

Subsidized Child Care Assistance Program Policy Manual
Chapter 13. Recipient Rights and Responsibilities

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I. CHAPTER OVERVIEW

This chapter discusses the Rights and Responsibilities for the Subsidized Child Care Assistance (SCCA) Program. The [North Carolina Rights and Responsibilities for Public Assistance \(ncfast-20009\)](#) contains the Public Assistance general rights and responsibilities as well as specific program rights and responsibilities.

The [North Carolina Rights and Responsibilities for Public Assistance \(ncfast-20009\)](#) Form can be found on the Child Development and Early Education section of the North Carolina Department of Health and Human Services (DHHS) repository for manuals, policies, procedures and forms.

II. SCCA PROGRAM RECIPIENT RIGHTS

Recipients have the right to a timely application process. The time standard for completing and processing a SCCA application is 30 calendar days from the date of the application.

Recipients have the right to receive a redetermination notice at least 30 days prior to the end of their SCCA certification period.

III. SCCA PROGRAM RECIPIENT RESPONSIBILITIES

The Child Care & Development Fund sets forth requirements related to recipient reporting requirements that facilitate a change in North Carolina's SCCA Program policy. Reporting requirements should not place an undue burden on eligible families that could impact continued eligibility between redeterminations and that required recipient reporting should be limited to items that impact a family's eligibility.

In addition to not being burdensome, families must be given multiple methods of reporting their changes. Childcare workers shall accommodate the needs of working parents by allowing changes to be reported in a variety of ways such as by phone, mail, or email. Face to face visits should only be used for recipients to report changes if the visit is not burdensome on the recipient.

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A. Required Reporting Requirements

The following items are required to be reported by the recipient during the twelve-month eligibility period:

1. Change of contact information including address and telephone number.
2. Increase in income that exceeds 85% SMI (this should NOT include irregular income fluctuations) based on the SMI chart posted on the DCDEE website.
3. Non-temporary change in the status of the recipient as working or attending a job training or education program or any other non-temporary change in their need for childcare.
4. Change in recipient's choice of provider is needed or wanted.
5. Recipient needs or wants to end childcare services.

Recipients must report changes to the DSS/LPA within ten (10) business days from the date the change occurs, and the childcare worker must react within ten (10) business days.

Regardless of the date the change originally occurred, the start date of the evidence in NC FAST for reported changes should be the date the change was reported to the childcare worker. Refer to Chapter 11: Responding to Changes and Redetermination for policies regarding responding to reported changes.

Recipients should be informed that the current 85% SMI income chart is available on the [DCDEE website](#). When a recipient's income increases, they should review the income chart to determine if their income has increased above the 85% SMI based on their family size. If the income is above 85% SMI for their family size, this increase should be reported and reacted to per policy as described in Chapter 11: Responding to Changes and Redetermination.

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Recipients have the option to voluntarily report any other changes that impacts their subsidized childcare case including decreases in income, changes in work or education hours, and changes in the household members.

B. Additional SCCA Recipient Required Responsibilities

In addition to the required reporting requirements described above, recipients have additional required responsibilities in order to have continued participation in the SCCA program.

1. Recipients are required to report absences to their childcare worker when their child(ren) is/are absent from the childcare arrangement more than five (5) days during a month or if their child will no longer be enrolled at the childcare facility.
2. Recipients are required to pay the parental fees determined by the childcare worker to the child's provider. Failure to pay these fees regularly and on time can result in termination of childcare services. Recipients will not be eligible for childcare services until the parental fees are paid. Refer to [Chapter 8: Parental Fees](#) regarding unpaid parental fee policies. Recipients should request a receipt from the provider each time childcare fees are paid.
3. Recipients are required to respond to all contact from the county DSS/LPA regarding your continued eligibility within the requested time frame. Failure to respond may result in the termination of services. If childcare services are terminated and the recipient continues to need help paying for childcare, the recipient must request to be added to the county's childcare waiting list if one exists.
4. Recipients are required to provide the required information so that eligibility for SCCA can be determined. If written information is not available, signing the [North Carolina Rights and Responsibilities for Public Assistance \(ncfast-20009\)](#) Form gives permission to the worker to verify the

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information, such as income, by telephone or through other documents on file in the DSS/LPA or other agencies.

5. If the recipient makes a false statement or representation regarding a material fact with the intent to deceive, or fail to disclose a material fact, and as a result obtain, attempt to obtain, or continue to receive childcare subsidy, then the recipient may be found guilty of the offense of fraudulent misrepresentation per North Carolina General Statute 110-107. Subsidy fraud is a crime in the State of North Carolina. Anyone who intentionally makes a false statement or withholds information in order to receive childcare subsidy money can be criminally prosecuted and even receive jail time under North Carolina Law.
6. If the recipient has a first instance of fraudulent misrepresentation, the recipient must repay the amount of childcare subsidy for which they were ineligible to receive and shall be permanently ineligible to participate in the SCCA Program. The recipient has the right to appeal the decision made.
7. If the recipient is convicted of fraudulent misrepresentation by a court of competent jurisdiction, the recipient will also be permanently ineligible to participate in the SCCA Program and the sanction imposed cannot be appealed.

Refer to Chapter 19: Fraudulent Misrepresentation, Improper Payments, Sanctions, and Appeals regarding fraudulent misrepresentation.

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For additional information on policy described in this chapter please refer to:

SCCA Manual:

Chapter 11: Responding to Changes and Redetermination

Chapter 19: Fraudulent Misrepresentation, Improper Payments, Sanctions,
and Appeals

SCCA Program Rules:

[10A NCAC 10 .1204](#)

Appeal To The Local Purchasing Agency