STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance Rhode Island General Laws (RIGL) 42-35, notice is hereby given that the Department of Human Services proposes to repeal the following DHS rule:

COMPREHENSIVE CHILD CARE SERVICES PROGRAM ADMINISTRATIVE RULES

The Department proposes to repeal the rules of the Comprehensive Child Care Services Program Administrative Rules as the program is not longer in existence.

These proposed rules are accessible on the R.I. Secretary of State website (http://www.sec.state.ri.us/ProposedRules/) and the DHS website (www.dhs.ri.gov) or available in hard copy upon request (401 462-2018 or RI Relay, dial 711). Interested persons should submit data, views or written comments by Friday, March 29, 2011 to Kimberly Merolla-Brito, Office of Policy Development, RI Department of Human Services, Louis Pasteur Building, 57 Howard Avenue Fl # 1, Cranston, RI 02920.

In Accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.

~~COMPREHENSIVE CHILD CARE SERVICES PROGRAM~~

~~ADMINISTRATIVE RULES~~

~~Originally Adopted March 15, 2001~~

~~Program Revisions -- September, 2002~~

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STARTING RIGHT
Comprehensive Child Care Services Program

Scope of the CCCSP Program

The Rhode Island Comprehensive Child Care Services Program (CCCSP) was established in 1999 under the auspices of Starting Right, the State=s early care and education initiative. The program was developed by the Rhode Island=s Children=s Cabinet, in collaboration with advocates for children and the child care community, in an effort to expand access to comprehensive child care services to a growing number of unserved and under-served children in the State.

Comprehensive child care is a system of high quality, developmentally appropriate early education programs and support services for both young children and their families. Much like its sister program, federal Head Start, the CCCSP is targeted at low-income and at-risk children during a critical stage in the learning and developmental process: the preschool years from age three up to the age of six or entry into kindergarten. What makes the CCCSP unique is its use of service networks, formed by groups of qualified providers and certified by the State, who partner together to pool their resources and expertise. Collectively, the providers in these networks create the capacity to reach out to children and families who would otherwise not have access to high quality early care and education programs.

The State makes payment to networks certified to participate in the CCCSP on a per eligible child enrolled basis. The payment rate per eligible child was set by the Rhode Island=s Children=s Cabinet. As funding for the CCCSP is capped, only a limited number of the children who are eligible for the program may be permitted to enroll for state-subsidized services at any one time. A waiting list for CCCSP services has been established to ensure the maximum number of eligible children are enrolled at all times, given the constraints on resources.

The CCCSP is one of several child care subsidy and service enhancement programs administered under the auspices of the Starting RIght Child Care Assistance Program (CCAP), by the Rhode Island Department of Human Services (DHS). The CCAP was established to ensure the seamless delivery of quality services across the full continuum of DHS child care programs for working families. Toward this end, DHS=s child care subsidy programs for low-income working families and recipients of the Family Independence Program (FIP) are also administered under the CCAP umbrella, as well as various child care provider training and development initiatives. The DHS Office of Child Care serves as the administrative arm for CCAP, and coordinates all facets of the CCCSP from the determination of a child=s eligibility, to the certification of networks, and the payment for services.

The administrative rules attached describe the scope of the CCCSP and DHS=s responsibilities in each of the following areas:

C

Determining the eligibility of children applying for CCCSP services;

C

Maintaining the CCCSP Waiting List;

C

Certifying networks to participate in the CCCSP in accordance with the standards approved by the Children=s Cabinet; and

C Making payment to the certified CCCS Networks for each eligible child enrolled.

RHODE ISLAND DEPARTMENT OF HUMAN SERVICES
ADMINISTRATIVE RULES

CENTER FOR CHILDREN AND FAMILIES
Chapter 42.1

Individual and Family Support Services

SECTION 0855
COMPREHENSIVE CHILD CARE
SERVICES (Effective Date March 15,
2001) Updated September, 2002

LEGISLATIVE AUTHORITY

R.I.G.L. 42-12-26 PART I. GENERAL PROVISIONS: Preamble B-0855.01. With the enactment of the Rhode Island Family Independence Act of 1997, the state established that all families trying to balance the responsibilities of work and family are entitled to affordable, quality child care. To further the efforts that began in 1997, in September of 1998, the State of Rhode Island launched Starting RIght, an initiative designed to increase the scope and quality of early education and child care services available statewide. The Comprehensive Child Care Services Program (CCCSP) is one of several programs administered by the Rhode Island Department of Human Services under the auspices of Starting Right and as part of a broader effort to increase the capacity of the state=s child care system, expand the scope and availability of early education programs, and improve the overall quality of services for families and children.

A. Scope and Purpose -- 0855.01.01.The Comprehensive Child Care Services Program (CCCSP) shall make enhanced child care services available to children, and particularly those from low-income families, from the age of three (3) up to the age of six (6) or entry into kindergarten, whichever comes first. The purpose of the program is to ensure that preschool children in Rhode Island have access to the early education and support services that enable them to enter school ready learn and to leave school ready to lead productive lives.

B. Definitions B-0855.01.02. For the purposes of this rule, the following definitions apply:

~~Certified Comprehensive Child Care Service Network or CCCS Network or Network means a group of providers joined together in collaborative partnership that meets CCCSP certification and performance standards and is authorized, by the department, to provide subsidized comprehensive child care services to eligible children.~~

~~Child Care Assistance Program or CCAP means the administrative umbrella for all DHS child care subsidy and enhancement programs for working families.~~

~~Child Care Assistance Unit or CCAU means the organizational entity within DHS responsible for determining eligibility for the CCCSP and the CCAP, the State=s child care subsidy program, for low-income working families. The CCAU was formerly known as the Low-Income Child Care Unit (LICC).~~

~~Complete Applications means that all the materials required to make a determination of eligibility for the CCCSP have been received in the appropriate unit/office of DHS.~~

~~Comprehensive Child Care Services Program or CCCSP means the program administered by the Rhode Island Department of Human Services that makes payment for comprehensive child care services provided to eligible children by certified CCCS Networks.~~

~~Comprehensive Child Care Services Program Waiting List or CCCSP Waiting List means the list maintained by DHS containing the names of eligible children unable to obtain subsidized services during periods in which CCCSP open enrollment is suspended.~~
~~Comprehensive Evaluation, Diagnostic, Assessment, Referral and Reassessment or CEDARR Family Center means an organization certified by DHS=s Center for Children and Family Health, to provide integrated services to children with special health and developmental needs and to their families.~~

~~Countable income means any income that is not specifically defined as excluded income for the purposes of determining eligibility for the CCCSP.~~

~~Date of Eligibility means the date that an application is complete and the period of eligibility for CCCSP~~

~~services begins.~~

~~Department of Children, Youth and Families or DCYF means the state agency responsible for establishing and enforcing regulations pertaining to the licensure and certification of child care providers.~~

~~Department of Human Services or DHS or department means the State agency authorized by law to administer child care subsidy and enhancement programs for working families, including the CCCSP, under the auspices of the Starting RIght Child Care Assistance Program (CCAP).~~

~~Eligibility Period means the length of time during which an eligible child is authorized to enroll in, and receive subsidized services provided by, a certified Network~~

~~Eligible Child means a child who has been determined by DHS to meet the requirements to receive subsidized comprehensive child care services through the CCCSP.~~

~~Enrollment Cap means the maximum number of eligible children allowed to receive subsidized CCCSP services through certified CCCS Networks at any one time given program resource limitations.~~
~~Family Independence Program or FIP means the State program established by the Rhode Island Family Assistance Act of 1996 to aid families making the transition to work and financial independence.~~

~~Family Independence Program Unit or FIP Unit means the organizational entity responsible for determining eligibility for FIP and for assisting FIP beneficiaries as they make the transition to financial independence. FIP field representatives also determine whether FIP beneficiaries meet the requirements to participate in the CCCSP and the department=s Child Care Assistance Program.~~

~~Office of Child Care or Office means the unit in the department responsible for administering the state=s Child Care Assistance Program (CCAP) and Comprehensive Child Care Services Program (CCCSP).~~

~~Open Enrollment means that the enrollment cap has not been reached and, as such, an eligible child~~

~~may be enrolled in any certified Network with sufficient capacity to provide subsidized services at the level required by the CCCSP.~~

~~Network Waiting List means a paper or electronic document maintained by a certified CCCS Network containing the names of eligible children unable to enroll due to insufficient Network capacity.~~

~~C. Program Description B 0855.01.03. The Office of Child Care shall certify Comprehensive Child Care Services Networks (CCCS Networks or Networks) to provide eligible children and their families with high quality early education and a range of social services supporting family stability and child success.~~

