

TO BE RESCINDED

5180:2-16-10

Payment rates and procedures for providers of publicly funded child care services.

(A) How are payment rates established in the publicly funded child care program?

- (1) Payment rates are based on a market rate survey completed by the department to providers in the state of Ohio.
- (2) Payment rates are to apply to all providers of publicly funded child care.

(B) What is the payment rate for a provider of publicly funded child care ?

- (1) The payment rate for a provider is to be the lower of these two:
 - (a) The base rate shown in appendix A to this rule in the provider's county of location.
 - (b) The provider's customary rate to the public.
- (2) The rate determined in paragraph (B)(1) of this rule is to be the base rate used to calculate any applicable additional payment amounts pursuant to paragraphs (D), (F) and (G) of this rule.

(C) What is the payment rate for a provider participating in step up to quality (SUTQ)?

- (1) Once the rate is determined in paragraph (B)(1) of this rule, an additional per cent is to be added, as follows:
 - (a) Bronze rated programs are to be paid an additional ten per cent.
 - (b) Silver rated programs are to be paid an additional fifteen per cent.
 - (c) Gold rated programs are to be paid an additional twenty-five per cent.

(D) What is the payment rate for accredited providers?

- (1) Providers who are accredited by an approved accrediting body as listed at <https://childcaresearch.ohio.gov> are to be paid an additional ten per cent of the applicable payment rate established in paragraph (B)(1) of this rule . This rate is to apply for all children receiving publicly funded child care services.
- (2) Providers who are accredited and also participating in SUTQ are to be paid either the per cent additional payment in paragraph (C)(1) of this rule or the per cent additional payment in paragraph (D)(1) of this rule, whichever is higher.

(E) What is the difference between a school-age rate and a summer school-age rate?

- (1) School-age rates are to be in effect during the school year as defined in rule 5101:2-16-01 of the Administrative Code.
- (2) Summer school-age rates are to be in effect outside of the school year as defined in rule 5101:2-16-01 of the Administrative Code.

(F) What is the compensation for child care services provided during non-traditional hours?

- (1) Providers who care for children during non-traditional hours are to be paid an additional five per cent of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule.
- (2) This rate is to apply to the child for all hours of care during a week when any non-traditional hours of care are provided.
- (3) The payment is to not exceed the provider's customary charge to the public.
- (4) Non-traditional hours are the hours between seven p.m. and six a.m. on weekdays, and between twelve a.m. Saturday and six a.m. Monday.
- (5) Non-traditional hours include any hours of care provided on New Year's day, Martin Luther King Jr. day, Memorial day, Independence day, Labor day, Thanksgiving day and Christmas day.

(G) How are providers compensated for the care of children with special needs?

- (1) Providers who care for a child that the caretaker and the county agency have identified as having special needs pursuant to rule 5101:2-16-02 of the Administrative Code are to be paid an additional five per cent of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule. The payment is to not exceed the provider's customary charge to the public.
- (2) Providers who make special accommodations for the care of a child with special needs may receive twice the amount of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule if approved pursuant to rule 5101:2-16-09 of the Administrative Code.
- (3) Payment enhancements or additional percentages are to only apply to the hours of care for the child with special needs.

(H) What time increments are used for the payment of publicly funded child care services?

- (1) Time increments are broken down into weekly categories based on the total number of hours per week that each child is authorized to receive publicly funded child care services, pursuant to rule 5101:2-16-06 of the Administrative Code. The categories of payment are as follows:
 - (a) An hourly payment is for hours of care totaling less than seven hours per week.
 - (b) A part-time payment is for hours of care totaling seven hours to less than twenty-five hours per week.
 - (c) A full-time payment is for hours of care totaling twenty-five hours to sixty hours per week.
 - (d) A full-time plus payment is for hours of care totaling more than sixty hours per week.
 - (e) A week is defined as the seven-day period from twelve a.m. Sunday to fifty-nine minutes after eleven p.m. on Saturday.
 - (2) Payment is to be calculated using the total number of child care hours per week, that have been approved by the caretaker, if applicable, and submitted by the provider in the automated child care system.
 - (a) The total number of weekly hours of care received will be matched with the associated category and the provider will receive the payment rate for that category of care, up to the child's category of authorization.
 - (b) Payment is not to be made for hours that exceed the child's category of authorization.
- (I) Are providers compensated for registration fees?

