

(4) A CARI background check is valid for one year from the date of approval of the home by the UCCA. After one year, a new signed consent form shall be completed for each person as specified in (b)1i(1) above.

ii. If any person specified in (b)1i(1) above refuses to consent to a CARI background check, the UCCA shall deny the prospective approved home provider to provide child care services in accordance with N.J.S.A. 30:5B-32.

iii. The UCCA shall submit the completed consent forms specified in (b)1i(1) above upon receipt of the forms from the prospective approved home provider to DHS at the following address: Department of Human Services, Office of Licensing, CARI Unit (Approved Homes), PO Box 717, Trenton, N.J. 08625-0717. DHS will conduct a search of its records for child abuse and neglect incidents. Within 10 working days (two weeks) of receipt of the completed forms from the UCCA, DHS will inform the UCCA in writing as to whether a substantiated incident of child abuse or neglect by any person specified in (b)1i above has been found. If such an incident has been found, DHS will inform the UCCA in writing of the name of the person with a substantiated incident.

iv. If the CARI background check reveals no substantiated incident of child abuse or neglect involving a person specified in (b)1i above, the UCCA will schedule a home inspection. Upon completion of the home inspection, if all criteria on the health safety/interview check list are satisfactory, the UCCA shall authorize the use of the approved home provider, provided that all other applicable requirements of this chapter have been met.

v. If the CARI background check reveals that an incident of child abuse or neglect has been substantiated against a person specified in (b)1i above, DHS shall release the results of the CARI check to the UCCA pursuant to subsection (g) of section 1 of P.L. 1977, c.102 (N.J.S.A. 9:6-8.10a) and the agency shall deny the prospective approved home provider from providing child care services.

vi. Before denying the prospective approved home provider from providing child care services, the UCCA shall give notice in writing, by certified or registered mail, to the last known address of the prospective approved home provider with return receipt requested, of the reasons why the prospective approved home provider will be denied.

vii. The UCCA shall also give notice in writing, by certified or registered mail, to the individual with a substantiated incident. The notice shall afford the individual with a substantiated incident the opportunity to be heard, if they have not previously done so, through a referral to the DYFS Regional Administrative Review

Officer, as appropriate, to appeal the results of the CARI background check within 20 days of receiving the notice.

viii. If the individual with a substantiated incident is not satisfied with the decision of the DYFS Regional Administrative Review Officer, the individual with a substantiated incident may appeal the decision to the Office of Administrative Law (OAL) for an administrative hearing. The hearing shall be conducted in accordance with the "Administrative Procedure Act," P.L. 1968, c.410 (N.J.S.A. 52:14B-1 et seq.) and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

ix. If the individual with a substantiated incident is not satisfied with the decision resulting from the administrative hearing, the individual with a substantiated incident may appeal the decision, within 45 days from the date of service of the decision or notice of the action taken, to the Appellate Division of the Superior Court of New Jersey.

x. If a prospective approved home provider is denied approval to provide child care services, the UCCA shall notify the parent of the child who would be eligible to receive such services, in writing, of the reason the prospective approved home provider was denied and that the parent has the right to select another individual to provide approved home child care services. The parent shall be advised to keep such information confidential and not to disclose the information in keeping with provisions of the State Child Abuse and Neglect Law (N.J.S.A. 9:6-8.10b).

2. An approved home provider who cares for no more than five children, or no more than eight children if three of the children are her own, who has been approved by the Department of Human Services may receive payment for a maximum of:

- i. Two non-sibling children; or
- ii. Up to five non-resident sibling children under 13 years of age.

(c) Providers of in-home care for non CPS children, that is, care of a child in the child's own home, shall be evaluated using the Self-Arranged Care Inspection and Interview Checklist and a child abuse record information check completed for all prospective in-home providers and all household members of the home 14 years of age and older conducted by the Department of Human Services, as specified in (b)1 above, in order to qualify for payment through the child care service programs. Providers of in-home care for CPS children shall be approved by DYFS.