~~(1) CCCSP Priorities. Each CCCS Network shall provide CCCSP early education and social services that achieve or lend support to the following program priorities:~~

~~a. Children=s health and program safety;~~

~~b. A quality early education experience;~~

~~c. Children=s mental health and wellness, including meaningful inclusion and early education for children with disabilities;~~

~~d. Healthy nutrition for children;~~

~~e. Family education and empowerment; and~~

~~f. Linkages and partnerships between service providers, local schools and other organizations in the community.~~

~~(2) Network Performance Requirements. In pursuing CCCSP priorities, each Network shall meet performance standards, that promote or are designed to achieve: systemic supports for family stability and child success; effective community partnerships capable of meeting the diverse needs of children and families; and opportunities for greater investment of public and private resources in the best practices for providing enhanced services to children and families.~~

~~(3) Program Resources. The department shall make payments to the certified Networks providing CCCSP services, on a per eligible child enrolled basis. As funding for the CCCSP is limited, each year the department shall establish an enrollment cap that restricts the total number of eligible children allowed to receive CCCSP subsidized services at any one time. The department shall maintain a CCCSP Waiting List containing the names of any child deemed eligible once the enrollment cap has been reached. In doing so, it is the goal of the department to ensure that each child eligible for the CCCSP is afforded fair access to services within established resource limits.~~

~~PART II: ELIGIBILITY AND ENROLLMENT REQUIREMENTS FOR CHILDREN AND FAMILIES~~

~~B 0855.02. Preschool children from the age of three (3) up to age six (6) may be eligible to participate in the Comprehensive Child Care Services Program (CCCSP) if their families meet certain requirements. Children eligible for the CCCSP shall only receive subsidized services through a certified Comprehensive Child Care Services Network. Enrollment in the CCCSP is limited by both the~~

~~availability of funding and the capacity of certified Network providers. Families may obtain assistance on eligibility and enrollment matters by contacting representatives of the Family Independence Program (FIP) or the Child Care Assistance Unit (CCAU). Information is also available through certified Network providers and DHS=s Office of Child Care.~~

~~A. Eligibility Requirements for Comprehensive Child Care Services - 0855.02.01. Children that meet the following requirements are eligible for subsidized Comprehensive Child Care Services under the auspices of the CCCSP :~~

~~(1) Age. The child shall be at least three (3) years of age to enroll in the CCCSP. Eligibility ceases upon the child=s sixth (6th) birthday or upon entry into a Rhode Island Department of Education licensed kindergarten program, whichever comes first. Families may make application for the CCCSP no more than thirty (30) days prior to a child=s third (3rd) birthday.~~

~~(2) Children who meet the age requirement are either income or categorically eligible for the CCCSP:~~

~~a. Income Eligible. Countable income of the applicant-child(ren) and the financially responsible parent(s)/caretaker relative shall not exceed 108 percent of the federal poverty level (FPL) when calculated in accordance with the requirements of the department=s Child Care Assistance Program in the initial year of eligibility. In subsequent years, the income shall not exceed the maximum income levels under the Child Care Assistance Program (CCAP), provided the child is continuously enrolled in a CCCSP network program.~~

~~b. Categorically Eligible. The child is eligible as member of any one of the following groups:~~

~~i. FIP Recipient. The child or the child=s family is currently receiving cash assistance through the Rhode Island Family Independence Program (FIP);~~

~~ii. Foster Care Children. The child is receiving foster care services provided under the authority of the Rhode Island Department of Children, Youth and Families; or~~

~~iii. Adolescent Self-Sufficiency Collaborative (ASSC) Participant. The parent of the child is participating in the ASSC program.~~

~~(3) Residency and Citizenship. The child is a resident of Rhode Island and a citizen or documented legal immigrant (alien) of the United States as, as defined in section 0106.05 of the general provisions governing the operations of DHS. The citizenship status of the parent(s)/caretaker relative shall not be a bar to participation in the program.~~

~~(4) Restrictions and Exclusions. The department shall subsidize comprehensive child care services for only those children enrolled in certified CCCS Networks who meet the eligibility requirements established in this subrule.~~

~~a. Any child currently enrolled in a Head Start Program in Rhode Island, fully supported by state and/or federal funds, shall not be eligible for subsidized enhanced child care services provided under the auspices of CCCSP. This restriction shall not be construed to preclude certified Networks in any way from providing comprehensive child care services to children who are ineligible for the CCCSP.~~

