



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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May 29, 2019

**TO: CHILD CARE RESOURCE AND REFERRAL (CCR&R) AGENCIES
COUNTY WELFARE AGENCY DIRECTORS
COUNTY INCOME MAINTENANCE ADMINISTRATIVE SUPERVISORS
COUNTY TRAINING COORDINATORS**

SUBJECT: Priority for Services

DFD Instruction No.: 19-05-04

Rescinds DFD Instruction No.: 19-01-05; 09-06-07

Regulatory References: N.J.A.C. 10:15-5.2 & 5.3; 45 CFR 98.41

This Instruction will impact the following programs: DFD Child Care Programs

A. PURPOSE

The purpose of this Instruction is to: 1) clarify the policy on admissions for priority populations; 2) provide additional detail regarding serving children with special needs, as to align with the federally mandated prioritization of services requirement at 45 CFR 98.46(a)(2); and 3) to define the eligibility criteria for the "Special Care Rate."

B. BACKGROUND

In September 2016, the Child Care and Development Fund (CCDF) Final Rule (81 F.R. 67438) provided detail on the requirement towards increasing high-quality care for children with special needs. The goal of this provision is to require that States provide a level of priority services to children with special needs.

C. DEFINITIONS

Priority of Services – a prioritized level of admissions provided to the families who identify as follows:

- Families receiving Temporary Assistance for Needy Families (TANF) services or Transitional Child Care (TCC) Child Care Services;

2. Providers that care for a “Disabled Child” as defined herein, will be eligible for the Special Care Rate noted on the “Maximum Child Care Rate Chart” and is only applicable for children that meet the criteria of the “Disabled Child” definition. The revised “Maximum Child Care Payment Rates Chart” has been updated to reflect the name change and is attached for your use.
3. Agreements that qualify for the Special Care Rate must have been submitted with supporting documentation and certified on or after January 6, 2019.
4. CCR&Rs must post and share the “Special Care Policy” announcement to their agency website to inform parents and providers of this change.

D. PROCEDURES FOR THE VERIFICATION OF A CHILD WITH A DISABILITY

If an applicant/co-applicant chooses to disclose that their child has a disability, they must provide the CCR&R with:

- Supporting documentation citing the disability that has been signed by a licensed professional dated within the last twelve (12) months; or
- The “Child Verification Form” (CC-216) which must also be signed by a licensed professional and dated within the last twelve (12) months. However, for care purposes, applicant/co-applicants whose child has documented disability must submit the Individualized Education Program (IEP), Individualized Family Service Plan (IFSP), or other documentation from a school in addition to the “Child Verification Form” (CC-216).

The “Child Verification Form” (CC-216) and/or supporting documentation is valid for the duration of the family’s twelve (12)-month eligibility period. CCR&Rs must ensure that the “Child Disability Verification Form” (CC-216) and/or supporting documentation is dated within the last twelve (12) months at the time of application and redetermination.

However, the twelve (12)-month disability verification re-certification is waived for children with a permanent disability or whose impairment is expected to last for a continuous period of not less than twelve (12) months (i.e. autism, blindness, deafness, hearing impairment, emotional disturbance, intellectual disability, etc.).

Once the CCR&R has verified the child’s disability through the “Child Verification Form” (CC-216) and/or supporting documentation, children between 13 and 18 years of age may receive child care services and the CCR&R can apply the Special Care Rate, if applicable.

Lastly, applicants/co-applicants are responsible for notifying the CCR&R if there are any changes in circumstances regarding the child’s disability.

- Families whose income is at 100% Federal Poverty Level (FPL) and below; (Very Low Income);
- Families with children experiencing homelessness;
- Families with children with special needs;
- Families with children receiving Child Protection Services (CPS); and
- Families with children of a minor parent.

Child(ren) with Special Needs - a child who is under the age of 19, who is physically or mentally incapable of self-care; or a child who has been identified through a written referral from a county welfare agency, legal, medical, social service agency, emergency shelter, or public school which indicates that the child has a serious physical, emotional or mental, or cognitive condition and child care services are required, as part of a treatment plan designed to stabilize or ameliorate the situation. The child of a “teen parent” is also considered a special needs child pursuant to N.J.A.C. 10:15-1.2.

Disabled Child - is defined as a child needing child care services, and who has a documented medical or physical impairment which reduces their ability to function independently; requires the personal services of a caretaker (child care provider) to maintain his or her basic level of functioning in an age-appropriate manner.

Special Care Rate – the rate of payment specifically for the care of eligible children who meet the definition of “Disabled Child, “as defined herein.

D. POLICY

1. CCR&R's must prioritize admissions for child care services based on the Priority Group Ranking in the order as follows:
 - Priority Group One (1) consists of families receiving TANF or TCC;
 - Priority Group Two (2) consists of families whose income is at 100% FPL and below;
 - Priority Group Three (3) consists of families with a child(ren) experiencing homelessness;
 - Priority Group Four (4) consists of families with a child(ren) with special needs;
 - Priority Group Five (5) consists of families with child(ren) receiving CPS;
 - Priority Group Six (6) consists of families with child(ren) of a minor parent;
 - Priority Group Seven (7) consists of families whose income is at 101% – 150% FPL;
 - Priority Group Eight (8) consists of families whose income is at 151% – 175% FPL;
 - Priority Group Nine (9) consists of families whose income is at 176% – 200% FPL;

E. FORMS/ATTACHMENTS

- New Jersey Child Care Subsidy Program Child Verification Form (CC-216).
- Special Care Policy Announcement
- Revised Maximum Child Care Payment Rates Chart (Effective January 6, 2019).

F. ADDITIONAL REFERENCES

- DFDI 19-05-02 – Child Care Prioritization of Services for Children that Meet the Condition of the McKinney Vento Homeless Assistance Act.

This information should be brought to the immediate attention of all appropriate staff. Questions should be directed to your DFD Child Care Operations Specialist.

Sincerely,

Natasha Johnson

Natasha Johnson
Director

NJ:TT:MM:sm

c: Brian Ross, Assistant Commissioner
Department of Children and Families

Meghan M. Davey, Director
Division of Medical Assistance and Health Services

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