILY CENTERED SERVICES CHILD CARE:

Children's Division families who receive services through the Intensive In-Home Services or the Family Centered Services programs may access child care services when the family presents an appropriate need for care. The family's eligibility must first be determined by the Family Support Division (FSD) before accessing child care through the Children's Division. These families are subject to the same eligibility requirements as low income families who need child care. Refer these families to the Family Support Division in order for families to make application based on their need, income and household composition. If eligible for child care through FSD, these families may use a provider of their choice. However, if a family chooses a non-licensed/license exempt provider, the provider must be registered with FSD.

If a family is not eligible for child care through FSD and they need child care to support their treatment plan, child care may be approved through the Children's Division. In these situations, the Children's Division requires the child to be in a licensed/contracted setting. Only in the situations described in "FOSTER CARE CHILD CARE" may a request be made to utilize a non-licensed/license exempt provider. The process for submitting a waiver request and having the provider become registered will apply.

#### OUT OF STATE CHILD CARE:

Any child who is in CD custody or who is an Adoption Subsidy/Guardianship child placed outside of Missouri is eligible for child care services when needed.

The policy for using a licensed provider applies for children placed in out of state foster care arrangements. Since a licensed out of state child care provider can not be contracted the provider must complete the appropriate registration forms (FA 350, 351, 352) and submit them either directly to the CD, ECPS section or to the worker who is negotiating the child care arrangement with the family.

Out of state Adoption Subsidy/Guardianship cases must follow the same requirements as defined previously in this memorandum in the section "ADOPTION SUBSIDY/GUARDIANSHIP CHILD CARE".

**MANUAL REVISIONS:**

All references to child care services are being removed from the Children's Division's Child Welfare Manual. Staff will be informed of a new policy section added to the Child Care Manual that addresses "Protective Services Child Care" which will include the information contained in this policy memorandum. This section is currently under development and until it is completed, the Child Welfare Manual will not be updated. Staff is instructed to refer to this memorandum, instead of the Child Welfare Manual, for instruction on how to work with families needing child care services.

A letter is being sent out to all adoptive parents currently receiving child care services through an Adoption Subsidy agreement. The basic information in this memorandum under "Adoption Subsidy/Guardianship Child Care" is being shared with them. If the Adoption Subsidy worker needs assistance, he/she may call 573-526-9587

<b>NECESSARY ACTION:</b>  1. Review this memorandum with all Children's Division staff. 2. All questions should be cleared through normal supervisory channels and directed to:	
<b>PDS CONTACT:</b> Joyce Koerner (573)526-9587 <a href="mailto:Joyce.A.Koerner@dss.mo.gov">Joyce.A.Koerner@dss.mo.gov</a>	<b>PROGRAM MANAGER:</b> Becky Houf, Social Services Manager (573)751-6793 <a href="mailto:Becky.L.Houf@dss.mo.gov">Becky.L.Houf@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS:</b> N/A	
<b>FORMS AND INSTRUCTIONS:</b> FA-350 FA-351 FA-352	
<b>REFERENCE DOCUMENTS and RESOURCES:</b> MOCCRRN: <a href="http://www.mocccrrn.org">www.mocccrrn.org</a> ECCPS: <a href="mailto:cd.askecps@dss.mo.gov">cd.askecps@dss.mo.gov</a> CCPRU: <a href="mailto:cd.askccpru@dss.mo.gov">cd.askccpru@dss.mo.gov</a> Identix: <a href="http://www.identix.com/iis/mo.html">www.identix.com/iis/mo.html</a> . FCSR: <a href="http://www.dhss.mo.gov/FCSR/AboutRegistry.html">www.dhss.mo.gov/FCSR/AboutRegistry.html</a> Child Care Waiver Request Form (Attachment)	
<b>RELATED STATUTE:</b> 45CFR Parts 98 and 99 RSMO 210.211, 210.025, 210.027	
<b>ADMINISTRATIVE RULE:</b> 13 CSR 40-32	
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS:</b> N/A	

**PROGRAM IMPROVEMENT PLAN (PIP):**

N/A

**SACWIS REQUIREMENTS:**

N/A

**CHILD CARE WAIVER REQUEST FORM**

Requesting County: \_\_\_\_\_

Name of Worker (as it appears on OUTLOOK): \_\_\_\_\_

Worker's E-mail Address (if outside the Children's Division Network):  
\_\_\_\_\_

Name of Child: \_\_\_\_\_ DCN: \_\_\_\_\_

Name of Registered Provider: \_\_\_\_\_

Provider DVN: \_\_\_\_\_

Location of Child's Residence (town): \_\_\_\_\_

Location of Parent/Guardian's Employment (town): \_\_\_\_\_

Attempts made to secure licensed/contracted child care:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Extenuating or mitigating circumstances that justify the use of registered child care:  
**(NOTE: Preference and Convenience do not justify a waiver.)**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Licensed Providers by county/city can be found at <http://www.dhss.mo.gov/ChildCare/>.

Child Care Resource and Referral Agencies can provide assistance in locating licensed providers. A map of these agencies and the counties they serve can be found at <http://www.moccrn.org/>.

**E-MAIL FORM TO  
JOYCE KOERNER,  
EARLY CHILDHOOD AND PREVENTION SERVICES UNIT**