~~b. Once a child has been determined eligible and is enrolled in a certified Network, regular attendance and participation in certified Network programs shall be expected. The department shall not provide~~

~~subsidies to a Network for an eligible child who has been disenrolled for CCCSP services due to inadequate attendance. This restriction shall apply only to CCCSP subsidized services and shall in no way preclude the Network from providing any non-subsidized service to a CCCSP child disenrolled for inadequate attendance.~~

~~c. No child shall be determined eligible within sixty (60) days of entry into Kindergarten.~~

~~B. Application Procedures B-0855.02.02 B Families seeking eligibility to participate in the Comprehensive Child Care Services Program shall submit an application packet, consisting of forms approved by the department, to an office or representative of the CCAP -- that is, the Office of Child Care, the CCAU, or FIP.~~

~~(1) Application Materials. Parent(s) or caretaker relative making application shall complete and submit the Comprehensive Child Care Application (3C-1). Applicants shall provide all required information and documentation related to the requirements established in section 0855.01.01. before a determination of eligibility can be made.~~

~~a. The 3C-1 consists of a one page request for CCCSP services form and an application for child care assistance.~~

~~b. The scope of the information and documentation required to determine eligibility may vary, depending on whether the child or the child=s family is currently participating in certain DHS~~

~~programs. In most instances, CCCSP applicants participating in these programs will be required to complete the one page request for services portion of the 3C-1. Department representatives are available to assist applicants who are unsure about the application materials that should be submitted.~~

~~c. A 3C-1 application is considered incomplete until all materials required to determine eligibility have been received by DHS.~~

~~(2) Application Period. The application period begins on the date the application is received and extends for no more than thirty (30) days. Both the application and all related materials shall be date stamped by department representatives on the date received. Failure to submit the required application materials by the end of the thirty (30) day period shall be cause for denying eligibility in accordance with the procedures specified in subrule 0855.02.03. An applicant denied eligibility for failing to complete the 3C-1 in the application period may reapply at anytime.~~

~~C. Determining Eligibility B-0855.02.03. Information provided on the 3C-1 and through department records shall be used to determine whether applicants are eligible to participate in the CCCSP. The scope of eligibility is based on the following:~~

~~(1) Date of Eligibility. The date an application is complete shall be the initial eligibility date. Review of application materials and a determination of eligibility shall be made in no more than thirty (30) days from the eligibility date. The department shall not make subsidy payments for any services provided to an eligible child by a CCCS Network prior to the first day of the week (or Sunday) that includes the date of eligibility.~~

~~(2) Financial Determination. Determinations of financial eligibility are made in accordance with the eligibility rules for the Child Care Assistance Program set forth in Section 0818.~~

~~(3) Authorization to Enroll in a CCCS Networks. Upon determining that the requirements for participating in the CCCSP have been met, the department representative shall send a written CCCSP Notice of Approval, in accordance with the requirements specified in subpart (6) of this subrule. The Notice of Approval shall serve as authorization to enroll in a certified CCCS Network.~~

~~(4) Eligibility Period. In the year the initial determination of eligibility is made, the eligibility period for~~

~~the CCCSP shall extend from the first day of the week (or Sunday prior to) the initial date of eligibility to August 31. In all subsequent years, the eligibility period shall begin on August 31 and extend for one year. The eligibility period for children age five (5), ends on the child=s sixth (6th) birthday or the first day of the month the child enters kindergarten, whichever comes first.~~

~~a. In no case shall the period of eligibility exceed one year, irrespective of whether the child is able to enroll in a CCCS Network.~~

~~b. The child=s eligibility shall not be subject to redetermination as a result of changes in the family=s income or household composition during the eligibility period.~~

~~c. Participation in the CCCSP shall not exceed three consecutive eligibility periods, subject to annual redetermination.~~

~~d. The department may terminate the eligibility period of child for any of the following reasons:~~

~~i. The eligible child moves from Rhode Island to another state or country; or~~

~~ii. An individual responsible for the eligible child commits fraud or engages in other unlawful acts in seeking to obtain or alter the child=s eligibility for the CCCSP, enrollment into a certified Network, or location on the CCCSP Waiting List in violation of the procedures specified in subrule 0855.02.05.~~

~~iii. Any child who stops attending a CCCSP network program and does not re-enroll with another certified CCCSP network program within thirty (30) calendar days, will no longer be eligible for CCCSP services and will need to re-apply to re-enter the program as an eligible child. e. The department reserves the right to disenroll an eligible child upon finding that the child has not been in attendance for CCCS Network services for an average of twelve (12) or more days in a given month without good cause.~~

