

**STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES
PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with the R.I. Gen. Laws Chapter 42-35, as amended, as amended, the Department of Human Services (DHS) hereby proposes to amend the following DHS rules:

**RICR Title 218 – Rhode Island Department of Human Services
Chapter 20 – Individual and Family Support Programs
Part 4 – Child Care Assistance Program Rules and Regulations**

In accordance with the Administrative Procedures Act, the Department is proposing rule-making to amend the Child Care Assistance Program Rules and Regulations. Effective May 13, 2024 the Department proposes the following changes:

- Renumbered Sections as needed
- Updated table of contents as needed
- Changed all references of “homeless” to “housing insecure”
- Changed all references of “Categorical Eligibility” to “RI Works CCAP Eligibility”
- Removed references to Central Provider Directory
- Technical revisions as needed
- Removed section referencing Criminal Records Checks-Disqualifying Information
- Removed the following definitions: “Central Provider Directory”, “Child Development Associate Credential”, “Comprehensive Early Childhood Education”, “Early Childhood Environment Scale”, “Environmental Rating Scale”, “Family Childcare Environment Rating Scale, revised”, “Headstart Performance Standards”, “Infant Toddler Environmental Rating Scale, revised”, School Age Care Environmental rating Scale, revised”, “successfully screened provider” and “summer camp”
- § 4.1.2(B)(1) removed “integrated system of”
- § 4.1.2(B)(3) added “and number”
- § 4.2(A)(5) removed “comprehensive early childhood education”
- § 4.2(A)(6)(a) added “or otherwise approved by the CCAP Program Administrator”
- § 4.2(A)(6)(c) removed language regarding one year duration
- § 4.2(A)(9) Deleted definition (now updated/ renamed to RI Works CCAP eligible) defined at 4.2(A)(49)
- § 4.2(A)(12) Added definition of “CEDARR”
- § 4.2(A)(14) Removed “actual”
- § 4.2(A)(15) removed “and short term special approval child care”
- § 4.2(A)(19) removed “is an eligible child”
- § 4.2(A)(33) removed “actual”
- § 4.2(A)(36) removed language
- § 4.2(A)(38) Added “or” added “program”
- § 4.2(A)(39) Removed “and maintaining the CCAP Central Provider Directory”
- § 4.2(A)(43) Changed “first (1st) grade” to “Kindergarten”
- § 4.2(A)(48) Removed “categorically”
- § 4.2(A)(49) Added definition of “RI Works” CCAP eligible
- § 4.2(A)(50) Changed “first (1st) grade” to “Kindergarten”
- § 4.2(A)(51) Updated citation
- § 4.2(A)(55) Updated definition
- § 4.3.1(A)(1) Removed language
- § 4.3.1(A)(5)(b) Updated language to add “approved college program” and remove citation.
- § 4.3.1(A)(5)(c) Removed date, added “or otherwise approved by the CCAP Program Administrator”
- § 4.3.1(A)(5)(d) Added CCAP for College language
- § 4.3.1(A)(6)(b) Deleted section
- § 4.3.1(A)(6)(b) Added “at application and renewal” and added language regarding sanction not negatively impacting eligibility during certification period.
- § 4.3.2(A) Removed “for all children in the RI Works unit and”
- § 4.3.2(A)(3) Added “child” and removed “and for all children”
- § 4.3.2(A)(4) Removed “or the”
- § 4.3.3 (A) Removed “all the”
- § 4.3.3(A)(1) Added “CCAP”

