

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES
Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

PROPOSED

PUBLIC NOTICE

Child Care Subsidy Program Proposed Phase-out Of Purchase Of Care Plus

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS)/Division of Social Services provides public notice regarding the Child Care Subsidy Program, specifically, *Purchase of Care Plus*.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2012.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

SUMMARY OF PROPOSAL

The proposed gives notice to the public regarding the Child Care Subsidy Program, specifically, *Purchase of Care Plus*.

Statutory Authority

Title 31 of the Delaware Code, Title XX of the Social Security Act, 7 CFR §273.7, and the Child Care Development Block Grant, as amended by the Personal Responsibility and Work Reconciliation Act of 1996, *Child Care Subsidy Program*

Background

Effective October 1, 1996, Congress enacted the Child Care Development Fund (CCDF) which consolidated funding for child care for low-income working families and families reentering the workforce. The Child Care Subsidy Program provides support for families with young children to enable the caretaker to hold a job, obtain training or meet special needs of the child. Child care may also be provided in child abuse cases to help protect the child.

Summary of Proposed Changes

Purchase of Care Plus (POC+) is a care option that allows providers to charge Division of Social Services (DSS) clients the difference between the DSS reimbursement rate up to the provider's private fee for service. The provider receives the DSS rate, the DSS determined child care parent fee if applicable, and any additional provider determined co-pay.

Commencing January 1, 2013, the Division of Social Services proposes to phase-out the Purchase of Care Plus (POC+) care option. Effective January 1, 2013, no new providers will be approved for POC Plus.

The proposed phase-out changes will be adopted in proposed regulations in future issues of the Delaware *Register of Regulations*.

DSS PUBLIC NOTICE #12-56

Child Care Subsidy Program Proposed Phase-out Of Purchase Of Care Plus

Delaware Health and Social Services (DHSS) and the Division of Social Services (DSS) is committed to keeping our partners, stakeholders and community informed of any changes in rules and regulations in the Child Care Subsidy Program.

Pursuant to 31 Delaware Code, Section 512, DSS is required to give public notice of any significant proposed change in its services and operations.

Public Notice is hereby given that the DSS proposes to phase-out the Purchase of Care Plus (POC+) care option commencing January 1, 2013. Effective January 1, 2013, no new providers will be approved for POC Plus.

Currently, Purchase of Care Plus (POC+) is an option that allows child care providers to charge Division of Social Services (DSS) clients the difference between the DSS reimbursement rate up to the provider's private fee for service. The

provider receives the DSS rate, the DSS determined child care parent fee if applicable, and any additional provider determined co-pay. This option is primarily for DSS fee-paying clients. DSS chooses not to limit childcare options for any group of individuals. DSS will allow all DSS purchase of care clients eligible for POC with no parent fee the opportunity to waive their right to receive childcare with no additional provider co-pays and choose a POC+ slot. POC+ is an option for all DSS clients, not a requirement. If a provider does not have a regular POC slot available, the client can choose to self-arrange, enter into a POC+ arrangement or find another provider that will take the regular DSS payment.

The purpose and rationale for the proposed phase-out is: In 2011, the provider rates were raised to sixty five percent of the market rate plus fifty cents. In addition, providers who join the Quality Rating and Improvement System known as Stars can potentially receive up to one hundred percent of the market rate. Some providers may choose the option of not participating in Stars, but will make up the difference by collecting the additional POC Plus fees through the low income families. Phasing out POC+ will encourage providers to participate in Stars and give some financial relief to our low income families.

The proposed phase-out of the Purchase of Care Plus (POC+) option will take place according to the following schedule and all affected providers will be notified:

No longer enroll any new Providers in POC+	January 1, 2013
Disenroll any 5 star Providers in POC +	March 1, 2013
Disenroll any 4 star Providers in POC +	May 1, 2013
Disenroll any 3 star Providers in POC +	July 1, 2013
Disenroll any 2 star Providers in POC+	September 1, 2013
Disenroll any 1 star Providers in POC +	November 1, 2013
Disenroll any remaining Providers in POC+	January 1, 2014

Parents, caretaker relatives, or legal guardians may be able to find child care assistance through Delaware's Resource and Referral agency, Children and Families First at 1-800-220-3092.

The proposed phase-out changes will be adopted in proposed regulations in future issues of the Delaware *Register of Regulations*. Questions, written comments and additional information pertaining to the proposed changes may be sent to: Sharon L. Summers, Policy Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or via fax to 302-255-4425 for a period of thirty (30) days from the date of this notice. Please identify in the subject line: Proposed Phase-Out of Purchase of Care Plus.

Elaine Archangelo, November 8, 2012
Director, Division of Social Services

16 DE Reg. 603 (12/01/12) (Prop.)