

CHAPTER 15C

CO-PAYMENTS AND PROCEDURES

Authority

N.J.S.A. 30:1-12; 45 CFR, Parts 98 and 257, and the Americans with Disabilities Act (P.L. 101-336).

Source and Effective Date

R.1994 d.628, effective November 23, 1994.
See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).

Executive Order No. 66(1978) Expiration Date

Chapter 15C, Co-payments and Procedures, expires on November 23, 1999.

Chapter Historical Note

Chapter 15C, Co-Payments and Procedures, was adopted as R.1991 d.600, effective December 16, 1991 (operative January 1, 1992). See: 23 N.J.R. 2960(a), 23 N.J.R. 3771(a). Pursuant to Executive Order No. 66(1978), Chapter 15C was readopted as R.1994 d.628. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10:15C-1.1 Co-payment procedures
- 10:15C-1.2 Process for co-payment assessment
- 10:15C-1.3 Provider's receipt of co-payment
- 10:15C-1.4 Collection, reporting and monitoring of the co-payment, notice of termination

SUBCHAPTER 1. GENERAL PROVISIONS

10:15C-1.1 Co-payment procedures

(a) All eligible families shall pay a fee toward the cost of child care services. This fee is termed a co-payment.

1. The exception to the co-payment requirement exists in the CCDBG program when the child is identified as under DYFS child protective services supervision (see N.J.A.C. 10:15-1.2), including foster care. The co-payment for CPS children including foster care may be waived on a case by case basis in the CCDBG program; such a waiver is granted by the DYFS District Office (DO) or the DYFS Adoption Resource Center (ARC) as delineated in N.J.A.C. 10:15A-1.5(a).

2. Additionally, no co-payment is required for purposes of the other Departmental child care programs (for example, the Social Services Block Grant (SSBG) child care program) if the family has children in care through IV-A At-Risk or CCDBG and the family is making a co-payment for two children under that program's requirements. The county designated agency shall verify and document the facts concerning co-payment circumstances under the IV-A At-Risk and CCDBG program. The county designated agency shall make contact with the appropriate agency(s) in the county assessing co-payment for the other respective Departmental child care programs and inform that agency that the requirement for the co-payment has been met under either the CCDBG or IV-A At-Risk program.

(b) By the adoption of a Statewide co-payment scale for child care service programs provided to families, the programs seek to:

1. In accordance with the eligibility criteria of CCDBG or IV-A At-Risk, enable an eligible family to accept and maintain employment and/or to participate in work/training or educational activities through child care service program aid or to provide child care services to a child in protective services, including foster care, as identified by DYFS;

2. Ensure that the family has freedom of choice in selecting child care arrangements and is provided with flexibility to choose the location and type of provider that best meets their child care needs under the child care service programs; and

3. Require that all families receiving child care service program benefits be assessed and/or pay a portion of the cost of care based on ability to pay, as required by the Omnibus Budget Reconciliation Act of 1990 (Public Law 100-508). However, the co-payment for CPS children, including foster care, may be waived on a case by case basis in the CCDBG program; such a waiver is granted by the DYFS District Office (DO) or DYFS Adoption Resource Center (ARC) as delineated at N.J.A.C. 10:15A-1.5(a).

(c) The co-payment assessed for the family is compiled into one monthly fee for the entire family. Once assessed, the total monthly co-payment is deducted from the amount to be paid by the county child care agency to only one provider rendering services to the family (see N.J.A.C. 10:15C-1.3). This assessed co-payment for child care services is then paid directly by the parent/applicant to the provider of care; any remaining balance of the cost of care, up to the maximum rates established by the Department (see N.J.A.C. 10:15A-1.2(c)), is paid by the county child care agency. The child care co-payment policy and procedures are applicable for all types of care arrangements available through the child care service programs including:

1. Licensed child care centers;
2. Registered family day care homes;
3. Self-arranged care (including in-home care);

- 4. Summer camps which are approved by the Department of Health (see N.J.A.C. 8:25); and
- 5. School-age child care programs.

