

COMMENT DUE DATE: January 8, 2028

Date: December 20, 2024

**Joshua Edwards, Programs Supervisor
Holli Kyker, Programs Administrator
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It is important that you provide your comments regarding the **draft copy** of policy by the comment due date. Comments are directed to *STO.LegalServices.Policy@okdhs.org. The proposed policy is **EMERGENCY**.

SUBJECT:

Chapter 40. Child Care Subsidy Program

Subchapter 3. Initial Application

340:40-3-1 [AMENDED]

Subchapter 7. Eligibility

340:40-7-7 [AMENDED]

340:40-7-8 [AMENDED]

Subchapter 9. Procedures Relating to Case Changes

340:40-9-1 [AMENDED]

340:40-9-2 [AMENDED]

(Reference WF 25-02)

SUMMARY:

The proposed amendments to Chapter 40, Subchapter 3 amend the rules to: (1) update acronyms; (2) remove reference to synchronization of child care benefits with other Oklahoma Human Services (OKDHS) benefits; and (3) add when a household requests child care benefits outside of regular business hours the application's or request's submission date is the next day OKDHS is open.

The proposed amendments to Chapter 40, Subchapter 7 amend the rules to: (1) add clarifying language; (2) add that a parent or caretaker must be employed at least 20 hours a week to meet the employment need factor; (3) update terminology; (4) add that the client must be making at least minimum wage for self-employment work performed regardless of length of time of self-employment; (5) remove that a licensed home child care provider may only be approved for child care subsidies when the client's own child places the home provider over maximum licensed capacity; and (6) add that a client attending a formal education program must be enrolled in at least 6 credit hours to meet the need factor for child care subsidy;

The proposed amendments to Chapter 40, Subchapter 9 are amended to: (1) update terminology; (2) remove references to synchronization of other OKDHS benefits with Child Care Subsidy; (3) add that when a child who was not previously included in the child care household size is added to care, the twelve month eligibility period starts over; and (4) add when a client has requested voluntary closure of child care benefits, at any time during the previously established 12-month eligibility period,

the worker reopens the child care benefits using the current eligibility information on the case regardless of whether the child care benefit has been closed in excess of 30-calendar days.

Emergency rulemaking approval is requested. Emergency rulemaking is requested because the proposed amendments are necessary to comply with provisions in the Child Care and Development Block Grant CCDBG Act of 2014. In addition, the proposed amendments address changes needed as a result of funding challenges. Oklahoma received federal funding to support the childcare industry during the pandemic; however, those funds were depleted in May 2024. These rule changes are needed to return the state to the current budgeted amount for the childcare program and the increased number of participants in the childcare subsidy program. Effective date is requested upon Governor approval.

LEGAL AUTHORITY:

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162)



OKLAHOMA DEPARTMENT OF HUMAN SERVICES



OKLAHOMA Human Services

Rule Impact Statement

To: Programs administrator
Legal Services - Policy

From: Jaesha Quarrels, Child Care Services (CCS) Director
Child Care Services

Date: November 22, 2024

Re: **Chapter 40. Child Care Subsidy Program**
Subchapter 3. Initial Application
340:40-3-1 [AMENDED]
Subchapter 7. Eligibility
340:40-7-7 [AMENDED]
340:40-7-8 [AMENDED]
Subchapter 9. Procedures Relating to Case Changes
340:40-9-1 [AMENDED]
340:40-9-2 [AMENDED]
(Reference WF 25-02)

Contact: Joshua Edwards, Program Manager, (580)362-7188

**A. Brief description of the purpose of the proposed rule:
Purpose.**

The proposed amendments to Chapter 40, Subchapter 3 amend the rules to: (1) update acronyms; (2) remove reference to synchronization of child care benefits with other Oklahoma Human Services (OKDHS) benefits; and (3) add when a household requests child care benefits outside of regular business hours the application's or request's submission date is the next day OKDHS is open.

The proposed amendments to Chapter 40, Subchapter 7 amend the rules to: (1) add clarifying language; (2) add that a parent or caretaker must be employed at least 20 hours a week to meet the employment need factor; (3) update terminology; (4) add that the client must be making at least minimum wage for self-employment work performed regardless of length of time of self-employment; (5) remove that a licensed home child care provider may only be approved for child care subsidies when the client's own child places the home provider over maximum licensed capacity; and (6) add that a client attending a formal education program must be enrolled in at least 6 credit hours to meet the need factor for child care subsidy;

The proposed amendments to Chapter 40, Subchapter 9 are amended to: (1) update terminology; (2) remove references to synchronization of other OKDHS benefits with Child Care Subsidy; (3) add that when a child who was not previously included in the child care household size is added to care, the twelve month eligibility period starts over; and (4) add when a client has requested voluntary closure of child care benefits, at any time during the previously established 12-month eligibility period, the worker reopens the child care benefits using the current eligibility information on the case regardless of whether the child care benefit has been closed in excess of 30-calendar days.

Strategic Plan Impact.

The proposed amendments are necessary to comply with provisions in the Child Care and Development Block Grant CCDBG Act of 2014. In addition, the proposed amendments address changes needed as a result of funding challenges. Oklahoma received federal funding to support the childcare industry during the pandemic; however, those funds were depleted in May 2024. These rule changes are needed to return the state to the current budgeted amount for the childcare program and the increased number of participants in the childcare subsidy program.

Substantive changes.

Subchapter 3. Initial Application

Oklahoma Administrative Code (OAC) 340:40-3-1 is amended to: (1) update acronyms; (2) remove reference to synchronization of child care benefits with other OKDHS benefits; and (3) add when a household requests child care benefits outside of regular business hours the application or request date is the next day OKDHS is open.

Subchapter 7. Eligibility

OAC 340:40-7-7 is amended to: (1) add clarifying language; (2) add that a parent or caretaker must be employed at least 20 hours a week to meet the employment need factor; and (3) update terminology.

OAC 340:40-7-8 is amended to: (1) add clarifying language; (2) add that a parent or caretaker must be employed at least 20 hours a week to meet the employment need factor; (3) update terminology; (4) add that the client must be making at least minimum wage for self-employment work performed regardless of length of time of self-employment; (5) remove that a licensed home child care provider may only be approved for child care subsidies when the client's own child places the home provider over maximum licensed capacity; and (6) add that a client attending a formal education program must be enrolled in at least 6 credit hours to meet the need factor for child care subsidy.

Subchapter 9. Procedures Related to Case Changes

OAC 340:40-9-1 is amended to: (1) update terminology; and (2) remove references to synchronization of other OKDHS benefits with Child Care Subsidy.

OAC 340:40-9-2 is amended to add: (1) when a client has requested voluntary closure of child care benefits, at any time during the previously established 12-month eligibility period, the worker reopens the child care benefits using the current eligibility information on the case regardless of whether the child care benefit has

been closed in excess of 30 days; and (2) when a child who was not previously included in the child care household size is added to care, the twelve month eligibility period starts over .

Reasons.

The proposed revisions are necessary to comply with provisions in the Child Care and Development Block Grant CCDBG Act of 2014.

In addition, these rule changes are needed to return the state to the current budgeted amount for the childcare program and the increased number of participants in the childcare subsidy program.

Repercussions.

If the proposed revisions are not implemented, Oklahoma will not meet CCDBG Act of 2014 requirements and may result in financial penalties to OKDHS. Additionally, if the proposed revisions are not implemented, the cost to administer the Child Care Subsidy program could exceed the amount of available Federal funding and a waitlist or enrollment freeze for applicants may be necessary.

Legal authority.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162)

Emergency rulemaking approval is requested. Emergency rulemaking is requested because the proposed amendments are necessary to comply with provisions in the Child Care and Development Block Grant CCDBG Act of 2014. In addition, the proposed amendments address changes needed as a result of funding challenges. Oklahoma received federal funding to support the childcare industry during the pandemic; however, those funds were depleted in May 2024. These rule changes are needed to return the state to the current budgeted amount for the childcare program and the increased number of participants in the childcare subsidy program. Effective date is requested upon Governor approval.

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:** The class of persons most likely to be affected by the proposed amendments are OKDHS staff, clients applying for or receiving subsidized child care benefits, and child care providers.

- C. A description of the classes of persons who will benefit from the proposed rule:** The classes of persons who will benefit are OKDHS staff and clients applying for or receiving subsidized child care benefits.

- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all**

fee changes and, whenever possible, a separate justification for each fee change: There are no fee changes associated with the revised rules.

- E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency:** The probable OKDHS cost of printing and distributing the rules is estimated to be less than \$20.
- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** The proposed amendments neither have an economic impact on any political subdivision nor require the cooperation of any political subdivisions in implementation or enforcement of the rules.
- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** There are no anticipated adverse effects on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** There are no less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed amendments.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** OKDHS does not anticipate the rules to reduce significant risks to the public health, safety, and environment.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** If the proposed amendments are not implemented no detrimental effect on public health, safety, and environment is expected.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared 11/22/2024; modified

SUBCHAPTER 3. INITIAL APPLICATION

340:40-3-1. Application process

Revised 9-15-23 ~~XX-XX-XX~~

(a) **Application process.** The application process for subsidized child care benefits begins with a request for benefits and ends with an eligibility determination. Application approval is subject to available funding. ~~Subsidized child care benefits are synchronized with the applicant's food benefits or SoonerCare (Medicaid) benefits, per Oklahoma Administrative Code (OAC) 340:40-9-1(f).~~ Child Welfare Services or Adult and Family Services (AFS) staff processes the application. ■ 1

(1) **When an application is required.** An application is required when the:

(A) ~~an~~ applicant initially applies for subsidized child care benefits. Refer to (c)(2) of this Section when an application is denied;

(B) ~~the~~ client's subsidized child care benefits are closed for more than 30-calendar days. Refer to Oklahoma Administrative Code (OAC) 340:40-9-2(f)(7) when child care benefits are closed at the client's request;

(C) ~~the~~ payee for the subsidized child care benefits changes; or ■ 2

(D) ~~the~~ family income ~~was~~ is not considered, per OAC 340:40-7-12(6), and one or more of the affected adopted children turns 6 years of age, unless the child can be added to an open income eligible case, per OAC 340:40-9-2(d). ■ 3

(2) **Who may apply.** An applicant or the applicant's authorized representative may apply for subsidized child care benefits. When an authorized representative applies on an applicant's behalf, the representative must bring Form 08MP008E, Authorized Representative Request or a statement the applicant signs giving the representative permission to act on the applicant's behalf, unless the applicant designated the person as the authorized representative on the signed application. ■ 4

(A) When the natural or adoptive parent or stepparent lives with the child, the parent is the applicant, and Oklahoma Human Services (OKDHS) bases eligibility on the parent's situation regardless of whether the parent has custody of the child.

(B) When both the natural and adoptive parent of the child live in the same household and the adoption is final, the adoptive parent is the applicant, and OKDHS bases eligibility on the adoptive parent's situation.

(C) When the natural or adoptive parent or stepparent is not in the home, the person acting in the role of the parent, referred to as the caretaker, is the applicant. The caretaker may or may not be related to the child. ■ 5

(D) When the child's parent is a minor, either the minor parent or the responsible adult the minor lives with may be considered the applicant for the subsidized child care benefits. Eligibility is based on the minor parent's situation. ■ 6

(E) When the natural or adoptive parent lives in the home but is too incapacitated to apply, another person living in the home may apply on the parent's behalf when the person provides proof of the parent's inability to apply. ■ 7

(3) **Application.** An applicant or the applicant's authorized representative completes and signs an application to apply for subsidized child care benefits. ■ 8 When the applicant requests child care for a child with disabilities, the worker gives Form 08AD006E, Certification for Special Needs Rate for Licensed Child Care Homes and Centers, to the applicant. ■ 9

(4) **Request date.** The request date, known as the application date for other AFS programs, is the date the applicant requests subsidized child care benefits verbally or in writing. When the household requests child care outside of operating hours, the request date is the next day OKDHS is open. ■ 10

(5) **Certification date.** The certification date is the date the applicant or the applicant's authorized representative completes the child care interview and provides all necessary verification to ~~the county office~~ OKDHS, including the name of the child care provider the client chooses to use. ■ 11

(A) The provider must have a valid OKDHS child care provider contract.

(B) Refer to OAC 340:40-5-1(7) for reasons an applicant may not choose certain child care providers.

(C) For applicants choosing an in-home provider, refer to OAC 340:40-13-1 and 340:40-13-2.

(6) **Child care interview.** Child care interviews may be completed face-to-face or over the phone with the applicant or authorized representative. ■ 12

(7) **Explanation of eligibility factors.** At the time of an initial interview, the worker informs the applicant or authorized representative of: ■ 13

(A) ~~the~~ their rights and responsibilities;

(B) all eligibility factors, including the requirement that the chosen child care provider be contracted with OKDHS;

(C) the child care plan and reason child care may be approved based on the applicant's statements at interview;

(D) the applicant's electronic benefit transfer (EBT) responsibilities including viewing the client training video; ■ 14

(E) the earliest date child care may be approved;

(F) the requirement to cooperate with the OKDHS Office of Inspector General during any audit or investigation of the applicant or the provider the applicant uses for child care; and

(G) the requirement to report within 10-calendar days when household income exceeds the income eligibility threshold per OKDHS Appendix C-4, Child Care Eligibility/Copayment Chart. At certification and renewal, a computer-generated notice issues to inform the client of the current income eligibility threshold for family size.

(8) **Timeliness.** To be timely, the worker must determine eligibility within two-business days of receiving all necessary verification to certify or deny the application.

(A) When the applicant does not provide requested verification, the worker denies the request within 30-calendar days of the request date.

(B) When eligibility is not determined within 30-calendar days, the worker sends Form 08MP038E, Client Notice of Action Taken, explaining the reason for delay.

(9) **Right to appeal.** The applicant has the right to appeal an application processing delay or eligibility decision, per OAC 340:2-5-60 through 340:2-5-81.

(b) **Presumptive eligibility processing.** The worker may presumptively approve a maximum of 30-calendar days of child care prior to making a complete eligibility determination when a reason described in (1) of this subsection applies. ■ 15

(1) Reasons include when the applicant:

(A) is in danger of losing a job or cannot start a new job unless child care is immediately approved. In this circumstance, it must be out of the applicant's control to provide required verification and the applicant does not have the money to pay toward the cost of child care; ■ 16

(B) is employed but has not received pay from the job and is not guaranteed a wage because the applicant is self-employed or works on a commission-only basis. Further care is not approved until the applicant provides proof of the applicant's earnings from the job; or ■ 17

(C) requests protective or preventive child care, per OAC 340:40-7-8(f).

(2) The worker gives or sends the applicant Form 08AD092E, Client Contact and Information Request, to inform the applicant what the applicant needs to provide before further care is approved. ■ 18

(c) **Eligibility determination.** The worker determines the applicant's eligibility to receive child care subsidy benefits based on eligibility conditions, per OAC 340:40-7. The applicant must meet a need factor within 30-calendar days of the request date. After calculating family income, the worker uses OKDHS Appendix C-4, Child Care Eligibility/Copayment Chart, to determine if the household meets the income eligibility threshold. ■ 19 Refer to OAC 340:40-5-1(8) and 340:40-7-10 through 340:40-7-13 for information regarding income determination.

(1) **Applicant determined eligible.** The earliest date the worker approves subsidized child care benefits is the date the applicant completes the child care interview and provides all necessary verification to determine eligibility. The worker certifies the applicant for a 12-month eligibility period, per Section 98.21 of Title 45 of the Code of Federal Regulations. The applicant is responsible for child care used before the certification date.

(A) The applicant or recipient records attendance with his or her EBT card through a point-of-service machine or through the mobile app at the child care facility.

(B) OKDHS does not pay for care for any day the child attends child care when the client fails to record attendance, unless extenuating circumstances exist beyond the client's or provider's control. ■ 20

(C) When the applicant or recipient fails to record attendance, the applicant is responsible for any care provided that day and may be responsible for any missed absent-day payment the child care provider would have received if all days the child attended were recorded.

(2) **Applicant determined ineligible.** The worker denies the child care request or application when the applicant completes the application process and is determined ineligible, does not provide needed verification, or fails to cooperate in determining eligibility. ■ 21

(A) When the applicant is determined ineligible after completing the application process and providing necessary verification, a new application is required regardless of the original request date. ■ 22

(B) When the worker denies the child care request because the applicant did not provide required verification, including choice of provider, a new application is not needed when the applicant completes the application process and provides necessary verification within 60-calendar days of the original request date.

(C) When the worker denies the child care request because the applicant fails to cooperate in determining eligibility, a new application is not required if the applicant cooperates within 30-calendar days of the original request date. ■ 23

INSTRUCTIONS TO STAFF 340:40-3-1

Revised 9-15-23 ~~XX-XX-XX~~

1. (a) **Child Welfare (CW) specialists process applications made by:**
 - (1) a foster parent whether or not a payment is made. Refer to Oklahoma Administrative Code (OAC) 340:75-7-65 for Child Welfare Services (CWS) foster care child care requirements;
 - (2) a foster parent of a child in tribal custody with an open resource in the Child Abuse and Neglect Information System (KIDS);
 - (3) foster parents in the process of a trial adoption of the foster child in their care;
 - (4) applicants requesting protective or ~~preventative~~ preventive care when CWS is working with the family and recommending protective or preventive child care; and
 - (5) applicants requesting care for a child placed in their home due to an ~~Immediate Protection Plan~~ or a Safety Plan.
- (b) **Child Welfare CW adoption specialists process applications for trial adoptive families who are adopting a child in Oklahoma Human Services (OKDHS) custody that did not previously serve as the child's foster home.**
- (c) **Adult and Family Services (AFS) workers process all applications for:**
 - (1) applicants when a copayment must be determined;
 - (2) children under Interstate Compact on the Placement of Children (ICPC). When a child is under an ICPC with another state, the local ICPC worker informs AFS staff when the foster family receives funds for child care from the other state. When funds are available for child care from the other state, the worker denies the application;
 - (3) a tribal foster family when there is not an open resource in KIDS. The worker consults a supervisor, and the supervisor emails AFS.ChildCare@okdhs.org ChildCareSubsidy@okdhs.org notifying AFS Child Care Services (CCS) Child Care Subsidy Unit staff of the approval. The email includes the case number, foster parent's name, and child's name. AFS CCS Child Care Subsidy Unit staff then asks CWS resource program staff to determine why there is not an open resource in KIDS;
 - (4) protective or ~~preventative~~ preventive child care as long as there is not an open CWS case. This may occur when the family is not court involved but CWS staff contracts with an outside agency for Comprehensive Home-Based Services. Refer to OAC 340:40-7-8(f) for information about processing AFS protective or preventive child care requests; and
 - (5) applicants whose children are in OKDHS custody and on trial reunification with their parents. In such instances, the parent's income is considered in determining the family share copayment amount.
2. **When a payee changes, the worker asks the applicant if the payee change is due to a temporary absence, per OAC 340:40-7-6(c). When the parent's or**

- caretaker's absence is temporary, the parent or caretaker remains a household member and the payee. When the change is not considered temporary, the new payee completes a new application.
3. When an adoptive child turns 6 years of age during an eligibility period, the child remains eligible until the next renewal. If a child with developmental disabilities needs care after turning 19 years of age, the worker refers the family to Developmental Disability Services.
 4. (a) An authorized representative is a person who is knowledgeable of the household circumstances. The child care provider or a person working for the child care provider may not be the authorized representative. The worker contacts the applicant to determine, if the:
 - (1) household freely requested the authorized representative's assistance;
 - (2) household circumstances are correctly reported; and
 - (3) applicant understands that the applicant is liable for any overpayment resulting from erroneous information the authorized representative provides.(b) The worker enters information about the authorized representative in the Information Management System (IMS) using the computer transaction EBTU before an electronic benefit transfer (EBT) card is issued.
 5. Refer to OAC 340:40-7-6(c) when the parent's or caretaker's absence is temporary.
 6. Only the minor parent's income and need factor is used to determine the child's eligibility for subsidized child care benefits. Refer to OAC 340:40-7-6(b).
 7. The person acting on the parent's behalf must provide documentation from a professional, who is working with the parent, stating why the parent is incapable of completing the application or designating an authorized representative.
 8. (a) A signature may be submitted in person, through a scanned document via email, fax, or okdhslive.org.
(b) An application submitted online through okdhslive.org is automatically copied to ~~Disclmage~~ uploaded to the case record and has an electronic signature. A paper application is not required.
 9. When approving a child with disabilities for child care, refer to OAC 340:40-7-3.1 for information on the approval process for the higher special needs rate at the chosen facility.
 10. (a) Child care subsidy benefits may be requested verbally, in writing, or through okdhslive.org.
(b) The request date is entered in the Family Assistance/Client Services (FACS) Eligibility Notebook, Child Care tab in the "Request Date" field E1 before an EBT card is issued. When the worker certifies or denies benefits, the request date is also entered in the FACS Eligibility Notebook, Auth. Daycare tab in the "Child Care Req Date" field K9.
(c) When the child care request is mailed, left at the local county office, or submitted through okdhslive.org, staff makes an attempt to contact the applicant the same day to complete a child care interview and to advise what verification must be provided before care is approved. A phone interview is appropriate when it best meets the applicant's needs. When the worker cannot

reach the client by phone, the worker sends ~~Form 08AD092E, Client Contact and Information Request~~ Form 01AD091E, Interview Notice, to inform the applicant of the scheduled interview date of the need to call to complete an interview, and When the interview is complete, the worker sends Form 08AD092E, Client Contact and Information Request, to inform the client of the required verification needed. The worker documents all attempts to contact the client by phone in case notes.

(d) The need for child care must be met within 30-calendar days of the request date.

11. (a) The only time the request date and the certification date are the same date is when the applicant completes a child care application, is interviewed, and provides all necessary verification on the same day. Refer to OAC 340:40-7 for eligibility factors the worker must verify before approving subsidized child care benefits. The applicant must also provide the child care provider's name the applicant plans to use before the certification date is determined.

(b) When the applicant chooses an ineligible provider, the worker is responsible for immediately informing the applicant of the provider's ineligibility and that the applicant must choose a contracted provider.

(1) When the applicant chooses a child care provider with a pending OKDHS contract, the worker informs the applicant that:

(A) the earliest date OKDHS approves child care and payment to the provider is the day the provider's contract is granted; and

(B) payment for any child care used prior to that date is the applicant's responsibility to pay.

(2) The worker determines when a new contract is granted by entering in IMS: PCI, space, and the contract number. The date shown under "Contract Begin Date" is the earliest date services may be approved.

(c) The worker enters the certification date in the FACS Eligibility Notebook in the Child Care tab, "Cert Date" field E2 and in the Auth. Daycare tab, "Begin/Change Date" field K45 when the applicant needs care on this date. When the applicant does not need care until a future date, the worker enters the future date in the "Begin/Change Date" field K45.

(d) When the applicant provides all requested verification and the worker determines more verification is needed, the certification date entered is the date the applicant provides the initially requested verification.

12. (a) The worker completes the interview with the person who signs the application or the household's authorized representative. The applicant must designate the authorized representative in writing prior to the interview. The worker explores the applicant's child care eligibility and informs the applicant of other OKDHS programs for which the applicant may be eligible. The worker also arranges for the client to view the video, "EBT Child Care," explaining the EBT system.

(b) OKDHS staff makes every effort to interview the applicant on the request date to inform the applicant what the applicant must provide before child care is approved.

(1) When the applicant mails in or leaves Form 08MP001E, Request for Benefits, at the OKDHS office without staying for an interview, staff calls the applicant that same day to explain that a child care interview must be completed and to inform the applicant what verification must be provided before care is approved.

(2) When the worker reaches the applicant by phone and the applicant consents to the interview, the worker completes the interview, informs the applicant what verification is required to make an eligibility decision, and sends the applicant Form 08AD092E to request the verification.

(3) When the worker cannot reach the client by phone, the worker sends Form ~~08AD092E~~ 01AD091E, Interview Notice, to inform the applicant ~~of the scheduled interview date~~ of the need to call to complete an interview, and When the interview is complete, the worker sends Form 08AD092E, Client Contact and Information Request, to inform the client of the required verification needed.

13. (a) The worker advises the applicant the child care plan may change depending on the documentation the applicant provides to verify the applicant's need for child care.

(b) The worker secures the applicant's signature and images uploads the application. At the end of the interview, upon request, the worker gives or mails a copy of the application to the applicant or the authorized representative.

(c) Refer to OAC 340:40-7 for information regarding eligibility conditions, including need, and OAC 340:40-5 for information regarding completing a child care plan and which child care providers may not be approved for subsidy payment.

(d) The worker gives or mails Form 08AD092E to the applicant when verification must be provided before subsidized child care benefits are approved. When Form 08AD092E must be mailed because the interview is conducted over the phone, the worker tells the applicant what verification is needed before mailing the form.

14. The video explains the:

(1) proper care and use of the client's EBT card;

(2) client's responsibility to record accurate attendance before OKDHS helps pay for the child's care; and

(3) need to contact the worker immediately when a problem occurs so it can be resolved within 10-calendar days.

15. Refer to Presumptive Eligibility Coding | Quest for instructions on how to code the 30-calendar days.

16. (a) An example of verification that is beyond the applicant's control to provide includes instances when an employer refuses to verify income for an employee or OKDHS until a paycheck is received. In instances such as this, the applicant must provide all other verification that is within the applicant's control. The worker uses the applicant's statement for the verification that is out of the applicant's control to provide.

(b) The applicant is not automatically assigned a zero family share copayment because the presumptive eligibility process is used. The worker uses the

income processes in OAC 340:40-7-10 through 340:40-7-13 to determine what income counts and when. In the case of two-parent families, when one parent has worked for some time and the other parent is starting a new job, the worker counts the income of the parent who has been working to determine the family share copayment.

17. Refer to OAC 340:40-7-8(a) for information on self-employed individuals.
18. (a) When the client provides verification within the 30-calendar day approval period or within 30-calendar days of closure, the worker ~~reopens~~ continues the child care benefit. Refer to Presumptive Eligibility Coding | Quest for instructions on how to ~~reopen~~ continue care following a 30-calendar day presumptive eligibility approval.
 - (b) When the client does not provide required verification within 60-calendar days, child care benefit remains closed.
 - (c) The worker does not approve a new presumptive eligibility period unless the client provides all requested verification from the last presumptive eligibility approval.
 - (d) If the worker receives income proof and determines the family share copayment should have been higher for the presumptive eligibility period, the worker does not complete an overpayment unless the worker and supervisor believe the client intentionally provided incorrect information. In those instances, the worker sends an overpayment memo to the AFS Benefit Integrity and Recovery Unit.
19. (a) When a new application is required because of a payee change or when an adopted child turns 6 years of age, per (a)(1)(C) or (D) of this Section, the household must meet the income eligibility threshold, per OKDHS Appendix C-4, Child Care Eligibility/Copayment Chart, even when the child received subsidized child care in the prior month.
 - (b) The worker uses the unfinished issuance process to approve child care benefits when the applicant is only eligible for the application month. This may occur when income from a new source is not considered for the application month but is anticipated for the next month. For unfinished issuance coding instructions, refer to Quest article "Unfinished Issuance Examples & Coding."
20. Circumstances beyond the client's or provider's control include, but are not limited to, some type of worker or system error.
21. (a) When the applicant is determined ineligible and requests other services, the worker provides information and referral services that can help the family develop alternative arrangements.
 - (b) Refer to OAC 340:40-9-3 for notice requirements. The worker denies the child care request in the FACS Eligibility Notebook, Auth. Daycare tab by entering:
 - (1) "Person Number" field K4;
 - (2) "Action Taken" field K12;
 - (3) "Reason" field K16;
 - (4) "Child Care Req Date" field K9;
 - (5) "Begin/Change Date" field K45; and
 - (6) "Adult Day Services" field K95.

(c) When the child care provider's contract number is known and entered in "Contract Number" field K40, a computer-generated notice issues to the applicant and the child care provider. When the contract number is unknown, a notice is computer-generated to the applicant only.

22. Examples include when the applicant's income exceeds agency standards or the applicant does not meet a need factor within 30-calendar days of the request date.

23. Examples include when the applicant ~~misses the scheduled~~ fails to complete an interview or withdraws the application.

SUBCHAPTER 7 ELIGIBILITY

340:40-7-7. Establishing the need factor for child care

Revised 9-15-22 XX-XX-XX

(a) **Establishing the need factor.** In order for children to be cared for in a safe environment while the parent or caretaker participates in an approved activity or for protective or preventive reasons, Oklahoma Human Services (OKDHS) provides subsidized child care benefits.

(1) The worker arranges to obtain need factor documentation from the client or collateral sources. ■ 1

(2) The worker and client negotiate the amount of travel time allowed for an activity based on what is a reasonable length of time. ■ 2

(3) The worker does not approve child care for the hours the child attends public or private school, Head Start, or an Early Head Start program. An Early Head Start-Child Care Partnership (EHS-CCP) grant program and an Oklahoma Early Childhood Program (OECPP) is exempt from this rule.

(b) **Need factor for single parent or caretaker families.** The need for subsidized child care is met when the:

(1) parent or caretaker is employed, per Oklahoma Administrative Code (OAC) 340:40-7-8(a) at least 20 hours per week;

(2) parent or caretaker needs sleep time during the day after working night hours when a feasible alternative is used at no cost to OKDHS during the night working hours, per OAC 340:40-7-8(a)(5);

(3) parent or caretaker attends a training or formal education program designed to lead to employment, per OAC 340:40-7-8(b) and (c);

(4) parent or caretaker attends high school, high school equivalency classes, literacy, adult basic education (ABE), or English as a Second Language (ESL) classes, per OAC 340:40-7-8(c);

(5) parent or caretaker participates in Oklahoma Supplemental Nutrition Assistance Program (SNAP) Education and Training (E&T) Works (OK SNAP Works) activities, per OAC 340-7-8(d);

(6) parent or caretaker participates in an approved Temporary Assistance for Needy Families (TANF) Work activity, per OAC 340:10-2-1; ■ 3

(7) child needs care or supervision for part of the day as a protective or preventive service, per OAC 340:40-7-8(f);

(8) child receives Supplemental Security Income (SSI) and needs care for enrichment purposes, per OAC 340:40-7-8(g); or

(9) parent or caretaker needs child care to search for employment, per OAC 340:40-7-8(a)(6).

(c) **Need factor for two-parent or two-caretaker families.** Two-parent or two-caretaker families include two natural or adoptive parents, the natural parent and a stepparent, two grandparents, other relative married couples, or other non-relative married couples. When an unmarried couple applies, only the natural or adoptive parent must meet a need factor. ■ 4 The need for subsidized child care is met when:

(1) both parents or caretakers work during the same hours they request child care, per OAC 340:40-7-8(a);

(2) one or both parents or caretakers need sleep time during the day after working night hours when a feasible alternative is used at no cost to OKDHS during the night working hours, per OAC 340:40-7-8(a)(5). When both parents do not work night hours, one parent must work during the other parent's sleep time hours;

(3) one parent or caretaker attends a formal education or training program, per OAC 340:40-7-8(b) or (c) during the same hours the other parent or caretaker works, per OAC 340:40-7-8(a);

(4) both parents or caretakers attend high school, per OAC 340:40-7-8(c);

(5) one parent or caretaker attends high school during the same hours the other parent or caretaker works or attends a formal education or post high school training program, per OAC 340:40-7-8(a) through (c);

(6) one parent or caretaker attends high school equivalency classes, literacy, ABE, or ESL classes, per OAC 340:40-7-8(c)(2) or (3) during the same hours the other parent or caretaker works, per OAC 340:40-7-8(a); ■ 5

(7) one or both parents or caretakers participates in OK SNAP E&T Works activities per OAC 340-7-8(d). When one parent or caretaker is not participating in OK SNAP E&T Works activities, he or she must meet a need factor during the same hours, per OAC 340:40-7-8;

(8) one or both parents or caretakers participate in approved TANF Work activities, per OAC 340:10-2-1. When one parent or caretaker is not participating in TANF Work activities, that parent must meet a need factor, per OAC 340:40-7-8 during the same hours; ■ 3

(9) the child needs care or supervision for part of the day as a protective or preventive service, per OAC 340:40-7-8(f);

(10) the child receives SSI and needs care for enrichment purposes, per OAC 340:40-7-8(g);

(11) one parent or caretaker is incarcerated and the other parent remains in the home. In this instance, the parent remaining in the home is treated as a single parent; or

(12) one or both parents or caretakers need child care to search for employment, per OAC 340:40-7-8(a)(6).

(d) **Need factor in joint custody cases.** When parents are separated or divorced and share custody of their child, voluntarily or through a court order, each parent's income and need for child care is considered separately. ■ 6

(e) **Need factor for a child attending an EHS-CCP grant program or an OECP.** A child attending an EHS-CC Partnership grant program or an OECP may be approved for

a weekly unit type when the parent or caretaker qualifies for Child Care Subsidy and meets a need factor, per (b) or (c) of this Section for some of the EHS-CC Partnership grant program or OECP care hours. ■ 7

(f) **Activities that do not meet the need factor for child care.** The need factor for child care is not met and child care must not be approved for:

- (1) job search for more than one three-month period every 12 months, per OAC 340:40-7-8(a)(6), unless the parent(s) or caretaker(s) is participating in TANF Work activities, per OAC 340:10-2-1;
- (2) online Internet based or televised education or training courses when an instructor is not conducting a live broadcast and attendance is not required while the program is being broadcast, per OAC 340:40-7-8(b) and (c);
- (3) undergraduate classes or other training not expected to lead to a degree or certificate of completion, per OAC 340:40-7-8(b) and (c);
- (4) post graduate education, such as master's and doctoral programs; ■ 8
- (5) two-parent or two-caretaker families when both attend a formal education or training program during the same days and hours;
- (6) transportation only; ■ 9
- (7) volunteer hours or jury duty; ■ 10
- (8) hours a school-age child could attend a public or private school, but the parent or caretaker chooses to home school the child at night; and ■ 11
- (9) children in Child Welfare Services foster care, when one or both foster parents do not meet child care eligibility rules, per OAC 340:75-7-65. ■ 12

INSTRUCTIONS TO STAFF 340:40-7-7

Revised 9-15-22 XX-XX-XX

1. Refer to Oklahoma Administrative Code (OAC) 340:40-3-1 Instructions to Staff # 1 for instances when Child Welfare Services (CWS) staff completes the child care application.
2. The amount of travel time approved varies depending on what is reasonable for the client. The worker asks the client how much time it takes to get to the work or training activity after dropping the child off at child care and then how long it takes to get from the work or training activity to the child care facility. When extra care is approved because the client must ride with another person whose schedule varies from the client or the client lives a long distance from ~~his or her~~ the job, the worker documents the reason on the application or in Family Assistance/Client Services (FACS) ~~Case Notes~~ case notes.
3. OAC 340:10-2-1 rules also apply to clients in sanctioned status participating in Temporary Assistance for Needy Families (TANF) Work activities prior to the TANF benefit being reopened. Child care may be approved for two parents to attend training or formal education classes when training or education is the TANF Work activity on each TANF Work plan.
4. A client may choose an alternative to subsidized child care unless that alternative is a spouse who does not meet a need factor, per OAC 340:40-5-1(4).
5. Child care is not approved for both parents to attend these classes at the same time.

6. The worker considers each parent's need factor as a single parent family unless a stepparent is also present.
 - (1) When only one parent qualifies for subsidized child care, approve only the days and hours of care needed while that parent has physical custody of the child.
 - (2) When both parents qualify for subsidized child care, two separate cases are established and the need factor must be met by each parent during the time that parent has physical custody of the child.
 - (3) The maximum amount of child care in both cases combined is never more than 31 calendar days per month.
 - (4) The weekly or blended unit type cannot be approved in either parent's case.
7. (a) When there is a joint custody arrangement and both parents are eligible for child care subsidy benefits or the child needs care from two different child care providers, a weekly unit type is not approved.
(b) When another child not attending an Early Head Start – Child Care Partnership (EHS-CCP) grant program or an Oklahoma Early Childhood Program (OECF) is included in the household and receives child care, the child is only approved for care based on the days and hours the parent or caretaker meets the need factor, including travel time.
(c) Per OAC 340:40-7-12(7), household income is exempt when at least one child attends an EHS-CCP grant program or an OECF and the household meets the income eligibility threshold, per Oklahoma Human Services Appendix C-4, Child Care Eligibility/Copayment Chart. Refer to Quest article "[Early Head Start – CCP Grant Facilities](#)" for a list of EHS-CCP grant programs.
8. The worker does not approve class hours for a master's or doctoral program unless they are a part of the client's TANF Work plan. Care may be approved during hours the student is employed.
9. Child care is never approved to transport a child to school when the parent or caretaker does not meet an allowable need factor during that time period.
10. (a) Volunteer hours required as part of a course or scholarship requirement may be approved, per OAC 340:40-7-8, Instructions to Staff # 12.
(b) Programs, such as AmeriCorps, that provide a living expenses stipend are considered volunteer programs. A stipend is not considered a wage and persons participating in these programs do not meet the employment need factor.
11. A school-age child is defined as a child 4 years of age through 18 years of age. The worker does not approve child care for hours during the regular school day because school is a feasible alternative unless a:
 - (1) school-age child with disabilities receives shortened-day services from the local school system. In this instance, the worker may approve child care for the hours the child is not in school; or
 - (2) child is suspended or expelled from school and the school system verifies there is no other educational alternative available to the child.
12. (a) CWS staff processes child care applications made by foster parents. When a foster parent requests child care benefits from an Adult and Family Services

worker, the foster parent is referred to the child welfare specialist assigned to the family.

(b) A foster parent must meet a need factor in order to be approved for child care subsidy benefits, per OAC 340:75-7-65.

340:40-7-8. Defining the need factor for child care benefits

Revised 9-15-22 ~~XX-XX-XX~~

(a) **Employment.** Employment means the parent or caretaker earns wages for work performed or meets criteria, per (5) or (6) of this subsection. ■ 1

(1) The client must work continuously 20 hours or more per week, averaged monthly. Averaged monthly means 80 hours per month. The client must also provide proof of his or her the work hours. When the client has the flexibility to set his or her own work hours, the client and worker jointly determine if the client can reduce the number of hours the child needs care by rearranging the client's work schedule. This is especially important in two-parent or two-caretaker families. ■ 2

(2) The worker limits child care approval to the number of days and hours the client is working plus reasonable travel time. In two-parent or two-caretaker working families, the worker limits child care approval to the days and hours they work the same hours plus reasonable travel time. ■ 3

(3) To meet the employment need factor, the client must make at least minimum wage for the hours ~~he or she~~ the client works unless the client qualifies for an exception, per ~~(D)~~ or (E) of this paragraph. ~~(A) through (C)~~ (D) of this paragraph specifies the criteria for determining minimum wage.

