

Service Chapter: Child Care Assistance Program 400-28

Effective Date: February 1, 2024

Overview

Effective February applications/reviews, activity search is an allowable activity at the time of application or review. This will be for all applications received on or after February 1st and reviews received in January for February.

Crossroads and TANF policy sections have been cleaned up and merged into fewer policy sections.

Description of Changes

1. Incapacity of a Caretaker/Child 400-28-35-15 – Change

Included that caretakers applying for an exemption can also provide verification that they cannot participate in an allowable activity. Added information that households are eligible for an additional 3 months for activity search.

2. Eligibility for Crossroads Families 400-28-40-05 – Update

Policy updated up for SPACES processing of Crossroads.

3. Processing of Child Care Assistance for Crossroads Recipients 400-28-40-10 – Change

Policies combined into one section. No policy is changing.

4. Initial Crossroads Application/Initial Child Care Assistance Program Application 400-28-40-10-05 – Repealed

Information moved to section 400-28-40-10

5. Initial Crossroads Application/Ongoing Child Care Assistance Program 400-28-40-10-10 – Repealed

Information moved to section 400-28-40-10

6. Ongoing Crossroads/Ongoing Child Care Assistance Program 400-28-40-10-15 – Repealed

Information moved to section 400-28-40-10

7. Crossroads Program Closure and Continued Child Care Assistance Program 400-28-40-10-20- Repealed

Information moved to section 400-28-40-10

8. Waived Co-Pay for TANF Program Recipients 400-28-45-05 - Change Renamed to Child Care for TANF Recipients

Combined with section 400-28-45-40. Change to allow TANF recipients to be covered under CCAP when granted good cause from JOBS. Removed policy requiring activity be listed on the employability plan in order for CCAP to pay.

9. Unmarried TANF Households – No Children in Common 400-28-45-20 – Repealed

This section is being repealed as TANF cases are processed the same as non-TANF. Refer to section 400-28-35-05

10. Unmarried TANF Households – Children in Common 400-28-45-25 – Repealed.

Refer to section 400-28-35-05

11. Married TANF Households 400-28-45-30 – Repealed

Refer to section 400-28-35-05

12. Child Care for TANF Recipients 400-28-45-40 – Repealed

Moved to section 400-28-45-40-05.

13. Processing of Child Care Assistance for TANF or Diversion Applicants and Recipients 400-28-45-45 - Change

Policies combined into one section. No policies are changing.

14. Initial TANF or Diversion Application/Initial Child Care Assistance Program Application 400-28-45-45-05 – Repealed

Information moved to 400-28-45-45.

15. Initial TANF or Diversion Application/Ongoing Child Care Assistance Program 400-28-45-45-10 – Repealed

Information moved to 400-28-45-45.

16. Initial Child Care Assistance Program Application/Ongoing TANF or Diversion 400-28-45-45-15 – Repealed

Information moved to 400-28-45-45.

17. Ongoing TANF or Diversion/Ongoing Child Care Assistance Program 400-28-45-45-20 – Repealed

Information moved to 400-28-45-45.

18. TANF or Diversion Closure and Continued Child Care Assistance Program 400-28-45-45-25 – Repealed

Information moved to 400-28-45-45.

19. Ineligible/SSI Children Whose Caretaker receives TANF or Diversion 400-28-45-45-30 – Repealed

Information moved to 400-28-45-45.

20. Allowable Activities 400-28-55-05 - Change

Change to policy to allow activity search as an allowable activity at application or review. Policy clarification also added for a temporary change in the allowable activity.

21. Child Support and Spousal Support- Court Ordered and Voluntary 400-28-65-10-42 – Update

Policy has been updated to clarify that the fee's deducted from child support are not counted.

22. In Home Child Care When Provider and Child Reside in Same Home 400-28-105-15 -Change

Change in policy to be in compliance with ND Century Code. All children receiving In Home Child Care, must also meet the criteria for In Home care due to Illness/Disability at 400-28-35-30.

Policy Section Updates

1. Incapacity of a Caretaker/Child 400-28-35-15

In a household with one caretaker, child care can be allowed when:

- The caretaker is disabled or physically, mentally, or emotionally incapable of providing care.
- A child within the household is unable to attend child care due to the child being disabled or physically, mentally, or emotionally incapable of receiving care by someone other than the caretaker, however there is a need for other children within the household to attend a child care setting outside of the home.

