

5101:2-16-07 **County agency responsibilities for the administration of publicly funded child care.**

The county agency, in accordance with Chapter 5104. of the Revised Code, shall comply with all provisions of this rule and shall:

- (A) Accept any gift, grant, or other funds from public or private sources offered unconditionally or under conditions which are, in the judgment of the Ohio department of job and family services (ODJFS), proper and consistent with Chapter 5104. of the Revised Code and deposit such funds in the county public assistance fund established by section 5101.161 of the Revised Code.
- (B) Cooperate with ODJFS for the recruitment of licensed providers and certified in-home aides to meet the need for publicly funded child care in the county.
- (C) Submit a plan to ODJFS for approval that assures the application process is as accessible to the public as possible and complies with section 5104.33 of the Revised Code. The county agency shall submit any revisions of the plan to ODJFS. The plan shall include procedures for making application forms available at locations selected by the county agency and making arrangements that enable caretakers to complete the application process at times outside their normal working hours and at locations convenient to the applicant. Arrangements may include but are not limited to the following:
 - (1) Stationing county agency employees at various sites in the county for the purpose of assisting applicants in completing the application process and for making eligibility determinations at those locations.
 - (2) Assigning county agency employees to hours of employment outside the normal working hours of the county agency to collect information relevant to applications for publicly funded child care and to make eligibility determinations.
 - (3) Providing training and technical assistance to individuals or agencies so they may assist families in completing the application process and, where applicable, in making eligibility determinations.
 - (4) Extending the county agency hours of operation to accommodate the needs of employed caretakers and to enable them to apply for child care services.
- (D) Provide caretakers with complete written explanations of the following:
 - (1) Instructions on how to apply for publicly funded child care.

- (2) Factors used in determining eligibility including family income, family size, ages of family members and the caretaker's hours of employment, training or education.
- (3) The caretaker's responsibility for reporting changes of information that may affect eligibility.
- (4) The consequences to the caretaker for failure to accurately and completely report information or changes, including:
 - (a) A repayment of child care benefits pursuant to rule 5101:2-16-71 of the Administrative Code.
 - (b) Termination or denial of child care benefits.
 - (c) Penalty of fine and/or imprisonment if a court action renders a finding that the caretaker fraudulently received child care benefits for which the caretaker was not eligible.
- (E) Allow eligible caretakers a choice from all available child care providers who are certified or licensed. The county agency shall make available a current list of all professional certified and licensed providers in the county. The county agency shall provide selected portions of the list or the complete list as requested by the caretaker to facilitate parental choice. Such lists shall include, but are not limited to:
 - (1) Reasonable access to the child's home or school. Publicly funded child care may only be provided in a child's own home by an in-home aide.
 - (2) Reasonable access to the caretaker's place of employment, education or training.
 - (3) Reasonable access to special child care needs as specified by the family.
- (F) Report to ODJFS any known or suspected violations of Chapter 5104. of the Revised Code or the rules promulgated pursuant to that chapter regarding licensed child care centers, approved child day camps, school child programs, type A homes, or type B homes.
- (G) Retain records in accordance with Chapter 149. of the Revised Code. Records shall be maintained a minimum of three years or until an audit is completed, if one has been initiated within a three-year period, to document compliance with child care

requirements. The records shall include, but not be limited to, those required by Chapters 5101:2-12, 5101:2-13, 5101:2-14, 5101:2-16 and 5101:2-18 of the Administrative Code.

(H) Report all child care information required by ODJFS data and payment information systems.

(1) The county agency shall transmit all data regarding child care eligibility and authorizations on a daily basis as required in the child care information data system (CCIDS) or other data systems required by ODJFS.

(2) The county agency shall provide caretakers with a verification checklist no later than ten calendar days following the receipt of a JFS 01138 "Application for Child Care Benefits" (rev. ~~01/2014~~2/2015), with notification of the requirements needed to complete the eligibility determination process.

