

By: Representative Holland

To: Public Health and Human Services

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 813

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO TAKE  
2 CERTAIN ACTIONS REGARDING THE OPERATION OF THE CHILD CARE AND  
3 DEVELOPMENT FUND/TEMPORARY ASSISTANCE TO NEEDY FAMILIES PROGRAM;  
4 AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) The Department of Human Services is  
7 Mississippi's lead agency in the federal Child Care and  
8 Development Fund (CCDF) program. CCDF is comprised of the  
9 following funding streams: discretionary, mandatory, federal  
10 matching, and state matching. In addition, as allowed by federal  
11 regulation, Mississippi currently transfers twenty percent (20%)  
12 of the Temporary Assistance to Needy Families (TANF) grant into  
13 CCDF. The CCDF/TANF program helps eligible working parents pay  
14 for early care and education services for their children.

15 (2) In the operation of the CCDF/TANF program, the  
16 Department of Human Services may comply with the following:

17 (a) The department may maintain real time records and  
18 post on a publicly-accessible web site for each county the  
19 following information: the number of children eligible for  
20 CCDF/TANF certificates; the number of children receiving CCDF/TANF  
21 certificates; the average amount of money spent per child with  
22 CCDF/TANF certificate funds; the then-current number of children  
23 on the waiting list for CCDF/TANF certificates; the average length  
24 of time a CCDF/TANF application took to be approved over the  
25 preceding six (6) months; the average length of time a child was  
26 served in the CCDF/TANF child care program; the number of children  
27 terminated from the CCDF/TANF certificate program over the

28 preceding six (6) months; and the reason(s) for termination from  
29 the CCDF/TANF certificate program.

30 (b) The department may require CCDF/TANF certificate  
31 subcontractors (currently known as "Designated Agents") to adhere  
32 to the Office for Children and Youth (OCY) Policy Manual, and may  
33 establish sanctions for violations of the OCY Policy Manual by  
34 these subcontractors.

35 (c) The department may establish an expedited and  
36 administratively streamlined appeal procedure in the CCDF/TANF  
37 certificate program for parents and providers.

38 (d) The department may stagger CCDF/TANF certificate  
39 termination/reissuance dates to the date of issuance.

40 (e) The department may utilize a formula for  
41 distribution of CCDF/TANF certificate funds to Mississippi  
42 counties based upon the number of eligible children residing in  
43 each county.

44 (f) The department shall adhere to the Mississippi  
45 Administrative Procedures Law when making rule changes in the OCY  
46 Child Care Policy Manual.

47 (g) The department may manage CCDF/TANF certificate  
48 funds at the state level to avoid identifying the funding year or  
49 federal grant source in CCDF/TANF certificate subcontracts, and  
50 may use the "first in, first out" grant management principle to  
51 avoid loss of federal CCDF/TANF funds.

52 (h) The department may establish performance level  
53 standards and levels of funds utilization for subcontractors in  
54 the CCDF/TANF certificate program to ensure equitable program  
55 costs across the state and maximize services to children.

56 (i) The department may include the following  
57 requirements in CCDF/TANF certificate subcontracts: measurable  
58 outcome-based contract measures, clear statements of expectations,  
59 evaluation criteria, documentation, and the explicit descriptions  
60 of reporting requirements.

61           (j) The department may manage CCDF funds at the state  
62 level to meet all obligation and liquidation deadlines and all  
63 CCDF set asides and earmarks.

64           (k) The department may make copies of the OCY Policy  
65 Manual available to the public.

66           (l) The Office for Children and Youth and the Budgets  
67 and Accounting Divisions of the department may receive training  
68 from the National Child Care Information Center (available to the  
69 department at no cost) in the areas of:

70                   (i) Financial management of CCDF;

71                   (ii) Maximum use of TANF for early care and  
72 education;

73                   (iii) Promoting partnerships between private early  
74 care and education providers and Head Start programs; and

75                   (iv) Making the transition seamless for families  
76 moving from TANF to CCDF.

77           (m) The Office for Children and Youth may use CCDF and  
78 TANF funds to provide grants for child care services to early care  
79 and education providers that are serving families of whom at least  
80 seventy-five percent (75%) qualify for CCDF/TANF early care and  
81 education certificates.

82           (n) The Office for Children and Youth may use CCDF and  
83 TANF funds to provide grants for extended day and summer services  
84 to child care centers extended day and summer care that are  
85 providing these services for Head Start children.

86           (o) The department may transfer no less than twenty  
87 percent (20%) of the TANF grant into CCDF each year.

88           (p) The department may meet the required maintenance of  
89 effort and state matching amounts required to draw down all  
90 available federal CCDF funds each year.

91           (q) The department may ensure that an application for a  
92 CCDF/TANF certificate will be issued or denied within four (4)  
93 weeks of the date the application is submitted.

94 (r) The department may not require any parent to apply  
95 for child support or establish paternity in order to qualify for a  
96 CCDF/TANF certificate to obtain early care and education for a  
97 child from birth to twelve (12) years of age.

98 (s) The department may allow full-time and part-time  
99 students to qualify for CCDF/TANF certificates without also having  
100 to meet a work requirement.

101 (t) The department may allow parents to apply for  
102 CCDF/TANF certificates by phone, in person, or by mail; and child  
103 care providers may be allowed to assist parents in the application  
104 process.

105 (u) The department may determine eligibility for  
106 CCDF/TANF certificates no more frequently than every twelve (12)  
107 months, during which time any change in income or employment must  
108 be reported by the parent(s).

109 (v) The department may require no more than two (2)  
110 documents in the CCDF/TANF certificate program to verify  
111 eligibility by employment and income.

112 (w) The department may require child care providers  
113 participating in the CCDF/TANF certificate program to provide  
114 developmentally appropriate early childhood educational  
115 activities, including reading and writing where age appropriate.

116 (x) In the CCDF/TANF certificate program, reimbursable  
117 holidays may be determined by the early care and education  
118 provider in consultation with parents receiving CCDF/TANF  
119 certificates, so that child care schedules match parents'  
120 employment schedules.

121 **SECTION 2.** This act shall take effect and be in force from  
122 and after its passage.