
POLICY TRANSMITTAL NO. 10-56

DATE: DECEMBER 28, 2010

FAMILY SUPPORT SERVICES
DIVISIONS

DEPARTMENT OF HUMAN SERVICES
OFFICE OF INTERGOVERNMENTAL
RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:40-9-1.

EXPLANATION: OAC 340:40-9-1 Instructions to staff is amended to: (1) remove the interview requirement at review for all child care households except when the need for child care is based on a protective or preventive reason; (2) change the review time frame from 12 months to six months for all child care households coded as semi-annual reporters; and (3) add language that when the child receiving a subsidized child care benefit also receives Temporary Assistance for Needy Families (TANF) or a State Supplemental Payment (SSP), the child care review is due at 12 months in conjunction with the TANF or SSP review.

Original signed on 12-22-10

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WF # 10-CC (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, OKDHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, OKDHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at 405-521-4326.

REMOVE

340:40-9-1

INSERT

340:40-9-1, pages 1-7, revised 1-1-11

340:40-9-1. Review of child care eligibility

Revised 6-1-10

(a) **Child care review.** The worker completes a review of all conditions of eligibility for subsidized child care benefits no later than 12 months from the date of approval of the application or from the last review. When the need factor for child care is for a protective or preventive reason, child care is reviewed more often in accordance with OAC 340:40-7-8(e). The client or the client's authorized representative completes and signs Form 08MP001E, Request for Benefits, Form 08MP002E, Eligibility Information for Benefits, and Form 08MP003E, Responsibilities and Signature for Benefits. If the client is a benefit reporter as described in subsection (b) of this Section, Form 08MP004E, Benefit Review Report, may also be used as a review form for subsidized child care benefits. ■ 1 When circumstances change between review months, the worker evaluates whether to make a change to the client's family share co-payment and/or plan of service or to complete a new application. ■ 2

(b) **Benefit reporter households.** If a client receiving subsidized child care benefits is also receiving food benefits and/or SoonerCare (Medicaid) and is considered a benefit reporter for one or both of these programs, the client is considered a benefit reporter for the Child Care Subsidy Program. The client is considered a semi-annual reporter when he or she also receives food benefits and is a semi-annual reporter for the Supplemental Nutrition Assistance (SNAP) program. When the client does not receive food benefits, he or she is considered an annual benefit reporter as SoonerCare (Medicaid) clients are annual benefit reporters.

(1) Benefit reporter households are sent a computer-generated Form 08MP004E in the 5th month of certification for semi-annual benefit reporters and the 11th month of certification for annual benefit reporters. The client will continue to receive Form 08MP004E every 5th or 11th month thereafter as long as the subsidized child care benefits remain active and the client remains in benefit reporting status.

(2) Form 08MP004E asks households to report changes in the household's circumstances that could affect their benefits. Form 08MP004E must be completed and returned to the human services center, along with all required verification, by the last day of the 6th or 12th month of the review period or the subsidized child care benefits automatically close.

(3) If the household fails to provide sufficient information regarding a deductible expense, continued eligibility is determined without regard to the deduction.

(4) The worker must act on any changes reported on Form 08MP004E in a timely

manner. ■ 3

(c) **Synchronization of benefits.** When the client is receiving other benefits from the Oklahoma Department of Human Services (OKDHS) in addition to the subsidized child care benefits, certification and review dates must be coordinated with the other programs. ■ 4

INSTRUCTIONS TO STAFF 340:40-9-1

Revised 1-1-11

1. (a) The worker reviews the client's eligibility for child care in the same manner as the initial eligibility determination. See OAC 340:40-3-1 for initial eligibility procedures. Conditions of eligibility which must be reviewed are found at OAC 340:40-7. The worker enters information in the Family Assistance/Client Services (FACS) Interview Notebook under the Income, Household, and Child Care tabs and in the FACS Eligibility Notebook under the Auth. Daycare and Child Care tabs.

(1) When the child care benefit is coded as a semi-annual reporter in the Social Services tab of the FACS Eligibility Notebook, the review is completed every six months. An interview is typically not required unless the parent or caretaker receives child care benefits because of a protective or preventive reason. In this instance, an interview is required and it must be face-to-face per OAC 340:40-7-8.

