



Early Learning and Care Division Field Services Office

Alternative Payment Program Monthly Attendance Recording, Reporting, and Provider Payments

Presented by: ELCD Staff



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Agenda

- Early Learning and Care Division (ELCD) Updates
- Purpose and Goals
- Sources for Attendance and Provider Payment Requirements
- Alternative Payment (AP) Discussion Topics
- Next Steps
- Resources
- Questions



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Fiscal Year (FY) 2019–20 Training Based on Current Regulations

The California Department of Education (CDE) is currently updating the *California Code of Regulations*, Title 5 (5 CCR).



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Early Learning and Care Division Updates (1)

Management Bulletins (MB):

- **MB 18-09(a)**: Electronic banking option for provider reimbursement in Alternative Payment Programs (APPs)
- **MB 19-03**: State Median Income and Income Ranking Table for Fiscal Year 2019–20
- **MB 19-04**: Family Fee Schedule for Fiscal Year 2019–20
- **MB 19-06**: Collection of Data for the Subsidized Provider Report



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Early Learning and Care Division Updates (2)

- **MB 19-07:** Continued Funding Application Fiscal Year 2020–21
- [Funding Terms and Conditions:](#) Plan for provider reimbursement

Note: The ELCD Field Service Office will be conducting a review for the Federal Improper Payments Elimination and Recovery Improvement Act (IPERIA) during the 2019–20 fiscal year



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Purpose and Goals

- Ensure that participants understand where to find AP program requirements and stay informed.
- Provide an overview of documentation needed for service providers, and requirements for attendance recording, reporting and provider payments for AP Programs.
- Support continuous improvement and program integrity.



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Sources for Attendance and Provider Payment Requirements

- California *Education Code (EC)*
- California *Code of Regulations (5 CCR)*
- Management Bulletins (MB)
- Funding Terms and Conditions (FT&C's)
- The *Code of Federal Regulations (CFR)*
- Contractor's policies approved by its governing board

Note: These statutes and regulations are also in the Child Care & Development Block Grant (CCDBG), the *Code of Federal Regulations (CFR)*, Title 45, Part 98, and Child Care & Development Fund State Plan.



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California *Education Code*

California legislative enactments are included in the *EC*. Statutes apply to child care programs identified within the Child Care and Development Services Act. Legislative and budgetary actions can happen throughout the year. ELCD will update contractors via MBs. *EC* supersedes 5 *CCR*.

The Law: What we must do
(See ***EC* Section 8222**)



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California Code of Regulations, **Title 5**

5 CCR organizes general rules and regulations that are administered by California State Agencies. Education is covered in Title 5, Division 1. Chapters 19 and 19.5 provide program operation requirements for a recipient of child care services funds made available by the CDE.

Administration of the Law:

How we must do it

(See 5 CCR Section 18074.2)



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Early Learning and Care Division Management Bulletins

- Periodically, MBs are issued to provide legal and regulatory information to contractors and other interested parties. MBs also include child care funding announcements.
- Current Executive Officers and Program Directors in the Child Development Management Information System (CDMIS) database must subscribe to the email distribution list.
- MBs are also available to the general public.

Anyone can subscribe to the email distribution list at <http://www.cde.ca.gov/sp/cd/ci/emailindex.asp>



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Terms and Conditions (FT&Cs) (1)

FT&Cs are the conditions of the contract.

- Represents laws and regulations as well as program practices and requirements.

FT&Cs are available each fiscal year:

- California Department of Education Funding Terms and Conditions, and
- Program Requirements (specific contract types, i.e. CAPP, C2AP, CMAP).



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Terms and Conditions (FT&Cs) (2)

Funding Terms and Conditions: Plan for provider reimbursement

- The contractor shall develop and implement a plan for the timely reimbursement to providers. The plan shall include a provision requiring that providers be reimbursed within 21 calendar days of the receipt of a complete record or invoice for services



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Child Care & Development **Block Grant:** ***The Code of Federal Regulations,*** **Title 45, Part 98**

The CCDBG, also called the *Child Care and Development Fund* (CCDF), is the primary source of United States federal funding for child care subsidies for low-income working families and funds to improve child care quality.