(d) The amount of the required co-payment is based on the family's annual gross income level, family size, hours of care needed, and number of children in care. Assessed co-payments are apportioned monthly and are due for the entire period of time that subsidized child care assistance is received. Holidays, emergency closings, absences, and starting or ending dates of child care falling within any part of the month do not exclude or reduce the required monthly co-payment. There are two co-payment scales:

Table I
CHILD CARE CO-PAYMENT SCHEDULE
FULL TIME CARE*

| Weekly Full Time Co-Payment | | Monthly Full Time Co-Payment** | | Percent of State 1989 Median Family Income | Family Size and Annual Income**** | | | | | |
|-----------------------------|-----------------|--------------------------------|-----------------|--|-----------------------------------|---------------|---------------|---------------|---------------|--|
| First Child | Second Child*** | First Child | Second Child*** | | 1 or 2 | 3 | 4 | 5 | 6 | |
| \$0 | \$0 | \$0 | \$0 | 0% | 0 | 0 | 0 | 0 | 0 | |
| \$1.10 | \$0.55 | \$4.76 | \$2.38 | 1%- 5% | 1- 1,768 | 1- 2,184 | 1- 2,600 | 1- 3,016 | 1- 3,432 | |
| \$4.40 | \$2.20 | \$19.05 | \$9.53 | 6%-10% | 1,769- 3,536 | 2,185- 4,368 | 2,601- 5,200 | 3,017- 6,031 | 3,433- 6,863 | |
| \$6.60 | \$3.30 | \$28.58 | \$14.29 | 11%-15% | 3,537- 5,304 | 4,369- 6,552 | 5,201- 7,799 | 6,032- 9,047 | 6,864-10,295 | |
| \$9.90 | \$4.95 | \$42.87 | \$21.43 | 16%-20% | 5,305- 7,071 | 6,553- 8,735 | 7,800-10,399 | 9,048-12,063 | 10,296-13,727 | |
| \$12.10 | \$6.05 | \$52.39 | \$26.20 | 21%-25% | 7,072- 8,839 | 8,736-10,919 | 10,400-12,999 | 12,064-15,079 | 13,728-17,159 | |
| \$15.40 | \$7.70 | \$66.68 | \$33.34 | 26%-30% | 8,840-10,607 | 10,920-13,103 | 13,000-15,599 | 15,080-18,094 | 17,160-20,590 | |
| \$19.80 | \$9.90 | \$85.73 | \$42.87 | 31%-35% | 10,608-12,375 | 13,104-15,287 | 15,600-18,198 | 18,095-21,110 | 20,591-24,022 | |
| \$24.20 | \$12.10 | \$104.79 | \$52.39 | 36%-40% | 12,376-14,143 | 15,288-17,471 | 18,199-20,798 | 21,111-24,126 | 24,023-27,454 | |
| \$29.70 | \$14.85 | \$128.60 | \$64.30 | 41%-45% | 14,144-15,911 | 17,472-19,655 | 20,799-23,398 | 24,127-27,141 | 27,455-30,885 | |
| \$35.20 | \$17.60 | \$152.42 | \$76.21 | 46%-50% | 15,912-17,679 | 19,656-21,839 | 23,399-25,998 | 27,142-30,157 | 30,886-34,317 | |
| \$40.70 | \$20.35 | \$176.23 | \$88.12 | 51%-55% | 17,680-19,446 | 21,840-24,022 | 25,999-28,597 | 30,158-33,173 | 34,318-37,749 | |
| \$47.30 | \$23.65 | \$204.81 | \$102.40 | 56%-60% | 19,447-21,214 | 24,023-26,206 | 28,598-31,197 | 33,174-36,188 | 37,750-41,180 | |
| \$55.00 | \$27.50 | \$238.15 | \$119.08 | 61%-65% | 21,215-22,982 | 26,207-28,390 | 31,198-33,797 | 36,189-39,204 | 41,181-44,612 | |
| \$62.70 | \$31.35 | \$271.49 | \$135.75 | 66%-70% | 22,983-24,750 | 28,391-30,574 | 33,798-36,397 | 39,205-42,220 | 44,613-48,044 | |
| \$67.10 | \$33.55 | \$290.54 | \$145.27 | 71%-75% | 24,751-26,518 | 30,575-32,758 | 36,398-38,996 | 42,221-45,236 | 48,045-51,476 | |

