

Additional information regarding enrollment procedures and payment rates for out-of- county and out-of- state providers is provided in Chapter 16: Approval and Enrollment Procedures for Licensed Facilities.

N. Making Payment for Children Over Twelve (12) Years of Age

In order for children over the age of 12 who are receiving subsidy services to be served in a licensed program, providers must comply with licensing requirements for school age children. Refer to Chapter 4: Application, Eligibility Determination and Documentation for additional information regarding serving children over the age 12.

IV. SUPPLEMENTAL PAYMENT FOR THE CHILD AND ADULT CARE FOOD PROGRAM

Federal regulations for the Child and Adult Care Food Program (CACFP) indicate that a private for profit center can participate in the program each month the program maintains an enrollment in which a minimum of twenty-five per cent (25%) of the children are receiving child care services funding from the Social Services Block Grant (SSBG) or blended funds, which include SSBG. In order to maintain this requirement, it is necessary in some situations to supplement the payment for children whose care is funded by Smart Start (Fund Source 15) and Work First (Fund Source 71) with other child care funds to make them eligible for the program. The payment amount under Smart Start or Work First funding is reduced by one dollar (\$1.00) and the one dollar (\$1.00) is then paid from Fund Source 25 funds which includes SSBG funds.

Children age 12 and younger are eligible to participate in the CACFP. (The age limit for children of migrant workers is 15 years.) Children with developmental disabilities can participate regardless of age if they receive care at a center or home where the majority of enrollees are age 18 or under. At-risk after-school care programs may be eligible to participate in the CACFP. If a family's income exceeds DCDEE subsidized child care income eligibility level, the child is not eligible for this supplemental payment and thus does not count toward the 25% enrollment requirement. For more information on the Child and Adult Care Food Program, see Chapter 3: Roles and Responsibilities.

V. CAPACITY

It is the responsibility of child care facilities to comply with their licensing requirements and restrictions. There are certain circumstances when a provider can be paid for more children than the provider is licensed or approved to serve, such as when:

A child's care is terminated during the month and another child is placed in the empty space in the program for the remaining days in the month;

- A child attends in the morning only and another child attends only in the afternoon (if both children are school-age, care can only be approved for one (1) of the children for holidays, inclement weather, or teacher workdays);
- Two (2) children share the same space, one attends two (2) days a week and another child attends three (3) different days during the same week; or

NOTE: In each of these circumstances the provider may receive payment for more children than approved on the license, but there should never be more children in attendance, at one time, than the number for which the provider is licensed.

If payment is made for any child that exceeds the approved capacity, the provider will be required to pay back the overpayment to the LPA. **The provider has the responsibility when accepting a Child Care Voucher (DCD-0446) to make sure that the program will not exceed the approved capacity.** An administrative action may be brought by DCDEE's Regulatory Services Section against a provider if the provider fails to maintain compliance within their licensed capacity. Refer to [Chapter 15: Noncompliance with Licensing Regulation](#) for more information on Administrative Actions.

Overpayments by the LPA to the provider must be corrected through the SCCRS back to the date of their occurrence. Refer to [Chapter 23: Fraudulent Misrepresentation and Overpayments](#) for more information.

VI. USING MORE THAN ONE SOURCE OF FUNDS TO PAY CHILD CARE COSTS

The provider may receive payment for child care services from two (2) or more sources of funds, for an individual child provided the total payment (including the parent fee) does not exceed the private paying rate which has been reported to the LPA. When a provider receives payment from two (2) or more sources for an individual child, the provider must notify the LPA of the child(ren) who will be receiving multiple sources of assistance and the amount to be paid by the other funding source. It is the responsibility of the LPA to explain this requirement to the provider at the time the Child Care Provider Agreement (DCD-0452) is signed (refer to the [DCD-0452](#) for more information). In addition, the provider should include information about other funding used for a specific child on the monthly attendance sheet.

A. Public Funds

More than one funding source may be used to pay for a child enrolled in a child care program. That part of the program or the hours of care that are paid by other funding sources cannot also be paid with subsidized child care funds. Some examples of these public funds are: