

**2014 -- H 7563 SUBSTITUTE A**

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LC004614/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2014**

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A N A C T

RELATING TO HUMAN SERVICES - TO IMPROVE EARLY EDUCATION ACCESS AND  
AFFORDABILITY

Introduced By: Representatives Diaz, Slater, Almeida, Williams, and Ferri

Date Introduced: February 26, 2014

Referred To: House Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 40-5.2-20 of the General Laws in Chapter 40-5.2 entitled "The  
2 Rhode Island Works Program" is hereby amended to read as follows:

3           **40-5.2-20. Child care assistance.** -- Families or assistance units eligible for childcare  
4 assistance.

5           (a) The department shall provide appropriate child care to every participant who is  
6 eligible for cash assistance and who requires child care in order to meet the work requirements in  
7 accordance with this chapter.

8           (b) Low-Income child care. - The department shall provide child care to all other  
9 working families with incomes at or below one hundred eighty percent (180%) of the federal  
10 poverty level, if and to the extent such other families require child care in order to work at paid  
11 employment as defined in the department's rules and regulations. Beginning October 1, 2013, and  
12 until January 1, 2015, the department shall also provide child care to families with income below  
13 one hundred eighty percent (180%) of the federal poverty level if and to the extent such families  
14 require child care to participate on a short term basis, as defined in the department's rules and  
15 regulations, in training, apprenticeship, internship, on-the-job training, work experience, work  
16 immersion, or other job readiness/job attachment program sponsored or funded by the human  
17 resource investment council (governor's workforce board) or state agencies that are part of the  
18 coordinated program system pursuant to sections 42-102-9 and 42-102-11.

1 (c) No family/assistance unit shall be eligible for child care assistance under this chapter  
2 if the combined value of its liquid resources exceeds ten thousand dollars (\$10,000). Liquid  
3 resources are defined as any interest(s) in property in the form of cash or other financial  
4 instruments or accounts which are readily convertible to cash or cash equivalents. These include,  
5 but are not limited to, cash, bank, credit union, or other financial institution savings, checking and  
6 money market accounts, certificates of deposit or other time deposits, stocks, bonds, mutual  
7 funds, and other similar financial instruments or accounts. These do not include educational  
8 savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held  
9 jointly with another adult, not including a spouse. The department is authorized to promulgate  
10 rules and regulations to determine the ownership and source of the funds in the joint account.

11 (d) As a condition of eligibility for child care assistance under this chapter, the parent or  
12 caretaker relative of the family must consent to and must cooperate with the department in  
13 establishing paternity, and in establishing and/or enforcing child support and medical support  
14 orders for all children in the family in accordance with title 15 of the general laws, as amended,  
15 unless the parent or caretaker relative is found to have good cause for refusing to comply with the  
16 requirements of this subsection.

17 (e) For purposes of this section "appropriate child care" means child care, including  
18 infant, toddler, pre-school, nursery school, school-age, which is provided by a person or  
19 organization qualified, approved, and authorized to provide such care by the department of  
20 children, youth, and families, or by the department of elementary and secondary education, or  
21 such other lawful providers as determined by the department of human services, in cooperation  
22 with the department of children, youth and families and the department of elementary and  
23 secondary education.

24 (f) (1) Families with incomes below one hundred percent (100%) of the applicable  
25 federal poverty level guidelines shall be provided with free childcare. Families with incomes  
26 greater than one hundred percent (100%) and less than one hundred eighty (180%) of the  
27 applicable federal poverty guideline shall be required to pay for some portion of the childcare  
28 they receive, according to a sliding fee scale adopted by the department in the department's rules.

29 (2) For a ~~twelve (12)~~ thirty-six (36) month period beginning October 1, 2013, the Child  
30 Care Subsidy Transition Program shall function within the department of human services. Under  
31 this program, families who are already receiving childcare assistance and who become ineligible  
32 for childcare assistance as a result of their incomes exceeding one hundred eighty percent (180%)  
33 of the applicable federal poverty guidelines shall continue to be eligible for childcare assistance  
34 from October 1, 2013 to September 30, ~~2014~~ 2016 or until their incomes exceed two hundred

1 twenty-five percent (225%) of the applicable federal poverty guidelines, whichever occurs first.  
2 To be eligible, such families must continue to pay for some portion of the childcare they receive,  
3 as indicated in a sliding fee scale adopted in the department's rules and in accordance with all  
4 other eligibility standards.

5 (g) In determining the type of childcare to be provided to a family, the department shall  
6 take into account the cost of available childcare options, the suitability of the type of care  
7 available for the child, and the parent's preference as to the type of child care.

8 (h) For purposes of this section "income" for families receiving cash assistance under  
9 section 40-5.2-11 means gross earned income and unearned income, subject to the income  
10 exclusions in subdivisions 40-5.2-10(g)(2) and 40-5.2-10(g)(3) and income for other families  
11 shall mean gross earned and unearned income as determined by departmental regulations.

12 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast  
13 the expenditures for childcare in accordance with the provisions of section 35-17-1.

14 (j) In determining eligibility for child care assistance for children of members of reserve  
15 components called to active duty during a time of conflict, the department shall freeze the family  
16 composition and the family income of the reserve component member as it was in the month prior  
17 to the month of leaving for active duty. This shall continue until the individual is officially  
18 discharged from active duty.

19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act extends the sunset provision for the child care subsidy transition program within  
2 the department of human services from September 30, 2014 to September 30, 2016, a period of  
3 two (2) years.

4           This act would take effect upon passage.

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