DEPARTMENT OF HUMAN RESOURCES
SOCIAL SERVICES ADMINISTRATION
311 W. SARATOGA ST.
BALTIMORE, MD 21201

DATE:	May 2, 2016
POLICY #:	SSA-CW# 16-21 Replaces and supersedes Policy Directive SSA# 09-13
TO:	Directors, Local Departments of Social Services Assistant Directors, Services
FROM:	Rebecca Jones Gaston, MSW Acting Executive Director Social Services Administration
RE:	Child Care Services for Foster Children
PROGRAMS AFFECTED:	Out-of-Home Placement
ORIGINATING OFFICE:	Out-of-Home Placement
ACTION REQUIRED OF:	All Local Departments
REQUIRED ACTION:	Implementation of Policy
ACTION DUE:	May 16, 2016
CONTACT PERSON:	Sean Bloodsworth, LCSW-C Program Manager, Out-of-Home Placement (410) 767-7912 sean.bloodsworth@maryland.gov

PURPOSE

This Policy Directive provides guidelines for the eligibility and payment for child care services for children in public family foster care and formal kinship placements. Effective July 1, 2008, this program is funded out of a dedicated pool of funds as part of maintenance payments. This policy does not apply to private treatment foster care programs and independent living programs (mother with infant child).

FOSTER/FORMAL KINSHIP FAMILY CHILD CARE SERVICES:

DEFINITIONS

Child Care:
Care in a setting that is approved, licensed, or license-exempt under Maryland law by an individual other than the parent, stepparent, guardian, or caretaker for less than a 24-hour day and for which compensation is paid.

Child Care Center:
A facility providing child care that is:

(a) Licensed pursuant to COMAR 13A.16;
(b) Operated under a letter of compliance issued pursuant to COMAR 13A.17;
(c) Licensed by any branch of the military under applicable military child care regulations;
(d) Operated by a public school; or
(e) Certified by the Department of Health and Mental Hygiene as a youth camp as defined by Health-General Article, §14-401, Annotated Code of Maryland.

Child Care Subsidy (CCS) Program:
Refers to the system of providing financial assistance for child care to an eligible family, under which the contractor pays to the provider all or part of the payment on behalf of the family.

Family:

(a) "Family" means the family unit consisting of:
    (i) One or more adults and children, related by blood, marriage, adoption, or legal guardianship, and residing in the same household; or
    (ii) Adults with physical custody of a child, related or unrelated, who are residing in the same household.
(b) "Family" includes unrelated adults with children in common who reside together, whether either has other children residing in the household.
(c) "Family" does not include:
    (i) Unrelated adults with no children in common residing together; or
    (ii) Related adults, other than spouses, residing together.

Family Child Care Home:

(a) "Family child care home" means a residence, other than the home of the child for whom CCS is requested, in which family child care is provided.

(b) "Family child care home" includes a:
  (i) Family child care home registered to operate pursuant to COMAR 13A.15 or applicable military child care regulations; or
  (ii) Large family child care home registered to operate pursuant to COMAR 13A.18.

Informal Child Care:
Refers to child care that:
(a) Does not require the child care provider to be licensed or regulated under Maryland law; and
(b) Is limited to:
  (i) Relative care;
  (ii) In-home care; and
  (iii) Babysitting.

(Formal) Kinship Care:
A living arrangement whereby continuous 24-hour care and supportive services are provided for a minor child placed by a local department of social services in the home of a relative related by blood or marriage within the fifth degree of consanguinity of affinity.

MSDE:
Maryland State Department of Education.

Provider:
Refers to:
(a) A family child care home;
(b) A child care center; or
(c) An individual approved by the Child Care Subsidy (CCS) Branch to provide informal child care.

Reconsideration:
The process of reapplying for the CCS, every six months, based on the date when the public foster family or kinship care family initially applied for CCS and the subsequent dates of reconsideration that are to follow in six-month intervals.

Summer Break:
The time between the end of one school year and the beginning of another, as defined by the jurisdiction's public school calendar.

Training:
Any type of formal instructional program, except for post-college graduate programs, which is approved by the local department, including undergraduate college, vocational program or publicly funded training program designed to lead to employment.

