Chapter 388-165 WAC

CHILDREN'S ADMINISTRATION CHILD CARE SUBSIDY PROGRAMS

WAC

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Reviser's note: Chapter 388-165 (Consolidated emergency assistance program—Social services (CEAP-SS)) was repealed by 98-01-125, filed 12/18/98. WSR 99-15-076, filed 7/20/99 reactivated and renamed this chapter.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-165-005 Purpose. [Statutory Authority: RCW 74.08.090, 74.04.660, 74.04.050 and 45 C.F.R. 233.120 Title IV-A Section 406(e). 95-11-048 (Order 3850). § 388-165-005, filed 5/10/95, effective 6/10/95.] Repealed by 98-01-125, filed 12/18/98, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.

388-165-010 General provisions. [Statutory Authority: RCW 74.08.090, 74.04.660, 74.04.050 and 45 C.F.R. 233.120 Title IV-A Section 406(e). 95-11-048 (Order 3850). § 388-165-010, filed 5/10/95, effective 6/10/95.] Repealed by 98-01-125, filed 12/18/98, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.

388-165-020 Application procedure. [Statutory Authority: RCW 74.08.090, 74.04.660, 74.04.050 and 45 C.F.R. 233.120 Title IV-A Section 406(e). 95-11-048 (Order 3850). § 388-165-020, filed 5/10/95, effective 6/10/95.] Repealed by 98-01-125, filed 12/18/98, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.

388-165-030 Application form. [Statutory Authority: RCW 74.08.090, 74.04.660, 74.04.050 and 45 C.F.R. 233.120 Title IV-A Section 406(e). 95-11-048 (Order 3850). § 388-165-030, filed 5/10/95, effective 6/10/95.] Repealed by 98-01-125, filed 12/18/98, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.

WAC 388-165-108 What are the types of child care subsidies? This chapter relates to the following programs:
(1) Seasonal child care;
(2) Teen parent child care;
(3) Child protective services child care;
(4) Child welfare services child care; and
(5) Employed foster parent child care.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090.


"Child" means a person twelve years of age or younger or a person under nineteen years of age who is physically, mentally, or emotionally incapable of self care as verified by a licensed medical practitioner or masters level or above mental health professional.

"Copayment" means the amount of money the family is responsible to pay the child care provider toward the cost of child care each month.

"Income" means the gross earned income minus the average payroll and income tax paid at that income level, plus any unearned income.

"In-home/relative child care provider" see definition for "in-home/relative provider" under WAC 388-290-020.

"Parent" see definition for "parent" under WAC 388-290-020.

"Teen parent" means a parent twenty-one years of age or younger.


WAC 388-165-120 Subsidized child care for teen parents. (1) The department may authorize teen parent child care within available funds for parents who:

(a) Are twenty-one years of age or younger;
(b) Are enrolled in an approved secondary education or general equivalency diploma (GED) program;
(c) Are not receiving a temporary assistance for needy families (TANF) grant; and
(d) Have an income at or below one hundred seventy-five percent of the federal poverty level (FPL).

(2) All teen parents contribute to the cost of child care by making a monthly copayment to the child care provider which is:

(a) Determined by the teen parent's income; and
(b) Calculated by using the rules under WAC 388-290-090 (2)(a), (b), and (c)(i) and (ii).
(b) The school-age rate for a child who has entered kindergarten.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-180, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-185 What are the maximum child care subsidy rates DSHS pays for child care in a licensed or certified family child care home?** DSHS pays directly to a licensed or certified family child care provider, whichever is less:

1. The provider’s usual rate for that child; or
2. The DSHS maximum child care subsidy rate for that child as listed in the following table.