In a household with two caretakers, child care can be allowed when:

- One of the caretakers is in an allowable activity.
- The other caretaker is disabled or physically, mentally, or emotionally incapable of providing care.
- A child within the household is unable to attend child care due to the child being disabled or physically, mentally, or emotionally incapable of receiving care by someone other than the caretaker, however there is a need for other children within the household to attend a child care setting outside of the home, while one caretaker remains with the child that is unable to attend child care.

Verification of the caretaker's incapacity must be obtained from the caretaker's physician, psychologist, health care or other qualified professional or from the Social Security Administration. **The verification can indicate that the caretaker is unable to care for the child(ren), or indicate the parents inability to be in an otherwise allowable activity.** ~~or Verification of the child that is unable to attend a child care setting, and the need for the other children in the home to be in a child care setting must be provided.~~ This information must be submitted to the CCAP State Determination Team for a decision. The CCAP State Determination Team will render a decision and notify the eligibility worker if the request has been approved or denied. If approved, the CCAP State Determination Team will determine the length of the approval.

Approval of allowable child care hours may be limited to the number of days and hours per week recommended by the medical professional.

In order for eligibility based on incapacity to continue, the caretaker will need to submit current documentation of the incapacity before the end of the approval period determined by the CCAP State Determination Team, or at the time of review,

whichever is first. This information must be submitted to the CCAP State Determination Team for a decision.

At the time it is determined the caretaker is no longer incapacitated **and there is not a known allowable activity which continues, the household must be allowed three months of continued assistance before CCAP can close. The three months of continued assistance begins in the month following the month of the closure. the case must close unless otherwise eligible.**

2. Eligibility for Crossroads Families 400-28-40-05

The Crossroads Program is designed to assist with child care costs for individuals who are:

- Parents up to 21 years of age (prior to the month the parent turns 21 years of age)
- Parents who are male or female
- Parents who are married or unmarried
- Parents who have the primary responsibility for the care of their child
- Parents who are pursuing an educational activity

If the parent is interested in receiving assistance through Crossroads, the parent must apply for Crossroads.

~~A parent applying for Crossroads who is requesting assistance with child care expenses must also apply for the Child Care Assistance Program (CCAP) unless the parent already is open CCAP. Upon receipt of the Crossroad's approval letter, the individual is eligible for CCAP to cover the costs of child care.~~

~~A copy of the Crossroads approval letter must be submitted to the Human Service Zone (HSZ) to verify the parent(s) is eligible for Crossroads. The approval letter shows the period of time the parent is eligible for Crossroads.~~

Crossroads policy will enter the approval of Crossroads into the system.

While an individual is eligible for Crossroads, child care for that individual can be reimbursed under CCAP. ~~In these situations, the allowable activity must be education, work or approved activities on the education plan.~~

A parent, who participated in Crossroads in the previous school period and who intends to participate in Crossroads for the next school period is eligible for Crossroads coverage during the break between the two school periods if the parent

is working or participating in Crossroads case management services during that time. ~~Verification of participation must be provided to the county.~~

When an individual eligible for Crossroads is married or resides with the parent of the child, CCAP will pay the Crossroads approved child care without regard to the activities or income of the spouse or second parent.

A child in receipt of a Supplemental Security Income (SSI) may be eligible for Crossroads provided the parent meets the Crossroads eligibility criteria.

If the parent is not eligible for or chooses not to participate in the Crossroads Program, the parent can apply for CCAP and if all other program criteria is met, be eligible and is subject to the Co-pay or Waived Co-pay if eligible for TANF or Diversion.

3. Processing of Child Care Assistance for Crossroads Recipients 400-28-40-10

A parent applying for Crossroads who is requesting help with child care costs (education, work or approved activities on the education plan) must apply for the Child Care Assistance Program (CCAP) and be determined eligible using the criteria defined in the Child Care Assistance Policy manual.

A Crossroads applicant who has ongoing CCAP eligibility must be updated to a waived co-pay effective the month Crossroads is approved. Child care expenses for months prior to Crossroads approval would be covered using existing eligibility.

If Crossroads closes and the household remains eligible for CCAP, the co-pay remains as waived co-pay for the remainder of the eligibility period.

If Crossroads closes and there **is not a known** allowable activity which continues, the household must be allowed three months of continued assistance before CCAP can close. The three months of continued assistance begins in the month following the month of the Crossroads closure.

