



Administrative Policies and Procedures: 23.25

Subject Families First Child Care

Approved by Charles Bryson, Interim Assistant Commissioner

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Authority Tenn. Rules & Regs. Ch. 1240-1-54-.01

Application Family Assistance Eligibility Staff

Policy Statement

The Tennessee Department of Human Services (TDHS) offers Child Care Payment Assistance as a support service for Families First and Diversion customers who are participating in a work and/or educational activity.

Purpose

The success of Families First in supporting the goal of self-sufficiency for its customers is dependent on the existence of affordable, accessible, quality child care that provides for a child's well-being and development. This is also central to a parent's ability to participate in all work and/or educational activities within the Personal Responsibility Plan (PRP).

Procedures

A. Types of Child Care Payment Assistance

The following types of Child Care Payment Assistance are available to families receiving, or transitioning off of Families First:

1. Families First Child Care Payment Assistance pays up to the maximum established reimbursement rate for child care while the Families First caretaker, adult or minor parent, is participating in work, education, and training activities. This child care includes the caretaker's travel time to and from these activities. See collateral document 11.10-15.01 2015 Changes to the Child Care Certificate Program Provider Reimbursement Rates.
2. Diversion Child Care is available to Families First customers who select the Diversion path. See Policy 23.23 Families First Diversion Payments.

3. Transitional Child Care (TCC) is potentially available for eighteen (18) months after the Families First cash assistance stops. TCC requires the caretaker to contribute to the cost of care. See Policy 11.18 Transitional Child Care.
4. At-Risk Child-Only (ARCO) is for Families First child-only caretakers who meet Transitional Child Care policy guidelines. Qualified applicants will be eligible for ARCO as long as funding is available. Certificates will be issued for twelve (12) month periods. A redetermination review of all areas of eligibility is required during the last month of the twelve (12) month certification period. See Policy 11.17 At Risk Child Care for Child Only Parent/Guardians (ARCO).

B. Child Care Eligibility Criteria

1. Certain eligibility criteria determine which children receive child care services. See Child Care Certificate Manual Chapter 2.1 Eligible Children for certificate eligibility criteria.
2. Child care payments will not be made to:
 - a. The child's parent, step-parent, guardian, or any member of the assistance unit.
 - b. Persons or agencies found guilty of, or validated as, child abuse perpetrators.
3. The caretaker relative has certain choices regarding how child care is paid and to whom. The caretaker may choose regulated or unregulated care. Regulated care is licensed by TDHS. Unregulated care is not licensed, but is monitored by the Child Care Specialist.
4. Authorized care may not be provided in the child's home, unless it is also the agency/professional's home.
5. Child care is provided in units of care based on the number of hours for which child care is needed per week, i.e., full-time, part-time, or extended time.
 - a. A full-time unit of care is defined as a weekly schedule of twenty (20) to sixty (60) plus hours of child care needed. Child care can be provided while the parent or caretaker works, goes to class or other educational/training activities such as lab, study, or tutoring; and the traveling time to and from these activities and the child care agency/professional.
 - b. A part-time unit of care is defined as one (1) to nineteen (19) hours per week, e.g., for a child who only needs before and/or after school care or for child care needed while the parent or caretaker attends Family Focused Solutions (FFS) assessment, unless there is no part-time care available.
 - c. An extended time unit of care is only for Families First caretakers. If a caretaker is placed in activities requiring more hours of child care than allowed by one full-time unit of care, then the caretaker may receive an extended time unit which provides up to 150% of a full-time unit. Only a TDHS supervisor can authorize extended time units. TCC cases are not eligible for extended time units, even if the assistance unit (AU) received extended time while they were in the Families First Program.
6. A minor parent(s), who is an Eligible Child(ren) (EC) in their parent(s) AU and has signed a PRP, will also receive Families First Child Care Payment Assistance if the child care is required for them to fulfill the obligations on the PRP. Child care will not be provided if the minor's parent(s) is able to provide

child care whether the minor's parent(s) is an Eligible Adult (EA) or Non Eligible Adult (NA).