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EXAMPLE: *Code of Federal Regulations, Title 45, Part 98.30*

(6) For purposes of the CCDF, funds for child care services provided through a **child care certificate** will be considered obligated when a child care certificate is issued to a family in writing that indicates:

- (i) The amount of funds that will be paid to a child care provider or family, and
- (ii) The specific length of time covered by the certificate, which is limited to the date established for redetermination of the family's eligibility, but shall be no later than the end of the liquidation period.



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Contractor's Approved Policies (1)

5 CCR Section 18221

- Contractors may adopt reasonable policies related to the program that are not in conflict with law, regulations, or terms of the contract including any contract amendments.
- Some regulations require contractors to develop policies.
- Some policies must be approved by the contractor's governing board, per specific regulations.



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Contractor's Approved Policies (2)

5 CCR Section 18221

EXAMPLE: When Contractor Must Develop Policy

The contractor shall develop and implement a **written policy statement**. The policy statement shall include information regarding:

- (a) A description of the program's purpose, design, and organization framework;
- (b) Priorities for enrollment;
- (c) Family eligibility requirements;
- (d) Conditions for participation;



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Contractor's Approved Policies (3)

5 CCR Section 18221

- (a) Reimbursement of providers which may include ...Requirements for provider participation;
- (b) Range of services available including limitations, if any, on payment for in-home care; and
- (c) Parent fee collection policy and procedures including direct payment of fees to the provider, if allowable.



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Contractor's Approved Policies (4)

Management Bulletin 14-04

EXAMPLE: When Contractor Must Develop Policy

Contractors must develop written policies for parents and providers describing requirements and responsibilities, including clear and consistent consequences for the following:

- Submittal of attendance records or invoices, including **timely reimbursement**.



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Alternative Payment Discussion Topics



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Alternative Payment Discussion Topics (1)

- Voucher Program – Alternative Payment Programs (APP)
- Requirements for Contractors/Service Providers
- What do I need to know before processing a provider payment:
 - Choosing a Regional Market Rate Ceiling
 - Reimbursement Rate Categories
 - Notice of Action/Child Care Certificate
 - Provider Rate/Family Co-Payment



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Alternative Payment Discussion Topics (2)

- Types of Adjustments
- AP Monthly Attendance and Recording - AB 274
 - AP Attendance Record/Invoice
 - What Applies/What No Longer Applies
- Provider Payments
- Timely Provider Payments
- Electronic Banking Option for Provider Reimbursement in APPs



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Voucher Program – Alternative Payment Programs (APP)

- The Contractor makes payment directly to the child care provider selected by the family
- The contractor should reimburse each provider no more than the amount the provider charges unsubsidized families, and not exceed the maximum amount (the regional market rate ceiling plus any applicable adjustments)



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Requirements for Contractors/Service Providers

See Handouts: Applicable Title 5 Sections

- Section 18223 – Procedures for Provider Participation
- Section 18224 – Written Material to be Given to Providers
- Section 18227 – Eligible Providers for APPs
- Section 18231 – Records on File for Service Providers
- Section 18226 – Plan for Provider Payments



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Records on File Concerning In-Home Service Providers (1)

California Code of Regulations, Title 5, Section 18230

If the contractor's policies allow payment of in-home care, the contractor shall maintain in its file the following records concerning in-home care providers:

- A description of the caregiver's qualifications and work experience
- A declaration by the care giver that he or she is in good health



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Records on File Concerning In-Home Service Providers (2)

California Code of Regulations, Title 5, Section 18230

- A signed statement from the parent verifying the parent has interviewed and approved the caregiver
- A California driver's license number or other valid and recognized form of identification to verify the caregiver is at least 18 years of age



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Records on File Concerning Service Providers (1)

California Code of Regulations, Title 5, Section 18231

The contractor shall maintain in its file the following records concerning each service provider:

- A statement of the service provider's current fees, with information regarding the provider's usual and customary services provided for those fees
- A statement signed by the provider that the child care and development services being provided do not include religious instruction or worship



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Records on File Concerning Service Providers (2)

California Code of Regulations, Title 5, Section 18231

- A document that contains the rate and schedule of payments for approved services that is signed by both the service provider and the contractor
- A copy of the facility license that shows the authorized capacity of the facility
- The name, address, and telephone number of the service provider; and
- The age group(s) serviced by the provider



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What do I need to know before processing a provider payment?

