

MEMORANDUM

TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

TO: CPS Regional Directors
CPS Program Administrators
CPS Program Directors

FROM: Audrey Deckinga
Assistant Commissioner for CPS

SUBJECT: Day Care Changes

DATE: August 24, 2011 **PSA 11-088**



The purpose of this PSA is to notify staff of changes to DFPS provision of day care services that will become effective on September 1, 2011. DFPS day care services are subject to the availability of legislative funding; therefore services are not guaranteed for any client. Day care eligibility requirements are outlined in CPS policy and further clarified in this PSA. Until necessary policy updates can be made, staff are directed to follow this PSA if there is a conflict with existing policy.

Verification of Employment

Sections 8235.3 and 8235.5 of the CPS Handbook require all caregivers of children receiving Foster Care Day Care and all caregivers of children receiving Kinship Care Day Care to be employed full time. Section 8235.11 defines full-time employment as working at least 40 hours per week for a wage or salary. Being a volunteer, student, or providing foster care or kinship care services is not considered employment.

Effective September 1, 2011, all caregivers must provide verification of full-time employment working forty hours a week to their caseworker prior to completion of Form 1800 to request initial day care service authorization. In addition, verification that the caregiver is employed full-time for 40 hours a week is required for every renewal authorization for Foster Care Day Care or Kinship Care Day Care. CPS staff requesting the service authorization will be responsible for obtaining the verification from the caregiver. Acceptable verification includes copies of the caregiver's last three pay stubs, a statement from the employer attesting to being employed full-time for forty hours a week or, in the case of self-employment, a completed Statement of Self-Employment Income (Attachment D).

Copies of the caregivers' employment verification should be kept in the case record. If the caregiver is unable to provide a copy of the employment verification to the caseworker, a photograph of the documentation can be used.

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New Eligibility Criteria for Kinship Care Day Care

Effective September 1, 2011 in order to be eligible for Kinship Care Day Care the total caregivers' annual household income must not exceed 200% of poverty as determined by the federal poverty guidelines (Attachment E). This is in line with other changes being made to the eligibility requirements for financial benefits in the Relative and Other Designated Caregiver Program (Applicable DFPS rules and Section 6322.45 - Explaining the DFPS Financial Assistance Available to an Unverified Kinship Caregiver will also be modified to the 200% of Federal Annual Poverty Level Guidelines). Kinship Caregivers currently receiving Kinship Care Day Care should be tested to see if their annual household income exceeds 200% of Federal Annual Poverty Guidelines before being reauthorized for Kinship Care Day Care.

Kinship Care and General Protective Day Care

When a kinship caregiver's annual household income exceeds 200% of poverty as determined by the federal poverty guidelines, and all other eligibility requirements for Kinship Care Day Care are met, the child is eligible for general protective day care without Program Administrator approval. See 8235.2 General Protective Child Day Care.

Mandatory Wait Period for Day Care Services

Effective September 1, 2011, there will be a mandatory 10 working day wait period prior to the begin date for initial foster care day care services and initial general protective day care services. There will be a 5 to 10 working day wait period prior to the begin date for initial kinship care day care services and initial general protective day care services for kinship placements that meet all kinship care day care requirements but the annual household income exceeds 200% of poverty as determined by federal poverty guidelines. The wait period begins when the Regional Day Care Coordinator (RDCC) receives a completed Request for Day Care Services (F1800)

No Verbal Authorizations and No Backdating

Texas Workforce Commission (TWC) day care providers have been instructed not to provide day care services to any child until they receive an approved service authorization from the Child Care Management System (CCMS). DFPS will not pay for day care services provided without an approved service authorization.

DFPS caseworkers must not provide caregivers or day care providers with verbal authorization or copies of 2054 service authorizations for day care services. DFPS caseworkers may not request backdated daycare services on the Form 1800 or 2054 service authorization.

Regional Day Care Coordinators will not authorize backdated 2054 Service Authorization for day care services.

Caregiver Notification

During the month of August 2011, all DFPS foster parents and kinship caregivers currently receiving Foster Care Day Care or Kinship Care Day Care will receive notification of the requirements described above for waiting periods and for verification of employment (Attachments A and B). Each Child Placing Agency (CPA) will receive a letter notifying them of the waiting period requirements and the verification of employment requirement with instructions to share the information with any caregivers currently receiving Foster Care Day Care (Attachment C). These notification letters will be available in Spanish by September 1, 2011, for caseworkers to provide to caregivers/foster parents as needed.