| Weekly Full Time Co-Payment | | Monthly Full Time Co-Payment** | | Percent of State 1989 Median Family Income | Family Size and Annual Income**** | | | | | |
|-----------------------------|-----------------|--------------------------------|-----------------|--|-----------------------------------|---------------|---------------|---------------|---------------|---------------|
| First Child | Second Child*** | First Child | Second Child*** | | 7 | 8 | 9 | 10 | 11 | 12 |
| \$0 | \$0 | \$0 | \$0 | 0% | 0 | 0 | 0 | 0 | 0 | 0 |
| \$1.10 | \$0.55 | \$4.76 | \$2.38 | 1%- 5% | 1- 3,510 | 1- 3,588 | 1- 3,666 | 1- 3,744 | 1- 3,822 | 1- 3,900 |
| \$4.40 | \$2.20 | \$19.05 | \$9.53 | 6%-10% | 3,511- 7,019 | 3,589- 7,176 | 3,667- 7,332 | 3,745- 7,488 | 3,823- 7,644 | 3,901- 7,800 |
| \$6.60 | \$3.30 | \$28.58 | \$14.29 | 11%-15% | 7,020-10,529 | 7,177-10,763 | 7,333-10,997 | 7,489-11,231 | 7,645-11,465 | 7,801-11,699 |
| \$9.90 | \$4.95 | \$42.87 | \$21.43 | 16%-20% | 10,530-14,039 | 10,764-14,351 | 10,998-14,663 | 11,232-14,975 | 11,466-15,287 | 11,700-15,599 |
| \$12.10 | \$6.05 | \$52.39 | \$26.20 | 21%-25% | 14,040-17,548 | 14,352-17,939 | 14,664-18,329 | 14,976-18,719 | 15,288-19,109 | 15,600-19,499 |
| \$15.40 | \$7.70 | \$66.68 | \$33.34 | 26%-30% | 17,549-21,058 | 17,940-21,527 | 18,330-21,995 | 18,720-22,463 | 19,110-22,931 | 19,500-23,399 |
| \$19.80 | \$9.90 | \$85.73 | \$42.87 | 31%-35% | 21,059-24,568 | 21,528-25,114 | 21,996-25,660 | 22,464-26,206 | 22,932-26,752 | 23,400-27,298 |
| \$24.20 | \$12.10 | \$104.79 | \$52.39 | 36%-40% | 24,569-28,077 | 25,115-28,702 | 25,661-29,326 | 26,207-29,950 | 26,753-30,574 | 27,299-31,198 |
| \$29.70 | \$14.85 | \$128.60 | \$64.30 | 41%-45% | 28,078-31,587 | 28,703-32,290 | 29,327-32,992 | 29,951-33,694 | 30,575-34,396 | 31,199-35,098 |
| \$35.20 | \$17.60 | \$152.42 | \$76.21 | 46%-50% | 31,588-35,097 | 32,291-35,878 | 32,993-36,658 | 33,695-37,438 | 34,397-38,218 | 35,099-38,998 |
| \$40.70 | \$20.35 | \$176.23 | \$88.12 | 51%-55% | 35,098-38,606 | 35,879-39,465 | 36,659-40,323 | 37,439-41,181 | 38,219-42,039 | 38,999-42,897 |
| \$47.30 | \$23.65 | \$204.81 | \$102.40 | 56%-60% | 38,607-42,116 | 39,466-43,053 | 40,324-43,989 | 41,182-44,925 | 42,040-45,861 | 42,898-46,797 |
| \$55.00 | \$27.50 | \$238.15 | \$119.08 | 61%-65% | 42,117-45,625 | 43,054-46,641 | 43,990-47,655 | 44,926-48,669 | 45,862-49,683 | 46,798-50,697 |
| \$62.70 | \$31.35 | \$271.49 | \$135.75 | 66%-70% | 45,626-49,135 | 46,642-50,229 | 47,656-51,321 | 48,670-52,413 | 49,684-53,505 | 50,698-54,597 |
| \$67.10 | \$33.55 | \$290.54 | \$145.27 | 71%-75% | 49,136-52,645 | 50,230-53,816 | 51,322-54,986 | 52,414-56,156 | 53,506-57,326 | 54,598-58,496 |