- ✓ Family is found eligible for care
- ✓ Child's certified need has been determined

How do I choose a Regional Market Rate Ceiling?



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Choosing a Regional Market Rate Ceiling (1)

California Code of Regulations, Title 5, Section 18074.2 and Code of Federal Regulations, Title 45, Part 98.45

The **Regional Market Rate** (RMR) ceiling is the parent's maximum child care assistance level. It is not necessarily equal to the provider's rate.

- 5 CCR, 18074.2 states “Contractors shall use the age of the child, the certified need for child care, and the type of facility to identify the applicable regional market rate ceiling”



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Choosing a Regional Market Rate Ceiling (2)

Regulations, Title 45, Part 98. California Code of Regulations, Title 5, Section 18074.2 and Code of Federal 45

- 45 CFR 98.45 states “The lead agency shall certify that the payment rates for the provision of child care services under this part are sufficient to ensure equal access for eligible families...to child care services comparable to those provided to families not eligible to receive CCDF assistance”



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Reimbursement Rate Categories

Child Care Centers Family Child Care Homes TrustLined/Relative All

Effective January 1, 2018

Child Care Centers for Sacramento County Maximum Reimbursement

Age Group	Full-time Daily	Full-time Weekly	Full-time Monthly	Part-time Hourly	Part-time Weekly	Part-time Monthly
Birth to 24 Months	85.10	339.30	1,375.98	14.36	254.42	958.79
2 through 5 Years	54.45	247.72	893.41	10.18	173.69	608.31
School Age	52.41	230.97	896.06	10.24	132.59	501.26

Family Child Care Homes for Sacramento County Maximum Reimbursement

Age Group	Full-time Daily	Full-time Weekly	Full-time Monthly	Part-time Hourly	Part-time Weekly	Part-time Monthly
Birth to 24 Months	51.08	211.61	844.78	10.53	163.66	648.17
2 through 5 Years	46.66	198.62	800.70	10.09	151.56	567.03
School Age	40.11	164.14	653.51	8.73	129.28	505.62

TrustLined/Relative for Sacramento County Maximum Reimbursement

Age Group	Full-time Daily	Full-time Weekly	Full-time Monthly	Part-time Hourly
Birth to 24 Months	35.75	148.13	591.35	3.29
2 through 5 Years	32.66	139.04	560.49	3.09
School Age	28.08	114.89	457.46	2.55



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Choosing a Regional Market Rate Ceiling (1)

Scenario:

Based on the following:

- Five year old child
- Certified Hours: Monday through Friday, five hours a day
- Licensed Center



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Choosing a Regional Market Rate Ceiling (2)

Scenario:

Based on the following:

- Five year old child
- Certified Monday through Friday, six hours a day
- Licensed Family Child Care



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Notice of Action/ Child Care Certificate

- Parent's Application for Service
 - Support documentation
- Notice of Action (NOA)
- Child Care Certificate (Voucher)



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Notice of Action Sample

Certified days
and hours of
child care
services

California Department of Education
Early Education and Support Division
NOTICE OF ACTION
Pursuant to 50191 (Rev. 6/16)

1. Notice of Action (Complete Either 1.A. or 1.B.)

1.A. Application for Services
☐ Services Approved to Begin: _____ Date _____
☐ Services Denied
If appealed, appeal is due by: _____ Date _____
(Note: Appeal instructions are on reverse side.)

1.B. Recipient of Services
☐ Change in Service
☐ Termination of Service
☐ Termination of Service for Delinquent Fees
Effective Date of Action: _____
If appealed, date appeal is due by: _____

2. Distribution of Notice
☐ Notice Given to Parent/Caretaker
Notice Mailed:
☐ First Class
☐ Other _____
Date Notice Given or Mailed: _____
Tracking No. _____
Recipient's Initials: _____

3. Parent/Caretaker Information
Parent/Caretaker A: _____ Address: _____
Parent/Caretaker B: _____ City: _____ Zip: _____ Telephone: _____

4. Approved Child Care Services (Complete all information for each child approved for services.)

Name(s) of Child(ren) Receiving Services	Program Code	Enter Approved Hours of Enrollment						
		SUN	MON	TUES	WEDS	THURS	FRI	SAT
	School							
	Vacation							
	School							
	Vacation							
	School							
	Vacation							
	School							
	Vacation							