~~4. Initial Crossroads Application/Initial Child Care Assistance Program Application 400-28-40-10-05~~

~~A parent applying for Crossroads who is requesting help with child care costs (education, work or approved activities on the education plan) must apply for the Child Care Assistance Program (CCAP) and be determined eligible using the criteria defined in the Child Care Assistance Policy manual.~~

~~5. Initial Crossroads Application/Ongoing Child Care Assistance Program 400-28-40-10-10~~

~~A Crossroads applicant who has ongoing Child Care Assistance Program (CCAP) eligibility must be updated to a Waived Co-pay effective the month Crossroads is approved. Child care expenses for months prior to Crossroads approval would be covered using existing eligibility.~~

~~6. Ongoing Crossroads/Ongoing Child Care Assistance Program 400-28-40-10-15~~

~~Crossroads recipients continue to be eligible for the Child Care Assistance Program (CCAP) as Waived Co-pay as long as all other CCAP program requirements are met.~~

~~7. Crossroads Program Closure and Continued Child Care Assistance Program 400-28-40-10-20~~

~~If Crossroads closes and the household remains eligible for CCAP, the co-pay remains as waived co-pay for the remainder of the eligibility period.~~

~~If Crossroads closes and there **is not a known** allowable activity which continues, the household must be allowed three months of continued assistance before CCAP can close. The three months of continued assistance begins in the month following the month of the Crossroads closure.~~

~~8. Waived Co-Pay for TANF Recipients~~ **Child Care for TANF Recipients 400-28-45-05**

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~~**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
- An ineligible Kinship Care caretaker with non-kinship children

Families not subject to the ~~G~~co-pay requirements are not subject to the income requirements for the Child Care Assistance Program.

TANF recipients who are not required to participate in the JOBS or Tribal NEW programs must volunteer to participate in the program in order for their child care costs to be paid through CCAP, unless granted good cause from the JOBS program, or ~~except~~ when the recipient is participating in Alternative Response for Substance Exposed Newborn (ARSEN) program. ARSEN households receiving TANF are not required to participate or volunteer in the JOBS or Tribal New Program to have their child care costs paid through CCAP.

TANF households may choose to use child care expenses as a TANF earned income disregard up to the TANF maximum allowable costs or they may receive assistance under CCAP. Households may not receive the disregard and have child care paid under CCAP in the same month.

If a minor parent in the TANF household needs child care to complete high school or its equivalent, the minor parent should be informed of and referred to the Crossroads Program. (Refer to section 400-28-40, Crossroads Families).

Eligible children under Kinship Care are not eligible to have their child care costs paid through CCAP as these costs are covered under TANF Kinship Care Supportive Services.

~~9. Unmarried TANF Households – No Children in Common 400-28-45-20~~

~~When a TANF household consists of two unmarried adults who each have a child(ren) but do not have a child(ren) in common, each must apply for the Child Care Assistance Program on their own behalf. A separate application from each caretaker and two separate cases must be established.~~

~~10. Unmarried TANF Households – Children in Common 400-28-45-25~~

~~When two unmarried adults reside together, in order for a child to be considered a child in common, paternity of the child in common must be verbally acknowledged, legally adjudicated, or the parents must have signed a voluntary acknowledgement of paternity.~~

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~~When a household consists of two unmarried adults who each have a child(ren) and a child in common, and BOTH caretakers are eligible for TANF:~~

- ~~• If child care is being requested for the child in common, only one case is established and both parents, the children of both parents and the child in common must be included in the child care assistance unit.~~
- ~~• If child care is NOT being requested for the child in common, two cases must be established and the child in common must be included in each case~~

~~**Example:** Household includes Mom, her child, Dad, his child and a child in common. Mom is requesting child care for her child and Dad is requesting child care for his child. Child care is NOT being requested for the child in common. Since assistance is not being requested for the child in common, Mom and Dad must each complete an application for the Child Care Assistance Program (CCAP). The child in common would be included as a member of the child care assistance unit in both Mom and Dad's household. Both Mom and Dad would have a 3-person household.~~

~~When a household consists of two unmarried adults in which one parent has a child(ren), the other parent does not have a child, the parents have a child(ren) in common and BOTH parents are eligible for TANF:~~

- ~~• If child care is requested for the child(ren) in common, one case is established and must include the child(ren) in common, both unmarried adults and any of the unmarried adults' child(ren) required to be in the child care assistance unit.~~
- ~~• If child care is not requested for the child(ren) in common, the parent who needs child care must complete an application for CCAP and that parent's child care assistance unit would include their own child(ren) and the child(ren) in common.~~

~~When a household consists of two unmarried adults who each have a child(ren) and a child in common and ONLY one caretaker is eligible for TANF, two separate cases must be established.~~