(A) The federal government determines minimum wage.

(B) The worker reviews the pay information provided by the client to determine whether the client makes at least minimum wage.

(i) When the paycheck or employer statement shows the hourly pay rate, the worker compares it to the federal minimum wage.

(ii) When the pay information provided does not show the client's hourly pay rate, the worker divides the number of hours the client works by the gross pay per pay period to determine the client's hourly pay rate.

(iii) When the client is considered self-employed, per Oklahoma Administrative Code (OAC) 340:40-7-11(b)(2)(A), the worker divides the number of hours the client works by the net pay, after applicable business expenses, to determine the client's hourly pay rate. When the client and spouse are self-employed in the same business, the worker combines their work hours and divides the work hours by the net pay to determine their hourly pay rate.

(C) When the client works for an employer who pays a set wage that is less than minimum wage, and the employer refuses to begin paying at least minimum wage, the worker denies child care benefits or, when at renewal, does not approve further care. ■ 4

(D) When the client is self-employed or works for an employer who pays wages based on commission or other performance measures instead of a set wage, and does not make at least minimum wage, and the client has performed this work: child care is not approved.

~~(i) less than one year, the worker counsels with the client to develop a plan to increase his or her income to at least minimum wage before the renewal is due.~~

~~■ 5 When the client is not making at least minimum wage at renewal, further care is not approved. ■ 6~~

~~(ii) at least one year without any substantial change, the worker denies the child care subsidy benefit. ■ 7~~

(E) When the client is an adoptive parent who meets criteria, per OAC 340:40-7-12(6), or is a caretaker who is not legally and financially responsible for the child, per OAC 340:40-7-6(a)(5), he or she is not required to make at least minimum wage for the number of hours worked.

(4) A client employed and working from ~~his or her own~~ home may be approved for subsidized child care benefits in an out-of-home child care home or center when ~~he or she is~~ unable to work while the child is in the home. When the client has flexible work hours and can work while the child is in school, care is not approved. ~~When the client operates a licensed child care home, care is only approved in another licensed child care home or center when the client's own child places him or her over maximum licensed capacity.~~ ■ 8 5

(5) Subsidized child care benefits may be approved for sleep time during the day when a parent or caretaker works night hours and a feasible alternative is used during the night working hours at no cost to Oklahoma Human Services. Night working hours are defined as the hours between 11:00 p.m. and 7:00 a.m. ■ 9 6

(A) The maximum amount of time the worker may approve child care allows the client eight hours of sleep plus travel time to and from the provider.

(B) In two-parent or two-caretaker families, care may only be approved for this reason when both parents or caretakers have night time jobs, or when one parent or caretaker has a night-time job and the other parent or caretaker works during the day while the other parent or caretaker is sleeping.

(6) Subsidized child care benefits may be approved for the parent(s) or caretaker(s) to job search for one three-month period every 12 months: when needed. ■ 40 7

(b) **Training.** A training program is defined as a course of study that, when completed, qualifies a person to meet requirements for a job the client could not obtain without the certificate of completion, accreditation, or licensure. ■ 44 8 Child care may be approved for one parent or caretaker to attend a training program. In two-parent or two-caretaker families, the other parent or caretaker must work during the same hours.

(1) The training program must qualify to receive federal financial aid from the United States Department of Education (USDE) or other federal or state education funds. ■ 42 9

(2) Prior to initial approval for child care and at renewal, the client must provide proof of enrollment, the days and hours the client will be attending, and when he or she is expected to complete the program. ■ 43 10

(3) The program must require classroom attendance on a school campus with an instructor present. Child care is only approved for an online Internet based course or televised course when it is a live broadcast conducted by an instructor and attendance is required while the program is being broadcast. When the program is self-paced and the client may choose his or her own school hours, care is not approved. ■ 44

11

(4) The client must provide proof of progress at renewal. When the client is not making satisfactory progress, the worker does not approve further child care for this reason.

■ 45

(5) ~~Once~~ When the client completes a training program, further child care is not approved for training or education. The client is expected to look for jobs that require ~~his or her~~ the training credentials.

(6) In certain circumstances, the worker may approve child care benefits for a client to attend a second training program. The client must have been employed in a job requiring the training credentials he or she has for at least 12 months. ■ 46 13

Possible circumstances include ~~when:~~ (A) through (C) of this paragraph.

(A) ~~the~~ The client can no longer perform the job he or she is trained to do because of physical or mental health reasons. In this instance, the client must provide a statement from a doctor, mental health professional, or a vocational rehabilitation professional verifying the reason. The professional must also state that after completing the second training program, the client is capable of performing jobs related to that training program;.

(B) ~~there~~ There is no longer a demand for the type of work the client is trained to do. The client must provide a statement from a professional working with the client to obtain employment stating there is no demand. The professional must be employed by the Workforce Oklahoma Center, a Workforce Innovation and Opportunity Act (WIOA) contracted entity, the Oklahoma Employment Security Commission (OESC), or the Oklahoma Department of Rehabilitation Services (DRS); ~~or.~~

(C) ~~the~~ The client can establish receipt of the additional training will increase ~~his or her~~ earning potential. The client must provide proof the training credentials the client wants to obtain will result in a starting salary higher than ~~what he or she currently earns~~ the current salary.

(c) **Education program.** An education program may include: (1) through (4) of this subsection.

(1) **High school.** Child care may be approved for one or both parents or caretakers to attend high school. It is not approved for a parent or caretaker to receive homebound instruction. Prior to approval, the client must provide proof ~~that he or she is enrolled~~ of current enrollment, the days and hours ~~he or she attends~~ of attendance, and ~~when he or she is expected to graduate~~ graduation date.

(2) **High school equivalency, literacy, or adult basic education (ABE) classes.** The program must require classroom attendance with an instructor present. Child care may be approved for one parent or caretaker to attend high school equivalency, literacy, or ABE classes. However, in two-parent or two-caretaker families, the other parent or caretaker must be employed during the same hours.

(A) The client must provide proof of enrollment, the days and hours the client is attending, and the end date of the class prior to care approval. When the class has open enrollment and no established end date, the client must provide proof of progress and how it is measured.

(B) The worker reviews the client's progress at renewal prior to approving further child care for this reason. ■ 47 14 At renewal, the client must provide a statement from the school that includes:

- (i) whether the client attends regularly;
 - (ii) whether the client is making satisfactory progress;
 - (iii) an estimated end date to complete the program; and
 - (iv) the days and hours the client currently attends classes.
- (C) When the client is not attending regularly or making satisfactory progress, further child care for this reason is not approved at renewal.
- (3) **English as a Second Language (ESL) classes.** The program must require classroom attendance with an instructor present. Child care may be approved for one parent or caretaker to attend ESL classes when the client lacks proficiency in understanding, speaking, reading, or writing the English language. In two-parent or two-caretaker families, the other parent or caretaker must be employed during the same hours.
- (A) The client must provide proof of enrollment, the days and hours the client attends, and the end date of the class prior to care being approved. When the class has open enrollment and no established end date, the client must provide proof of how often progress is measured.
- (B) The worker reviews the client's progress at renewal before approving further care for this reason. ■ 47 14 At renewal, the client must provide a statement from the school that includes:
- (i) whether the client attends regularly;
 - (ii) whether the client is making satisfactory progress;
 - (iii) an estimated length of time needed to complete the program; and
 - (iv) the days and hours the client currently attends.
- (C) When the client is not attending regularly or making satisfactory progress at renewal, the worker does not approve further child care for this reason.
- (4) **Formal education program.** A formal education program is defined as a course of study that leads to attaining an associate or bachelor's degree. Child care may be approved for one parent or caretaker to attend a formal education program and participate in activities required to maintain a scholarship. Only required scholarship activities for scholarships disbursed through the school's financial aid office qualify for child care. In two-parent or two-caretaker families, the other parent or caretaker must work during the same hours.
- (A) The formal education program must qualify to receive federal financial aid from USDE or other federal or state education funds. ■ 42 9
- (B) Prior to initial approval for child care and at renewal, the client must provide:
- (i) proof of enrollment in at least six credit hours or the equivalent;
 - (ii) the days and hours the client attends school or participates in activities required to maintain a scholarship; and
 - (iii) when the client expects to complete the degree. ■ 43 10
- (C) The degree program must require classroom attendance on the school campus with an instructor present. Child care is only approved for an online Internet based course or a televised course when it is a live broadcast conducted by an instructor and attendance is required while the program is being broadcast. When the program is self-paced and may be completed whenever the client chooses, child care is not approved. ■ 44 11

(D) The worker must request proof of progress at renewal when the class schedule does not show the client is progressing from freshman level classes to sophomore, junior, and senior level classes. When the client is not making satisfactory progress at renewal, the worker does not approve further child care for this reason.

■ ~~45~~ 12

(E) Once the client completes a bachelor's degree, further care is not approved for training or education. The client is expected to look for jobs that require a degree.

(F) In certain circumstances, the worker may approve subsidized child care benefits for a client to obtain a different bachelor's degree. The client must first have been employed in a job that ~~required~~ requires the client's current degree ~~he or she already has~~ for at least 12 months. ■ ~~46~~ 13 Possible circumstances include when:

(i) the client can no longer perform the job ~~he or she~~ the client is trained to do because of physical or mental health reasons. In this instance, the client must provide a statement from a doctor, mental health professional, or a vocational rehabilitation professional that verifies the reason. The professional must also state that after completing the second degree program, the client is capable of performing jobs related to that degree program;

(ii) there is no longer a demand for the type of work the person is trained to do. The client must provide a statement from a professional working with the client to obtain employment stating there is no demand. The professional must be employed by the Workforce Oklahoma Center, a WIOA contracted entity, OESC, or DRS; or

(iii) the client can establish receipt of the second degree will increase ~~his or her~~ earning potential. The client must provide proof that the second degree the client wants to obtain will result in a starting salary higher than what ~~he or she~~ the client currently earns.

(d) **Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) related child care.** Subsidized child care benefits may be provided for OK SNAP Works component assignments and activities, per OAC 340:50-5-106. ■ ~~48~~ 15

(1) Prior to approval, the OK SNAP Works coordinator confirms with the contracted service provider the:

(A) component assignment or activity is part of OK SNAP Works;

(B) assigned start date; and

(C) the activity's scheduled days and hours.

(2) When a parent or caretaker stops participating in OK SNAP Works component assignments or activities for reasons other than employment, child care is continued for an additional 90-calendar days from the date the client stops participating. ■ ~~49~~ 16

(e) **Temporary Assistance for Needy Families (TANF) related child care.**

(1) TANF related subsidized child care benefits may be provided for:

(A) any TANF Work activity outlined on the client's Form 08TW002E, TANF Work/Personal Responsibility Agreement, per OAC 340:10-2-1, including when the person is sanctioned, per OAC 340:10-2-2, and participating in TANF Work activities; ■ ~~20~~ 17

(B) substance abuse treatment when the parent of a child receiving TANF is ineligible for TANF due to the illegal use of a controlled substance or substances, per OAC 340:10-4-1. ■ ~~24~~ 18 Prior to approval, the parent must provide proof of the substance abuse treatment plan from the treatment provider; or

(C) a child receiving a child only TANF benefit when the parent or caretaker relative meets a need factor included in this Section. ■ ~~22~~ 19

(2) When the parent or caretaker relative receiving TANF-related subsidized child care stops meeting a need factor, the worker continues subsidized child care benefits for 90-calendar days. ■ ~~23~~ 20

(f) **Protective or preventive child care.** Subsidized protective or preventive child care benefits may be used as an early intervention strategy in certain critical situations to help prevent a child's neglect, abuse, or exploitation. The worker may approve child care in these situations to help stabilize the family or enhance family functioning. In most instances, Child Welfare Services (CWS) staff completes protective or preventive child care requests when they are working with the family and recommending protective or preventive child care. Subsidized protective or preventive child care benefits are approved on a temporary basis. The worker helps the family develop a plan to reduce or eliminate the need for such child care beginning with the initial contact.