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

** The monthly co-payment is calculated by multiplying the weekly co-payment by 4.33.

*** The co-payments listed are for the first and second child of the family receiving care. The co-payment for the second child receiving care is calculated at one-half of the full co-payment for that child. No additional co-payment is charged for the third or subsequent child(ren) in the family receiving care.

**** Families with a maximum gross income for their family size in excess of their scale will be assessed an additional weekly fee of \$1.00 (\$2.00 for a Bi-weekly fee) for each \$1,000 of gross income above their scale.

Table II
CHILD CARE CO-PAYMENT SCHEDULE
PART-TIME CARE*

| Weekly Part-Time Co-Payment | | Monthly Part-Time Co-Payment** | | Percent of State 1989 Median Family Income | Family Size and Annual Income**** | | | | | |
|-----------------------------|-----------------|--------------------------------|-----------------|--|-----------------------------------|---------------|---------------|---------------|---------------|--|
| First Child | Second Child*** | First Child | Second Child*** | | 1 or 2 | 3 | 4 | 5 | 6 | |
| \$0 | \$0 | \$0 | \$0 | 0% | 0 | 0 | 0 | 0 | 0 | |
| \$0.00 | \$0.00 | \$0.00 | \$0.00 | 1%- 5% | 1- 1,768 | 1- 2,184 | 1- 2,600 | 1- 3,016 | 1- 3,432 | |
| \$2.20 | \$1.10 | \$9.53 | \$4.76 | 6%-10% | 1,769- 3,536 | 2,185- 4,368 | 2,601- 5,200 | 3,017- 6,031 | 3,433- 6,863 | |
| \$3.30 | \$1.65 | \$14.29 | \$7.14 | 11%-15% | 3,537- 5,304 | 4,369- 6,552 | 5,201- 7,799 | 6,032- 9,047 | 6,864-10,295 | |
| \$4.40 | \$2.20 | \$19.05 | \$9.53 | 16%-20% | 5,305- 7,071 | 6,553- 8,735 | 7,800-10,399 | 9,048-12,063 | 10,296-13,727 | |
| \$5.50 | \$2.75 | \$23.82 | \$11.91 | 21%-25% | 7,072- 8,839 | 8,736-10,919 | 10,400-12,999 | 12,064-15,079 | 13,728-17,159 | |
| \$7.70 | \$3.85 | \$33.34 | \$16.67 | 26%-30% | 8,840-10,607 | 10,920-13,103 | 13,000-15,599 | 15,080-18,094 | 17,160-20,590 | |
| \$9.90 | \$4.95 | \$42.87 | \$21.43 | 31%-35% | 10,608-12,375 | 13,104-15,287 | 15,600-18,198 | 18,095-21,110 | 20,591-24,022 | |