Foster parents (DFPS and non-DFPS) and kinship caregivers will be instructed upon receipt of the notification to inform their CPS caseworker if they do not currently meet the eligibility requirement of full time employment. Regional Day Care Coordinators should be notified immediately upon receipt of notification that a caregiver no longer meets the employment requirement. Caregivers who report that they no longer meet the full time employment eligibility requirement will have their service authorizations terminated.

Caregivers will also be informed that day care providers will no longer provide services without an approved service authorization from CCMS. If a day care provider provides services without the approved service authorization DFPS will not pay for those services.

Action:

1. By August 31, 2011, Regional Directors and Supervisors ensure PSA distribution to staff.
2. By August 31, 2011, all caregivers of children currently receiving Foster Care Day Care will receive notification of eligibility requirements and procedures (Attachment A).
3. By August 31, 2011, all caregivers of children currently receiving Kinship Care Day Care will receive notification of the eligibility requirements and procedures (Attachment B).
4. By August 31, 2011, all Child Placing Agencies will receive notification of

eligibility requirements and procedures (Attachment C).

5. Effective September 1, 2011, staff will secure verification of full-time employment of all caregivers prior to requesting a 2054 service authorization for initiating or reauthorizing Foster Care Day Care and Kinship Care Day Care.

6. Effective September 1, 2011, staff will determine kinship caregivers' eligibility for Kinship Care Day Care, including meeting requirements based on Federal Poverty Limits. Staff must utilize Form 0692 to help assess for eligibility.

7. Effective September 1, 2011, Regional Day Care Coordinators will authorize day care beginning 10 work days from the date the Form 1800 is received for Foster Care Day Care and General Protective Day Care and 5 to 10 work days from the date Form 1800 is received for Kinship Care Day Care and General Protective Day Care for kinship placements.

Contact:

Jim Cleveland, Special Projects Program Specialist, at (512) 438-5257.

Attachments:

- A) Notification to Foster Care Day Care caregivers of day care requirements
- B) Notification to Kinship Care Day Care caregivers of day care requirements
- C) Notification to Child Placing Agencies of day care requirements
- D) Caregiver Statement of Self-Employment Income
- E) 2011 Annual Federal Poverty Guidelines



TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Anne Heiligenstein

August 25, 2011

Dear DFPS Foster Parent:

The purpose of this letter is to notify you that the Texas Department of Family and Protective Services (DFPS) is making changes to foster care day care services that will become effective on September 1, 2011. DFPS-funded day care services are subject to the availability of funding; therefore services are not guaranteed for any client. The provision of DFPS-funded day care is based on eligibility requirements outlined in CPS policy and verification procedures explained in this letter.

Current Foster Care Day Care Policies Remaining in Place

- Child must be in DFPS conservatorship.
- Child must be at the Basic service level.
- Child must be placed in a foster family home with foster parents who work full-time for forty hours a week. (Note: being a volunteer, student or providing foster care services is not considered employment).

Changes Effective September 1, 2011

- Initial day care services will be authorized after a 10 working day waiting period.
- Verification of employment will be required. Beginning September 1, 2011, Child Protective Services (CPS) staff authorizing or reauthorizing foster care day care must receive from the foster parent a document verifying full-time employment for forty hours a week in order to determine eligibility. The employment eligibility verification may be audited and payments for foster day care may be subject to recoupment after September 1, 2011. Acceptable documentation the foster parent must provide the CPS caseworker consists of either a copy of the last three consecutive pay stubs received. Acceptable verification includes copies of the caregiver's last three pay stubs, a statement from the employer attesting to being employed full-time for forty hours a week or, in the case of self-employment, a completed Statement of Self-Employment Income (attached).
Note: If you are currently a recipient of foster care day care resources and no longer meet the employment eligibility requirement please contact your CPS caseworker to inform them of the change in your employment status. This will terminate the foster care day care resources and ensure compliance with CPS policy regarding full time employment.
- Day care providers will no longer provide services without an approved service authorization from the Child Care Management System (CCMS). If a day care provider provides services without the approved service authorization DFPS will not pay for those services. Verbal authorizations are no longer allowed.