~~i. For the purposes of determining whether disenrollment is appropriate, good cause is defined as: a serious illness or injury affecting either the parent/caretaker relative or the eligible child, providing there is proper documentation of such from an appropriately qualified health care practitioner, program or facility; an unanticipated and temporary change in the placement of the~~

~~eligible child as a result of a verified court order or other form of legal action; or such other circumstances that a representative of DHS determines, subsequent to verification or review of appropriate documentation, may have caused a single instance of an unavoidable and protracted absence of the eligible child.~~

~~ii. A disenrolled child who does not re-enroll with another certified network provider within thirty (30) calendar days, will be placed at the bottom of the CCCSP Waiting List. As a result, disenrollment may be construed as an adverse action and is thus subject to the notice requirements established in subpart (6) of this subrule.~~

~~iii. The department shall review the eligibility of any child who has been disenrolled for reasons related to inadequate attendance on more than two (2) occasions in an eligibility period at the time of the eligibility redetermination.~~

~~(5) Eligibility Redetermination. Continuing eligibility for the CCCSP shall be redetermined on an annual basis for children who are enrolled in certified Networks or on the CCCSP Waiting list.. The parent(s) or~~

~~caretaker relative of an eligible child shall submit a completed 3C-1 and any supporting information and documentation required, unless instructed otherwise by department field representatives. Written notice of the date of the eligibility redetermination shall be sent to the child=s parent(s)/caretaker relative by the department no later than the first day of the last month of the child's current eligibility period.~~

~~(6) Eligibility Notices. Applicants for the CCCSP shall receive timely notification of departmental eligibility determinations and the right to appeal. The department shall also provide timely notification of any adverse decisions that terminate or reduce benefits. The Office of Child Care shall notify certified Network providers of any decisions related to approval, denial, or termination of eligibility or reduction of benefits, as deemed appropriate.~~

~~a. Notices of Approval. If the department representative determines that a child is eligible, a CCCSP Notice of Approval is sent to the parent. The Notice shall inform the family of the dates of the eligibility period and state that enrollment of an eligible child may be delayed as a result of limits in the availability of CCCSP resources, as specified in section 0855.02.05, or Network capacity, as indicated in section 0855.02.04(3). If, at the time the determination of eligibility is made, open enrollment in the CCCSP has been suspended, the Notice of Approval shall also~~

~~incorporate, or include as a separate enclosure, a statement indicating that the eligible child has been placed on the CCCSP Waiting List and that explains DHS=s procedures for enrolling children on the Waiting List. In addition, a statement of the family=s right to appeal the date of eligibility, eligibility period for authorized services, or the child=s placement on the CCCSP Waiting List shall be provided with the Notice of Approval. Appeals shall be sent to the office or unit of the department that made the determination of eligibility~~

~~b. Notice of Adverse Actions. If the department representative determines that an applicant is ineligible, a CCCSP Notice of Denial is sent to the parent explaining the reasons for the adverse decision and the applicant=s right to appeal. A formal notice shall be sent to a family in situations in which an adverse decision made by the department will result in the reduction or termination of CCCSP services at least ten (10) days prior to the date the action takes effect. The notice shall explain the reasons for the adverse action and the family=s right to appeal. All appeals of adverse actions shall be sent to the unit of the department that made the determination of eligibility.~~

~~D. Enrollment in Certified CCCS Networks B 0855.02.04. Children eligible to participate in the CCCSP shall only receive subsidized services through a certified CCCS Network. The responsibilities of each of the parties participating in the enrollment process are as follows:~~

~~(1) DHS. To assist in the enrollment process, the unit of the department that made the determination of eligibility shall make the information specified below available to the parent/caretaker relative:~~

~~a. A list of every certified CCCS Network in the state that includes the location, name and telephone number of a Network contact person and, to the extent feasible, an indication of whether the Network has reached enrollment capacity; and~~

~~b. Upon request, updates on the location or status of an eligible child on the CCCSP Waiting List.~~

~~c. The Office of Child Care shall send a Notice of Enrollment to the family confirming that an eligible child has been enrolled in a certified Network for CCCSP services.~~

~~(2) Family of Eligible Child. The parent/caretaker relative shall make contact with the certified CCCS Network and complete any forms required by the Network to officially enroll the eligible child.~~