| Weekly Part-Time Co-Payment | | Monthly Part-Time Co-Payment** | | Percent of State 1989 Median Family Income | Family Size and Annual Income**** | | | | | |
|-----------------------------|-----------------|--------------------------------|-----------------|--|-----------------------------------|---------------|---------------|---------------|---------------|--|
| First Child | Second Child*** | First Child | Second Child*** | | 1 or 2 | 3 | 4 | 5 | 6 | |
| \$12.10 | \$6.05 | \$52.39 | \$26.20 | 36%-40% | 12,376-14,143 | 15,288-17,471 | 18,199-20,798 | 21,111-24,126 | 24,023-27,454 | |
| \$14.30 | \$7.15 | \$61.92 | \$30.96 | 41%-45% | 14,144-15,911 | 17,472-19,655 | 20,799-23,398 | 24,127-27,141 | 27,455-30,885 | |
| \$17.60 | \$8.80 | \$76.21 | \$38.10 | 46%-50% | 15,912-17,679 | 19,656-21,839 | 23,399-25,998 | 27,142-30,157 | 30,886-34,317 | |
| \$19.80 | \$9.90 | \$85.73 | \$42.87 | 51%-55% | 17,680-19,446 | 21,840-24,022 | 25,999-28,597 | 30,158-33,173 | 34,318-37,749 | |
| \$23.10 | \$11.55 | \$100.02 | \$50.01 | 56%-60% | 19,447-21,214 | 24,023-26,206 | 28,598-31,197 | 33,174-36,188 | 37,750-41,180 | |
| \$27.50 | \$13.75 | \$119.08 | \$59.54 | 61%-65% | 21,215-22,982 | 26,207-28,390 | 31,198-33,797 | 36,189-39,204 | 41,181-44,612 | |
| \$30.80 | \$15.40 | \$133.36 | \$66.68 | 66%-70% | 22,983-24,750 | 28,391-30,574 | 33,798-36,397 | 39,205-42,220 | 44,613-48,044 | |
| \$33.00 | \$16.50 | \$142.89 | \$71.45 | 71%-75% | 24,751-26,518 | 30,575-32,758 | 36,398-38,996 | 42,221-45,236 | 48,045-51,476 | |

| Weekly Part-Time Co-Payment | | Monthly Part-Time Co-Payment** | | Percent of State 1989 Median Family Income | Family Size and Annual Income**** | | | | | |
|-----------------------------|-----------------|--------------------------------|-----------------|--|-----------------------------------|---------------|---------------|---------------|---------------|---------------|
| First Child | Second Child*** | First Child | Second Child*** | | 7 | 8 | 9 | 10 | 11 | 12 |
| \$0 | \$0 | \$0 | \$0 | 0% | 0 | 0 | 0 | 0 | 0 | 0 |
| \$0.00 | \$0.00 | \$0.00 | \$0.00 | 1%-5% | 1- 3,510 | 1- 3,588 | 1- 3,666 | 1- 3,744 | 1- 3,822 | 1- 3,900 |
| \$2.20 | \$1.10 | \$9.53 | \$4.76 | 6%-10% | 3,511- 7,019 | 3,589- 7,176 | 3,667- 7,332 | 3,745- 7,488 | 3,823- 7,644 | 3,901- 7,800 |
| \$3.30 | \$1.65 | \$14.29 | \$7.14 | 11%-15% | 7,020-10,529 | 7,177-10,763 | 7,333-10,997 | 7,489-11,231 | 7,645-11,465 | 7,801-11,699 |
| \$4.40 | \$2.20 | \$19.05 | \$9.53 | 16%-20% | 10,530-14,039 | 10,764-14,351 | 10,998-14,663 | 11,232-14,975 | 11,466-15,287 | 11,700-15,599 |
| \$5.50 | \$2.75 | \$23.82 | \$11.91 | 21%-25% | 14,040-17,548 | 14,352-17,939 | 14,664-18,329 | 14,976-18,719 | 15,288-19,109 | 15,600-19,499 |
| \$7.70 | \$3.85 | \$33.34 | \$16.67 | 26%-30% | 17,549-21,058 | 17,940-21,527 | 18,330-21,995 | 18,720-22,463 | 19,110-22,931 | 19,500-23,399 |
| \$9.90 | \$4.95 | \$42.87 | \$21.43 | 31%-35% | 21,059-24,568 | 21,528-25,114 | 21,996-25,660 | 22,464-26,206 | 22,932-26,752 | 23,400-27,298 |
| \$12.10 | \$6.05 | \$52.39 | \$26.20 | 36%-40% | 24,569-28,077 | 25,115-28,702 | 25,661-29,326 | 26,207-29,950 | 26,753-30,574 | 27,299-31,198 |
| \$14.30 | \$7.15 | \$61.92 | \$30.96 | 41%-45% | 28,078-31,587 | 28,703-32,290 | 29,327-32,992 | 29,951-33,694 | 30,575-34,396 | 31,199-35,098 |
| \$17.60 | \$8.80 | \$76.21 | \$38.10 | 46%-50% | 31,588-35,097 | 32,291-35,878 | 32,993-36,658 | 33,695-37,438 | 34,397-38,218 | 35,099-38,998 |
| \$19.80 | \$9.90 | \$85.73 | \$42.87 | 51%-55% | 35,098-38,606 | 35,879-39,465 | 36,659-40,323 | 37,439-41,181 | 38,219-42,039 | 38,999-42,897 |
| \$23.10 | \$11.55 | \$100.02 | \$50.01 | 56%-60% | 38,607-42,116 | 39,466-43,053 | 40,324-43,989 | 41,182-44,925 | 42,040-45,861 | 42,898-46,797 |
| \$27.50 | \$13.75 | \$119.08 | \$59.54 | 61%-65% | 42,117-45,625 | 43,054-46,641 | 43,990-47,655 | 44,926-48,669 | 45,862-49,683 | 46,798-50,697 |
| \$30.80 | \$15.40 | \$133.36 | \$66.68 | 66%-70% | 45,626-49,135 | 46,642-50,229 | 47,656-51,321 | 48,670-52,413 | 49,684-53,505 | 50,698-54,597 |
| \$33.00 | \$16.50 | \$142.89 | \$71.45 | 71%-75% | 49,136-52,645 | 50,230-53,816 | 51,322-54,986 | 52,414-56,156 | 53,506-57,326 | 54,598-58,496 |