SERVICES OFFERRED
Maryland's Public Foster Care Families and Formal Kinship caregivers may request CCS from their local department of social services (The costs associated with child care services does not include the cost of placement.). Formal Kinship caregivers must first request Child Care through

the current MSDE CCS process, and will receive Child Care assistance from the local department of social services if determined to be ineligible for Purchase of Care because the family's income is over scale. CCS are limited to five (5) days per week. The caretaker must request this service at least fourteen (14) days in advance. The fourteen (14) day advance notice may be waived in cases where:

(a) The placement is new; or
(b) The placement is at risk for disruption.

The local department of social services will make a determination of eligibility using the following criteria:

(a) The child must be in the custody of a local department of social services of the Maryland Department of Human Resources;
(b) The child is receiving out-of-home placement services in a public foster family or with a formal Kinship caregiver; and
(c) The child's age ranges from infancy through five (5) years of age; or
(d) The services are to be provided during a summer break on behalf of a child up until their 13th birthday.

WHO IS ELIGIBLE

There is no income cutoff for CCS eligibility. The following individuals are eligible to receive the Foster Family Child Care Subsidy:

- Public restricted and unrestricted foster families receiving regular, intermediate, or treatment board rates. (This does **not** apply to private purchase of care families or private treatment foster care families);
- Formal Kinship caregivers where the child is committed to the local department and placed in a home that has not gone through the foster home approval process.
- A single public foster parent or kinship caregiver who is employed;
- Public foster families or kinship caregivers where **both** parents are employed;
- A single public foster parent or kinship caregiver who is participating in a school or training program;
- Public foster families or kinship caregivers where both parents are participating in school or training programs or where one is employed and the other is in school or a training program; or
- An unemployed public foster parent or kinship caregiver who cares for a medically or emotionally fragile foster child, if there is a written recommendation from a therapist, psychiatrist, psychologist or physician that would indicate the need for child care services.

WHO CAN BE USED AS CHILD CARE PROVIDERS

A Child Care provider must be:

- An MSDE licensed, approved, or registered family child care provider, an informal child care provider as defined by this policy or a child care center.

HOW TO APPLY

A child cannot apply for child care services. The foster/kinship caregiver must initiate the request for the Foster Family Child Care Subsidy for each child individually by filling out

Sections **1** and **2** of the form attached to this policy (Attachment I), signing it, and giving it to the child's caseworker. The child's caseworker will complete the form, sign it, and give it to the caseworker's supervisor, who will authorize payment. The child's caseworker will maintain a record of requests for CCS. Copies must be forwarded to the foster/ kinship family's home worker within five (5) days of the request.

PUBLIC FOSTER FAMILY CHILD CARE RATES & CHARGE CODE

This program is funded out of a dedicated pool of funds as part of Ancillary Flex Funds. The new charge codes for this dedicated pool are:

- **2194** - Foster Care Resource Home Support Day Care (IV-E eligible, including IV-E eligible children in Formal Kinship Care (i.e., the kinship homes are regular or restricted Foster Care homes)).
- **7194** - Foster Care Resource Home Support Day Care (Non-IV-E).
- **7195** - Kinship Care Resource Home Support Day Care (Non-IV-E including IV-E eligible children placed in non-approved homes (i.e., the kinship homes are something other than a regular or restricted Foster Care home)).

This Policy Directive allows for the continued use of Super Flex Funds for childcare for foster children 6 to 12 for before and after school care. The authority to make this expenditure lies with the local department but the expenditure must be charged against the local department's allocation of Super Flex Funds. The charge codes for these discretionary Child Care services are the same as previously existed within the Super Flex categories:

- **2132** - Discretionary Day Care - Foster Care (IV-E eligible, including IV-E eligible children in Formal Kinship Care (i.e., the kinship homes are regular or restricted Foster Care homes)).
- **7132** - Discretionary Day Care - Foster Care (Non-IV-E eligible).
- **7192** - CPS Day Care.
- **7193** - Discretionary Day Care - Kinship Care (Non-IV-E eligible).

