

# Proposed/Temporary Administrative Rules Form

<b>Agency Name:</b> Department of Health and Welfare	<b>STARS Agency Code:</b> 270	<b>Phone Number:</b> 334-5815	
<b>Contact Person:</b> Genie Sue Weppner		<b>FAX Number:</b> 334-6558	
<b>Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation):</b> Section 56-202, Idaho Code			
<b>Title, Chapter, and Possible Docket (IDAPA) Number:</b> IDAPA 16.06.12, "Rules Governing the Idaho Child Care Program" (ICCP) RE: Non-working students pay 31% co-pay and co-operation with child support program - FEE Docket			
<b>This Rule is:</b> <input checked="" type="checkbox"/> <b>Proposed</b> <input type="checkbox"/> <b>Temporary</b>		<b>Effective Date:</b> Sine Die 2008	
<b>If Temporary Rule:</b> <input type="checkbox"/> <b>Necessary to protect the public health, safety, or welfare; or</b> <input type="checkbox"/> <b>Compliance with deadlines in amendments to governing law or federal programs; or</b> <input type="checkbox"/> <b>Conferring a benefit.</b>			
<b>If this is a temporary rule which imposes a fee or charge, provide justification as described in Idaho Code 67-5226(2):</b> N/A			
<b>Provide a fiscal impact statement, both positive and negative, by fund source for all programs affected:</b> There is no fiscal impact to the state general fund; however, there will be decreased costs to the federal Child Care Development Fund Block Grant.			
<b>Rule Cost:</b>	Child Support	\$ 0	One year
<b>Rule Savings:</b>	Require non-working students to pay a 31% co-pay.	\$ (650,000)	One year
<b>Rule Savings:</b>	Require ICCP applicants to cooperate with child support	\$ (756,000)	One year
<b>Operation Cost:</b>	Adjust local market rate <i>(included in FY 08 request) Market rate is in policy so any change made to market rate will depend on the actual savings generated by these rule changes.</i>	\$ 1,382,000	One year
<b>Operation Cost:</b>	Programming the Automated System	\$ 2,400	One time one year
	<b>Total savings</b>	<b>\$ 0</b>	<b>One year</b>
	<b>Total savings</b>	<b>\$ 0</b>	<b>Five Year</b>
<b>Need for Proposed Rule Change:</b> <p>The Department has received recommendations to raise the market rate paid to providers. These recommendations have come from recent legislative audits, the Office of Performance Evaluation (OPE), the Idaho Child Care Advisory Panel, and various stakeholders. In order to pay for this market rate increase, the Department is proposing rules changes to require non-working students to pay a co-pay and require individuals who are applying for a child care subsidy to cooperate with child support. The savings from these measures will pay for the increased market rates.</p> <p>The child care subsidy program is closely aligned with the purposes of Welfare Reform and is seen as a critical benefit to assist low-income working families find and maintain work. At the same time, child care assistance via the ICCP while earning a 4-year college degree is also an effective strategy to avoid poverty. In order to support this strategy, ICCP will require non-working students to pay a co-pay that is equal to or less than the average co-pay paid by working students. The stakeholder group consisting of representatives from 4 institutes of higher education, students, and advocate organizations strongly recommended that all individuals receiving ICCP should pay a reasonable share of the costs for child care. The share should be at a rate that would encourage students to seek employment rather than apply for additional loans. Paying this share of the costs further reduces student dependency on government benefits.</p> <p>When a family applies for ICCP and the non-custodial parent is not contributing to the child or children's economic well-being the Department does not ask them to cooperate with child support requirements. All other benefit programs for families with children (Food Stamp Program and Family Medicare) require</p>			

cooperation with child support requirements. This supports the Welfare Reform philosophy that absent fathers and mothers should be responsible for their child's financial well-being thereby reducing dependency on Welfare programs. By requiring cooperation with child support requirements as an eligibility requirement for ICCP, the program is better aligned with the Welfare Reform philosophy and with the other benefit programs. Cooperation with child support requirements reduces the opportunities for fraudulent use of child care assistance when the "absent parent" is actually still in the home and contributing to the household income.		
<b>Proposed Rule Changes (Summary Only):</b> This rule change will incorporate recommendations obtained from the Office of Performance Evaluation (OPE), legislative auditors, higher education stakeholders, advocacy group stakeholders, House and Senate Health and Welfare Committees, and the Idaho Childcare Advisory Panel to:		
<ol style="list-style-type: none"> <li>1. Require non-working students to pay a 31% co-pay; and</li> <li>2. Require ICCP applicants to cooperate with child support</li> </ol>		
<b>Interest Group(s) or Citizens Affected:</b> Child Care providers, parents, institutes of higher education, financial aid, vocational technical institutes, low-income advocacy groups, women's advocacy groups, early learning professionals.		
<i>(DFM's Use Only)</i>		
<b>DFM Analyst Comments:</b>		
<b>Received Date:</b>	<b>Internal Admin. Rule No.</b>	
<b>DFM Analyst Signature:</b>	<b>Approved:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reviewed Date:</b>
<b>Policy Advisor Signature:</b>	<b>Approved:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reviewed Date:</b>

Please return to: Division of Financial Management, Statehouse Room 122  
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 E-Mail: [info@dfm.idaho.gov](mailto:info@dfm.idaho.gov)  
 FAX: 208-334-2438

**Department of Health and Welfare Signatures of Approval of the Proposed Administrative Rules**

David Butler, Deputy Director \_\_\_\_\_ Date: \_\_\_\_\_

Heather Wheeler, Division Admin. \_\_\_\_\_ Date: \_\_\_\_\_

Richard M. Armstrong, Director \_\_\_\_\_ Date: \_\_\_\_\_