* Part-time care is defined as less than six (6) hours of care per day.
 ** The monthly co-payment is calculated by multiplying the weekly co-payment by 4.33.
 *** The co-payments listed are for the first and second child of the family receiving care. The co-payment for the second child receiving care is calculated at one-half of the full co-payment for that child. No additional co-payment is charged for the third or subsequent child(ren) in the family receiving care.
 **** Families with a maximum gross income for their family size in excess of their scale will be assessed an additional weekly fee of \$.50 (\$1.00 for a Bi-weekly fee) for each \$1,000 of gross income above their scale.*

(e) The criteria for determination and re-determination of the co-payment are as follows:

1. Family size, which consists of the parent/applicant, the parent's/applicant's spouse and all children for whom the parent/applicant is a legal guardian. Family size may also include dependent children who are over the age of 18 or other adults who are not legally responsible for the children but who are dependent upon the parent/applciant if the parent/applciant so chooses to include these family members in the application for child care services.
2. Family income, which includes all gross earned and unearned income received by all members of the family unit defined in (e)1 above. The gross annual family income amount must be verified by wage stubs or similar documentation as a condition of receiving child care benefits; and
3. The number of hours child care services are being provided to the child.
 - i. Full-time care is defined as care for 30 hours or more per week for co-payment purposes.
 - ii. Part-time care is defined as care for less than 30 hours per week for co-payment purposes.
 - iii. In no case may the co-payment exceed the cost of care.

(f) Once the co-payment is determined, it will remain unchanged for the duration of the eligibility period (up to 12 months) unless there is a change in family size, gross family income or a change in care from full-time to part-time or vice versa. The participant must notify the county

designated agency of any changes occurring in the family related to family size, income, work status or training/educational program attendance. The county designated agency shall then determine any changes in the co-payment based on reported circumstances affecting co-payment calculation.

1. An exception shall be made in the case of co-payment for school-age children. The county designated agency will determine a part-time co-payment in accordance with (e) above, for all school-age children, unless the school-age child is in full-time child care for the entire period of the 12 months Parent/Applicant/Provider Agreement. Only in this instance, the co-payment determination will be based on the full-time arrangement.

(g) The co-payment assessment is based on up to two children in care in a family. If more than two children in a family are in care, no co-payment is required for the third and subsequent children in the family. The co-payment is determined on a per month basis.