(d) Providers of child care other than those specified in (a) through (c) above are not entitled to payment through the child care service programs.

Amended by R.2001 d.396, effective November 5, 2001.
See: 33 N.J.R. 2432(a), 33 N.J.R. 3741(a).

Rewrote (a).

Amended by R.2005 d.77, effective February 22, 2005.

See: 36 N.J.R. 4882(a), 37 N.J.R. 630(c).

Rewrote the section.

10:15-10.3 Payment methods

(a) Vendor payments to providers are the primary methods for issuing child care payments for the DFD voucher programs. Under this method, a voucher is issued by the UCCA to the child care provider after the completion of an agreement. The completion of this agreement permits the provider to receive an initial prospective monthly payment in NJCK or receive payment in accordance with WFNJ and TCC payment methods, which are identified in N.J.A.C. 10:15-3.3(b). To receive payments, the provider shall complete the voucher form and return it to the UCCA. Upon review and authorization of the voucher information, the UCCA shall issue a child care payment to the provider for all vouchers which have been received no later than 60 days from the end of the designated service period or 60 days from the date of voucher issuance, whichever is later. Should the provider fail to submit a completed voucher form for receipt by the UCCA within the established period, the identified payment for services claimed on the voucher shall be subject to forfeiture.

(b) In exceptional or emergency situations, payment for WFNJ and TCC child care provided may be made directly to the participant. As with the child care voucher, payment shall be issued upon verification of the child's attendance and care provided.

(c) The TCC payments shall be issued on a bi-weekly retrospective basis.

10:15-10.4 Provider overpayments

(a) The UCCA shall take all reasonable steps necessary to promptly correct any overpayment of child care benefits made to a parent/applicant or child care provider. Recovery shall be attempted in the following circumstances:

1. In all cases of fraud;

2. In all cases involving a family currently receiving services; and

3. In all cases where the overpayment amount would equal or exceed the costs of recovery.

(b) An overpayment to a family or provider currently receiving child care benefits shall be recovered through repayment (in part or in full) by the family or provider responsible for the overpayment or by recovering the overpayment through a reduction in the benefit amount payable to the provider or on behalf of the family.

1. In cases of formerly enrolled families or child care providers no longer rendering services who refuse to repay, recovery shall be made by appropriate action under State law against the income and resources of the overpaid individual or family.

2. Recovery of child care benefits shall be made by the UCCA from future child care benefits.

3. Any recoveries of overpayments of child care benefits shall be made from the TANF grant with coordination from the CWA.

(c) Underpayments and overpayments shall be offset against each other in correcting inaccurate payments.

(d) A UCCA need not attempt recovery of overpayments from providers if obligated to make the full payment under the contract.

(e) The UCCA shall collect and maintain information on the collection of overpayments.

SUBCHAPTER 11. (RESERVED)

APPENDIX

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
CLIENT INCOME ELIGIBILITY and
CO-PAYMENT SCHEDULE for
SUBSIDIZED CHILD CARE ASSISTANCE or SERVICES