- ~~• If child care is being requested for the child in common, the child in common is included in the TANF caretaker's child care assistance unit and child care for the child in common is determined in the TANF caretaker's case.~~
- ~~• If the non-TANF caretaker requests child care, the child in common is included in the child care assistance unit of the non-TANF caretaker. However, the child care for the child in common is paid in the TANF caretaker's case.~~

~~**Example:** Household includes mom, her child, Dad, his child and a child in common. Mom is requesting TANF and child care for her child and Dad is requesting child care only for his child. Mom and Dad must each complete an application for CCAP. The child in common would be~~

included as a household member in both Mom and Dad's household.
Both Mom and Dad would have a 3 person household.

Note: If child care is being requested for the child in common, the child in common's child care would be determined in Mom's case as she is TANF eligible.

11. Married TANF Households 400-28-45-30

When a TANF household consists of two married adults, whether each has children of their own or they have children in common, only one application is required and only one case is established.

12. Child Care for TANF Recipients 400-28-45-40

The Child Care Assistance Program (CCAP) will pay child care for TANF recipients **only** if the allowable activity is identified on the JOBS or Tribal New Employability plan. Child care for any allowable activity not identified on the employability plan **cannot** be paid through CCAP.

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When a TANF recipient who is required to participate in the JOBS Program is not participating, child care will be paid for any activity the individual is participating in that is listed on the latest employability plan until the TANF case closes.

Example: Mom is required to participate in the JOBS Program in Job Search but fails to provide information to her case manager. The case manager completes the 'good cause' process and a sanction is imposed for October.

If Mom submits child care expenses for the months of September and October while searching for a job, since the latest employability plan lists her activity as Job Search and the Mom continues to be a JOBS participant through October 31st, the child care expenses for September and October while searching for a job can be paid.

Should the child care expenses for the month of September and October be a result of an activity not listed on the employability plan, these child care expenses cannot be paid unless Mom begins participating in the JOBS program and a new employability plan is received that includes these activities.

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TANF recipients who are not required to participate in the JOBS or Tribal NEW programs must volunteer to participate in the program in order for their child care costs to be paid through CCAP, except when the recipient is participating in Alternative Response for Substance Exposed Newborn (ARSEN) program.

~~ARSEN households receiving TANF are not required to participate or volunteer in the JOBS or Tribal New Program to have their child care costs paid through CCAP.~~

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~~TANF households may choose to use child care expenses as a TANF earned income disregard up to the TANF maximum allowable costs or they may receive assistance under CCAP. Households may not receive the disregard and have child care paid under CCAP in the same month.~~

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~~If a minor parent in the TANF household needs child care to complete high school or its equivalent, the minor parent should be informed of and referred to the Crossroads Program. (Refer to section 400-28-40, Crossroads Families).~~

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~~Eligible children under Kinship Care are not eligible to have their child care costs paid through CCAP as these costs are covered under TANF Kinship Care Supportive Services.~~

13. Processing of Child Care Assistance for TANF or Diversion Applicants and Recipients 400-28-45-45

In addition to applying for TANF or Diversion an applicant must also apply for the Child Care Assistance Program (CCAP) if there is a need for child care. If TANF or Diversion and CCAP are approved for the same month, CCAP is approved as waived co-pay.

A TANF or Diversion applicant who has ongoing CCAP must be updated to waived co-pay effective the month TANF or Diversion is approved. Child care expense for months prior to TANF or Diversion approval would be covered using the existing eligibility and would be subject to co-pay requirements.

An ongoing TANF or Diversion household that applies for CCAP and is approved for CCAP in a month the household is eligible for TANF or Diversion will be a waived co-pay effective the month CCAP is approved.

If TANF or Diversion closes and remains eligible for CCAP, the co-pay remains as waived co-pay for the remainder of the eligibility period.

If TANF or Diversion closes and there **is not a known** allowable activity which continues, the household must be allowed three months of continued assistance before CCAP can close. The three months of continued assistance begins in the month following the month of the TANF or Diversion closure.

Ineligible/SSI children whose caretaker is receiving TANF or Diversion, must have their child care paid through CCAP since their child care expenses cannot be used as an expense deduction in TANF or Diversion. Since the caretaker is in receipt of TANF, the children are considered part of the TANF household for CCAP purposes.

