

By: Representative Warren

To: Public Health and Human  
Services

## HOUSE BILL NO. 570

1 AN ACT TO AMEND SECTION 43-17-39, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE DATE OF THE REPEALER ON THE SECTION THAT PRESCRIBES  
3 CERTAIN REQUIREMENTS FOR THE DEPARTMENT OF HUMAN SERVICES IN THE  
4 OPERATION OF THE CHILD CARE AND DEVELOPMENT FUND/TEMPORARY  
5 ASSISTANCE TO NEEDY FAMILIES PROGRAM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-17-39, Mississippi Code of 1972, is  
8 amended as follows:

9 43-17-39. (1) The Department of Human Services is  
10 Mississippi's lead agency in the federal Child Care and  
11 Development Fund (CCDF) program. CCDF is comprised of the  
12 following funding streams: discretionary, mandatory, federal  
13 matching, and state matching. In addition, as allowed by federal  
14 regulation, Mississippi currently transfers twenty percent (20%)  
15 of the Temporary Assistance to Needy Families (TANF) grant into  
16 CCDF. The CCDF/TANF program helps eligible working parents pay  
17 for early care and education services for their children.

18 (2) In the operation of the CCDF/TANF program, the  
19 Department of Human Services shall comply with the following  
20 requirements:

21 (a) The department shall maintain records and post on a  
22 monthly basis, as information is available, on a publicly  
23 accessible website for each county, the information required for  
24 the federal report known as the Child Care Aggregate Report,  
25 ACF-800, federal report ACF-801 and for the state as a whole, the  
26 information required for the financial report known as ACF-696  
27 related to CCDF (42 USCS, Chapter 105, Subchapter II-B).

28           (b) The department shall establish performance level  
29 standards including the following requirements in CCDF/TANF  
30 certificate subgrants: measurable outcome-based contract  
31 measures, clear statements of expectations, evaluation criteria,  
32 documentation, and the explicit descriptions of reporting  
33 requirements. The State Department of Audit shall annually audit  
34 the expenditures by the department, subject to the availability of  
35 public or private funds specifically for that purpose. The State  
36 Department of Audit shall also annually audit expenditures by  
37 subrecipients/subgrantees and providers including those currently  
38 known as "Designated Agents" and those to whom Quality Improvement  
39 funds were awarded by the department, and may audit such  
40 expenditures during the five (5) years next preceding July 1,  
41 2005, at the request of the Executive Director of the Department  
42 of Human Services and subject to the availability of funds for  
43 that purpose. In addition, the State Department of Audit shall  
44 periodically, but not less than once every three (3) years,  
45 conduct performance audits on the department for the purposes of  
46 assessing program impact, subject to the availability of public or  
47 private funds for that purpose. The State Department of Audit  
48 shall provide copies of each of the audits to the Chairmen of the  
49 House Public Health and Human Services Committee and the Senate  
50 Public Health and Welfare Committee.

51           (c) The department shall provide to the custodial  
52 parents a plain-language explanation of all program criteria to  
53 qualify for a CCDF/TANF certificate to obtain early care and  
54 education for a child from birth up to the 13th birthday if not  
55 disabled, but if disabled, then up to eighteen (18) years of age.

56           (d) The department shall require licensed child care  
57 providers participating in the CCDF/TANF certificate program to  
58 provide developmentally appropriate early childhood educational  
59 activities, including reading and writing.

60           (3) The Chairman of the Senate Committee on Public Health  
61 and Welfare and the Chairman of the House Committee on Public  
62 Health and Human Services, or a subcommittee appointed by the  
63 chairman of each committee for that purpose, shall jointly conduct  
64 a study of the advisability of transferring the Child Care  
65 Licensure Program of the State Department of Health to the  
66 Mississippi Department of Human Services. The chairmen and/or the  
67 subcommittees appointed for that purpose may meet jointly and  
68 conduct hearings as necessary and shall develop a written report  
69 with recommended legislation to the Governor and the Legislature  
70 not later than December 15, 2005.

71           (4) This section shall stand repealed on July 1, 2008.

72           **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2006.