Effective: July 1, 1999



	Full Time Child Care				Part-Time Child Care				Percent of 1999 Federal Poverty Index More than Less than	Family Size and Annual Income						CPS
	Weekly Co-Payment		Monthly Co-Payment		Weekly Co-Payment		Monthly Co-Payment			1 or 2	3	4	5	6		
	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%								
CPS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0	0	0	0	0		
A	\$2.10	\$1.60	\$9.10	\$6.80	\$1.05	\$0.80	\$4.55	\$3.45	1% - 17%	1 - 1,880	1 - 2,360	1 - 2,839	1 - 3,318	1 - 3,798		
	\$5.40	\$4.05	\$23.40	\$17.55	\$2.70	\$2.05	\$11.70	\$8.90	17% - 33%	1,881 - 3,650	2,361 - 4,580	2,840 - 5,511	3,319 - 6,442	3,799 - 7,372		
	\$7.60	\$5.70	\$32.90	\$24.70	\$3.80	\$2.85	\$16.45	\$12.35	33% - 50%	3,651 - 5,530	4,581 - 6,940	5,512 - 8,350	6,443 - 9,760	7,373 - 11,170		
	\$10.90	\$8.20	\$47.20	\$35.40	\$5.45	\$4.10	\$23.60	\$17.75	50% - 67%	5,531 - 7,410	6,941 - 9,300	8,351 - 11,189	9,761 - 13,078	11,171 - 14,968		
	\$13.10	\$9.85	\$56.70	\$42.55	\$6.55	\$4.90	\$28.35	\$21.20	67% - 83%	7,411 - 9,180	9,301 - 11,520	11,190 - 13,861	13,079 - 16,202	14,969 - 18,542		
	\$16.40	\$12.30	\$71.00	\$53.25	\$8.20	\$6.15	\$35.50	\$26.65	83% - 100%	9,181 - 11,060	11,521 - 13,880	13,862 - 16,700	16,203 - 19,520	18,543 - 22,340		
	\$20.80	\$15.60	\$90.05	\$67.55	\$10.40	\$7.80	\$45.05	\$33.75	100% - 117%	11,061 - 12,940	13,881 - 16,240	16,701 - 19,539	19,521 - 22,838	22,341 - 26,138		
	\$25.20	\$18.90	\$109.10	\$81.25	\$12.60	\$9.45	\$54.55	\$40.90	117% - 133%	12,941 - 14,710	16,241 - 18,460	19,540 - 22,211	22,839 - 25,962	26,139 - 29,712		
	\$30.70	\$23.05	\$132.95	\$99.70	\$15.35	\$11.50	\$66.45	\$49.80	133% - 150%	14,711 - 16,590	18,461 - 20,820	22,212 - 25,050	25,963 - 29,280	29,713 - 33,510		
	\$36.20	\$27.15	\$156.75	\$117.55	\$18.10	\$13.60	\$78.35	\$58.90	150% - 167%	16,591 - 18,470	20,821 - 23,180	25,051 - 27,889	29,281 - 32,598	33,511 - 37,308		
\$41.70	\$31.30	\$180.55	\$135.40	\$20.85	\$15.65	\$90.30	\$67.75	167% - 175%	18,471 - 19,355	23,181 - 24,290	27,890 - 29,225	32,599 - 34,160	37,309 - 39,095			
\$41.70	\$31.30	\$180.55	\$135.40	\$20.85	\$15.65	\$90.30	\$67.75	175% - 183%	19,356 - 20,240	24,291 - 25,400	29,226 - 30,561	34,161 - 35,722	39,096 - 40,882			
\$48.30	\$36.25	\$209.15	\$156.85	\$24.15	\$18.10	\$104.60	\$78.35	183% - 200%	20,241 - 22,120	25,401 - 27,760	30,562 - 33,400	35,723 - 39,040	40,883 - 44,680			
FOR USE ONLY IN REDETERMINING CONTINUATION OF SERVICES																
D	\$56.00	\$42.00	\$242.50	\$181.90	\$28.00	\$21.00	\$121.25	\$90.95	200% - 217%	22,121 - 24,000	27,761 - 30,120	33,401 - 36,239	39,041 - 42,358	44,681 - 48,478		
	\$63.70	\$47.80	\$275.80	\$206.85	\$31.85	\$23.90	\$137.90	\$103.50	217% - 233%	24,001 - 25,770	30,121 - 32,340	36,240 - 38,911	42,359 - 45,482	48,479 - 52,052		
	\$68.10	\$51.10	\$294.90	\$221.20	\$34.05	\$25.55	\$147.45	\$110.65	233% - 250%	25,771 - 27,650	32,341 - 34,700	38,912 - 41,750	45,483 - 48,800	52,053 - 55,850		