(1) Reasons protective or preventive child care may be approved include, but are not limited to, when:

(A) an outside agency contracting with CWS to provide Comprehensive Home-Based Services (CHBS) for a non-court involved family recommends child care be provided on a temporary basis; ■ ~~24~~ 21

(B) the parent or caretaker requests child care because of a medical condition that prevents the parent or caretaker from properly caring for the child;

(C) a homeless family requests child care while working to stabilize the family. ■ ~~25~~ 22 "Homeless" means the family lacks a fixed, regular, and adequate night time residence, and includes families who:

(i) temporarily share housing with other persons due to loss of housing, economic hardship, or a similar reason; ■ ~~26~~ 23

(ii) temporarily live in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; ■ ~~27~~ 24

(iii) live in emergency or transitional shelters; or

(iv) live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings not designed for, or ordinarily used, as a regular sleeping accommodation for human beings; or

(D) a family affected by a natural disaster requests child care to deal with the natural disaster's effects, such as home damage or loss following a fire, flood, or tornado. ■ ~~28~~ 25

(2) The worker may approve subsidized protective or preventive child care benefits for a maximum of 30-calendar days. ■ ~~29~~ 26

(3) When the family requests more than 30-calendar days of subsidized protective or preventive child care benefits, the worker must obtain approval from Adult and Family Child Care Services (CCS) Child Care Subsidy Unit staff before authorizing more care. ■ ~~30~~ 27 Prior to requesting an extension, the client must provide a written recommendation from a professional working with the family stating: ■ ~~34~~ 28

- (A) the names and ages of the children for whom child care is recommended;
- (B) the reason child care is recommended;
- (C) the days and hours child care is needed;
- (D) how placing the child in a child care facility helps to prevent neglect, abuse, or exploitation of the child; and
- (E) the length of time the professional expects care to be needed.

(4) A family receiving CHBS services is not responsible for paying a copayment. Depending on other families' unique circumstances, the ~~worker~~ client may or may not be expected to help pay the cost of the subsidized child care benefits. ■ ~~32~~ 29

(5) In certain circumstances, families who are financially ineligible for subsidized child care benefits may be approved for protective or preventive child care benefits when the child is in danger of neglect, abuse, or exploitation. The client must provide evidence the family is so burdened by debt the additional financial pressure of paying for child care may result in further deterioration of family stability and functioning. The client must also provide a plan for reducing his or her debt. ■ ~~33~~ 30

(g) **Enrichment.** The purpose of subsidized enrichment child care benefits is to assist a child receiving Supplemental Security Income (SSI) to develop socialization skills and transition into a group setting, such as a classroom. Children who do not receive SSI benefits are not eligible for subsidized enrichment child care benefits.

(1) The need for subsidized enrichment child care benefits is based solely on the child's delay or disability needs instead of the parent's or caretaker's activities. ■ ~~34~~ 31

(2) Enrichment child care is limited to a maximum of two days per week not to exceed 10 full-time or part-time days per month.

(3) The parent or caretaker must provide a written recommendation from a professional working directly with the child that states how child care would be beneficial to the child. The professional could be the child's doctor, occupational therapist, physical therapist, or special education teacher.

(4) Enrichment child care is only approved for a child who has not started school, Head Start, Early Head Start, or an Oklahoma Early Childhood Program unless, due to the child's disabilities, the child receives teacher instruction in his or her home. ■ ~~35~~ 32

(5) When subsidized enrichment child care benefits are approved, care must be provided outside of the child's home and at least one other child must attend during the same hours.

(6) The worker obtains approval from AFS CCS Child Care Subsidy Unit staff prior to authorizing care for this need factor. ■ ~~36~~ 33

INSTRUCTIONS TO STAFF 340:40-7-8

Revised ~~9-15-23~~ XX-XX-XX

1. (a) **Some clients work at jobs where they are paid at least minimum wage, but Oklahoma Human Services (OKDHS) does not count the income because the income comes from exempt sources, per Oklahoma Administrative Code (OAC) 340:40-7-12. The client meets the employment need factor even though the income is not counted when working at least 20 hours per week, averaged monthly.**

(b) Bartering for services in exchange for work performed does not meet the employment definition. Examples of bartering include working in exchange for rent, utilities, or a car payment.

(c) Gambling does not meet the self-employment definition.

- 2. (a) When the parent or caretaker is employed, the worker accepts the client's declaration of work hours as proof, when pay stubs or other pay information supports the declaration. For example, when the client provides pay stubs or other pay information indicating the parent or caretaker works 30 to 40 hours a week and the client states the schedule is Monday through Friday 8:00 a.m. to 5:00 p.m., the worker accepts the declaration. The worker documents the work-schedule declaration in the Family Assistance/Client Services (FACS) case notes.**

(b) When the client is an adoptive parent who meets criteria, per OAC 340:40-7-12(6), or a caretaker not legally and financially responsible for the child, the client must provide the work schedule, or the worker must verify the work schedule with the employer. Pay information is not required. When the adoptive parent or caretaker chooses to provide pay stubs, the worker accepts the client's declaration of work hours as described in (a) of this Instruction. The worker documents the work schedule and how it was verified in FACS case notes.

(c) When part of the client's work duties involves staying overnight away from home or working split shifts, the worker uses his or her judgment to determine the unit number and unit type to approve.

(d) When the client starts working, the worker approves the maximum amount of care the client may need. For instance, an employer statement may say the client works three to five days per week. The worker initially approves care for five days per week. The worker reevaluates the amount of care approved when actual pay is requested at renewal, per OAC 340:40-9-1. Care may be reduced or increased depending on how many days and hours the client worked during that period.

(e) When the client has been employed for at least 30-calendar days, the worker evaluates the actual number of days and hours the client worked to determine the number of units and unit type to approve, unless there is reason to expect the work schedule to change. The worker documents how the worker determined the number of units and unit type approved in the FACS Child Care tab and case notes.

(f) Clients who have the flexibility to set their own work hours are most often self-employed. When the client is self-employed, the worker may accept the client's statement regarding work hours when it appears reasonable and meets the minimum wage requirement, per OAC 340:40-7-8(a)(3). When the children attend school or Head Start, in most instances, it is reasonable to expect the client to work during those hours. When it is not reasonable, the worker documents why in FACS case notes. When child care is requested in two-parent or two-caretaker families for self-employment, the worker determines whether self-employment work hours could be adjusted to reduce or eliminate the need for child care.

3. Exception to (a)(2) of this Section: Regardless of the parent's or caretaker's schedule, the worker approves a weekly unit type for children attending an Early Head Start-Child Care Partnership (EHS-CCP) grant program or an Oklahoma Early Childhood Program (OECF), provided a need factor is met for some of the EHS-CCP grant program or OECF care hours. For example, the parent or caretaker may work part-time, but the authorization is coded with a weekly unit type. When another child not attending an EHS-CCP grant program or an OECF is included in the household and receives child care, the child is only approved for the days and hours the parent or caretaker meets the need factor, including travel time. Refer to Quest article "Early Head Start – CCP Grant Facilities" for a list of EHS-CCP grant programs.
4. The worker refers the client to the Oklahoma Department of Labor (ODOL) to file a complaint when the employer is not paying minimum wage.
5. ~~(a) Counseling may include:

 - (1) helping the client determine if this is the client's best employment field;
 - (2) referring the client to the Oklahoma Employment Security Commission (OESC) for help in locating other employment;
 - (3) helping the client develop an action plan to increase earnings;
 - (4) referring the client to a local resource that helps with small business planning. Most technology centers offer this type of service; or
 - (5) referring the client to ODOL to file a complaint when the employer is not paying minimum wage.~~
 - ~~(b) The worker and client decide jointly what plan to implement to increase the client's income, by what date the plan may be accomplished or progress made, and when to reevaluate the plan.~~
 - ~~(c) The worker documents the approved child care plan hours, what plan the client agreed to follow to increase income, and why any subsequent changes are made to the child care plan in FACS case notes.~~
6. ~~The worker consults with his or her supervisor before closing or denying benefits and documents the discussion in FACS case notes.~~
7. ~~When substantial changes occur, such as illness, a change in business location, or unforeseen circumstances, the worker consults a supervisor, and the supervisor emails AFS.ChildCare@okdhs.org for guidance before taking action.~~
8. (a) When the client works from home, the worker determines how flexible the client's work hours are and if other options are available instead of subsidized child care benefits. The worker documents all details of the client's situation and what decision was made in FACS case notes.
 - ~~(b) Licensed capacity for a family child care home is seven or fewer children. Licensed capacity for a large family child care home is eight to 12 children.~~
 - ~~(1) The provider's children, younger than 5 years of age, count toward licensed capacity regardless of whether the licensed child care home is the primary residence or located elsewhere.~~
 - ~~(2) When the licensed child care home is not the primary residence, the provider's children, younger than 13 years of age, present in the child care home count toward licensed capacity.~~

~~(3) The worker consults with Child Care Services (CCS) licensing staff to determine if a client, who operates a child care home in the client's residence, will be over capacity if his or her child(ren) remains in the child care home during business hours. When the answer is yes, the worker may approve subsidized child care for the child(ren) in another licensed facility. The worker documents the CCS consultation determination in FACS case notes. Refer to OAC 340:110-3-84 and 340:110-3-97.1 for licensing guidelines.~~

96. (a) Sleep-time child care is only approved for working families. Child care is not approved for two-parent or two-caretaker families when one parent goes to school during the day.

(b) The policy's goal is to allow a parent or caretaker to get seven-to-eight hours of sleep. The maximum care is not approved when the client has the opportunity to sleep while the child is sleeping. For example, when a parent or caretaker's work schedule is from 10:00 p.m. to 4:00 a.m., the worker does not approve eight child care hours since the parent or caretaker may sleep for three-to-four hours before the child wakes up. Sleep time begins when the parent or caretaker arrives home from work.

407. The worker approves job search child care for three months. Once child care is approved, the worker immediately closes the benefit using the FACS Eligibility Notebook Child Care tab effective three months in the future. Closing the Child Care tab closes the authorizations automatically. When a client requests a provider change during the three-month job search period, the worker uses the incorrect begin date process to complete the change. Refer to the Quest article "Incorrect Begin Date" for coding instructions.

448. (a) When the client receives Temporary Assistance for Needy Families (TANF) and the training is approved as a TANF Work activity, child care may be approved, per OAC 340:10-2-1.

(b) Examples of questionable programs may include programs for nurses' aides, data entry clerks, or cashiers. When the worker questions if a particular training program will make a person more employable, the worker may:

(1) check with employers in the area that employ people with this skill to determine if they require a certificate, accreditation, or license. When they do not require one, but pay more when the person has credentials, the worker approves child care for the training;

(2) contact a Work Innovation and Opportunity Act counselor or an OESC Oklahoma Employment Security Commission employee to determine when a person is required to meet general training requirements prior to becoming employed in the field; or

(3) require the client to provide documentation showing how the training program helps the client become more employable.

(c) On-the-job training and apprenticeship programs pay participants at least minimum wage for their work or training hours. Child care for this reason is approved under the employment need factor.

- 429.** When the client does not receive financial aid, and the worker does not know if the school is eligible to disburse federal or state educational funds, the worker calls the school for confirmation.
- 4310.** (a) The worker verifies the days and hours the client attends school by obtaining a copy of the client's training or class schedule, documentation from the school showing the client's schedule, or by calling and verifying the schedule with school officials. Child care is limited to actual classroom attendance, including travel time.
- (b) Child care may also be approved for activities outside the classroom required to pass the course, such as internship and practicum placements, volunteer hours required to pass a specific class, or other required activities.
- (c) Child care may be approved for activities outside of the classroom required to maintain a scholarship, such as athletic practice sessions, participation at sporting events, band practice, volunteer activities, or other required activities. The worker verifies the scholarship by obtaining a:
- (1) copy of the report from the registrar showing the scholarship disbursement and hours enrolled or documentation from the school's financial aid office showing proof of the scholarship; and
 - (2) letter from the scholarship grantor explaining the activities, including participation days and times that are required to maintain the scholarship.
- (d) When the client is required to attend a lab to pass a specific class, an instructor must be present during the lab, or the worker does not approve care for those hours. Hours the student spends in a computer lab on an as needed basis to complete homework assignments are not approvable even when a school official is present to help with technical difficulties regarding the equipment.
- (e) When there are gaps in class times, the worker may approve child care beginning with the first class of the day through the last class of the day. Additional study time is never approved unless it is an approved TANF Work activity. Refer to OAC 340:40-7-8(e) when the client receives TANF.
- (f) When the client stops attending school during the eligibility period, child care must be continued until renewal.
- (g) When a renewal is due between semesters or during school breaks, child care is continued as long as the client remains eligible and returns to classes following the break. Continued enrollment verification is required.
- 4411.** Child care is only approved for televised courses when the client views the training during the live broadcast because class participation is required. If the client views the broadcast video whenever it is convenient, child care is not approved for those hours.
- 4512.** If When still attending school at renewal and progress is questionable, the client provides a current class schedule and a statement from the school verifying that the client is making satisfactory progress.
- 4613.** The intent of the work requirement is for the client to gain work experience and to make use of the training the client has received. When special circumstances exist that make the requirement unreasonable, the worker may consult a supervisor, and the supervisor emails ~~Adult and Family Services~~

(AFS) Child Care Services (CCS) Child Care Subsidy Unit staff at AFS.ChildCare@okdhs.org ChildCareSubsidy@okdhs.org requesting special approval. When the Subsidy Unit grants the request, the worker documents the special circumstances in FACS case notes.

