

By: Representative Holland

To: Public Health and Human Services

HOUSE BILL NO. 813

1 AN ACT TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE DEPARTMENT
2 OF HUMAN SERVICES IN 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 shall comply with the following
17 requirements:

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

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

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

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

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

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

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

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

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

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

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

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

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

71 (i) Financial management of CCDF;

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

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

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

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

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

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

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

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

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

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

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

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

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

113 (w) In the CCDF/TANF certificate program, reimbursable
114 holidays shall be determined by the early care and education
115 provider in consultation with parents receiving CCDF/TANF
116 certificates, so that child care schedules match parents'
117 employment schedules.

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