14. Initial TANF or Diversion Application/Initial Child Care Assistance Program Application 400-28-45-45-05

In addition to applying for TANF or Diversion an applicant or recipient must also apply for the Child Care Assistance Program (CCAP) if there is a need for child care. If TANF or Diversion and CCAP are approved for the same month, CCAP is approved as Waived Co-pay.

15. Initial TANF or Diversion Application/Ongoing Child Care Assistance Program 400-28-45-45-10

A TANF or Diversion applicant who has an ongoing Child Care Assistance Program (CCAP) must be updated to Waived Co-pay effective the month TANF or Diversion is approved. Child care expense for months prior to TANF or Diversion approval would be covered using the existing eligibility (which would reflect Co-pay).

16. Initial Child Care Assistance Program Application/Ongoing TANF or Diversion 400-28-45-45-15

An ongoing TANF or Diversion household that applies for the Child Care Assistance Program (CCAP) and is approved for CCAP in a month the household is eligible for TANF or Diversion will be a Waived Co-pay effective the month CCAP is approved.

17. Ongoing TANF or Diversion/Ongoing Child Care Assistance Program 400-28-45-45-20

TANF or Diversion recipients continue to be eligible for the Child Care Assistance Program (CCAP) as Waived Co-pay as long as all other CCAP program requirements are met.

18. TANF or Diversion Closure and Continued Child Care Assistance Program 400-28-45-45-25

If TANF or Diversion closes and remains eligible for CCAP, the co-pay remains as waived co-pay for the remainder of the eligibility period.

If TANF or Diversion closes and there **is not a known** allowable activity which continues, the household must be allowed three months of continued assistance

~~before CCAP can close. The three months of continued assistance begins in the month following the month of the TANF or Diversion closure.~~

19. Ineligible/SSI Children Whose Caretaker receives TANF or Diversion 400-28-45-45-30

~~Ineligible/SSI children whose caretaker is receiving TANF or Diversion, must have their child care paid through the Child Care Assistance Program (CCAP) since their child care expenses cannot be used as an expense deduction in TANF or Diversion. Since the caretaker is in receipt of TANF, the children are considered part of the TANF household for CCAP purposes.~~

20. Allowable Activities 400-28-55-05

Caretakers must be participating in an allowable activity to be eligible for assistance under the Child Care Assistance Program (CCAP).

The following are allowable CCAP activities **at application review and after initial eligibility** has been established:

1. Work – Work is an activity in which an individual is engaged through employment or self-employment. Work must entail personal involvement and effort on the part of the applicant or recipient.

The following are allowable work activities:

- Paid employment
 - Paid work studies, internships or assistantships (this includes when an individual is in a non-allowable postsecondary education program).
- Self-employment

Paid employment must be considered suitable employment. Employment is suitable if it meets the following conditions:

1. The wage offered is not less than the highest of the applicable Federal minimum wage, the applicable State minimum wage, or 80% of the Federal minimum wage if neither the Federal nor State minimum wage is applicable (waiters/waitresses).
2. The employment is on a piece-rate basis, and the average hourly yield the employee can reasonably be expected to earn is not less than the highest of the applicable Federal minimum wage, the applicable State minimum wage or 80% of the Federal minimum wage if neither the Federal or State minimum wage is applicable.

Note: Child care providers must be licensed, self-declared or registered by a tribe in order to be considered an allowable activity. Approved relative providers are not considered to be in an allowable activity.

2. Education or Training - Child care relating to an allowable education or training activity.

Allowable postsecondary education includes:

- Certificate
- Associate's degree
- Bachelor's degree

CCAP may pay eligible child care costs for individuals pursuing a certificate, Associate's degree or Bachelor's degree provided the individual has not already earned a Bachelor's degree.

NOTE: Payment of postsecondary educational related child care costs incurred by an individual who already has earned a Bachelor's degree is prohibited.

Required activities related to the pursuit of a post-secondary degree (student teaching, internships, etc.) may be considered allowable activities.

If an individual has already earned a certificate or Associate's degree, eligible child care costs are allowed if the individual is continuing to pursue another allowable education activity and has not earned a Bachelor's degree.

Attending high school or alternative high school or pursuing a GED is an allowable activity even if the individual is not participating in Crossroads.

Traditional high school "attendance" is defined by the Department of Public Instruction (DPI) as:

- Full-time - 4 or more classes
- Part-time - less than 4 classes
- Attendance in an alternative high school setting for full-time/part-time as identified by the school

GED may be full time/part-time.

If a high school diploma or GED is not required to receive a certificate, it is considered training and is not considered postsecondary education.