C. Child Care Disregard

Families First caretakers who are employed or in a work and/or education activity and need assistance with child care have two options. They may choose:

1. Child Care Payment Assistance paid by TDHS directly to the Agency/Professional.
2. A child care deduction used in the Families First budget for the cost of care.

The TDHS caseworker will explain these options to the caretaker and determine which method of meeting child care expenses is to the caretaker's advantage. The maximum child care disregard per child can be found on the Family Assistance Standards Desk Guide.

The disregard cannot be given in the same month that Child Care Payment Assistance is paid by TDHS. If the caretaker has received a disregard, Child Care Payment Assistance will begin the month following the removal of the disregard.

D. Families First Child Care Payment Assistance

1. In order to receive Child Care Payment Assistance, the child care must be necessary for the caretaker to participate in work and/or education activities. Child care is not provided if the caretaker can arrange for free care or the children are in school during the hours the caretaker will participate in a work and/or education training program. Child Care Payment Assistance will not be given to a two (2) parent family if one (1) parent is able, willing, and appropriate to provide care in the home. Child care will not be given to a minor parent who is an EC if the caretaker of the AU can provide the care.
2. Child Care Payment Assistance is available, if needed, on the first day of participation in an activity, employment, or while the parent or caretaker attends FFS assessment.
3. Child Care Payment Assistance is potentially available for all adults if they are in a work and/or education activity, and/or while a parent is in a drug/alcohol or mental health treatment program. If the adult is exempt from the work requirements, he/she may still be able to receive Child Care Payment Assistance if he/she volunteers for a work activity or agrees to FFS assessment. Child-only caretakers, non-citizens, and SSI recipients are unable to volunteer.
4. Child Care Payment Assistance cannot be provided prior to the approval for Families First. Child Care Payment Assistance will be available to the caretaker when participating in an activity during the required ten (10) day compliance period to cure a sanction.
5. Families First caretakers who are non-compliant with their work and/or education activity will be phased out with ninety (90) days of Child Care Payment Assistance.
 - If the caretaker makes contact, either during the conciliation period or within ten (10) days of adverse action, and is determined to have had good cause for the non-compliance situation the caseworker/client representative will reinstate the original twelve (12) month Child Care Payment Assistance certificate.
6. If a Families First case is closed for any reason other than non-compliance with the work and/or education activity, the AU will receive the remainder of the original twelve (12) month certificate.

7. At the time of Families First approval, child care can be provided back to the date of application for the time that the caretaker was working or was in an activity that would qualify as a PRP work activity.
 - The child care payments may be issued to the caretaker as a reimbursement if verification of payment is provided. This reimbursement cannot exceed the State allowable rate for the type of child care provided. See 11.10-15.01 2015 Changes to the Child Care Certificate Program Provider Reimbursement Rates for allowable rates.
 - If the Child Care Agency/Professional has provided verification the child was in attendance and has not received payment, the certificate may be issued.
 - Retroactive Families First child care will not be provided if:
 - The caretaker chose the child care disregard for the months in question.
 - The AU was receiving Child Care Payment Assistance during the application period.
 - The AU was ineligible for cash payment, unless the individual was complying for ten (10) days to remove a sanction.

E. Implementing the Appeal Process

Families First Child Care Payment Assistance customers may appeal any action or failure to act in relation to child care as with any other benefit provided by TDHS. The appeal must be filed in a timely manner that is within ninety (90) days of the action.

A caretaker may appeal any action or inaction in their case, including but not limited to:

1. Failure to take into account a child's special needs.
2. Failure to provide the caretaker an opportunity to choose a child care arrangement when more than one (1) type of child care is available.
3. Failure to accept a person's refusal of available appropriate child care if he/she can arrange other child care and can show that his/her refusal will not interfere with employment or a work activity.
4. Failure of the child care Agency/Professional to allow parental access to the child.
5. Failure to provide timely and adequate notice of adverse action.