Providers may receive registration fees for children receiving publicly funded child care according to the following criteria:

- (1) Annually, a provider with a valid provider agreement as of January first is to receive a twenty-five dollar registration fee for each child who received publicly funded child care from the provider in the previous calendar year. For approved day camps, the camp is to have had a valid provider agreement as of August thirtieth of the previous year.
- (2) The child is to have received publicly funded child care from the provider for at least one day during January through December of the previous year.

(J) Is a provider compensated when a child is absent from the program?

- (1) A child is eligible for a maximum of twenty absent days during each six-month period of January through June and July through December of each state fiscal year.
- (2) Absent days are defined in rule 5101:2-16-01 of the Administrative Code.
- (3) A provider may be paid for an absent day for which a child is eligible. An absent day is not to be paid prior to actual attendance at the authorized program. The attendance is to be documented by a recorded in time and a recorded out time, and is to have occurred on any day in the previous rolling twelve months.
- (4) The value of an absent day is based on the child's authorized hours for care, as follows:
 - (a) For a full-time or a full-time plus authorization, the value of an absent day is eight hours.
 - (b) For a part-time or an hourly authorization, the value of an absent day is five hours.

(K) Are providers compensated for staff professional development days?

- (1) Providers are eligible for two professional development days per state fiscal year. A fiscal year is defined as July first through June thirtieth.
- (2) Professional development days are defined in rule 5101:2-16-01 of the Administrative Code.
- (3) Professional development days cannot be used on two consecutive calendar days or in two consecutive calendar months.
- (4) Professional development days are not to be used on any holiday listed in paragraph (F)(5) of this rule.
- (5) The value of a professional development day is based on a child's authorized hours for care, as follows:
 - (a) For a full-time or a full-time plus authorization, the value of a professional development day is eight hours.
 - (b) For a part-time or an hourly authorization, the value of a professional development day is five hours.

(L) What is not included in the payment for publicly funded child care services?

The provider's publicly funded child care payment is not to include:

- (1) A child's copayment amount pursuant to rule 5101:2-16-05 of the Administrative Code.
- (2) Payment for services provided during the hours that a child is in care in another federal or state funded program (including, but not limited to, head start, early head start, or the early childhood education program).
- (3) Payment for services provided during the hours that a school-age child would typically be in attendance at a primary or secondary school.
 - (a) Payment will include time that a school-age child is participating in remote learning, including the remote portion of a hybrid school model, while in child care.
 - (b) Payment will not include time that the child is participating in instructional services which supplant or duplicate the academic program of any school.
 - (c) Payment will not include care during the school-day if the parent has the option to send the school-age child to in-person learning, including a hybrid school model, and instead opted for only remote learning.

(M) What are the requirements regarding fees that a provider may charge to the caretaker?

- (1) A provider is to make a caretaker aware of fees not covered by publicly funded child care payments for which the caretaker may be responsible.
 - (a) A provider is to have a signed agreement with the caretaker for the payment of these fees.
 - (b) Such fees may include:
 - (i) Late fees.
 - (ii) Activity fees.
 - (iii) Transportation fees.
 - (iv) Charges for absent days which exceed those eligible for payment.
 - (v) Charges for hours of care that exceed those authorized.

- (2) A provider is not to ask a caretaker to pay the difference between the provider's payment rate and the provider's customary charge to the public when the customary charge is higher.
 - (3) A provider is not to ask a caretaker to pay the difference between the registration fee paid for the child by the department and the provider's customary registration fee charge to the public when the customary registration fee is higher.
- (N) What are the payment rates for in-home aides that provide publicly funded child care services?

An in-home aide is the only provider of publicly funded child care services who may provide child care in the child's own home.

- (1) An in-home aide is to be paid the lower of these two:
 - (a) The base rate shown in appendix A to this rule in the provider's county of location.
 - (b) The provider's customary rate to the public.
- (2) An in-home aide is not eligible for any payment enhancements or additional percentages to the payment rate.

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Certification

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