Example: A Certified Nurse Assistant (CNA) certificate is NOT considered postsecondary education as a high school diploma is not required to receive a CNA certificate.

Allowable Training includes but is not limited to:

- Basic remedial education
- Training designed to assist an individual to achieve basic literacy
- Training needed to secure or retain employment which includes skills and technology training
- Vocational Training (trade school or career school)
- Individuals who are participating in classes for English as a second language.
- Internet Classes – Child care related to completing on-line computer classes that meets the allowable education or training requirements is an allowable activity.
- Vocational Rehabilitation education plans must follow CCAP education requirements.

Note: A temporary change in a caretakers ongoing activity of work, education, or training is allowable. A temporary change can include, but is not limited to:

- Any time-limited absence from work for an employed caretaker for an illness or to care for a family member.
- Any interruption in work for a seasonal worker who is not working between regular industry work seasons.
- Any student holiday or break for a caretaker participating in training or education.
- Any reduction in work, training, or education hours, as long as the caretaker is still working or attending training or education.
- Any other break of work or attendance at a training or education program that does not exceed three months.

3. Alternative Response for Substance Exposed Newborns (ARSEN) – Child care needed for a parents participation in ARSEN.
4. Activity Search - Activity search is an allowable activity at application or review. Child care for activity search must be allowed for three full consecutive months within an eligibility period.

When a household applies and only has activity search as an allowable activity, up to 15 hours per week (part time level of care) can be approved for the caretaker. Travel and break time hours are not allowed.

In households with two caretakers, if one caretaker is in an allowable activity and the other is not, the case can be approved and the caretaker

without an allowable activity will be allowed 15 hours of allowable activity per week.

Example 1:

Mom applies for CCAP on June 16th and had a job at the time of application. The case is approved based on mom's work schedule. Mom reports on September 13th that she lost her job and is now job searching. Child care can be allowed for the time mom searches for a job.

Example 2:

Dad applies for CCAP on October 2nd listing his allowable activities as education and job search. The application can be approved for education and job search hours.

For activity search to start in an on-going case, a caretaker must have a non-temporary loss of all of their activities. A non-temporary loss of allowable activity is any loss of activity that is not time limited (two week, one month, etc.) and the individual does not anticipate returning to that activity. Child care for activity search must be allowed for three full consecutive months within an eligibility period once a caretaker loses their allowable activity.

When a household includes two caretakers, each caretaker is eligible for three consecutive months of activity search within a certificate period. The level of care that was effective before the loss of activity cannot be reduced and must continue through the three allowable months of activity search. Verification of activity search hours is not required.

A household may be allowed more than one period of three full consecutive months of activity search within an eligibility period.

Exception:

TANF recipients must follow the JOBS program guidelines, therefore, the three full consecutive month limitation does not apply to TANF recipients who are participating in the JOBS program when their JOBS employment plan includes any type of activity search.

When a household reports a non-temporary loss of activity, the three months of continued assistance will begin in the month after the change occurred.

Example 3:

Household was approved for CCAP starting August 1st through July 31st at the full time level of care with employment as an allowable activity. On October 12th, the household reports that they lost their employment as of October 5th. The household's three full months of continued assistance will begin in the month of November. The household remains eligible for the full time level for the months of October, November, December and January. On December 20th, the household reports that they have found new employment. Since the household found a new allowable activity before the end of the three full consecutive month period, the household remains eligible. The full time level of care continues through the remainder of the certificate period, even if the household reports a decrease in allowable activity hours based on the new employment, based on policy at 'Determining the Level of Care 400-28-80-50.' The co-pay may be decreased if the household reports that there is a reduction in income based on the new employment based on policy at 'When Income and Allowable Income Deductions are Verified and Changed 400-28-75-50.'

If a case closes after the household has used their three full months of activity search, and the household reapplies for CCAP and reports activity search, the household is not eligible for another three full months of activity search until a period of three months has passed.

Example 4:

Household was approved for CCAP starting August 1st through July 31st at the part time level of care with education as an allowable activity. On October 12th, the household reports that they are no longer in an educational activity as of September 15th. The household's three full months of continued assistance will begin in the month of October. The household remains eligible for the part time level for the months of September, October, and November, and December.

On November 3rd the household reports that they now have employment as an allowable activity. Since the household found a new allowable activity before the end of the three full consecutive month period, the household remains eligible. The household reports an increased need in the level of care based on allowable activity hours. The level of care can be increased to the full time

level of care based on policy at 'Determining the Level of Care 400-28-80-50.'

