




North Carolina Department of Health and Human Services
Division of Child Development and Early Education

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SUBSIDIZED CHILD CARE SERVICES ADMINISTRATIVE LETTER No. 01-15

TO: Directors County Departments of Social Services
Directors of Other Local Purchasing Agencies

FROM: Robert W. Kindsvatte 

SUBJECT: Additional Guidance for Child Care Services Provided to Non-Parent Relatives

ISSUE DATE: January 27, 2015

The purpose of this Administrative Letter is in follow up to Change Notice #5-14. In that Change Notice we detailed changes to the subsidized child care policies that went into effect January 1, 2015 as required by special provision enacted during the 2014 legislative session.

Subsequently, we indicated that we would follow up with additional guidance as it related to the utilization of child protective (CPS) and child welfare services (CWS) as a need for child care in situations where the nonparent relative has been involved with the Department of Social Services (DSS). As part of that process we invited your comments and questions as it related to specific application of these policies. We truly appreciate your feedback in helping us to provide this additional specificity.

Child care services provided for child protective and child welfare needs are critical in supporting families and in helping children to find a safe and permanent home. Subsidized Child Care rules indicate that children to be served under CPS and CWS must meet the following criteria:

CHILD PROTECTIVE SERVICES

- (a) Child care services shall be provided when needed to enable a child to remain in his own home when receiving protective services for children. The child must be receiving protective services through the local department of social services (pursuant to G.S. 7B).

There have been no changes to policies as they relate to child protective services. However, please let us know if you have any specific questions as it relates to these cases under the new policies.

CHILD WELFARE SERVICES

- (b) Child care services shall be provided to children who need child care as a support to Child Welfare Services. Child Welfare Services means the protection from abuse, neglect, or dependency; or support to the provision of a safe permanent home (as described in G.S. 7B-101; G.S. 7B-300; G.S. 48-1-101; G.S. 108A-14 (11) and (12); G.S. 108A-48; 10A NCAC 70A; and 10A NCAC 70B).

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Although child care assistance to support CWS is not specifically time limited, it is not intended for long-term use. Consistent with the guidance that we provided on our December 16, 2014 call with county Departments of Social Services, child care services may be provided for a limited period of time to support Child Welfare services when DSS has:

- 1) helped to identify the relative as a safety resource,
- 2) placed the child with the relative, or
- 3) transferred custody to the relative.

When nonparent relative caretakers apply for child care assistance, they must verify that they have been identified as a safety resource placement, a relative placement or that they have been awarded custody of the child. Verification such as a child care referral, safety assessment or custody order must be on file to support the need for CWS.

Subsidized child care services provided under the CWS category may be provided only for the period of time that these services are required to support this need. Most often CWS would be used for Child Welfare Services cases for in-home services and emergencies. All current and new CWS child care cases should be reviewed no later than every 6 months to determine if the case remains open or if the family remains otherwise eligible for services to support the need for care under this category. Any cases to be extended beyond 6 months should be documented to indicate the specific need that CWS child care services are necessary beyond this period. DCDEE will work directly with counties and provide additional guidance for specific questions related to these cases. Note that nonparent relative caretakers may still be able to reapply for child care services under another category of eligibility if the need for CWS services is no longer appropriate.

Existing cases may continue to be supported under these polices or where appropriate reinstated in instances where this criteria applies. Refer to the separate procedural document to provide more specificity on the application of these cases.

FOSTER CARE

Subsidized Child Care Services policies to support children in foster care remain the same. For the purpose of subsidized child care, foster care is used when the children are in the custody of DSS and placed in 24-hour substitute care away from their parents or guardians. Both foster parents must have a need for care in order to receive subsidized child care. When necessary, the developmental needs of the child may qualify the foster care family for subsidized child care. If you have specific questions about the use of child care subsidy to support foster care families, please contact us.

A Change Notice will be issued to reflect these new policies. Other changes in policies may also be addressed in the Change Notice. Please distribute this letter to your child care staff and all other agency staff who work with the Subsidized Child Care Program. If you have questions regarding the information in this letter, please contact staff in the Subsidy Services Section at 919-527-6590 or via email at DCDEE.subsidy.policy.help@dhhs.nc.gov.

RWK/SY

cc: Child Care Coordinators
Subsidy Services Consultants
Program Compliance Consultants

Procedural Document Regarding Management of Child Care Cases to Support Child Welfare Services

1) Application Procedures:

i) At initial application:

(a) Verification that one of the following must be obtained:

1. Helped to identify the relative as a safety resource
2. Placed the child with the relative
3. Transferred custody to the relative

ii) At periodic reviews:

- (a) Have contact with Child Welfare Services workers to ensure that the case still meets one of the three requirements of CWS.
- (b) Determine if the family remains in crisis.
- (c) If the Child Welfare Services case is closed, non-parent relatives may apply under a different need category if applicable.

2) Maintaining Contact with the Recipient:

- i) Child Care workers must remain in close contact with the Child Welfare Services workers to ensure that child care to support CWS continues to be needed.
- ii) Recipients must be made aware that they must notify the child care worker of changes in circumstance.

3) Review Procedures:

- i) All cases to support CWS must be reviewed at least every 6 months.
- ii) Referral for continued care must be provided by Child Welfare Services worker.
- iii) If the case no longer meets CWS criteria, non-parent relatives may apply under a different need category if applicable.
- iv) If the parent is not eligible under another criteria a 10-day termination notice should be issued.

4) Coding Procedures:

- i) If the only reason/need for care is CWS, use Category Code 019 Without Regard to Income and use Reason for Child Care/Need Code 5 for the reason for care.
- ii) If the family is working use Category Code 019 Without Regard to Income and use Reason for Child Care/Need Code D for the reason for care.