

By: Representative Holland

To: Public Health and Human
ServicesHOUSE BILL NO. 813
(As Sent to Governor)

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 TO PROVIDE FOR THE MAINTENANCE OF CERTAIN RECORDS ON A PUBLIC
5 WEBSITE; TO REQUIRE CERTAIN AUDITS OF THE DEPARTMENT OF HUMAN
6 SERVICES CCDF/TANF EXPENDITURES AND AN AUDIT OF GRANTEEES AND
7 PROVIDERS; TO PRESCRIBE CERTAIN REQUIREMENTS FOR PROVIDERS; TO
8 REQUIRE A STUDY OF THE ADVISABILITY OF TRANSFERRING THE CHILD CARE
9 LICENSURE PROGRAM TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR
10 RELATED PURPOSES.

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

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

21 (2) In the operation of the CCDF/TANF program, the
22 Department of Human Services shall comply with the following
23 requirements:

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

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

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

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

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

75 (4) This section shall stand repealed on July 1, 2006.

76 **SECTION 2.** This act shall take effect and be in force from
77 and after July 1, 2005.