

2017 -- H 5085

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO HUMAN SERVICES -- CHILD CARE ASSISTANCE

Introduced By: Representatives Blazejewski, Diaz, Ruggiero, Bennett, and Slater

Date Introduced: January 12, 2017

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-5.2-20 of the General Laws in Chapter 40-5.2 entitled "The
2 Rhode Island Works Program" is hereby amended to read as follows:

3 **40-5.2-20. Child-care assistance.**

4 Families or assistance units eligible for child-care assistance.

5 (a) The department shall provide appropriate child care to every participant who is
6 eligible for cash assistance and who requires child care in order to meet the work requirements in
7 accordance with this chapter.

8 (b) Low-Income child care. The department shall provide child care to all other working
9 families with incomes at or below ~~one hundred eighty percent (180%)~~ two hundred percent
10 (200%) of the federal poverty level if, and to the extent, such other families require child care in
11 order to work at paid employment as defined in the department's rules and regulations. Beginning
12 October 1, 2013, the department shall also provide child care to families with incomes below ~~one~~
13 ~~hundred eighty percent (180%)~~ two hundred percent (200%) of the federal poverty level if, and to
14 the extent, such families require child care to participate on a short-term basis, as defined in the
15 department's rules and regulations, in training, apprenticeship, internship, on-the-job training,
16 work experience, work immersion, or other job-readiness/job-attachment program sponsored or
17 funded by the human resource investment council (governor's workforce board) or state agencies
18 that are part of the coordinated program system pursuant to § 42-102-11.

19 (c) No family/assistance unit shall be eligible for child-care assistance under this chapter

1 if the combined value of its liquid resources exceeds ten thousand dollars (\$10,000). Liquid
2 resources are defined as any interest(s) in property in the form of cash or other financial
3 instruments or accounts that are readily convertible to cash or cash equivalents. These include,
4 but are not limited to, cash, bank, credit union, or other financial institution savings, checking,
5 and money market accounts; certificates of deposit or other time deposits; stocks; bonds; mutual
6 funds; and other similar financial instruments or accounts. These do not include educational
7 savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held
8 jointly with another adult, not including a spouse. The department is authorized to promulgate
9 rules and regulations to determine the ownership and source of the funds in the joint account.

10 (d) As a condition of eligibility for child-care assistance under this chapter, the parent or
11 caretaker relative of the family must consent to, and must cooperate with, the department in
12 establishing paternity, and in establishing and/or enforcing child support and medical support
13 orders for all children in the family in accordance with title 15, as amended, unless the parent or
14 caretaker relative is found to have good cause for refusing to comply with the requirements of this
15 subsection.

16 (e) For purposes of this section, "appropriate child care" means child care, including
17 infant, toddler, pre-school, nursery school, school-age, that is provided by a person or
18 organization qualified, approved, and authorized to provide such care by the department of
19 children, youth and families, or by the department of elementary and secondary education, or
20 such other lawful providers as determined by the department of human services, in cooperation
21 with the department of children, youth and families and the department of elementary and
22 secondary education.

23 (f) (1) Families with incomes below one hundred percent (100%) of the applicable
24 federal poverty level guidelines shall be provided with free child care. Families with incomes
25 greater than one hundred percent (100%) and less than ~~one hundred eighty percent (180%)~~ two
26 hundred percent (200%) of the applicable federal poverty guideline shall be required to pay for
27 some portion of the child care they receive, according to a sliding-fee scale adopted by the
28 department in the department's rules.

29 (2) Families who are receiving child-care assistance and who become ineligible for child-
30 care assistance as a result of their incomes exceeding one hundred eighty percent (180%) of the
31 applicable federal poverty guidelines shall continue to be eligible for child-care assistance from
32 October 1, 2013, to September 30, 2017, or until their incomes exceed two hundred twenty-five
33 percent (225%) of the applicable federal poverty guidelines, whichever occurs first. To be
34 eligible, such families must continue to pay for some portion of the child care they receive, as

1 indicated in a sliding-fee scale adopted in the department's rules and in accordance with all other
2 eligibility standards.

3 (g) In determining the type of child care to be provided to a family, the department shall
4 take into account the cost of available child-care options; the suitability of the type of care
5 available for the child; and the parent's preference as to the type of child care.

6 (h) For purposes of this section, "income" for families receiving cash assistance under §
7 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in
8 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned
9 and unearned income as determined by departmental regulations.

10 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast
11 the expenditures for child care in accordance with the provisions of § 35-17-1.

12 (j) In determining eligibility for child-care assistance for children of members of reserve
13 components called to active duty during a time of conflict, the department shall freeze the family
14 composition and the family income of the reserve component member as it was in the month prior
15 to the month of leaving for active duty. This shall continue until the individual is officially
16 discharged from active duty.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HUMAN SERVICES -- CHILD CARE ASSISTANCE

- 1 This act would increase the income eligibility limit for the Child Care Assistance
- 2 Program (CCAP) to 200% of the federal poverty level from 180%.
- 3 This act would take effect upon passage.

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