~~a. Network Waiting Lists. If the Network contacted is at full capacity, the parent/caretaker relative is~~

~~responsible for taking the actions necessary to place the eligible child on the Network=s waiting list. A parent/caretaker relative shall be permitted to place a child on a particular Network=s waiting list while receiving subsidized CCCSP services through another certified CCCS Network. However, in no circumstance, shall an eligible child be enrolled in more than one Network at the same time. Placement on a Network=s waiting list is for services in that Network only and has no relationship to, or impact on, placement of the eligible child on the CCCSP Waiting List.~~

~~b. CCCSP Waiting List. A parent/caretaker relative shall not seek to enroll an eligible child on the CCCSP Waiting List for subsidized services until receiving notice from the department indicating that the enrollment cap has been lifted and open enrollment in certified Networks has resumed. Placement on the CCCSP Waiting List shall not preclude a certified Network from enrolling a child for any services not paid for by the CCCSP or placing the child on the Network=s waiting list at the request of the parent/caretaker relative.~~

~~i. Eligible children, not currently receiving CCCSP services from a certified network provider, will be removed from the CCCSP waiting list sixty (60) days prior to scheduled entry into Kindergarten.~~

~~(3) Certified Network Responsibilities. A certified Network shall accept the CCCSP Notice of Approval as authorization from the department to enroll an eligible child for subsidized services. The Network shall provide notification to the department of any eligible child enrolled within (5) five working days from the date of enrollment either in writing or through the CCAP automated enrollment system. In the event that a Network has reached capacity, the parent or caretaker relative shall be offered the option to place the eligible child on the Network=s waiting list. The Network shall provide information about the procedures used to maintain and update the waiting list and to select children to enroll for subsidized CCCSP services when space in the Network~~

~~becomes available. A certified Network shall not enroll an eligible child for subsidized services during periods when CCCSP open enrollment has been suspended without direct authorization from the department.~~

~~E. Limitations: Enrollment Cap B0855.02.05. As funds for the CCCSP are limited, DHS has established an enrollment cap restricting the number of eligible children that may receive subsidized comprehensive child care services through a certified CCCS Network at any one time.~~

~~(1) Suspension of Open Enrollment. The department shall continuously monitor enrollment in the CCCSP. On the date the department determines that the cap will be reached by enrolling fifty (50) additional eligible children, a written notice shall be sent to all department representatives indicating that CCCSP open enrollment shall temporarily cease. Open enrollment by certified Networks shall remain suspended until such time as the department determines that there are sufficient resources to enroll twenty-five (25) or more eligible children. During periods when open enrollment is suspended, the department shall continue to accept and review applications for the CCCSP.~~

~~(2) Notice to Applicants and Families of Eligible Children. As specified in section 0855.02.04 (6) a., all families determined to have a child eligible for the CCCSP during a period when open enrollment has been suspended, shall receive notice from the department indicating that subsidized services shall not be available while the enrollment cap is in effect.~~

~~(3) Public Notice. On the date the enrollment cap is reached, the Rhode Island Department of Human Services shall post notice that CCCSP open enrollment is suspended in a visible location in regional field~~

~~offices that provide services to children and families.~~

~~F. CCCSP Waiting List -- 0855.02.06. To ensure that all available resources are allocated in the most fair and efficient manner possible, any eligible child denied immediate access to the CCCSP as a result of the enrollment cap shall be placed on a waiting list (CCCSP Waiting List) maintained by the department. The CCCSP Waiting List has no relationship to or impact on the placement of an eligible child on a Network waiting list.~~

~~(1) Notice of Placement. At the time a child has been determined eligible, a department representative shall provide written notification to the parent/caretaker relative indicating that the CCCSP enrollment cap has been reached. The notification shall also indicate that the eligible child is being placed on the CCCSP Waiting and may be removed from the list upon request.~~

~~(2) Location on the CCCSP Waiting List. An eligible child=s location on the waiting list is based on two factors:~~

~~a. Date Entered on Waiting List. The application date for CCCSP services shall be the date that an eligible child is entered on the CCCSP Waiting List. All CCCSP Waiting List entries are date ordered, beginning with the earliest application date and moving forward.~~

~~b. Priority Status. When there are two (2) or more eligible children entered on the CCCSP Waiting List on the same date, approval for services if the enrollment cap is lifted shall be made in the following order of prioritization:~~