Monthly Family Fee: Part-time \$ _____ Full-time \$ _____

5. Basis for Family Eligibility for Services
☐ Recipient of Child Protective Services
☐ Current Aid Recipient
☐ Child(ren) Identified as At Risk of Being Abused, Neglected, or Exploited
☐ Income Eligible (Reference Family Fee Schedule or Income Ceiling for Admission to State Preschool Programs.)
☐ Homeless

6. Basis for Family Need for Services
(This section does not apply to State Preschool Programs [CSPP])
☐ Recipient of Child Protective Services
☐ Child(ren) Identified as At Risk of Being Abused, Neglected, or Exploited
☐ Seeking Permanent Housing
☐ Engaged in Vocational Training/Education
☐ Employed or Seeking Employment
☐ Incapacitated Parent(s)

7. Reason for Action: State the specific reason(s) services were denied, changed, or terminated.

8. Agency Name _____
9. Name/Title of Agency Representative _____
10. Signature of Agency Representative _____

The agency must complete the information on the reverse side before the Notice of Action is issued.



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Child Care Certificate Sample

Certified days
and hours of
child care
services

Type of Provider

Certificate of Enrollment

_____ is a participant certified for _____ Child Care Assistance Program and is approved to enroll the child(ren) listed below with the following provider:

Provider: CHILD DEVELOPMENT CTR Provider ID #: _____
Ave
CA 90404-2808

Provider Type: ☐ Licensed Family Child Care ☒ Center ☐ License-Exempt

Effective Date: 05/17/2018 End Date: 05/17/2019

CHILD(REN) AUTHORIZED

Child Name:	School	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Tryston	_____	7:00AM - 3:30PM	7:00AM - 3:30PM	7:00AM - 3:30PM	7:00AM - 3:30PM	7:00AM - 3:30PM	
Maximum Reimbursement Rate*	Effective Date	Category	Category	Category	Category	Category	Amount
	05/17/2018	1 Tw	2 - 5				\$501.55
Provider Requested Rate	Rate Type	Child Category	Rate Category	Amount			
Effective Date: 05/17/2018	Weekly	2 - 5 yrs	Full time	\$501.55			

* The maximum allowable benefit is based on the certified need of each eligible child in the family. The maximum benefit level paid is either the provider's usual and customary charges or the state established ceiling, whichever is less.

TYPE OF ACTION

<input checked="" type="checkbox"/> Start of Service	<input type="checkbox"/> Change in Service	<input type="checkbox"/> Termination of Service	<input type="checkbox"/> Denial
The family and child(ren) listed above have been approved for child care payments. The agency above will honor the start date, end date, day/hours of care, and will determine, upon receipt of the Attendance Record, the appropriate payment amount for the family and child(ren) listed above, subject to any future changes.	<input type="checkbox"/> Hours/days <input type="checkbox"/> Rate <input type="checkbox"/> Other: _____	<input type="checkbox"/> Termination of Service for Delinquent Fees The last day the agency above will pay for child care is: _____	The participant's request for child care services has been denied.
Comment: Recertification			

Agency Representative: _____ Phone: _____

Age of the child

Maximum
subsidy amount



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Provider Rate

Family Co-Payment

California Code of Regulations, Title 5, Section 18220.6

- A family may choose a child care provider regardless of the provider's rate.
- When a provider's rate and other allowable charges exceed the maximum subsidy amount, the family shall be responsible for paying the provider the difference between the provider's rate and the maximum subsidy amount. This shall be considered the family's co-payment. The contractor shall not be responsible for collecting the family's co-payment.



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Types of Adjustments

Adjustments are to be used as applicable:

- Additional Payment for the portion of the certified need for child care that exceeds 52.5 hours per week
- Adjustments for Evening and/or Weekends for Licensed Providers
- Adjustments for Children with Exceptional Needs
- Proration



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Additional Payment for Child Care that Exceeds 52.5 Hours Per Week (1)

California Code of Regulations, Title 5, 18075

- The portion of the certified need for child care that exceeds 52.5 hours per week and is not included in the provider's full-time (FT) weekly or FT monthly rate
- Family does not utilize no more than one provider to meet the child's entire need for child care and development services
- Additional payment made under the hourly rate for this purpose cannot exceed the provider's FT weekly or FT monthly rate



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Adjustments for Evening and/or Weekends for Licensed Providers

