

DEPARTMENT OF HEALTH & SOCIAL SERVICES



PROPOSED CHANGES TO REGULATIONS

7 AAC 41. CHILD CARE ASSISTANCE PROGRAM.



PUBLIC REVIEW DRAFT
March 30, 2017

COMMENT PERIOD ENDS: June 5, 2017

Please see the public notice for details about how to comment on these proposed changes.

Notes to reader:

1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

7 AAC 41.025(a) is amended to read:

(a) For purposes of calculating a family's program benefits under 7 AAC 41.345, the program rate for each category of care authorized for a child is established in the department's *Child Care Assistance Program Rate Schedule*, revised as of **February 1, 2017** [OCTOBER 5, 2016], and adopted by reference. The rates in the schedule are set out by type of facility licensed under 7 AAC 57 or approved under this chapter, category of care, and [POLITICAL SUBDIVISION OR] geographic area.

7 AAC 41.025(d) is amended to read:

(d) The state maximum child care assistance payment for a child during a month is equal to the full month rate plus the part month rate for the category of care, the type of facility, and the geographic area where care is provided, **except as described in 7 AAC 41.035(c)**. If the child uses two types of facilities, payment is based on each facility type, not to exceed the rate for the licensed facility type.

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7 AAC 41.025(f) is amended to read:

(f) If child care is provided in the child's own home, the program rate for [AN APPROVED] in-home child care [PROVIDER] is the rate for an approved relative provider shown on the department's schedule set under this section. (Eff. 6/23/2006, Register 178; am 8/31/2008, Register 187; am 2/31/2010, Register 193; am ___/___/___, Register ____)

Authority: AS 47.25.001 AS 47.25.041

7 AAC 41.035(c) is amended to read:

(c) Care may not be authorized for a child in excess of a full month enrollment plus a part month enrollment **except in the case of a shared custody arrangement when care for a child is provided by two providers in different service delivery areas. Care for a child in a verified shared custody arrangement may be authorized for up to a maximum of a full month enrollment for each provider only if the parents of the child reside and participate in their eligible activity in different child care assistance program grantee service delivery areas requiring the use of different providers.** (Eff. 6/23/2006, Register 178; am ___/___/___, Register ____)

Authority: AS 47.25.001

7 AAC 41.335(a) is amended to read:

(a) To determine the amount the family must contribute toward the eligible cost of care, the department will or a designee shall use the department's *Family Income and Contribution Schedule*, revised as of **February 1, 2017**, [NOVEMBER 2010] and adopted by reference. This

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amount will be based on family size and income level, and [BASED] on a sliding fee scale.

7 AAC 41.335(b) is amended to read:

(b) The maximum family monthly income allowed for [INITIAL] participation in the program appears in the *Family Income and Contribution Schedule*, adopted by reference in (a) of this section. The maximum family monthly income

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7 AAC 41.335(d) is repealed:

(d) Repealed __/__/__. (Eff. 6/23/2006, Register 178; am 11/1/2010, Register 196; am __/__/__, Register ____)

Authority: AS 47.05.010 AS 47.25.041 AS 47.25.051

AS 47.25.001