Forms

[hs-2853 Child Care Certificate Program Parent Agreement](#)

[hs-3058 Consolidated Appeal Request](#)

[hs-2883 Parent Application to Choose Unregulated Child Care Professional Parent advance notification letter](#)

Child Care Certificate (generated by TCCMS)

Collateral Documents[Family Assistance Standards Desk Guide](#)

Policy 11.18 Transitional Child Care

Policy 11.17 At-Risk Child Care for Child-Only Parent/Guardians

Policy 23.23 Families First Diversion Payments

[Child Care Certificate Program Online Policy Manual Chapter 2.1](#)[11.10-15.01 2015 Changes to the Child Care Certificate Program Provider Reimbursement Rates](#)**Additional Resources**[Child Care Resources for Parents](#)[The Governor's Books from Birth Foundation enrollment](#)**Retention of Records**

Pending

Glossary**Term/Acronym****Definition****Family Focused Solutions**

Family Focused Solutions (FFS) is a voluntary support service that is provided by agencies who are contracted with TDHS. The purpose of FFS is to assist and support TANF customers with education and employment opportunities.

Supersedes

- Chapter 33 of the Families First Online Policy Manual
- Families First Handbook pp145-156
- Bulletin 13, FA-12-05
- Bulletin 31, FA-11-20
- Bulletin 30, FA-11-19
- Bulletin 28, FA-11-17
- Bulletin 14, FA-11-08
- Bulletin 19, FA-10-08
- Bulletin 3, FA-10-1
- Bulletin 24, FA-09-16
- Bulletin 7, FA-09-06
- Bulletin 37, FA-08-28
- Bulletin 29, FA-08-21
- Bulletin 28, FA-08-20
- Bulletin 20, FA-08-16
- Bulletin 9, FA-08-06
- Bulletin 42, FA-07-20
- Bulletin 29, FA-07-11

- Bulletin 10, FA-06-08
- Bulletin 5, FA-06-04
- Bulletin 37, FA-05-28
- Bulletin 29, FA-05-20
- Bulletin 19, FA-05-14
- Bulletin 43, FA-04-40
- Bulletin 41, FA-04-38
- Bulletin 27, FA-04-25
- Bulletin 23, FA-04-21
- Bulletin 7, FA-04-07
- Bulletin 1, FA-04-01
- Bulletin 38, FA-03-35
- Bulletin 36, FA-03-33
- Memo FA-09-12
- Memo FA-09-02
- Memo FA-05-02
- Memo FA-04-15
- Memo FA-03-21
- AIA-12-07
- AIA-12-10
- AIA-04-12
- AIA-04-15
- AIA-02-01
- AIA-02-02
- AIA-02-03
- July – August 2012 Families First Policy Clearances # 1 and #2
- May-June 2012 Families First Policy Clearances #3
- January – February 2012 Families First Policy Clearances #1
- November December 2011 Families First Policy Clearances #1
- September – October 2011 Families First Policy Clearances #1 and #5
- July – August 2011 Families First Policy Clearances #1
- January – February 2011 Families First Policy Clearances #2
- November – December 2010 Families First Policy Clearances #1 and #8
- September – October 2010 Families First Policy Clearances #6
- July – August 2010 Families First Policy Clearances #6
- May – June 2010 Families First Policy Clearances #2
- March – April 2010 Families First Policy Clearances #1 and #5
- January – February 2010 Families First Policy Clearances #5
- July – August 2009 Families First Policy Clearances # 3
- July – August 2008 Families First Policy Clearances #3
- September – October 2006 Families First Policy Clearances #6
- May – June 2006 Families First Policy Clearances # 1
- July – August 2005 Families First Policy Clearances #9
- March – April 2005 Families First Policy Clearances #5
- November – December 2004 Policy Clearances #2
- January – February 2004 Families First Policy Clearances #3
- November – December 2003 Families First Policy Clearances #6, #7
- July – August 2003 Families First Policy Clearances #3, #4, #5, #6, #7, #8
- May – June 2002 Families First Policy Clearances #7 and # 34
- March – April 2002 Families First Policy Clearances #9, #10
- January – February 2002 Families First Policy Clearances #10, #11, #12, #13
- Families First Q&A January 2008 #4

- Families First Q&A December 2007 #28, #29
- New Client Representative Training August 18 -20, 2009 Q & A #8