

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
October 1, 2022**

Third Amended IM 5431

TO: Human Service Zones
Economic Assistance Policy Division

FROM: Michele Gee, Director, Economic Assistance

SUBJECT: CCAP COVID Policy Updates

PROGRAMS: Child Care Assistance Program (CCAP)

EFFECTIVE: March 1, 2021 – March 31, 2023 unless otherwise mentioned

**SECTIONS
AFFECTED:** **Allowable Activities 400-28-55-05**
Co-pay Requirements 400-28-90
Overview 400-28-90-05
Waived Co-Pay Families 400-28-90-20

This IM is being amended to remove the policy allowing activity search at application and review. Effective with October 1st application and reviews, activity search will no be longer allowable, and Child Care Assistance will be denied.

This IM is being amended to remove the timely rules for activity search. All cases eligible for activity search will get three full months beginning the month after the change occurred.

The Coronavirus Response and Relief Supplement Appropriations Act (CRRSA) allocated \$10 billion in supplement funding for the Child Care and Development Fund (CCDF) to prevent, prepare for and respond to coronavirus. The North Dakota Department of Human Services is committed to supporting CCDF eligible families and the child care sector by implementing the changes below.

Effective March 1, 2021 activity search will be an allowable activity at application and review. This change will be effective beginning March 1, 2021 through September 30, 2022.

Households will be eligible for three months from the month of application or review when their only allowable activity is activity search.

In addition, all co-payments will be waived effective the service month of March 2021 through the service month of March 2023. Payments will be issued at the max state rate for each child based on their approved level of care **when payment is issued directly to provider. Payments issued to the family will continue to be calculated based off the payment request details.** April 2023 co-payments will be re-implemented for all new applications and on-going cases.

An FYI will be issued with additional details regarding these changes, as well as examples for SPACES processing.

Co-pay Requirements 400-28-90-05

Federal regulations require each family receiving Child Care Assistance Program (CCAP) benefits to contribute towards the monthly costs of such care.

- The portion that a family is responsible to contribute is called a Co-pay.
- The Co-pay that is applied to child care costs incurred each month is referred to as Family Monthly Co-pay.

The Co-pay requirement is waived for **all families throughout the COVID-19 response effective the service month of March 2021 – March 2023.** ~~receiving TANF, Diversion and Crossroads.~~

Families who are not waived from the Co-pay requirement are subject to a Family Monthly Co-pay when determining their CCAP eligibility. In addition to the Co-pay, the family is responsible for any amount that is charged over the State Maximum Monthly Share amount.

It is the responsibility of the provider to collect the Co-pay from the family. Verification that the Co-pay has been paid is not required.

Waived Co-pay Families 400-28-90-20

The Co-pay requirement is waived for all families throughout the COVID-19 response effective the service month of March 2021 – March 2023.

~~The Co-pay requirement for certain families with very low income will be waived and their child care paid up to the State Rate. These include:~~

- ~~• Families receiving services through the Crossroads Program~~
- ~~• Ineligible/SSI children whose caretaker is receiving TANF or Diversion~~
- ~~• Families receiving TANF or Diversion~~

~~**Note:** Payment of child care is subject to Co-pay when the child care is a result of an activity for a TANF caretaker who is:~~

- ~~• In receipt of SSI~~
- ~~• A Disqualified Alien or~~
- ~~• An ineligible non-legally responsible caretaker~~

~~Families who are not subject to the Co-pay requirements are not subject to the income requirements. Since these families are not subject to co-pay or income requirements, child care may be paid up to the maximum State Rate.~~

Waived Co-Pay for TANF Recipients 400-28-45-05

The Co-pay requirement is waived for all families throughout the COVID-19 response effective the service month of March 2021 – March 2023.

~~The Co-pay requirement is waived for child care that is a result of participation in an approved activity of a caretaker in receipt of or deemed in receipt of TANF or Diversion. This includes child care for an SSI or ineligible child whose caretaker is receiving TANF, TANF Transition or Diversion Benefits.~~

~~**Note:** Payment of child care is subject to Co-pay when the child care is a result of an activity for a TANF caretaker who is:~~

- ~~• In receipt of SSI~~
- ~~• A Disqualified Alien or~~

- ~~An ineligible non-legally responsible caretaker~~

~~Families not subject to the Co-pay requirements are not subject to the income requirements for the Child Care Assistance Program. These families do not have to provide verification of their income in order for their eligibility to be determined.~~