~~i. An eligible child who has been evaluated by qualified practitioner or program licensed by the State for such purposes and has been found to be at a high risk for developing cognitive, emotional or developmental disorders. The department shall make available a list of the qualified practitioners and programs upon request;~~

~~ii. An eligible child with a family income at or below 108 percent of the federal poverty level, who is not eligible for any publicly-funded or subsidized child care; and~~

~~iii. Any eligible child denied access to CCCSP because of the enrollment cap.~~

~~PART III. CERTIFICATION OF COMPREHENSIVE CHILD CARE SERVICES NETWORKS -- 0855.03. Children eligible to participate in the CCCSP shall be enrolled in a Comprehensive Child Care Services Network certified by DHS. Providers seeking certification to be a CCCS service network shall make application to DHS in accordance with the procedures and standards set forth in this subsection.~~

~~A. Definitions B 085503.01. For the purposes of this subsection, the following definitions apply:~~

~~Certification Standards means the standards established by the department to determine whether a comprehensive child care network is qualified to provide CCCSP subsidized services on an unrestricted or provisional basis.~~

~~CCCSP Review Team means a group of individuals consisting of representatives of the department~~

~~and other state or federal agencies and/or members of the child care community assembled for the purpose of evaluating applications for Network certification.~~

~~Collaborative Partnership means a relationship between two or more child care providers in which the parties involved are equally empowered and agree to share resources and decision making in the joint pursuit of a common mission or goal.~~

~~Provisional Certification means the certification granted to the Network is restricted to a limited period and will automatically be rescinded if the Network fails to meet the conditions set by the department for unrestricted certification by the end date of the restricted period.~~

~~B. Application Procedures -- 0855.03.02. CCCS Networks applying to participate in the CCCSP shall submit a written application to the Office of Child Care in accordance with the following requirements:~~
~~(1) Application Period. The Office of Child Care shall accept applications from providers seeking certification to participate in the CCCSP on a continuing basis. The application period shall begin on the date a formal written application for certification is received by the Office.~~
~~(2) Application Materials. To qualify to be certified, providers/groups of providers shall submit a completed CCCSP Certification Application (CCCSP-CA) to the department that describes, in detail, the manner in which the applicant shall meet the certification and performance standards established in Rhode Island Department of Human Services= publication, Certification Standards for Comprehensive Child Care Services Networks, as specified in 0855.03.03 of this subrule. Section V of this publication also provides detailed information about the supporting materials that must be submitted with written applications for certification.~~
~~(3) Review Process. Representatives of the department shall conduct a comprehensive review of an applicant=s qualifications to be a certified CCCS Network. The shall include, but is not limited to:~~
~~a. Evaluation of Certification Application. A CCCSP review team, selected by the department,~~

~~shall examine and evaluate whether the applicant has, or in a reasonable and timely manner will be able to, meet the both the CCCSP certification and performance standards. This evaluation shall be the basis for determining whether the Network is a candidate for full (unrestricted) or provisional (restricted) certification in subsequent stages of the review process.~~
~~b. Provider/Joint Provider Interviews. An in-person, joint provider interview with all partners in the network shall be conducted by department representatives before a final determination is rendered. Department personnel shall ensure that providers have adequate notice of the time, date and location of the interview, as well as any outstanding issues that may be addressed.~~
~~c. Site Visits. The CCCSP review team shall conduct a site visit of all participating partners in the~~

~~Network applying for certification. Provider/Joint provider interviews may be scheduled in tandem with the site visits in certain circumstances. Prior to a scheduled site visit, the review team shall provide an applicants with a list of the physical areas, activities, topics to be discussed and any other related matters to be reviewed during the site visit.~~

~~(4) Application Cycle. The Rhode Island Department of Human Services shall render a final determination on an application for certification of a CCCS Network within ninety (90) days of the application date.~~
~~(5) Types of Certification. The department reserves the discretion to grant a Network full (unrestricted) certification or provisional (restricted certification). Full certification shall be granted for a period not to exceed three (3) years. The terms for provisional certification will vary, but shall in no circumstance permit a Network that fails to attain full certification within twelve (12) months to enroll CCCSP eligible children or receive CCCSP subsidies.~~
~~B. CCCSP Certification and Performance Standards B-0855.03.03. To qualify for certification as a CCCS Network, the provider or group of providers making application shall meet the certification and performance standards established in the Rhode Island Department of~~