(2) Child care for a child receiving Temporary Assistance for Needy Families (TANF) is reviewed in conjunction with changes to the parent or caretaker's TANF Work plan which may occur earlier than 12 months. When the TANF Work plan does not change every 12 months, the child care review is completed in conjunction with the TANF cash assistance review. FACS Case Notes must include documentation of the child care plan, including any interview details, when the child care review is completed or a change occurs in the child care plan.

(3) Child care for a child receiving a State Supplemental Payment (SSP) is reviewed in conjunction with the SSP review at 12 months. FACS case notes includes documentation of the child care plan, including any interview details.

(b) If the review is completed on Form 08MP004E, Benefit Review Report, and

the client reports changes have occurred in the days and hours care is needed, the worker sends Form 08AD092E, Client Contact and Information Request, for the client to provide verification of the changes. Once the client provides the verification of the changes, the worker enters the changes in the FACS Child Care tab of the Interview Notebook and documents the changes and how they were verified in FACS Case Notes.

(c) If the client is using a one star child care provider at the time of the review, the worker gives or sends the client the "Reaching for the Stars" pamphlet, OKDHS Pub. No. 01-18, and discusses the benefits of choosing a provider who is licensed as a one star plus, two star, or three star facility. See OAC 340:40-5-1(7) for more information on helping a client choose an appropriate child care provider.

(d) When the client continues to meet all factors of eligibility but at a different benefit level, notification is computer-generated to the client and the child care provider. See OAC 340:40-9-3 for actions requiring computer notice.

(e) When the worker determines the family is no longer eligible for subsidized child care benefits, the worker closes the benefits. A computer-generated closure notice is sent to the client and the child care provider. If the family continues to need child care services, the worker asks the client whether he or she needs help with budgeting to pay this expense or with information concerning lower cost child care alternatives. The worker gives needed information to the client and records this discussion in FACS Case Notes.

(f) If subsidized child care benefits are closed and the worker reevaluates this action within 30 calendar days of the closure date, see OAC 340:40-9-2(h) for rules regarding when subsidized child care benefits can be reopened.

2. (a) A complete application/review form is required when:

(1) the payee on the child care benefit changes;

(2) family income has not been considered because policy at OAC 340:40-7-12(6) applied and one or more of the affected adopted children turns six unless there is already a separate open income eligible case and the child can be added to that case per OAC 340:40-9-2(c);

(3) the client's subsidized child care benefits closed because a period of job search was given per OAC 340:40-7-8(a)(6) and the client finds

employment; or

(4) subsidized child care benefits must be synchronized with the client's food benefits or SoonerCare (Medicaid) benefits per subsection (c) of this Section.

(b) The worker may complete the application or review form in person or over the telephone. If it is completed over the telephone, the worker sends Form 08MP003E, Responsibilities and Signature for Benefits, with Form 08AD092E to the client for his or her signature. After this form is signed, if requested, the worker gives or sends the client a copy of the application. The worker keeps the signed original application forms in the case record or stores them in the imaged record.

(c) When the client's TANF benefit closes and there is a continued need for subsidized child care benefits, the worker must:

(1) evaluate what, if any, changes need to be made since the client is no longer involved in TANF Work activities;

(2) advise the client that he or she is no longer exempt from paying a family share co-payment;

(3) advise the client of the amount of his or her family share co-payment, if any. If the client expresses concern about his or her ability to pay this co-payment, the worker offers budgeting assistance to the client; and

(4) complete a full application for subsidized child care benefits if they are not open at the point the TANF benefit closes per OAC 340:40-3-1.

(d) If a change is needed to the plan of service or to the family share co-payment, the worker makes the change per OAC 340:40-9-2 regarding the effective date of when changes can be made and documents the changes in FACS Case Notes.

3. (a) The worker is responsible for determining which households are identified as benefit reporter households. Households receiving only subsidized child care benefits are not considered benefit reporters. See OAC 340:50-9-5(f) and (h) for information on who is considered a semi-annual or annual reporter for food benefits. SoonerCare (Medicaid) households subject to benefit reporting are annual reporters. See OAC 340:40-9-2 for information regarding which

changes must be reported and when action must be taken on these changes for the Child Care Subsidy Program.