California Code of Regulations, Title 5, 18075.1

- Applies only to licensed providers
- Not applied to reimbursements with an hourly rate
- When certified need is within designated times:
 - Adjusted by 1.25 when 50 percent + of certified need is within designated times
 - Adjusted by 1.125 when 10 percent but less than 50 percent of certified need is within designated time



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Adjustments for Evening and/or Weekends for Licensed Providers (1)

California Code of Regulations, Title 5, 18075.1

- Lesser of amount charged to unsubsidized families or the maximum subsidy amount determined



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Adjustment for Children with Exceptional Needs

California Code of Regulations, Title 5, 18075.2

- Contractors shall apply this adjustment only when there is documentation that additional services and/or accommodations for that particular child are being provided, and such services and/or accommodations result in an on-going financial impact on the provider



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Proration

When a legal limitation affects the amount reimbursed for the parent, the limitation can be:

- Enrollment beginning and/or end date
- Specified in regulations (e.g. limitations on days of non-operation)



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Proration – Example One (1)

Scenario:

- Family is certified Monday through Friday, 9 a.m. to 5 p.m.
- Maximum subsidy based on FT weekly
- Enrollment begins on Monday, May 13



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Proration – Example One (2)

Payment is not available for May 1–12 as the child was not enrolled

- 15 working days from May 13–31 equals 3 FT weeks (5 certified days per week)
- Multiply the RMR FT-weekly by 3 (weeks)



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Proration – Example Two (1)

Scenario:

- Family is certified Monday through Friday 9 a.m. to 5 p.m.
- Maximum subsidy based on FT weekly
- Enrollment begins on Monday, May 13
- Provider is closed on Monday, May 27 (unpaid non-operation day)



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Proration – Example Two (2)

There are 14 working days from May 13–31

- There is one unpaid non-operational day during that timeframe
- 14 working days equals 2.8 FT weeks
- Multiply the RMR FT-weekly by 2.8 (weeks)



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Alternative Payment Monthly Attendance Recording

AB 274 (Chapter 733, Statute of 2014) added EC Section 8221.5

- Changed requirement to monthly attendance record/invoice
- Parent or provider can record attendance
- No daily signature required
- Contractors will not track attendance for reimbursement purposes
- Alternative Payment and CalWORKs only



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Alternative Payment Monthly Attendance Record/Invoice (1)

Management Bulletin 14-04

MB 14-04 describes requirements for **Monthly Attendance Record or Invoice Requirement:**

- Child care providers must submit to the AP Program a monthly attendance record or invoice for each child who received services. The monthly attendance record or invoice must include:



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Alternative Payment Monthly Attendance Record/Invoice (2)

Management Bulletin 14-04

- Name of the child receiving services
- Specific dates services were provided
- Actual times the child entered and left care for each day services were provided, recorded on a daily basis
- Signatures from both provider and parent at the end of each month, attesting under penalty of perjury, that the information provided on the attendance record or invoice is accurate



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Alternative Payment Monthly Attendance Record/Invoice (3)

Management Bulletin 14-04

- When the attendance record or invoice meets the requirements of **MB 14-04**, contractors must reimburse providers for services that are consistent with the voucher issued
- Contractors do not have the authority to reduce or withhold reimbursement from a provider for any attendance record or invoice that includes all the required elements



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Alternative Payment Monthly Attendance Record/Invoice (4)

Management Bulletin 14-04

- If the attendance record(s) was fraudulently completed, contractors must follow their written policies and take appropriate action



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What No Longer Applies

The following **no longer** apply to AP/CalWORKs contractors:

- Daily Sign-in/Sign-out or signatures/initials
- Absence Policies
- Excused Absences
- Best Interest Days
- Unexcused Absences



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What Applies

The following **still** apply to AP/CalWORKs contractors:

- Non-Operational Days
- Eligible Alternate Provider



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Days of Non-Operation

California Code of Regulations, Title 5, Section 18076.2

Time the provider has a paid day of non-operation, and can provide documentation that the contractual terms used by the provider for services to unsubsidized families require payment for such day(s) of non-operation:

- The number of reimbursable paid days(s) of non-operation shall be **limited to a maximum of 10 days per fiscal year (FY) per provider.**



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Alternate Provider (1)