- 1714.** The goal is for the client to complete the program as quickly as possible.
- 1815.** When the client begins participating in Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) component assignments and activities, the OK SNAP Works program coordinator authorizes the child care.
- 1916.** (a) The worker closes the FACS Child Care tab (E-section) using the appropriate reason code. The effective closure date is 90-calendar days from the date the client stops participating in OK SNAP Works.
- (b) When the client obtains employment and the child care renewal is due, the worker:
- (1) completes a child care renewal, per OAC 340:40-9-1; and
 - (2) changes the number of units and unit type and, when owed, assesses a family share copayment. The family share copayment is effective the next deadline date, per Appendix B-2, Deadlines for Case Actions and documents changes in FACS case notes.
- (c) When the client obtains employment and the child care renewal is not due, the worker calculates income, per OAC 340:40-7-10 and OAC 340:40-7-13, to determine if the client remains income eligible, per OKDHS Appendix C-4. When the client remains income eligible, the worker increases the number of units and unit type, when needed, and makes the income change. The worker does not decrease the number of units and unit type or increase the family share copayment until the renewal is due, per OAC 340:40-9-2(b).
- 2017.** Child care is limited to the days and hours needed to complete the TANF Work activity plus travel time.
- 2118.** (a) To approve child care, the worker uses reason code 5, "TANF – substance abuse treatment" in the Auth. Daycare tab.
- (b) Refer to OAC 340:40-7-6(c) for rules regarding periods of absence from the home when the parent attends in-patient substance abuse treatment.
- 2219.** When a parent or relative caretaker receives a child care TANF benefit, the parent or relative caretaker must meet a non-TANF Work need factor. Reasons a parent may not be included in a TANF benefit include when the parent:
- (1) is ineligible for TANF due to the illegal use of a controlled substance or substances;
 - (2) is an ineligible alien; or
 - (3) receives Supplemental Security Income, a State Supplemental Payment, or both.
- 2320.** To continue the child care for 90-calendar days, the worker closes the FACS Child Care tab (E-section) using the appropriate reason code. The effective closure date is 90-calendar days from the date the client stops participating in TANF Work activities or no longer meets a non-TANF Work need factor.
- 2421.** (a) When the Child Welfare Services (CWS) specialist considers the family at risk for child abuse or neglect, but the family is not court involved, the CWS specialist contracts for Comprehensive Home-Based Services (CHBS) with

Oklahoma Children's Services. When CWS is not maintaining an open CWS case, the AFS worker completes the application for subsidized protective or preventive child care benefits. The CHBS case manager assists the family in applying for subsidized child care benefits. When approved, families receiving CHBS services are approved with a zero family share copayment. To verify the need for child care, the CHBS case manager provides a written statement to the AFS worker indicating:

- (1) the names and ages of the children for whom child care is needed;
- (2) why child care is needed and how it may eliminate or reduce the risk to the children;
- (3) what days and hours child care is needed; and
- (4) how long child care is expected to be needed.

(b) The worker scans uploads the CHBS case manager's statement into imaging the case record. When more than 30-calendar days of child care are needed, the AFS worker consults a supervisor, and the supervisor sends an email to AFS.ChildCare.org ChildCareSubsidy@okdhs.org requesting approval to the AFS CCS Child Care Subsidy Unit staff.

(c) In the FACS Eligibility Notebook Auth. Daycare tab "reason" field, the worker enters "prevention of or protection from abuse, neglect, or exploitation."

2522. (a) Protective or preventive child care allows homeless families to stabilize their living arrangements.

(b) The worker may approve a homeless family for a weekly or blended unit type for the initial 30-calendar days.

2623. (a) Temporarily means the applicant family has not shared housing with another household for more than 90-calendar days prior to the application date.

(b) Voluntarily sharing housing with another household to reduce expenses does not meet the homeless definition.

2724. (a) Temporarily means the family applying for child care has not lived in a hotel, motel, or camping ground for more than 90-calendar days prior to the application date.

(b) Permanent residence in a mobile home park does not meet the homeless definition.

2825. (a) Protective or preventive child care allows families affected by disasters to stabilize their living arrangements.

(b) The worker may approve a family affected by a disaster meeting the protective or preventive need factor for a weekly or blended rate for the initial 30-calendar days.

(c) When the client requests more than 30-calendar days of protective or preventive child care due to a disaster, the client must provide verification from an agency working with the family that their home was affected by a disaster. The worker must request an extension and receive approval from AFS CCS Child Care Subsidy Unit staff as outlined in (f)(3) of this Section before approving further child care for this reason.

2926. (a) For initial applications, a full eligibility determination is made, including an interview. The interview may occur over the phone. The client's need

declaration is accepted for the initial 30-calendar days of protective or preventive care.

(b) When the worker approves the initial 30-calendar days of protective or preventive child care benefits, an end date is entered on the authorization to ensure further child care is not authorized without AFS CCS Child Care Subsidy Unit staff approval.

~~30~~**27.** (a) When an extension for protective or preventive child care is needed, the worker scans uploads verification supporting the child care need into imaging the case record and labels the verification as a protective or preventative preventive request. The worker asks a supervisor to send an email to the AFS CCS Child Care Subsidy Unit staff to request the extension and informs staff the verification is in imaging the case record. For most protective or preventive extension requests, the email must include:

- (1) the names and ages of all children for whom child care is needed;
- (2) an explanation of the reason child care is needed, the circumstances leading to the conclusion the child is at risk of neglect, abuse, or exploitation, and how child care may eliminate or substantially reduce risk to the child;
- (3) an explanation of whether a CWS referral was made, and if not, the reason, and any coordination efforts between AFS staff, CWS staff, and any other community partners;
- (4) the days and hours child care is requested for each child;
- (5) an explanation of the support system available to the family;
- (6) an explanation of the plan discussed at the initial interview to reduce or eliminate the need for child care, including an exploration of any free alternative to child care. Examples include other family members' availability, Head Start, pre-kindergarten programs, and Early Head Start;
- (7) the length of time child care is needed;
- (8) an explanation when the worker requests the family share copayment be reduced or completely waived because of family expenses. The worker also includes an explanation of the plan to decrease the debt; and
- (9) the worker's opinion about the need for child care.

(b) AFS CCS Child Care Subsidy Unit staff approves protective or preventive requests for no more than 12 months at a time. When the client requests another extension at renewal, the supervisor sends a new email that includes more detail regarding the efforts made to reduce or eliminate the need for protective or preventive child care since the last approval. When the client's need was not previously protective or preventive, at renewal, prior to continuing child care, a request must be sent to CCS Child Care Subsidy Unit staff for approval.

(c) In the "reason" field of the FACS Eligibility Notebook Auth. Daycare tab, the worker enters "prevention of or protection from abuse, neglect, or exploitation," on the authorization.

~~34~~**28.** The professional is required to be someone currently working with the family in a professional capacity to improve the family's stability or functioning.

Examples include a doctor, counselor, therapist, CWS specialist, SoonerStart worker, or CHBS case manager.

3229. (a) The worker documents why the worker is requesting a family's normal family share copayment be reduced or eliminated and how the family plans to increase its responsibility toward paying the family share copayment in the future. The supervisor emails this documentation to the AFS CCS Child Care Subsidy Unit.

(b) A family share copayment is not assigned to CHBS protective or preventive child care approvals.

(c) When income is considered for other AFS benefits the family receives, the worker diverts the income in the FACS Child Care tab, "total diverted income" field E47.

3330. The worker may help the client develop a budget that decreases the debt or refer the client to Consumer Credit Counseling or another local resource for help. This plan is included in the email.

3431. Enrichment child care is not approved when the parent or caretaker meets another need factor.

3532. The client provides documentation from the school verifying the child is unable to attend class. The worker enters what documentation was provided in FACS case notes.

3633. (a) The worker ~~scans into imaging~~ uploads the written documentation the client provides from a professional who is working directly with the child and asks a supervisor to send the email to the AFS CCS Child Care Subsidy Unit staff for approval. The email includes:

(1) why enrichment child care is recommended for the child;

(2) if the child has another way to become socialized, such as participation in a play group with other children, special education services through the local school system, Early Head Start, or Head Start; and

(3) the name of the child care facility the child plans to attend.

(b) AFS CCS Child Care Subsidy Unit staff reviews the email and documentation and emails the supervisor and worker to approve or deny child care. ~~When approved, child care is authorized for no more than six months at a time.~~

(c) The worker enters the approval or denial in the FACS Eligibility Notebook, Auth. Daycare tab. The worker enters "enrichment, supervision, training, or to avoid institutionalization" in the FACS Authorization tab "reason" field.

(d) For information about the approval process for the higher special needs rate unit type, refer to OAC 340:40-7-3.1.

SUBCHAPTER 9. PROCEDURES RELATING TO CASE CHANGES

340:40-9-1. Renewal of child care eligibility

Revised 9-15-23 XX-XX-XX

(a) **Child care renewal.** The client must complete the child care renewal at the end of the 12-month eligibility period to continue receiving benefits per Section 98.21(a) of Title 45 of the Code of Federal Regulations. Refer to Oklahoma Administrative Code 340:40-

9-2(f) for reasons child care is closed prior to the renewal. ■ 1 At renewal, the client is sent a computer-generated notice informing the client:

- (1) the renewal is due;
- (2) the methods the client may use to complete the renewal;
- (3) types of verification that may be required; and
- (4) when benefits close if when the renewal is not completed.

(b) **Renewal time frame.** A child care renewal is due no earlier than 12 months from the approval date or the last renewal ~~unless the client receives Supplemental Nutrition Assistance Program food benefits and benefits must be synchronized per (f) of this Section.~~

(c) **Signature requirement.** The client or the client's authorized representative must sign the renewal. ■ 2

(d) **Interview requirement.** An interview is not required at renewal for the Child Care Subsidy Program. ■ 3

(e) **Eligibility determination.** An eligibility determination is made ~~once~~ when the renewal is signed and all required verification is provided and evaluated. ■ 4

- (1) The eligibility determination results in:
 - (A) completing the renewal without changes;
 - (B) completing the renewal with changes; or
 - (C) closing the child care benefits. ■ 5

(2) Benefits, when closed, may be reopened when the client provides required information within 30-calendar days of closure. ■ 6

(f) ~~**Synchronization of benefits.** When the client receives other Adult and Family Services benefits in addition to the subsidized child care benefits, certification and renewal dates must be coordinated with the other programs. ■ 7~~

INSTRUCTIONS TO STAFF 340:40-9-1

Revised 9-15-23 ~~XX-XX-XX~~

1. (a) **Methods the recipient may use to electronically complete the renewal include:**

- (1) **accessing www.okdhslive.org; or**
- (2) **getting help from a community partner to access www.okdhslive.org.**

(b) **Other methods the client may use to complete the renewal include:**

- (1) **downloading Form 08MP004E, Renew My Benefits, from www.okdhs.org and completing, signing, and submitting the form to an Oklahoma Human Services (OKDHS) office in person, by mail, fax, or email; or**
- (2) **completing the renewal with a worker in a county office using the Family Assistance/Client Services (FACS) system.**

(c) **When the client's Temporary Assistance for Needy Families (TANF) benefit closes and subsidized child care benefits are open, the worker must determine if the child care renewal is due.**

(1) **When the child care renewal is due, the worker:**

- (A) **evaluates if when there is a continued need for child care since the client is no longer involved in TANF Work activities. When there is not a continued need, the worker closes the child care benefit effective the last day of the renewal month. When there is a continued need, the worker**

- determines if when changes in the number of units and unit type are needed;
- (B) calculates the client's income to determine if when a family share copayment needs to be assessed. When the client is responsible for paying a family share copayment, the worker informs the client of the copayment amount. If When the client expresses concern about the client's ability to pay this copayment, the worker refers the client for budgeting assistance;
- (C) makes changes in the number of units, unit types, or copayment effective the next deadline date, per OKDHS Appendix B-2, Deadlines for Case Actions; and
- (D) documents the changes in FACS case notes.
- (2) When the child care renewal is not due, the worker:
- (A) does not assess a family share copayment until the renewal is due;
- (B) informs the client that the client may be responsible for paying a family share copayment, when the renewal is due;
- (C) determines if the client needs additional child care days and hours. When there is a need for increased care, the worker updates the number of units and unit type in the FACS Interview and Eligibility Notebooks' Child Care tabs; and
- (D) documents changes in FACS case notes.
- (3) When the client's TANF benefit closes, and subsidized child care benefits are needed but are not open, the worker completes a child care application with the client, per Oklahoma Administrative Code (OAC) 340:40-3-1. The worker must close the TANF benefit on the system prior to approving the child care application to ensure that a family share copayment is assessed based on the income threshold per family size, per Appendix C-4, Child Care Eligibility/Copayment Chart.
- (4) When the TANF benefit closes due to a sanction because the client stops participating in TANF Work activities, the worker closes child care benefits effective 90-calendar days from the date the client stops participating, per OAC 340:40-9-2(f)(4).
2. (a) An electronic signature is considered the same as a pen-and-ink handwritten signature.
- (b) After the client signs the renewal, the worker documents additional information in FACS case notes.
3. When the worker interviews the client for the TANF or State Supplemental Payment renewal and completes the child care renewal at the same time, the worker documents interview details and eligibility information for both programs in FACS case notes.
4. (a) ~~Once~~ When the client completes the renewal, the worker analyzes the information to determine:
- (1) what changes occurred;
- (2) if the client provided all required verification. Required verification includes proof of income and when applicable, the client's current training or school schedule.