**DSHS Maximum Child Care Subsidy Rate for Licensed Family Child Care Homes**

<table>
<thead>
<tr>
<th></th>
<th>Infants (Birth - 11 mos.)</th>
<th>Toddlers (12 - 29 mos.)</th>
<th>Preschool (30 mos. - 5 years)</th>
<th>School-age (5 - 12 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 1</td>
<td>$19.00</td>
<td>$17.60</td>
<td>$17.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$9.50</td>
<td>$8.80</td>
<td>$8.50</td>
<td>$7.50</td>
</tr>
<tr>
<td>Region 2</td>
<td>$18.00</td>
<td>$18.00</td>
<td>$16.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$9.00</td>
<td>$9.00</td>
<td>$8.00</td>
<td>$7.50</td>
</tr>
<tr>
<td>Region 3</td>
<td>$28.00</td>
<td>$24.00</td>
<td>$22.00</td>
<td>$20.00</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$14.00</td>
<td>$12.00</td>
<td>$11.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Region 4</td>
<td>$30.00</td>
<td>$27.27</td>
<td>$25.00</td>
<td>$22.50</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$15.00</td>
<td>$13.64</td>
<td>$12.50</td>
<td>$11.25</td>
</tr>
<tr>
<td>Region 5</td>
<td>$21.00</td>
<td>$20.00</td>
<td>$19.00</td>
<td>$17.00</td>
</tr>
<tr>
<td>Half-Day</td>
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<td>$10.00</td>
<td>$9.50</td>
<td>$8.50</td>
</tr>
<tr>
<td>Region 6</td>
<td>$20.50</td>
<td>$20.00</td>
<td>$18.00</td>
<td>$17.00</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$10.25</td>
<td>$10.00</td>
<td>$9.00</td>
<td>$8.50</td>
</tr>
</tbody>
</table>

3. The maximum rate paid for a five year old child is:
   (a) The preschool rate for a child who has not entered kindergarten; or
   (b) The school-age rate for a child who has entered kindergarten.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-185, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-190 When can DSHS pay in addition to the maximum DSHS child care subsidy rate?** DSHS pays additional subsidies to a licensed or certified family child care home or center when:

1. Care is for nonstandard hours (see WAC 388-165-195 and 388-165-200);
2. The infant bonus is authorized (see WAC 388-165-205);
3. A child has a documented special need(s) (see WAC 388-165-210, 388-165-215, or 388-165-220); or
4. Care is not available at the DSHS rate and the provider’s usual rate is authorized.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-190, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-195 What is nonstandard hour child care?** DSHS authorizes nonstandard hour child care when fifteen or more hours of care are needed per month, that are:

1. Before 6:00 a.m. or after 6:00 p.m. Monday through Friday; and/or
2. Anytime on Saturday or Sunday.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-195, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-200 How does DSHS pay for nonstandard hour child care?** DSHS authorizes the nonstandard hour bonus to licensed or certified child care providers, DSHS pays:

1. The DSHS maximum child care subsidy rate as listed in WAC 388-165-180 or 388-165-185 or the provider’s usual rate for that child, whichever is less; and
2. The monthly nonstandard hour bonus as listed in the table below.

<table>
<thead>
<tr>
<th>Region</th>
<th>Monthly Nonstandard Hour Bonus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 1</td>
<td>$74.00</td>
</tr>
<tr>
<td>Region 2</td>
<td>$73.00</td>
</tr>
<tr>
<td>Region 3</td>
<td>$91.00</td>
</tr>
<tr>
<td>Region 4</td>
<td>$108.00</td>
</tr>
<tr>
<td>Region 5</td>
<td>$80.00</td>
</tr>
<tr>
<td>Region 6</td>
<td>$83.00</td>
</tr>
</tbody>
</table>

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-200, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-205 Does DSHS pay a bonus for infants who receive child care subsidies?** DSHS child care subsidy programs pay a two hundred and fifty dollar infant bonus directly to the licensed or certified family child care home or center if:

1. The child care facility has not already received a bonus for that infant;
2. The infant was first enrolled in the child care facility after August 30, 1998;
3. The infant is less than one year old; and
4. The provider cares for the infant a total of five or more days before the child’s first birthday.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-205, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-210 How does DSHS determine that a child qualifies for a special needs rate?** To qualify for the DSHS child care programs special needs subsidy rate the child must:

1. Be under nineteen years old;
2. Have a verified physical, mental, emotional, or behavioral condition that requires a higher level of care; and
3. Have their condition and need for higher level of care verified by a health, mental health, or education professional with at least a master’s degree.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-210, filed 10/22/99, effective 11/22/99.]