California Code of Regulations, Title 5, Section 18076.2

Time that services are provided when the regular provider has a paid day of non-operation, and the parent has to obtain an alternate provider to meet the certified need for child care:

- Payment to an alternate provider when the regular provider has a paid day of non-operation **shall be limited to 10 days per child per FY.**



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Alternate Provider (2)

California Code of Regulations, Title 5, Section 18076.2

Time that child care services are provided by an eligible alternate provider when the child is ill and the parent has to obtain care from an eligible alternate provider:

- Payment to an alternate provider when the child is ill **shall be limited to a maximum of 10 days per child per FY**
- May extend payment beyond 10 days **if** the parent provides a physician verification



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Provider Payments



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Provider Payments

***California Code of Regulations, Title 5, sections
18413 and 18428***

The contractor shall reimburse each provider no more than the amount the provider charges unsubsidized families, and not to exceed the maximum subsidy amount (the RMR ceiling plus any applicable adjustments pursuant to sections 18075.1 or 18075.2)



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Provider Payments (1)

Management Bulletin 14-04

When a complete attendance record/invoice is received, the agency shall reimburse provider based on:

- Certified need for care, as documented on the child care certificate.
- For families with variable/unpredictable schedules - reimbursement will be based on the actual days and hours for which services were provided, as documented on the monthly attendance record or invoice, up to the maximum hours of certified need as documented on the child care certificate.



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Provider Payments (2)

Management Bulletin 14-04

- The contractor must reimburse the provider based on the RMR ceiling selected (as noted on the Child Care Certificate or the provider's bill/invoice amount, whichever is less.



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Provider Payments Reviewing Attendance Records: Contractor Policies (3)

Management Bulletin 14-04

When contractors have clearly written policies (that are not in conflict with law or contract requirements) to address program violations, and adhere to these policies, errors will not be determined.



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Timely Provider Payments (1)

California Code of Regulations, Title 5, section 18226, Management Bulletin 12-18, and Funding Terms & Conditions, Program Requirements

- The contractor shall develop and implement a plan for the timely reimbursement to providers. The plan shall include a provision requiring that providers be reimbursed within 21 calendar days of the receipt of a complete record or invoice for services, per FT&C page 53
- The plan must include a description of parent fee collection methods, per 5 CCR Section 18221(h)



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Timely Provider Payments (2)

California Code of Regulations, Title 5, Section 18226, Management Bulletin 12-18, and Funding Terms & Conditions, Program Requirements

- Contractors must have a schedule for payment to providers. Include a specific date when attendance records are due for providers to receive timely payment
- ELCD strongly recommends contractors have more than one date when payments will be made, and a final date when attendance records must be submitted for payment.
 - <http://www.cde.ca.gov/sp/cd/ci/mb1218.asp>



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Electronic Banking Option for Provider Reimbursement in APPs (1)

Management Bulletin 19-09a

- Establish an electronic payment program for providers by July 1, 2019
 - For licensed and licensed-exempt providers
 - To financial institution of the provider's choice
 - Optional for providers to participate
 - Not limited to direct deposit
 - Is not a requirement for reimbursement
 - New providers starting after July 1, 2019, must be given the option



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Electronic Banking Option for Provider Reimbursement in APPs (2)

Management Bulletin 19-09a

NOTE: Any fees assessed by the provider's institution for electronic banking would be incurred by the provider.



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Next Steps (1)

- Reflect on your current policies, procedures, and practices.
- Change or modify policies and procedures to ensure alignment with applicable statutes and regulations. Distribute updated materials to concerned parties i.e. parents, general public.
- Ensure that you have all active MBs.



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Next Steps (2)

- Contact your Field Services Consultant or Governance and Administration Manager for technical assistance.
- The Field Services Office will continue to support continuous improvement by providing trainings via webinars, in-person, and in clusters as needed and requested.
- Work toward standardization of policies, procedures, and practices.



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Resources

Consultant List

<http://www.cde.ca.gov/sp/cd/ci/assignments.asp>

Child Development Fiscal Services

<http://www.cde.ca.gov/fg/aa/cd/faad.asp>

Paul Saucedo, Governance and Administration
Unit A Manager

psaucedo@cde.ca.gov

Vanessa Saunders, Governance and
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TONY THURMOND
State Superintendent
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Questions





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State Superintendent
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Thank you for your participation!