Payment to any of these Child Care category codes (xx94. xx95, xx32. xx92, xx93) should be made through the MD CHESSIE Service Log,

Payments are to be made as follows:

1. Payments are to be made to the Child Care provider following utilization of services and after a monthly bill has been submitted that includes the number of days the child attended and missed during the month;
2. The worker must authorize the invoice and submit it to the local department finance office for processing;
3. All charges that exceed MSDE payment standards shall be the financial responsibility of the public foster family;
4. A maximum of five (5) absences per month will be excused;
5. The local department will not pay for absences that exceed five (5) per month; and
6. The cost of placement should not be included in the cost of child care services.

RATE OF PAYMENT AND COST GUIDELINE

Rates are determined from MSDE regulations taking the weekly rate times 4.3 (the number of weeks in a month) and rounded to the nearest whole dollar. It is important to note that the rates will vary based on jurisdiction. As noted in COMAR (13A.14.06.11) there are currently seven (7) CCS regions within the State (see Attachment I).

RESPONSIBILITY OF LDSS

Keep accurate information regarding IV-E eligibility for each child requiring Child Care services.

- Keep records of all Child Care requests.
- Document usage on the contact notes in CHESSIE.
- Maintain current profiles of all informal Child Care providers.
- Conduct a reconsideration of all Child Care plans every six months.
- Provide on-going re-assessment of the individual child care programs to evaluate need and appropriateness.
- Maintain MSDE standards when approving all child care provider programs.

RESPONSIBILITY OF DHR/SSA

- Provide technical assistance to local departments in the tracking and monitoring of funds for Child Care services.
- Provide support, assistance and advocacy.
- Collect data to assess the effect of child care services on foster parent recruitment and retention outcomes.
- In collaboration with the Maryland Foster Parent Association and the local departments, develop approaches to improving the utilization of Child Care services.

ATTACHMENT I

Rate Guidelines

A separate child care provider payment rate is established for each of the following seven purchases of child care service regions within the State:

(a) Region U - Cecil, Queen Anne's, St. Mary's, Talbot, and Washington;
(b) Region V - Caroline, Dorchester, Kent, Somerset, and Wicomico;
(c) Region W - comprising Anne Arundel, Calvert, Carroll, Charles, and Prince George's;
(d) Region X - Howard and Montgomery counties;
(e) Region Y – Baltimore County, Frederick, and Harford;
(f) Region Z - Allegany, Garrett, and Worcester; and
(g) Region BC - Baltimore City.

Weekly Rate of Payment and Cost Guidelines - Family Child Care

The amount paid to a family child care provider who cares for a child in the provider's home is the lowest of the:

(a) Regional weekly service unit rates established by this regulation;
(b) Weekly rate charged to the general public by the provider if that rate is comparable and competitive with the going rate in the community; or
(c) Actual cost of care.

1. Rate for a child 24 months old or older:
   (i) Region U - $93.63;
   (ii) Region V - $83.11;
   (iii) Region W - $115.97;
   (iv) Region X - $147.43;
   (v) Region Y - $115.91;
   (vi) Region Z - $85.46; and
   (vii) Region BC - $106.35.

2. Rate for a child up to 24 months old:
   (i) Region U - $123.00;
   (ii) Region V - $100.34;
   (iii) Region W - $156.71;
   (iv) Region X - $184.50;
   (v) Region Y - $148.63;
   (vi) Region Z - $97.38; and
   (vii) Region BC - $141.08.

Weekly Rate of Payment and Cost Guidelines - Child Care Center

The amount paid to a child care center is the lowest of the:

(a) Regional weekly service unit rates established by this regulation; or
(b) Weekly rate charged to the general public by the child care center if that rate is comparable and competitive with the going rate in the community; or Actual cost of care.

ATTACHMENT I

1. Rate for a child 24 months old or older:
   (i) Region U - $108.24;
   (ii) Region V - $91.25;
   (iii) Region W - $126.00;
   (iv) Region X - $166.95;
   (v) Region Y - $128.18;
   (vi) Region Z - $87.79; and
   (vii) Region BC - $112.16.

2. Rate for a child up to 24 months old:
   (i) Region U - $172.42;
   (ii) Region V - $146.79;
   (iii) Region W - $199.88;
   (iv) Region X - $261.38;
   (v) Region Y - $208.29;
   (vi) Region Z - $112.75; and
   (vii) Region BC - $187.79.