(A) The worker evaluates all income verification to determine what is most indicative of future earnings and compares the pay information to the client's declared work schedule. Refer to OAC 340:40-7-13 for income calculation procedures.

(B) When the client is employed, the worker accepts the client's declaration of work hours as proof as long as pay stubs or other pay information supports the declaration. For example, when the client provides pay stubs or other pay information indicating the client works 30 to 40 hours a week and the client states the schedule is Monday through Friday 8:00 a.m. to 5:00 p.m., the declaration is accepted. The worker documents the work-schedule declaration in FACS case notes.

(C) When the client is not required to provide pay information because the client is an adoptive parent who meets criteria, per OAC 340:40-7-12(6), or is a caretaker not legally and financially responsible for the child, the client's work schedule must be verified by the client or the worker. When the adoptive parent or caretaker chooses to provide pay stubs, the worker accepts the client's work hours declaration, per OAC 340:40-7-8 Instructions to Staff 2(b). The worker documents the work schedule and how the worker verified it in FACS case notes.

(D) When the client attends school or training, the client must provide a copy of the class schedule, per OAC 340:40-7-8 ITS # 13. When the client is unable to provide a written schedule, the worker verifies the information with the school or training facility. The worker documents how the worker verified the class schedule, including which days and hours the student attends, in FACS case notes; and

(3) what system changes must be made.

(b) The renewal is complete after the worker:

(1) enters all renewal information in the FACS Interview and Eligibility Notebooks;

(2) evaluates information contained on the renewal, in the verification the client provides or is verified by the worker, and on data exchange screens for changes;

(3) enters any additional information in FACS case notes to explain any changes made and how continued eligibility was determined;

(4) updates the system; and

(5) ~~images~~ uploads the signed renewal in the case record when the worker uses FACS or Form 08MP004E, Renew My Benefits, to complete the renewal. When the client submits the renewal via okdhslive.org, the system stores renewal information.

(c) When the client is using a ~~one-star~~ one-star child care provider at renewal time, the worker mails or gives pamphlet, OKDHS Pub. No. 01-18, "Look for the Stars When Choosing Child Care," <http://www.okdhs.org/OKDHS%20Publication%20Library/01-18.pdf>, to the client to encourage him or her to choose a licensed provider with a higher star status. Refer to OAC 340:40-5-1(7) for more information on helping a client choose an appropriate child care provider.

5. (a) Reasons benefits may close include, but are not limited to, when :
 - (1) the parent or caretaker fails to submit the renewal or verify current circumstances. Prior to closing child care benefits, when the client submits an incomplete renewal, the worker attempts to contact the client to advise what is lacking. The worker documents all attempts to obtain needed information in FACS case notes. When the client does not submit the renewal or provide required information timely or the client is no longer eligible for subsidized child care, no further care is approved;
 - (2) the parent or caretaker is no longer income eligible for subsidized child care benefits, per OKDHS Appendix C-4. When the family continues to need child care services, the worker asks if the client needs help with budgeting to pay this expense or with information concerning lower cost child care alternatives. When necessary, the worker gives the needed information to the client and records this discussion in FACS case notes;
 - (3) the parent or caretaker is not pursuing available income, per OAC 340:40-7-9;
 - (4) the parent or caretaker does not meet a need factor, per OAC 340:40-7-8;
 - (5) the only child(ren) in the home no longer meets age requirements, per OAC 340:40-7-3; or
 - (6) an adoptive parent's income is no longer exempt, per OAC 340:40-7-12(6).
- (b) When child care benefits close, the system sends a computer-generated closure notice to the client and the child care provider. Refer to OAC 340:40-9-2(f) for applicable closure dates.
- (c) When the child care benefit closes and the client provides requested information by the end of the renewal month that shows the client is no longer eligible for child care, the worker sends the client Form 08MP038E, Client Notice of Action Taken, to inform the client of ineligibility.
6. Refer to OAC 340:40-9-2(g) for rules regarding when subsidized child care benefits may be reopened. When a client has new income at renewal and has not received a full paycheck, refer to the Quest article, "Unfinished Issuance Examples & Coding" for coding examples.
- ~~7. (a) When the client is approved for Supplemental Nutrition Assistance Program (SNAP) food benefits and applies for child care at a later time, the renewal date (E7) must match the SNAP certification date or the mid-certification renewal completion date (C36), whichever is most recent.~~
- ~~(b) When the client is approved for child care and applies for SNAP at a later time, the renewal date (E7) must be updated to match the certification date even though a child care renewal is not completed at this time. This may result in the client receiving more than 12 months of child care prior to renewal.~~

340:40-9-2. Case changes

Revised 9-15-22 XX-XX-XX

- (a) **Change reporting.** The household must report income changes that exceed the income eligibility threshold for the family size, per Oklahoma Human Services (OKDHS) Appendix C-4, Child Care Eligibility/Copayment Chart, within 10-calendar days of the

change occurring, per Section 98.21(e)(1) of Title 45 of the Code of Federal Regulations (45 C.F.R. § 98.21(e)(1)). ■ 1

(1) A computer-generated notice issues at certification and renewal to inform the client of the current income eligibility threshold for ~~his or her~~ the client's family size and instructs the client to report when the household income exceeds this amount.

(2) When the client fails to report an income increase timely that, if when reported, would have resulted in benefit closure, the worker makes an overpayment referral to Adult and Family Services Benefit Integrity and Recovery Unit, per Oklahoma Administrative Code (OAC) 340:40-15-1.

(b) **Action taken on reported changes.** The worker must act on all changes the household reports between renewal periods. ■ 2 Benefits do not decrease unless the client requests a decrease to avoid or reduce an overpayment or the reported change results in the child care benefit closing, per (f) of this Section. ■ 3

(c) **Changes that increase subsidized child care benefits.** When the client reports a change within 10-calendar days of the change that increases the amount of child care approved or decreases the family share copayment, the client and the worker jointly plan the change's effective date. ■ 4 When the client does not report the change within 10-calendar days of the change, the earliest date the worker increases the subsidized child care benefits is the first day of the month in which the client reports the change.

(d) **Additional child request.** When an additional child requires subsidized child care benefits, the worker completes the request within two-business days of the client providing all necessary verification to determine eligibility. When eligible, the child may be approved for subsidized child care benefits beginning on the request date. ■ 5

(e) **Change in provider.** When a client reports a change in provider, the change is effective the date the change in provider occurs, regardless of whether the client reports the change timely. ■ 6 The worker completes provider changes within two-business days of the date the client reports the change.

(f) **Child care benefits closure.** When the client is no longer eligible for subsidized child care benefits, the closure date varies depending on circumstances. Refer to OKDHS Appendix B-2, Deadlines for Case Actions, for advance-notice deadline dates. ■ 7

(1) The worker closes the subsidized child care benefits effective 10-calendar days from the date action is taken, when the:

(A) payee for the child care benefit changes. When this occurs, a new application is needed, per OAC 340:40-3-1(a)(1)(C);

(B) only child(ren) approved for subsidized child care leaves the home; ■ 8

(C) client already received income in excess of the income threshold, per OKDHS Appendix C-4;

(D) client moves out-of-state; or

(E) client was approved for child care in error. ■ 9

(2) The worker closes the child care benefit effective the last day of the current calendar month when the client's anticipated income for the next month is expected to exceed the income eligibility threshold, per 45 C.F.R. § 98.21(e)(1) and OKDHS Appendix C-4. ■ 10

(3) The worker closes the child care benefit effective the last calendar day of the month following the renewal month when the: ■ 11

(A) ~~the~~ client does not meet a need factor;

- (B) ~~the~~ client is not pursuing potential income, per OAC 340:40-7-9;
- (C) ~~the~~ child reached the maximum age limit, per OAC 340:40-7-3; or
- (D) ~~an~~ adopted child turns ~~6~~ six years of age and the family income must now be considered, per OAC 340:40-7-12. In this circumstance, a new application is required, per OAC 340:40-3-1(a)(1)(D).

(4) The worker closes the child care benefit effective three months from the approval date for job search child care, per OAC 340:40-7-8(a)(6).

(5) When the client receives Temporary Assistance for Needy Families (TANF) related subsidized child care, per OAC 340:40-7-8(e) and stops meeting a need factor, the worker closes the child care benefit effective 90-calendar days from the date the client stops participating. ■ 44 12

(6) When a client stops participating in Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) component assignments and activities, per OAC 340:40-7-8(d) and does not meet another need factor, the worker closes the child care benefit effective 90-calendar days from the date the client stops participating. ■ 44 12

(7) When the client requests the child care benefit be closed, the earliest date the worker closes the child care is the date action is taken. When the client requests reopen of a voluntary child care closure any time during the previously established 12 month eligibility period, the worker reopens child care using the current eligibility established on the case.

(8) When the client does not complete the benefit renewal timely, the system closes the child care benefit effective the last day of the renewal month.

(g) **Reopen action.** When a client's subsidized child care benefits close, benefits may be reopened within 30-calendar days of the closure effective date using current eligibility information unless the client must complete a new application, per OAC 340:40-3-1(a)(1). When a client requests to reopen a voluntary closure of child care benefits during the established 12 month eligibility period, child care is reopened back to the date of closure regardless of whether the case has been closed in excess of 30-calendar-days. Child care benefits are not decreased unless the renewal is due, per 45 C.F.R. § 98.21(a). ■ 42 13

INSTRUCTIONS TO STAFF 340:40-9-2

Revised ~~9-15-22~~ XX-XX-XX

1. (a) The client may report changes in person, by phone, fax, or email.
 - (b) The worker confirms with the client any case changes reported by persons other than the client before processing the change.
2. (a) For example, when the client reports new income, the worker sends Form 08AD092E, Client Contact and Information Request, to the client requesting proof within 10-calendar days. When the client:
 - (1) does not provide the requested verification, benefits are not decreased until renewal; or
 - (2) provides requested verification, the worker updates Family Assistance/Client Services (FACS) Income tab and the system determines if the benefits are changed.

- (b) Refer to (c) and Instructions to Staff (ITS) # 4 of this Section when the client requests increased child care benefits.
3. An example of when the client may request benefits be decreased to avoid or reduce an overpayment occurs when the family share copayment is lower than it should be at certification or renewal because the worker incorrectly calculated income or the client did not accurately report income.
 4. (a) The worker documents changes, when applicable, in the FACS Interview Notebook Income and Child Care tabs, in the FACS Eligibility Notebook Auth. Daycare and Child Care tabs, and in FACS Case Notes case notes.
 - (1) When the change action decreases the family share copayment, the system maps the copayment change to the authorization and generates a notice to the client.
 - (2) The worker does not make a change in the FACS Auth. Daycare tab for a copayment only change.
 - (3) The worker must enter a change action in the FACS Auth. Daycare tab when the unit type or number of days and hours the client needs child care increases.
- (b) Changes that increase subsidized child care benefits include, but are not limited to:
- (1) a change in income resulting in a family share copayment decrease.
 - (A) The client's family share copayment for the month he or she reports the change is based on actual income. Prior to reducing the family share copayment for the current or previous month, the client must provide verification of the actual income for that month.
 - (B) When the client reports a need factor loss, child care is continued until the renewal unless (f)(4) through (6) of this Section applies. When the client reports employment loss, the worker removes the earned income after verifying the job loss and the date and amount of last pay.
 - (C) The earliest date the change is made in the "effective date" field E5 of the FACS Eligibility Notebook Child Care tab (Section E) is the first day of the current month;
 - (2) a change in family size that decreases the family share copayment.
 - (A) When a household member leaves the home, the worker removes the person from the FACS Household tab "removed from the benefit section" "status" field F25.
 - (B) When a child remains in the home and no longer needs child care, the worker codes the person as "not included in benefit - income and resources are considered in benefit computation" in the "status" field F25 and closes the FACS Auth. Daycare tab authorization with the appropriate reason code. The earliest date the worker closes the child care authorization is the date action is taken.
 - (C) The worker enters a change action to the FACS Child Care tab for the next effective month. The change action causes the system to recalculate the family share copayment and map it to the "copay" field K70 for the remaining authorizations. When the change decreases the copayment, the change is effective the following month. When the change increases

the copayment, the copayment remains locked in at the lower level until renewal;

(D) When a household member leaves the home and is removed from the child care benefit resulting in the household income exceeding the income threshold per the Appendix C-4, Child Care Eligibility – Copayment Chart for the new family size, child care is closed per Appendix B-2, Deadlines for Case Actions;

(3) an increase in the unit type or number of days or hours the client needs child care.