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DFPS Foster Parent
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If you have any questions about the new day care changes, please contact your CPS caseworker.

Thank you for your continued commitment to providing a safe and stable home for our most vulnerable children.

Sincerely,

Audrey Deckinga
Assistant Commissioner for Child Protective Services



TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Anne Heiligenstein

August 25, 2011

Dear Kinship Caregiver:

The reason for this letter is to tell you that the Texas Department of Family and Protective Services (DFPS) is making changes to kinship day care services that will become effective on September 1, 2011. Kinship day care is offered when the kinship caregivers work full-time for 40 hours a week. DFPS-funded day care is subject to the availability of funding; therefore day care is not guaranteed for any family. Receiving DFPS-funded day care is based on eligibility requirements outlined in CPS policy.

Current Kinship Care Policies Remaining in Place

- Child must be in DFPS conservatorship.
- Child must be placed in the Relative and Other Designated Caregiver Placement Program with relatives or fictive kin who work full-time. (Note: being a volunteer, student or providing foster care services is not considered employment).

Changes Effective September 1, 2011

- When receiving day care for the first time there will be a 5 to 10 working day waiting period.
- Verification of employment will be required. Beginning September 1, 2011, Child Protective Services (CPS) staff authorizing or reauthorizing kinship day care must receive from the caregiver a document verifying full-time employment for 40 hours a week in order to determine eligibility. The employment eligibility verification may be audited and payments for kinship day care may be subject to recoupment after September 1, 2011. Acceptable verification includes copies of the caregiver's last three pay stubs, a statement from the employer attesting to being employed full-time for forty hours a week or, in the case of self-employment, a completed Statement of Self-Employment Income (attached).

Note: If you are currently receiving kinship day care and are no longer working 40 hours per week please contact your CPS caseworker to tell them about the change in your employment status. This will end the kinship day care.

If you have any questions about the new day care policy changes, please contact your CPS caseworker. Thank you for your continued commitment to providing a safe and stable home for our most vulnerable children.

Sincerely,

Audrey Deckinga
Assistant Commissioner for Child Protective Services

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TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Anne Heiligenstein

August 25, 2011

Dear Child Placing Agency:

The purpose of this letter is to notify you that the Texas Department of Family and Protective Services (DFPS) is making changes to foster care day care services that will become effective on September 1, 2011. DFPS-funded day care services are subject to the availability of funding; therefore services are not guaranteed for any client. The provision of DFPS-funded day care is based on eligibility requirements outlined in CPS policy and verification procedures explained in this letter.

Current Foster Care Day Care Policies Remaining in Place

- Child must be in DFPS conservatorship.
- Child must be at the Basic service level.
- Child must be placed in a foster family home with foster parents who work full-time for forty hours a week. (Note: being a volunteer, student or providing foster care services is not considered employment).

Changes Effective September 1, 2011

- Initial day care services will be authorized after a 10 working day waiting period.
- Verification of employment will be required. Beginning September 1, 2011, Child Protective Services (CPS) staff authorizing or reauthorizing foster care day care must receive from the foster parent a document verifying full-time employment for forty hours a week in order to determine eligibility. The employment eligibility verification may be audited and payments for foster day care may be subject to recoupment after September 1, 2011. Acceptable verification includes copies of the caregiver's last three pay stubs, a statement from the employer attesting to being employed full-time for forty hours a week or, in the case of self-employment, a completed Statement of Self-Employment Income (attached).

Note: Please notify current recipients of foster care day care resources who no longer meet the employment eligibility requirement to contact the child's CPS caseworker to inform them of the change in employment status. This will terminate the foster day care resources and ensure compliance with CPS policy regarding full time employment.

- Day care providers will no longer provide services without an approved service authorization from the Child Care Management System (CCMS). If a day care provider provides services without the approved service authorization DFPS will not pay for those services. Verbal authorizations are no longer allowed.

Note: Please notify current recipients of foster care day care resources that day care providers will no longer provide services unless an approved service authorization from CCMS has been issued prior to the provision of any services. If a day care provider

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provides services without an approved authorization DFPS will not pay for those services.

Should a foster parent have any questions about the new day care changes, please direct them to contact the child's CPS caseworker.

Thank you for your continued commitment to providing a safe and stable home for our most vulnerable children.

Sincerely,

Audrey Deckinga
Assistant Commissioner for Child Protective Services