Amended by R.1993 d.396, effective August 16, 1993.
 See: 25 N.J.R. 1692(a), 25 N.J.R. 3772(b).
 Amended by R.1994 d.206, effective April 18, 1994.
 See: 26 N.J.R. 296(a), 26 N.J.R. 1636(a).
 Administrative Correction.
 See: 26 N.J.R. 2098(a).
 Amended by R.1994 d.628, effective December 19, 1994.
 See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).

10:15C-1.2 Process for co-payment assessment

(a) The monthly co-payment is based on whether the care is full-time or part-time care, on the number of children (up

to two per family) in the family needing such care through the program, and on the family's annual gross income level.

(b) If only one child is in care, the monthly co-payment is the payment which results from Table I or Table II at N.J.A.C. 10:15C-1.1(d). That co-payment is assessed on that family's size, the family's annual gross income, and whether the care is full-time or part-time care for that child, resulting in the co-payment from Table I or Table II.

(c) If two or more children in the family receive child care services through the Program, the monthly co-payment amount is a total payment for up to two children in the family receiving such services. The monthly co-payment sum equals the full co-payment assessed for the first child from Table I or Table II, plus one-half of the full assessed co-payment for the second child in care from Table I or Table II. The two children are selected for determination of the co-payment from all children in the family in care, based first, on the number of children in the family in full-time care arrangements.

1. If two or more children in the family are in full-time care arrangements, the full co-payment amount is assessed on two children in full-time care. A full co-payment amount is assessed for the first child in full-time care from Table I; to that co-payment amount is added one-half of the full-time co-payment amount for the second child in full-time care from Table I. The resulting total monthly co-payment equals one and one-half of the full-time co-payment amount from Table I based on the family's size and annual income level.

2. If at least one child in the family is in a full-time care arrangement and the second and subsequent children are in part-time care arrangements, the full monthly co-payment amount is assessed from Table I on the first child in full-time care; to that co-payment amount is added one-half of the part-time co-payment amount from Table II for the second child in part-time care. The resulting total monthly co-payment equals the full-time co-payment assessed amount from Table I plus one-half of the part-time co-payment amount from Table II.

3. If all children in the family are in part-time care arrangements, the full monthly co-payment amount is based on up to two children in care and is one and one-half times the part-time co-payment amount from Table II for the family's size and income amount.

1. When one child is receiving child care services through the Program, the full assessed co-payment from Table I or Table II is made by the recipient to that provider of care.

2. If one child is receiving child care services through the Program but more than one provider is involved in giving care, the co-payment from Table I or Table II is paid by the parent/applicant to that child care provider who provides the highest cost care arrangement (see (a) above).

3. When two children are receiving child care services from the same provider, the total monthly co-payment amount is determined in accordance with N.J.A.C. 10:15C-1.2(c) above, and the sum total is paid by the parent/applicant to that provider of care. The total monthly co-payment is based on the respective hours of care (full-time or part-time) provided each child; the full assessed co-payment fee from Table I or Table II for the first child is added to one-half of the full assessed fee from Table I or Table II for the second child in care with the provider, for the total co-payment amount.

4. When both children are receiving different child care services from separate providers, the child care provider who provides either full-time care or receives the highest reimbursement rate per category of care, will receive from the parent/applicant the full amount of the total monthly co-payment assessed for both children from Table I or Table II based on the respective type of care provided (full-time or part-time care) for both children.

5. When both children are receiving the same child care services but from different providers (for example both receiving full-time care) the provider assessed at the highest cost of care arrangement receives the full monthly assessed co-payment from the parent/applicant.

6. When a family has a child(ren) receiving child care services from the voucher program and another Departmental child care program(s), the county designated agency shall contact the appropriate agency to inform them that the family is receiving assistance from the voucher program. In these situations, the provider receiving a subsidy on behalf of the eligible children in the voucher program shall receive the total family monthly co-payment.

(b) No co-payment shall be assessed for the third and additional children in a family receiving child care service program benefits.