(A) The worker makes the change as needed and planned for each affected child when the client reports the change within 10-calendar days.

(B) When the change is not reported timely, the earliest date the worker increases days and hours is the first day of the month the client reports the change.

(C) The number of days approved for the first month may be less than a full month of child care when the increased care level was not needed for the entire month; and

(4) an increase in the rate paid by Oklahoma Human Services (OKDHS) after the special needs approval process is completed, per OAC 340:40-7-3.1.

(A) When approved, ~~Adult and Family Services (AFS)~~ Child Care Services (CCS) Child Care Subsidy Unit staff changes the unit type effective the first of the month following approval.

(B) When the child does not attend the child care program until after approval, the special needs rate is effective the first day the child enters the facility.

(c) The child care provider must submit Form 10AD121E, Child Care Claim, to request supplemental payment when the client did not correctly record attendance.

(1) Unless extenuating circumstances beyond the client's or provider's control exist, OKDHS Financial Services (FS) Electronic Payment Systems (EPS) Unit staff does not supplement the provider when the client fails to record attendance correctly.

(2) Circumstances beyond the client's or provider's control include, but are not limited to, a worker or system error.

(d) ~~The worker submits~~ completes ~~Form 10EB004E, Report of Electronic Benefits Transfer (EBT) Child Care Payment Adjustments,~~ the EBT HelpDesk Form ~~to OKDHS FS EPS to request a provider supplement to correct problems not associated with recording correct attendance.~~

(1) Examples of when the worker completes ~~Form 10EB004E~~ the EBT HelpDesk Form, include:

(A) a decrease in the family share copayment;

(B) an incorrect birth date being entered; or

(C) an incorrect rate given.

(2) The worker enters correct data into the system for the current month prior to submitting ~~Form 10EB004E~~ the EBT HelpDesk Form.

- (3) After submitting ~~Form 10EB004E~~ the EBT HelpDesk Form to the FS EPS Unit, the worker documents the months included in the supplement, the reason ~~Form 10EB004E the EBT HelpDesk Form~~ was needed, and the date it was submitted in ~~FACS Case Notes~~ case notes.
5. (a) The worker documents in ~~FACS Case Notes~~ case notes:
- (1) the request date;
 - (2) the child's name and birth date;
 - (3) what days and hours the client needs child care;
 - (4) how child care needs were previously met; and
 - (5) if any income must be pursued for the child, per OAC 340:40-7-9.
- (b) When the child was previously counted in the child care household size but not receiving child care, field E7 "last redetermination date" is not updated. For example: The parent requests care for a school-aged child for the summer months. The child was previously counted in the household size for child care but not receiving care. When this child is added to care, the E7 "last redetermination date" is not updated.
- (c) When the child was not previously counted in the child care household size, E7 "last redetermination date" is updated to the first of the following month. For example: The parent requests care for their newborn child. The child was not previously counted in the household size for child care. When the newborn is added to care, the E7 "last redetermination date" is updated to the first of the following month.
- (d) The client ~~†~~ completes and signs Form 08MP022E, Declaration of Citizenship Status, to declare the child's citizenship or lawful alien status before the worker adds the child to the child care benefits. A child 14 years of age and older is also subject to citizenship requirements, per OAC 340:65-3-1(g)(3).
- ~~(e)~~(e) When the child brings additional income to the household, the worker adds the child's income to current household income for the next effective month. Per (b) of this Section, the family share copayment does not increase due to the addition of a child and his or her income until the renewal is due. When the additional income from the child results in the household exceeding the income eligibility threshold on the Appendix C-4, Child Care Eligibility – Copayment Chart for the new family size, child care is closed per Appendix B-2, Deadlines for Case Actions.
- ~~(d)~~(f) The worker chooses "social services" in the "benefit" field F24 and "added to the benefit" in the "status" field F25 to add the child in the FACS Household tab. The worker enters a change action in the Child Care tab "action taken" field E3, the first of the following month in the "effective date" field E5 and "last redetermination date" field E7, and enters the authorization for the child in the FACS Auth. Daycare tab.
6. (a) A provider change is considered a non-adverse action when no other change occurs in the child care plan.
- (1) The worker closes the authorization for the first provider using "change in providers" in the "reason" field K16 and "advance notice not required" in the "notice indicator" field K92 in the FACS Auth. Daycare tab. The earliest date the authorization is closed is the date action is taken.

- (2) The worker opens the authorization for the new provider beginning with the date the change occurs and uses "change of providers" in the "notice indicator" field K92.
- (b) The new provider's point-of-service machine shows the entire family share copayment owed for the month even when part of the copayment was applied to the previous provider. The worker calls the new provider and explains:
- (1) part of the family share copayment is owed to the previous provider for the initial month;
 - (2) the provider's Totals Report for the first week the child(ren) starts care will show how much copay, if any, to collect from the client. Prior to receiving payment for the first week of care, the provider has the option of:
 - (A) requiring the client to pay the entire family share copayment until the provider knows how much of the month's copayment was applied at his or her facility; or
 - (B) accepting a receipt from the client showing how much family share copayment he or she paid to the first provider and waiting until the Totals Report confirms part of the copayment is owed before charging the client; and
 - (3) when the provider requires the client pay the entire family share copayment, he or she must reimburse the client for the amount not applied to his or her facility after receiving OKDHS payment.
- (c) When the client pays the entire family share copayment to the first facility and that much care was not given, the first provider reimburses the client for the difference. When the provider refuses to do so, the worker contacts the AES CCS Child Care Subsidy Unit or the Office of the Inspector General staff for assistance.
- (d) When the first provider reports the client left without paying the full family share copayment owed, the worker informs the provider that OKDHS only pays for services provided after the family share copayment is deducted. It is the provider's responsibility to collect the client's family share copayment. The worker counsels with the client about the importance of paying his or her the family share copayment.
- (e) When the worker does not use the reason code "change of providers" to close the child care authorization for the previous provider before authorizing the new provider, the worker must choose "application approval" rather than "change of providers" in the "notice indicator" field in the new authorization. The system only accepts "change of providers" in the "notice indicator" field when the reason code on the closed authorization is:
- (1) 4 – change in providers;
 - (2) 7 – ineligible provider;
 - (3) 7A – provider contract terminated – State Office use only;
 - (4) 36 – FSS BR-1 (Form 08MP004E) not completed; or
 - (5) 99 – State Office use only.
- (f) When the worker becomes aware of a provider change after benefit closure and benefits are not reopened, the worker only authorizes child care for the new provider through the closure date. In this instance, the worker enters a gap

authorization with a begin and an end date on the authorization. The worker follows directions in Quest for <https://fsquest.oucpm.org/2015/programs/child-care-subsidy/incorrect-begin-date/>.

(g) When the client requests a provider change for a child attending an Early Head Start-Child Care Partnership (EHS-CCP) grant program or an Oklahoma Early Childhood Program (OECF), the worker removes the diverted income from the "total diverted income" field E47 on the FACS Child Care tab when the new facility does not offer an EHS-CCP grant program or an OECF. The child remains eligible for a weekly unit type until renewal. At renewal the worker reevaluates the client's child care plan hours.

7. When the worker determines that the client is no longer eligible for child care benefits, the worker must close child care benefits by the 27th day of the month, when possible, because the Information Management System (IMS) sends eligibility information to EPPIC on the 28th day of the month for the following month.

(1) When the client requests benefit closure, advance notice is not required. The worker closes the child care benefit effective on the request day unless the request date is between the 28th and 31st of the month. In this instance, the worker closes child care effective the first day of the next month. Otherwise, the authorization remains open on EPPIC for the entire next month.

(2) When the client provides income information on June 29th and the worker determines the client's income exceeds the income eligibility threshold, 10-calendar days' advance notice is required. The worker must wait until July 1st to close child care benefits effective July 10th. When the worker closes the child care benefit on June 29th to be effective July 9th, the EPPIC system does not recognize the July 9th closure and continues to allow eligibility for the entire month of July. When the client continues to use child care after July 9th, even though the child care benefit is closed in IMS, EPPIC continues to approve child care, resulting in a client overpayment.

8. When more than one child receives child care on a case and one of the children leaves the home, the worker closes the authorization for the child who is leaving the home 10-calendar days from the date the worker takes action, unless the parent or caretaker agrees upon an earlier date.
9. This may occur when AFS staff discovers after approval that the worker misapplied rules or the client provided incorrect information at certification or renewal that would have denied or closed benefits. Examples of rule misapplication may occur when the worker did not make sure a self-employed client met the minimum wage rule, per OAC 340:40-7-8(a)(3), or did not ensure the client was pursuing potential income, per OAC 340:40-7-9, prior to certification or renewal. An example of the client providing incorrect information may occur when the client did not report a second job or provided a falsified employer statement that, if correct information was provided, would have led to an over-income denial as the client's income was over the income eligibility threshold, per OKDHS Appendix C-4, Child Care Eligibility/Copayment Chart.

10. When the worker closes the subsidized child care benefits because the family's anticipated income exceeds the income eligibility threshold, per OKDHS Appendix C-4, the worker must determine if the client's income for the current month exceeds the income eligibility threshold. When the client is:
- (1) income eligible for the current month, the earliest date the worker closes the subsidized child care benefits is the last day of the current month. This may occur when the client starts new employment.
 - (2) income ineligible for the current month, the worker closes the subsidized child care benefits effective 10-calendar days from the date the worker takes the action.
11. (a) This closure date ensures that each child covered by the benefit has had the opportunity to fully participate in the complete 12-month eligibility period before the closure.
- (b) To determine the renewal month, add 11 months to the Date of Last Review (E7). For example, if E7 is October 1, the renewal month is September. The closure date is then set to the last calendar day of the month following the renewal month. In this case, with a renewal month of September, the closure date will be October 31. This closure date ensures that the benefit period aligns with the full 12-month eligibility period before closure.
- (c) When a child is added to the household during an ongoing eligibility period, the 12-month eligibility period is reset for all children in the household to ensure consistency in benefit coverage. The closure date will then be adjusted to reflect the new 12-month period, ensuring that each child, including the newly added one, receives a full 12-months of coverage before any benefits are terminated.
12. (a) To continue the child care for 90-calendar days, the worker closes the FACS Child Care tab (E-section) using the appropriate reason code.
- (b) When the client meets a need factor during the 90-calendar day approval period or within 30-calendar days of the 90-calendar day approval period ending, the client must provide proof of the need factor, per OAC 340:40-7-8, and current income, when applicable, before the worker:
- (1) reopens the child care based on current eligibility information; and
 - (2) updates the reason code, number of units, and unit type on the authorization, when needed.
- (c) The worker documents the reopen action and current eligibility information in FACS case notes.
- ~~12~~ 13. (a) Using current eligibility information means the effective date of a reopen action that decreases benefits is the same effective date as would have occurred if the benefit had not closed.
- (1) For example, when the client does not complete the benefit renewal before deadline, the subsidized child care benefits close effective the last day of the month. If the benefit renewal had been completed before deadline, the worker would have decreased benefits effective the first of the next month. Therefore, in a reopen action, the worker applies an increase in family share copayment or a decrease in the number of units or unit type approved effective the first day of the month following the closure. When

the client has new income at renewal and has not received a full paycheck, refer to Unfinished Issuance Examples & Coding|Quest for coding examples. (2) When child care closes during the 12-month eligibility period due to a voluntary closure, the worker reopens benefits using the same eligibility information on the system prior to closure. For example, during the eligibility period the client requests child care benefit closure because the family has an alternative caregiver for the child. ~~Within 30-calendar days of the requested closure,~~ When the client reports that the alternative caregiver did not work out and subsidized child care is needed and it is within the previously established 12-month eligibility period, ~~The~~ the worker reopens the child care benefit using the same eligibility information on the system prior to closure. The worker does not increase the family share copayment or decrease the days and hours of child care until renewal.

(b) The worker reopens benefits within 10-calendar days of the date ~~he or she~~ the worker receives new or additional information or realizes benefits were closed in error. When the worker does not take action timely, ~~he or she~~ the worker must enter a new authorization.

(c) When the worker reopens the benefit more than 10-calendar days from the authorization closure date and the client recorded attendance and received a denied message, the child care provider must complete and submit Form 10AD121E, Child Care Claim, to the Financial Services EPS Unit to receive payment.

(d) When the worker reopens child care following a 30-calendar day Presumptive Eligibility period, refer to Presumptive Eligibility Coding|Quest for coding examples.

(e) When the client does not meet the criteria to reopen the subsidized child care benefits, the client must reapply using application processes, per OAC 340:40-3-1.