(3) The county agency shall submit eligibility data no later than five days following the date eligibility is determined or no later than five days following any reported changes to a case that affect eligibility or authorizations.

(4) The county agency shall assign each family a payment code according to the family's programmatic eligibility for publicly funded child care benefits.

(I) Limit access to and use of CCIDS to the extent necessary to meet the requirements of the publicly funded child care program under the Child Care and Development Block Grant Act of 1990, established in section 5082 of the Omnibus Budget Reconciliation Act of 1990, 104 Stat. 1388-236 (1990), 42 U.S.C. 9858, (5/2007) ~~as amended~~.

(1) Personnel having access to CCIDS shall be limited to those persons who have been trained in the confidentiality requirements of ODJFS, who are informed of all penalties, who have been trained in security procedures and who have signed the JFS 07078 " Code of Responsibility " (rev. 6/2009).

(2) The county agency shall monitor access to and use of CCIDS to prevent and promptly identify any unauthorized use.

(3) The county agency shall ensure that all personnel who have access to, may have access to or are required to use CCIDS are informed of applicable requirements and penalties and have been trained in security procedures.

(J) Process manual claims for a child's attendance not recorded in the Ohio electronic

child care (ECC) system. The county agency shall:

- (1) Enter data from the JFS 01261 "Publicly Funded Child Care Manual Claim for Attendance" (rev. 9/2014) into the administrative terminal (AT) no later than thirty calendar days from the date the county agency receives a completed JFS 01261.
 - (2) Reject a JFS 01261 if it has not been submitted by the provider within seven weeks from the week of service being submitted unless otherwise determined by the bureau of state hearings.
 - (3) Reject a JFS 01261 submitted for care provided during the current back swipe period unless otherwise determined by the bureau of state hearings.
 - (4) Notify the provider within five business days of the rejection of a JFS 01261.
- (K) Process the JFS 01211 "Request for Payment of Publicly Funded Child Care Services Provided for a Denial of Application" (9/2014). The county agency shall:
- (1) Review the JFS 01211 for accuracy and forward to ODJFS within thirty calendar days of receipt if payment has been approved.
 - (2) Notify a provider within thirty-five business days of receipt if the JFS 01211 has been denied.
- (L) Process adjustments to provider payments for publicly funded child care. The county agency shall:
- (1) Submit the JFS 01292 "Publicly Funded Child Care Request for Ohio ECC Payment Adjustment" (rev. 9/2014) to ODJFS no later than thirty calendar days from the date the CDJFS receives a completed JFS 01292 from the provider.
 - (2) Reject a JFS 01292 if it has not been submitted by the provider within seven weeks from the week of service being submitted.
 - (3) Notify the provider within five business days of the rejection of a JFS 01292.
- (M) Cooperate and participate in all reviews including but not limited to, fiscal, programming, records, and other monitoring activities regarding publicly funded child care by ODJFS or any entity acting on behalf of ODJFS, or the federal

government.

(N) The county agency may contract with an outside entity to:

- (1) Determine eligibility for publicly funded child care benefits in accordance with Chapter 5101:2-16 of the Administrative Code.
- (2) Collect specific information for use by the CDJFS in determining eligibility for publicly funded child care benefits.

Effective: 02/22/2015

Five Year Review (FYR) Dates: 05/01/2019

CERTIFIED ELECTRONICALLY

Certification

02/09/2015

Date

Promulgated Under: 119.03
Statutory Authority: 5104.30, 5104.34, 5104.38
Rule Amplifies: 5104.01, 5104.30, 5104.34, 5104.38
Prior Effective Dates: 4/1/82, 9/1/83, 5/1/89, 11/1/91 (Emer.), 1/20/92,
1/2/96 (Emer.), 3/1/96, 10/15/96, 10/1/97 (Emer.),
12/30/97, 1/1/02, 7/1/05 (Emer.), 9/26/05, 10/21/09,
3/28/10, 8/28/11, 5/4/14, 9/14/14