CPS NOTE: A child under the child protective service (CPS) supervision of DYFS is eligible to receive subsidized assistance or services whenever child care is required as part of a case treatment plan. If family income exceeds the client income eligibility level, services may be provided without regard to income and the co-payment assessed is based upon the highest amount indicated in the the appropriate child care co-payment scale for the size of the family. For children who are in DYFS-paid foster placement, the co-payment is assessed based on the income of the child. Since in most cases, the child has no income, the assessed co-payment is almost always \$0. For DYFS/CPS children who are residing with a related or unrelated caregiver or para-home care provider, the co-payment is assessed on the basis of family size and income. For DYFS/CPS children residing in their own home with their own parents, the co-payment is assessed on the basis of family size and income. If it has been determined that payment of the full co-payment amount will cause undue hardship to the CPS family or place the child, the siblings or the protective service treatment plan in jeopardy, the DYFS Case Manager may reduce or waive the co-payment on a case-by-case basis.

A Tier A: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be at or below 150% of the current Federal Poverty Income Guidelines (FPI).

Tier B: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 151% and 175% of the current FPI.

Tier C: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 176% and 200% of the current FPI.

D Tier D: A child who has been redetermined eligible on the basis of the annual gross income of the family, which must be between 201% and 250% of the current FPI.

Full time care is defined as six (6) or more hours of care per day.

Part-time care is defined as less than six (6) hours of care per day.



APPENDIX
State of New Jersey
 DEPARTMENT OF HUMAN SERVICES
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Effective: July 1, 1999