~~Human Services= publication: Certification Standards for Comprehensive Child Care Services~~

~~Networks. A copy of the publication may be obtained from the Office of Child Care upon request.~~

~~C. Scope and Limits of CCCSP Network Certification B-0855.03.04. All applicants for certification~~

~~shall receive notification within ninety (90) days from the date of application as follows:~~
~~(1) Notice of Approval. The department shall provide each Network that meets the requirements for certification a written notice specifying the date of, and where appropriate, conditions for participation in the CCCSP.~~
~~a. Provisional Certification. The Notice of Approval to Networks granted provisional certification shall include:~~
~~i. a detailed explanation of the reasons for provisional certification;~~

~~ii. the terms and conditions the Network must meet to obtain full certification; and~~
~~iii. a statement of the right to appeal and request a hearing to contest the rationale for granting provisional certification status or the terms and conditions for obtaining full certification.~~
~~b. CCCSP Network Provider Agreement. The Notice of Approval shall include, as a separate enclosure, a CCCSP Network Provider Agreement that establishes the responsibilities and obligations of certified Network partners and the grounds for decertification as specified in this subrule. The Network shall be prohibited from enrolling any child for subsidized CCCSP services until the department receives an original copy of the Network Provider Agreement, signed and dated by the appropriate Network representative.~~
~~i. The department shall state in the Network Provider Agreement the rate per eligible child enrolled that will be paid to a CCCS Network, the payment interval to be used, and the time period that the rate shall be in effect.~~

~~ii. The department shall indicate the method that certified Networks shall request and receive~~

~~payment for eligible children enrolled for comprehensive services.~~

~~(2) Notice of Denial. The department shall provide timely written notice of denial to any applicant that fails to meet the requirements for full or provisional certification. The Notice shall state the reasons for denial of the application and include a statement of the applicant=s right to appeal and request a hearing to contest the department=s decision. An applicant denied certification is not prohibited from reapplying for certification at a later date.~~

~~(3) Limits: Decertification. In certain circumstances, the department may determine that a certified Network, or a provider within the Network, is no longer qualified to provide CCCSP subsidized services and, as such, is subject to decertification. Once a Network or Network provider is decertified, the department shall no longer provide payment for any CCCSP services provided by the Network/provider.~~

~~a. Grounds for Decertification. The department reserves the right to decertify a Network, or particular provider participating in the Network, for any of the following reasons:~~

~~i. Failing to meet the terms and conditions established in the CCCSP Network Provider Agreement;~~

~~ii. Engaging in fraudulent or other unlawful acts in obtaining or seeking to obtain CCCSP certification, in providing or receiving payment for CCCSP services, or while acting as agent of or participant in any other state or federally-funded program;~~

~~iii. Failing to maintain DCYF licensure in good-standing or otherwise failing to comply with DCYF regulations applicable to the setting in which early education or child care is provided;~~

~~iv. Knowingly misrepresenting the qualifications, skills, expertise or licensure status of Network staff, consultants, or providers; or~~

~~v. Failing to provide CCCSP required services or providing substandard services that do not conform to CCCSP certification and performance standards established by department.~~

~~b. Notice of Decertification. Upon finding cause for decertifying a Network, or a provider in the Network, the department shall send a written Notice of Decertification to the appropriate Network official at least ten (10) days prior to the date the decertification is to take effect. The Notice shall state the reasons for taking the action, whether termination or amendment of the Network Provider Agreement is warranted, and provide a statement of the Network/Network provider=s right to appeal and request a hearing on the pending decertification action. Appeals and requests for a hearing shall be returned to the Office of Child Care at least ten (10) days prior to the decertification date. The department shall cease payment for CCCSP services provided by the Network, or the particular provider in the Network, on the date of decertification, pending outcome of an appeal. The department shall make every effort to place eligible children who lose access to CCCSP services as a consequence of Network/Network provider decertification as quickly as possible.~~

~~c. Corrective Action Option. The department reserves the right to offer a Network/Network provider subject to decertification the opportunity to take corrective action prior to the date decertification is to take effect. In such cases, the Notice of Decertification shall clearly state the type of corrective action required, the date it is to be completed, and the method for evaluating~~

~~whether the deficiency has been corrected. Corrective actions shall be permitted in only those cases in which the department determines that the health, safety and welfare of eligible children and the fundamental purposes of the CCCSP will not be jeopardized while the remedy is being implemented.~~

~~RESERVED~~