The co-pay may be decreased if the household reports that there is a reduction in income based on the new employment as per policy at 'When Income and Allowable Income Deductions are Verified and Changed 400-28-75-50.'

On March 18th, the household reported that they lost their employment as of March 11th and no longer have any allowable activity. Since the household reported the loss of activity, the household's is allowed another three full months of continued assistance that will begin the month of April. The household remains eligible for the full time level for the months of March, April, May and June.

The household does not report by June 10th that they now have an allowable activity. Verification of an allowable activity must be requested, and the case may be set to close at the end of June. If no verifications are received by June 30th, the case is closed, and the household must reapply.

The household reapplies on July 15th with the only activity reported as activity search. The application is denied.

The household reapplies on November 12th with the only activity reported as activity search. The household is now eligible for three full months of activity search.

The following are allowable CCAP activities **after initial eligibility** has been established:

- ~~5. Activity Search—Activity search is not an allowable activity at the time of application or review. Activity search hours can only be allowed in ongoing cases after a case has been approved for work, education or training.~~

Exception:

~~Activity search hours are allowable at the time of application or review for households that are also in receipt of Diversion, TANF or Transition and households that are homeless. Activity search hours must be listed on the most recent JOBS employability plan for TANF and Transition cases.~~

~~At time of application or review, in households with two caretakers, if one caretaker is in an allowable activity (work, education or training) and the other caretaker only has activity search as an activity, the application or review must be denied.~~

Example:

Mom applies for CCAP on May 5th listing her only allowable activity as activity search. The application must be denied as activity search is not an allowable activity at time of application.

In order for activity search to start, a caretaker must have a non-temporary loss of all of their activities. A non-temporary loss of allowable activity is any loss of activity that is not time limited (two week, one month, etc.) and the individual does not anticipate returning to that activity. Child care for activity search must be allowed for three full consecutive months within an eligibility period once a caretaker loses their allowable activity. When a household includes two caretakers, each caretaker is eligible for three consecutive months of activity search within a certificate period. The level of care that was effective before the loss of activity cannot be reduced and must continue through the three allowable months of activity search. Verification of activity search hours is not required.

A household may be allowed more than one period of three full consecutive months of activity search within a certificate period.

Exception:

TANF recipients must follow the JOBS program guidelines, therefore, the three full consecutive month limitation does not apply to TANF recipients who are participating in the JOBS program when their JOBS employment plan includes any type of activity search.

Example 1:

Mom applies for CCAP on June 16th and had a job at the time of application. The case is approved based on mom's work schedule. Mom reports on September 13th that she lost her job and is now job searching. Child care can be allowed for the time mom searches for a job.

Example 2:

Dad applies for CCAP on October 2nd listing his allowable activities as education and job search. The application can be approved for education hours only, as job search is not an allowable activity at time of application. When a household reports a non-temporary loss of activity the three months of continued assistance will begin in the month after the change occurred.

Example 3:

Household was approved for CCAP starting August 1st through July 31st at the full time level of care with employment as an allowable activity. On October 12th, the household reports that they lost their employment as of October 5th. The household's three full months of continued assistance will begin in the month of November. The household remains eligible for the full time level for the months of October, November, December and January.

~~On December 20th, the household reports that they have found new employment. Since the household found a new allowable activity before the end of the three full consecutive month period, the household remains eligible. The full time level of care continues through the remainder of the certificate period, even if the household reports a decrease in allowable activity hours based on the new employment, based on policy at 'Determining the Level of Care 400-28-80-50.'~~

~~The co-pay may be decreased if the household reports that there is a reduction in income based on the new employment based on policy at 'When Income and Allowable Income Deductions are Verified and Changed 400-28-75-50.'~~

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Example 4:

~~Household was approved for CCAP starting August 1st through July 31st at the part time level of care with education as an allowable activity. On October 12th, the household reports that they are no longer in an education activity as of September 15th. The household's three full months of continued assistance will begin in the month of October. The household remains eligible for the part time level for the months of September, October, November and December.~~

~~On November 3rd the household timely reports that they now have employment as an allowable activity. Since the household found a new allowable activity before the end of the three full consecutive month period, the household remains eligible. The household reports an increased need in the level of care based on allowable activity hours. The level of care can be increased to the full time level of care based on policy at 'Determining the Level of Care 400-28-80-50.'~~

~~The co-pay may be decreased if the household reports that there is a reduction in income based on the new employment as per policy at 'When Income and Allowable Income Deductions are Verified and Changed 400-28-75-50.'~~