(c) The county designated agency will determine a part-time co-payment for all school-age children, in accordance with N.J.A.C. 10:15C-1.1(e), unless the school-age child is in full-time child care for the entire period of the 12 month Parent/Applicant/Provider Agreement. In this instance, the co-payment determination will be based on the full-time arrangement.

Amended by R.1994 d.628, effective December 19, 1994.
See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).

10:15C-1.3 Provider's receipt of co-payment

(a) The total monthly co-payment is paid to only one provider of care based on the care arrangements of the family. That is, the total monthly co-payment is paid in total to the provider of the highest cost of care arrangement (that is, either the full-time care provider or the provider with the highest reimbursement rate per category of care). The following situations may result and the co-payment shall be distributed as follows:

Amended by R.1994 d.628, effective December 19, 1994.
See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).

10:15C-1.4 Collection, reporting and monitoring of the co-payment; notice of termination

(a) The child care provider will be responsible for the collection and reporting of all nonpayment of the co-payment fee(s) to the county designated agency.

(b) The county designated agency is responsible for advising the provider and the parent/applicant of the co-payment requirement, for training the provider and the parent/applicant in voucher completion, and for advising both the provider and the parent/applicant of the consequences of failure to make the required co-payments.

(c) Co-payment collection, monitoring, and procedures for late payment or nonpayment of co-payments and termination of child care benefits are as follows:

1. It is the responsibility of the child care provider to collect co-payments and report nonpayment of co-payments to the county designated agency in accordance with Departmental procedures. Whenever the child care co-payment has not been paid to the provider as required, the co-payment is considered unpaid.

i. In the event of nonpayment of the co-payment by the participant, the provider will provide notice to the county designated agency indicating the child(ren) for whom the participant failed to pay the required co-payment and the total amount owed by the participant. This action by the provider will initiate the process for terminating child care benefits.

ii. The provider must continue to attempt to collect the co-payment from the participant and must document such collection efforts.

2. It is the responsibility of the county designated agency to monitor co-payment collection by responding to all notices of nonpayment of co-payments which are reported by the provider.

3. Following receipt of a notice from a provider indicating nonpayment of the assessed co-payment by the participant, the county designated agency worker shall:

i. Determine the effective date that child care benefits will be terminated; and

ii. Complete a letter notifying the participant and provider of termination of child care services.

4. The purpose of the letter in (c)3ii above is to provide written notice to:

i. Advise the parent/applicant of the amount of assessed co-payment monies which have not been paid;

ii. Advise the parent/applicant of the right to request and obtain a case or administrative review;

iii. Serve as formal notice to the participant that child care services will be terminated by a specific date unless overdue co-payments are paid;

iv. Serve as written confirmation for the provider and the county designated agency that child care services will be terminated due to the late or nonpayment status of the parent/applicant; and

v. Advise the parent/applicant to pay the required co-payment arrearages and to contact the county designated agency immediately if overdue co-payment(s) have been paid so that benefits may be continued.

5. Three copies of the notification of termination letter must be completed and signed by the agency worker. The agency worker will:

i. Send the original to the parent/applicant;

ii. Distribute a copy to the provider; and

iii. Retain an agency copy.

6. In the CCDBG program child protective services children including foster care children identified by DYFS shall not be terminated until the conditions at N.J.A.C. 10:15A-1.5(d) are met.

7. When child care services are terminated due to nonpayment of the co-payment, the parent/applicant of a child receiving child care services may request a case or administrative review. If child care services are terminated, no payment shall be rendered by the agency under the program from the date of termination until a review is held and a final determination is made (see N.J.A.C. 10:15A-1.1(f)).

i. In all cases where a case review is requested of the county designated agency, the agency must adhere to the established procedures of the program. If the issue is not resolved through the due process proceedings at the county designated agency level, an administrative review may be requested at DFD for those participants receiving care through the certificate (voucher) process or a fair hearing through DYFS for those receiving care through contracted child care services (see N.J.A.C. 10:120-3).

Amended by R.1994 d.628, effective December 19, 1994.
See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).