(b) When Form 08MP004E is returned to the human services center (HSC), the worker determines if the form is complete and all required verification received. Required verification includes verification of income for the month specified on the form and proof of the client's current work or school schedule. If more than that month's income is received, the worker evaluates all income provided to determine what is most indicative of future earnings. If the days and hours child care is needed have changed, see Instruction to Staff #1(b) in these Instructions. The worker updates the system to show the status of the review.

(1) If complete, the worker processes all changes, updates the "date of last review" field E7, the "benefits report action" field E135 with a C, and enters the "benefit report date" field E136. The worker also enters benefit reporting fields in other sections of the case if applicable.

(2) If the benefits report form is not returned to the HSC or the "date of last review" field E7 is not updated at negative action deadline, the FACS Eligibility Notebook Child Care tab (Section E) automatically closes with the next effective date showing a reason code of 36S. The child care authorization section shows a closure reason code of 36.

(c) If the child care authorization and social services sections were automatically closed, during the period between negative action deadline and the last day of the 6th or 12th month, the worker may reopen these sections when the completed Form 08MP004E and required verification are received by the last day in the 7th or 13th month. Any required changes are processed along with the action to reopen subsidized child care benefits.

(1) To reopen subsidized child care benefits the worker enters an R in the "action type" field E3 of the Social Services section and the number of children for whom care is approved in the "children in day care" field E52. It is also necessary to update the "benefit type" and "status" fields F24 and F25 for those persons included in the benefit household in each person's Household tab in the FACS Interview Notebook.

(2) To reopen the child care authorization the worker must enter an R in the "action type" field K12 and an A in the "notice indicator" field K92 as well as any other fields requiring changes. A worker must enter a new

authorization instead of using a reopen action when the client reports a change in child care provider.

(3) If the reopen action is entered more than ten calendar days from the closure date of the authorization and the client has been swiping attendance and receiving a denied message, the worker completes Form 10EB004E, Report of EBT Child Care Payment Adjustments, per OAC 340:40-10-4(e).

(d) If the worker fails to take action in a timely manner and subsidized child care benefits close, the worker can reopen the subsidized child care benefits within 30 calendar days of the effective date of the closure by reopening the Social Services and authorization sections in the same manner described in (c) of this Instruction. If the authorization has been closed longer than 30 calendar days from the effective date of the closure before the worker takes action, a new authorization must be entered to approve benefits.

(e) See OAC 340:40-9-2 Instructions to Staff #7 if the client reports a change of provider.

(f) In the event the completed Form 08MP004E and verification indicates that the client is no longer eligible for child care, the worker closes subsidized child care benefits effective ten calendar days from the date the worker takes action with the appropriate reason code. If subsidized child care benefits were already closed because Form 08MP004E was not returned timely, the worker sends Form 08MP037E, Notice Regarding Social Services, to advise the client of his or her ineligibility.

(g) A CWA Report 17 is shown as a result of the issuance of the benefits report form. This serves as a tracking tool until the review is completed or the child care benefit closes.

4. (a) When a client is a benefit reporter, it is especially important to synchronize certification and review dates with other benefits the client receives to limit the number of review forms issued and to avoid inappropriate closure of one or more of the client's benefits.

(b) To ensure that reviews are due at the same time for all programs, a child care review must be completed at the same time the application for other benefits is completed when subsidized child care benefits are open prior to the application for food benefits or SoonerCare (Medicaid). If an application

for subsidized child care benefits is approved for a later effective date than food benefits or SoonerCare (Medicaid) benefits, the "date of last review" field E7 is shortened to match the other benefits. If food benefits are open and the household is considered a reporter, "Medicaid" and "subsidized child care benefits review date" fields E7 and D10 must match the certification date shown for food benefits.

(c) To determine whether a child care review must be completed in order to coordinate benefits, the worker looks at the "reporter status" field C37 in the SNAP section or field D137 in the Medical Services section. If an S for "semi-annual reporter" or A for "annual reporter" is shown there, the child care portion of the case is also a reporter. If food benefits or SoonerCare (Medicaid) is shown as a reporter, the system automatically places an S in the "reporter status" field E137 in the Social Services section to indicate the household is a benefit reporter for subsidized child care benefits. The "date of last review" field E7 of the Social Services section must equal the "certification date" field C2 in the SNAP section and the "last redetermination date" field D10, if those benefits are open, or the worker receives a synchronicity edit advising him or her that these dates must match as the household is a reporter.