



Memorandum in Support

A.4099-A/S.4667-A

The Day Care Council of New York strongly supports A.4099-A(Clark)/S.4667-A (Brouk) to adopt a statewide presumptive eligibility standard for qualifying families applying for child care assistance. We respectfully urge the legislature to pass this bill during this legislative session.

This bill would amend the social services law to require social service districts to utilize a presumptive eligibility standard for child care assistance and allow social service districts to use child care block grant funding to provide child care assistance, regardless of final eligibility standard.

Under presumptive eligibility, families must meet a set of minimum established requirements in order to demonstrate their likelihood of eligibility, and families can then enroll their child in care programs for three months as the paperwork processes. When families pass this initial eligibility threshold, they tend to pass the entire eligibility process. Presumptive eligibility, then, creates more efficient care access for families while incurring little to no cost.

DCCNY is a strong proponent of presumptive eligibility because it:

- Supports parents working by ensuring that they have a child care option more quickly;
- Reduces the administrative burden that providers, lead agencies, and City and County agencies face;
- Ensures that parents are able to choose the option that best meets the needs of their child and family, rather than focusing on which provider can most quickly process paperwork

Enactment of this legislation would remove unnecessary waiting periods which limit access to child care assistance for thousands of families each year and allow federal and state child care funds to be used to provide children with a safe and nurturing care environment while their parents work or pursue educational opportunities. Further, families who qualify for child care assistance often cannot wait for the length of time it takes to complete the application and approval process in order to receive care. This remains particularly true for parents who obtain a job and must be able to access child care on short notice.

Presumptive eligibility offers a more equitable solution by ensuring that families with fewer resources can access assistance without undue barriers. It enables families to obtain quicker

access to child care, and it allows parents to start, maintain, and advance in their employment without a protracted waiting period.

New York State requires that social service districts process child care assistance applications within 30 days of receiving them. Unfortunately, New York State does not track child care assistance application processing time in any official way. However, families and child care providers report that some districts routinely exceed that 30 day standard.

But even that 30 day requirement forces families to wait weeks for a child care assistance application to be approved. Those weeks can be disruptive to a family's ability to afford child care out-of-pocket. Parents beginning a new job or returning to work struggle to piece together care while waiting for the social service district to process their application.

However, if upon final determination a family was found to be ineligible for child care assistance, the current statute indicates that districts are required to use local funds to cover the cost of care during the presumptive eligibility period. **This requirement, which was based on a misunderstanding of federal guidelines, has resulted in low uptake among social service districts across the state.**

Recently, the U.S. Department of Health and Human Services Administration for Children and Families released final rule, 89 FR 15366, which clarifies that federal child care funds can be used to cover the presumptively eligible period and that those funds will not be considered an improper payment if a child is ultimately determined to be ineligible for assistance. The rule change was made to encourage states to adopt presumptive eligibility as a way to "reduce burden on families and ensure timely access to reliable child care assistance."

We welcome this critical legislation and applaud the bill sponsors for crafting a bill that will break down barriers that prevent too many eligible families from accessing child care assistance. Enacting this bill will help families begin receiving care when they need it, strengthen the child care sector, and encourage greater workforce participation.

The Day Care Council of New York, the membership organization of early childhood provider organizations in New York City, **urges the Legislature to pass A.4099-A/S.4667-A.**

Contact: Gregory Brender, gbrender@dccnyinc.org or Shelby Lohr, slohr@dccnyinc.org