§ 4.3.9(A) Removed “Both categorical and income”
§ 4.3.9(A)(3)(a) Updated language regarding self employment as a child care provider
§ 4.3.9(A)(3)(b) Removed language
§ 4.4.1(A)(1)(b) added “or approved college program”
§ 4.4.1(A)(2) Removed language regarding two (2) parent home
§ 4.4.2(D)(1) Removed “categorical or income”
§ 4.4.2(D)(2)(a) Added “from the date of authorization of benefits”
§ 4.4.3(D) Added language regarding adding a child to CCAP case
§ 4.5.1(A)(1)(b)((1)) Removed age for TFD program
§ 4.5.2(4) Removed language regarding parent self employed as a child care provider
§ 4.6.1 (A) Removed “and”, added “or an approved college program”
§ 4.6.1 (A)(1)(a)((5))((AA)) added “at recertification”
§ 4.6.1(B)(1)(a) Updated language regarding declaration of assets
§ 4.6.1(B)(3) Updated language regarding verification of bank account
§ 4.6.1 (C)(2)(a) Removed “first (1st) or”
§ 4.6.1 (C)(2)(b) Removed “first (1st) or”
§ 4.6.2(A)(1)(a)((2)) Added “working”
§ 4.6.2(A)(2)(a)((1)) Removed age for TFD
§ 4.6.2(A)(2)(b) Changed “up to” to “no less than”
§ 4.6.2(A)(3)(a) Removed date, added “or as approved by the CCAP Program Administrator”
§ 4.6.2(A)(3)(b)((1)) Added “or other training program as approved by the CCAP Administrator”
§ 4.6.2(A)(3)(c) Updated language regarding two parent family
§ 4.6.3(A)(1) Updated language regarding parent self employed as a child care provider
§ 4.6.4(1)(a) Added language regarding parent with disabilities
§ 4.6.4(4) Added language regarding temporary job search
§ 4.6.4(5) Added and updated language regarding Short Term Special Approval due to a Temporary Medical Condition at Recertification
§ 4.7 Removed section renumbered 4.8 to 4.7
§ 4.7.1(A)(1)(c) Updated language regarding work/activity hours
§ 4.7.2(A)(2) Removed language
§ 4.7.2(A)(3) Updated language regarding school age children
§ 4.8.1(A)(1)(a) added “with in the first (1st) week the child enrolls with that provider”
§ 4.8.1(D)(3) Removed language
§ 4.8.1 (E)(7) Updated language regarding providers prohibited from charging additional fees
§ 4.10.4(A)(1) Deleted section
§ 4.11.1(A)(3) Added “licensed” removed “the”
§ 4.11.1(B) Updated language regarding CCAP approved provider
§ 4.11.1(B)(2) Changed “the CPD” to “CCAP Provider Management”
§ 4.11.2 Changed section name
§ 4.11.2(A) Updated language regarding approved provider
§ 4.11.2(A)(1) Removed “listed as approved in the CPD”, added ‘an approved CCAP provider’
§ 4.11.2(A)(2) Removed “access to the CPD”
§ 4.11.2(A)(2)(b) Updated language regarding approved providers
§ 4.11.2(A)((2)(c) Added “Comprehensive Background Check” and citation, removed language regarding Background Clearance and Criminal Record Check
§ 4.11.2(A)((2)(d) Updated language regarding providers’ citizenship
§ 4.11.2(A)(2)(e) Added “CCAP approved providers must”
§ 4.11.2 (B)(1)(a)((2)) Added “CCAP”
§ 4.11.2(B)(1)(a)((3)) Updated language regarding reinstatement as a CCAP provider
§ 4.11.2(B)(2) Removed language regarding maintenance of a program’s Star level
§ 4.11.2(B)(3) Updated language regarding License Exempt Provider
§ 4.11.3 (A) Removed “where appropriate”, changed “where appropriate” to “within”, changed “any” to “all”
§ 4.11.3(A)(2)(b) Updated language regarding waiting period after two denials for CCAP approval
§ 4.11.3(B) Updated language – terminating CCAP status
§ 4.11.3(C) Updated language regarding renewal
§ 4.11.4(A) Added “complete and”, Removed requirement of signature witnessed by staff or notarized
§ 4.11.4(A)(1) Updated requirements before provider payment
§ 4.11.4(A)(3)(a) Changed “sixty (60)” to “thirty (30)”
§ 4.11.4(A)(3)(b)(3) Added “at the discretion of the Department”
§ 4.11.5(B) Changed “or” to “and”
§ 4.11.5(B)(1)(a)((2)) Added “or electronically”
§ 4.11.5(F)(1) Added “Parent/Provider agreement and the child’s”, added “to reflect accurate enrollment”
§ 4.11.5(F)(2) Added “absent or”
§ 4.11.7(A)(1) Changed “will” to “may”

§ 4.11.8(C)(3) Removed language

§ 4.12(A) Added “QRIS Brightstars rating authorized and”

§ 4.12(B)(2)(b) Added “for rate and payment purposes, nor for enrollment purposes”

In the development of these rules, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

These proposed rules are accessible on the DHS website (<http://www.dhs.ri.gov>), the RI Secretary of State website (<http://sos.ri.gov/ProposedRules/>), and available in hard copy upon request (401-462-2018 or RI Relay, dial 711). **A public hearing will be held to consider the proposed amendments on May 29, 2024 at 4:00pm at the Louis Pasteur Building, 25 Howard Avenue, Bldg. 57, Cranston, RI 02920, in the West Wing Conference Room.** Persons wishing to testify may do so by signing up at the hearing or by submitting written testimony no later than 11:59pm on June 12, 2024 to Tara Borges, Office of Policy Development, Department of Human Services, Hazard Building, 41 West Road, Bldg. 74, Cranston, RI 02920 or DHS.PolicyFeedBack@dhs.ri.gov.

The seating capacity of the West Wing Conference Room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The Louis Pasteur Building is accessible to the handicapped. Individuals with hearing impairments may request an interpreter’s presence by calling 711 or Relay RI 1-800-745-6575 (Voice) and 1-800-745-5555 (TDD). Requests for this service must be made at least 72 hours in advance of the Hearing date. 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.