~~On March 18th, the household timely reported that they lost their employment as of March 11th and no longer has any allowable activity. Since the household timely reported the loss of activity, the household's is allowed another three full months of continued assistance that will begin the month of April. The household remains eligible for the full time level for the months of March, April, May and June.~~

~~The household does not report by June 10th that they now have an allowable activity. If no verifications are received by June 30th, the case is closed and the household must reapply.~~

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~~If activity search hours are questionable at time of payment, verification can be requested from the household before payment is processed.~~

2. **1.** Parental Leave – Parental Leave includes maternity, paternity and adoption leave. Parental leave is not an allowable activity at the time of application or review. Leave hours can only be allowed in ongoing cases after a case has been approved for work, education or training. The caretaker must intend to return to their employment, education or training.

In households with two caretakers, if one caretaker is engaged in an allowable activity (work, education or training) and the other caretaker is engaged in parental leave, the application or review must be denied.

Example 1:

Mom applies for CCAP on May 5th listing her only allowable activity as parental leave. The application must be denied as parental leave is not an allowable activity at time of application.

Example 2:

Mom applies for CCAP on June 16th and had a job at the time of application. The case is approved based on mom's work schedule. Mom reports on September 13th that she is now on parental leave. Child care can be allowed for the time mom takes for parental leave.

Child care for parental leave is allowed for a minimum of three full consecutive months within a certificate period. The household may be eligible for more than the three full consecutive months when the parental leave timeframe is verified by an employer. The level of care must continue at the same level that was established before the caretaker went onto parental leave. No additional hours are allowed for travel and breaks.

Example 1:

Household applies for CCAP on June 16th and had employment at the time of application. Household reports on September 13th that the caretaker is now on parental leave as of September 5th. Household also reports that the caretaker expects to return to employment December 1st. Since the household timely reported the parental leave, the household's three full months of continued assistance will begin in the month of October. The household remains eligible at the already determined level of care through the three full consecutive month period, even though the household reports an expected return to employment prior to the end of the three month period.

Example 2:

Household applies for CCAP on June 16th and had employment at the time of application. Household reports on September 13th that the caretaker is now on parental leave as of September 5th. Household also reports that the caretaker expects to return to employment February 1st. The household provides verification that they will return to employment as of February 1st. Since the household timely reported and verified the parental leave, the household continued assistance will begin in the month of October and continue until February 1st.

21. Child Support and Spousal Support- Court Ordered and Voluntary 400-28-65-10-42

Child support and spousal support received by the household is countable unearned income.

Child support is counted as the child's income

EXCEPTION:

When a household member receives child support for a child that is not living in the home, the child support is counted as income to the household member that actually received it.

The annual fee or monthly service fee deducted from the custodial parent's child support received by the Disbursement Unit is not countable child support income.

Spousal support is counted as income to the household member for which it is obligated.

Federal tax intercept payments are a non-recurring lump sum and are not counted as income. Federal tax intercept payments are not included in ND[✓]verify.

State and interstate state tax intercept payments are counted as income as these payments are applied to current support. State tax intercept payments are included in ND[✓]verify.

The date the payment is considered received is determined as follows:

- If disbursed via check, the date received is two working days after the date on the check.
- If direct deposited, the date received is the date the funds were deposited into the bank account as reflected on the bank statement.

- If deposited onto electronic payment card (EPC), the date received is two working days after the disbursed date in ND[✓]verify.

When an individual is in receipt of TANF, support assigned to the state is not counted as income.

22.In Home Child Care When Provider and Child Reside in Same Home 400-28-105-15

NDCC 50-33-08

If the provider and the child live in the same home, care may be allowed only when the provider is not the caretaker of the child in the CCAP household **and when all criteria at 400-28-35-30 is met**. The provider must be licensed.

Example 1: A caretaker lives with their child and their mother (grandma) in the same home. The grandma is a licensed provider who provides care from the home. Care can be allowed for the child in the household since grandma is the provider and not a caretaker in the CCAP household **and the child is eligible for in home care due to an illness or disability**.

Example 2: A caretaker is a licensed provider that provides care from their home. The caretaker applies for CCAP for their child, listing themselves as the provider. CCAP will not pay for child care costs since the provider is a caretaker of the child in the CCAP household.

Example 3: A caretaker is the owner of a daycare facility where their child attends. The caretaker applies for CCAP for their child, listing their daycare facility as the provider. CCAP will not pay for child care costs when the caretaker is also the owner of a facility where their child attends.