Weekly Rate of Payment and Cost Guidelines - Informal Child Care

(a) Rate for a child 24 months or older:
   (i) Allegany County - $53.76;
   (ii) Anne Arundel County - $56.81;
   (iii) Baltimore County - $60.38;
   (iv) Calvert County - $56.81;
   (v) Caroline County - $41.53;
   (vi) Carroll County - $56.81;
   (vii) Cecil County - $53.76;
   (viii) Charles County - $56.81;
   (ix) Dorchester County - $41.53;
   (x) Frederick County - $60.38;
   (xi) Garrett County - $54.01;
   (xii) Harford County - $60.38;
   (xiii) Howard County - $75.92;
   (xiv) Kent County - $41.53;
   (xv) Montgomery County - $75.92;
   (xvi) Prince George's County - $56.81;
   (xvii) Queen Anne's County - $46.88;
   (xviii) St. Mary's County - $53.76;
   (xix) Somerset County - $41.53;
   (xx) Talbot County - $46.88;
   (xxi) Washington County - $5401;
   (xxii) Wicomico County - $41.53;
   (xxiii) Worcester County - $44.07; and
   (xxiv) Baltimore City - $54.77.

(b) Rate for a child up to 24 months:
   (i) Allegany County - $62.93;

(ii) Anne Arundel County - $71.84;
(iii) Baltimore County - $71.84;
(iv) Calvert County - $71.84;
(v) Caroline County - $46.88;
(vi) Carroll County -$73.12;
(vii) Cecil County - $55.28;
(viii) Charles County - $71.84;
(ix) Dorchester County - $46.88;
(x) Frederick County - $71.84;
(xi) Garrett County - $62.93;
(xii) Harford County - $71.84;
(xiii) Howard County - $90.95;
(xiv) Kent County - $46.88;
(xv) Montgomery County - $90.95;
(xvi) Prince George's County - $71.84;
(xvii) Queen Anne's County - $55.28;
(xviii) St. Mary's County - $62.93;
(xix) Somerset County - $46.88;
(xx) Talbot County - $55.28;
(xxi) Washington County - $55.28;
(xxii) Wicomico County - $46.88;
(xxiii) Worcester County - $46.88; and
(xxiv) Baltimore City - $69.04.

ATTACHMENT II

FOSTER/KINSHIP FAMILY CHILD CARE
APPLICATION/REDETERMINATION
SECTION I -- TO BE FILLED OUT BY FAMILY

Date of request:

Name of foster/kinship caregiver(s):

Address & zip code:

Caregiver telephone#

Caregiver emergency telephone#

Circle placement type: foster family - restricted foster family - formal kinship

Social Security # (s): Primary _____ Secondary _____

Client Identification #

SECTION II - TO BE FILLED OUT BY FAMILY

Note: Submit documentation of medical and/or emotional status of each child that necessitates child care services

PRIMARY FOSTER/KINSHIP CAREGIVER:

Name of employer and/or school:

Address of Employer and/or school:

Days and Hours needed:

Note: Documentation must be submitted to support child care services and hours needed

SECONDARY FOSTER/KINSHIP CAREGIVER:

Name of employer and/or school:

Address of Employer and/or school:

Days and Hours needed:

Note: Documentation must be submitted to support child care services and hours needed (i.e. written recommendation from a licensed professional, pay stubs, school/training program schedule, etc.)

ATTACHMENT II

SECTION III - TO BE FILLED OUT BY LOCAL DEPARTMENT STAFF

Child's Name:

Client Identification #

Date of Birth:

Name and Address of Child Care:

Days and Hours of Care:

FOR THE FOLLOWING QUESTIONS INDICATE YES OR NO:

Previously used child care/summer camp services for foster/kin care

Currently utilizing (foster/kin) child care/summer camp services

New request:

CIRCLE THE KIND OF CARE USED:

Licensed Home Center - Licensed Provider - Informal Program - Summer Camp

Note: If Informal Program is circled, indicate the name and relationship:

Name:

Relationship (kin or non-kin):

SECTION IV Filled Out by Local Department Staff

Signature of Primary Foster/Kinship Parent	Date
Signature of Secondary Foster/Kinship Parent (if applicable)	Date
Caseworker's Signature	Date
Supervisor's Signature	Date
Resource Home Worker's Signature (if applicable)	Date
Supervisor's Signature (if applicable)	Date