	Full Time Child Care				Part-Time Child Care				Percent of 1999 Federal Poverty Index	Family Size and Annual Income						CPS
	Weekly Co-Payment		Monthly Co-Payment		Weekly Co-Payment		Monthly Co-Payment			7	8	9	10	11	12	
	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%	First Child 100%	Second Child 75%								
CPS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0	0	0	0	0	0	CPS
A	\$2.10	\$1.60	\$9.10	\$6.80	\$1.05	\$0.80	\$4.55	\$3.45	1% - 17%	1 - 4,277	1 - 4,757	1 - 5,236	1 - 5,715	1 - 6,195	1 - 6,674	A
	\$5.40	\$4.05	\$23.40	\$17.55	\$2.70	\$2.05	\$11.70	\$8.90	17% - 33%	4,278 - 8,303	4,758 - 9,233	5,237 - 10,164	5,716 - 11,095	6,196 - 12,025	6,675 - 12,956	
	\$7.60	\$5.70	\$32.90	\$24.70	\$3.80	\$2.85	\$16.45	\$12.35	33% - 50%	8,304 - 12,580	9,234 - 13,990	10,165 - 15,400	11,096 - 16,810	12,026 - 18,220	12,957 - 19,630	
	\$10.90	\$8.20	\$47.20	\$35.40	\$5.45	\$4.10	\$23.60	\$17.75	50% - 67%	12,581 - 16,857	13,991 - 18,747	15,401 - 20,636	16,811 - 22,525	18,221 - 24,415	19,631 - 26,304	
	\$13.10	\$9.85	\$56.70	\$42.55	\$6.55	\$4.90	\$28.35	\$21.20	67% - 83%	16,858 - 20,883	18,748 - 23,223	20,637 - 25,564	22,526 - 27,905	24,416 - 30,245	26,305 - 32,586	
	\$16.40	\$12.30	\$71.00	\$53.25	\$8.20	\$6.15	\$35.50	\$26.65	83% - 100%	20,884 - 25,160	23,224 - 27,980	25,565 - 30,800	27,906 - 33,620	30,246 - 36,440	32,587 - 39,260	
	\$20.80	\$15.60	\$90.05	\$67.55	\$10.40	\$7.80	\$45.05	\$33.75	100% - 117%	25,161 - 29,437	27,981 - 32,737	30,801 - 36,036	33,621 - 39,335	36,441 - 42,635	39,261 - 45,934	
	\$25.20	\$18.90	\$109.10	\$81.25	\$12.60	\$9.45	\$54.55	\$40.90	117% - 133%	29,438 - 33,463	32,738 - 37,213	36,037 - 40,964	39,336 - 44,715	42,636 - 48,465	45,935 - 52,216	
	\$30.70	\$23.05	\$132.95	\$99.70	\$15.35	\$11.50	\$66.45	\$49.80	133% - 150%	33,464 - 37,740	37,214 - 41,970	40,965 - 46,200	44,716 - 50,430	48,466 - 54,660	52,217 - 58,890	
	\$36.20	\$27.15	\$156.75	\$117.55	\$18.10	\$13.60	\$78.35	\$58.90	150% - 167%	37,741 - 42,017	41,971 - 46,727	46,201 - 51,436	50,431 - 56,145	54,661 - 60,855	58,891 - 65,564	
\$41.70	\$31.30	\$180.55	\$135.40	\$20.85	\$15.65	\$90.30	\$67.75	167% - 175%	42,018 - 44,030	46,728 - 48,965	51,437 - 53,900	56,146 - 58,835	60,856 - 63,770	65,565 - 68,705		
\$41.70	\$31.30	\$180.55	\$135.40	\$20.85	\$15.65	\$90.30	\$67.75	175% - 183%	44,031 - 46,043	48,966 - 51,203	53,901 - 56,364	58,836 - 61,525	63,771 - 66,685	68,706 - 71,846		
\$48.30	\$36.25	\$209.15	\$156.85	\$24.15	\$18.10	\$104.60	\$78.35	183% - 200%	46,044 - 50,320	51,204 - 55,960	56,365 - 61,600	61,526 - 67,240	66,686 - 72,880	71,847 - 78,520		
FOR USE ONLY IN REDETERMINING CONTINUATION OF SERVICES																
D	\$56.00	\$42.00	\$242.50	\$181.90	\$28.00	\$21.00	\$121.25	\$90.95	200% - 217%	50,321 - 54,597	55,961 - 60,717	61,601 - 66,836	67,241 - 72,955	72,881 - 79,075	78,521 - 85,194	
	\$63.70	\$47.80	\$275.80	\$206.85	\$31.85	\$23.90	\$137.90	\$103.50	217% - 233%	54,598 - 58,623	60,718 - 65,193	66,837 - 71,764	72,956 - 78,335	79,076 - 84,905	85,195 - 91,476	
	\$68.10	\$51.10	\$294.90	\$221.20	\$34.05	\$25.55	\$147.45	\$110.65	233% - 250%	58,624 - 62,900	65,194 - 69,950	71,765 - 77,000	78,336 - 84,050	84,906 - 91,100	91,477 - 98,150	

CPS NOTE A child under the child protective service (CPS) supervision of DYFS is eligible to receive subsidized assistance or services whenever child care is required as part of a case treatment plan. If family income exceeds the client income eligibility level, services may be provided without regard to income and the co-payment assessed is based upon the highest amount indicated in the appropriate child care co-payment scale for the size of the family. For children who are in DYFS paid foster placement, the co-payment is assessed based on the income of the child. Since in most cases, the child has no income, the assessed co-payment is almost always \$0. For DYFS/CPS children who are residing with a related or unrelated caregiver or para-home care provider, the co-payment is assessed on the basis of family size and income. For DYFS/CPS children residing in their own home with their own parents, the co-payment is assessed on the basis of family size and income. If it has been determined that payment of the full co-payment amount will cause undue hardship to the CPS family or place the child, the siblings or the protective service case plan in jeopardy, the DYFS Case Manager may reduce or waive the co-payment on a case-by-case basis.

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 Tier C A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 176% and 200% of the current FPI

D Tier D A child who has been redetermined eligible on the basis of the annual gross income of the family, which must be between 201% and 250% of the current FPI

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