**WAC 388-165-215 What is the DSHS child care subsidy rate for children with special needs in a licensed or certified child care center?** DSHS pays child care subsidies for a child with special needs to licensed or certified child care centers as described in WAC 388-165-180 and whichever of the following is greater:

1. The provider’s documented additional cost associated with the care of that child with special needs; or
2. The rate listed in the table below.
Licensed Child Care Centers Special Needs Rate

<table>
<thead>
<tr>
<th>Infants (Birth - 11 mos.)</th>
<th>Toddlers (12 - 29 mos.)</th>
<th>Preschool (30 mos. - 5 years)</th>
<th>School-age (5 - 12 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 1 Full-Day</td>
<td>$6.62</td>
<td>$5.96</td>
<td>$5.40</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.41</td>
<td>$2.98</td>
<td>$2.70</td>
</tr>
<tr>
<td>Region 2 Full-Day</td>
<td>$6.95</td>
<td>$6.14</td>
<td>$5.33</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.48</td>
<td>$3.07</td>
<td>$2.66</td>
</tr>
<tr>
<td>Region 3 Full-Day</td>
<td>$9.05</td>
<td>$7.80</td>
<td>$6.60</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$4.53</td>
<td>$3.90</td>
<td>$3.30</td>
</tr>
<tr>
<td>Region 4 Full-Day</td>
<td>$11.34</td>
<td>$8.86</td>
<td>$7.84</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$5.67</td>
<td>$4.43</td>
<td>$3.92</td>
</tr>
<tr>
<td>Region 5 Full-Day</td>
<td>$7.75</td>
<td>$6.65</td>
<td>$5.84</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.87</td>
<td>$3.33</td>
<td>$2.92</td>
</tr>
<tr>
<td>Region 6 Full-Day</td>
<td>$7.68</td>
<td>$6.82</td>
<td>$6.00</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.84</td>
<td>$3.41</td>
<td>$3.00</td>
</tr>
</tbody>
</table>

(3) The maximum rate paid for a five year old child is:
(a) The preschool rate for a child who has not entered kindergarten; or
(b) The school-age rate for a child who has entered kindergarten.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090.]

WAC 388-165-220 What is the DSHS child care subsidy rate for children with special needs in a licensed or certified family child care home? DSHS pays child care subsidies for a child with special needs to licensed or certified family child care homes as described in WAC 388-165-195 and whichever of the following is greater:

(1) The DSHS child care subsidy programs pay toward the care for that child with special needs.
(2) The provider's documented additional cost associated with the care for that child with special needs.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090.

Licensed Family Child Care Homes Special Needs Bonus

<table>
<thead>
<tr>
<th>Infants (Birth - 11 mos.)</th>
<th>Toddlers (12 - 29 mos.)</th>
<th>Preschool (30 mos. - 5 years)</th>
<th>School-age (5 - 12 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 1 Full-Day</td>
<td>$5.70</td>
<td>$5.28</td>
<td>$5.10</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$2.85</td>
<td>$2.64</td>
<td>$2.55</td>
</tr>
<tr>
<td>Region 2 Full-Day</td>
<td>$5.40</td>
<td>$5.40</td>
<td>$4.88</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$2.70</td>
<td>$2.70</td>
<td>$2.40</td>
</tr>
<tr>
<td>Region 3 Full-Day</td>
<td>$8.40</td>
<td>$7.20</td>
<td>$6.60</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$4.20</td>
<td>$3.60</td>
<td>$3.30</td>
</tr>
<tr>
<td>Region 4 Full-Day</td>
<td>$9.00</td>
<td>$8.18</td>
<td>$7.50</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$4.50</td>
<td>$4.09</td>
<td>$3.75</td>
</tr>
<tr>
<td>Region 5 Full-Day</td>
<td>$6.30</td>
<td>$6.00</td>
<td>$5.70</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.15</td>
<td>$3.00</td>
<td>$2.85</td>
</tr>
<tr>
<td>Region 6 Full-Day</td>
<td>$6.15</td>
<td>$6.00</td>
<td>$5.40</td>
</tr>
<tr>
<td>Half-Day</td>
<td>$3.08</td>
<td>$3.00</td>
<td>$2.70</td>
</tr>
</tbody>
</table>

(3) The maximum rate paid for a five year old child is:
(a) The preschool rate for a child who has not entered kindergarten; or
(b) The school-age rate for a child who has entered kindergarten.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090.

WAC 388-165-225 What is the DSHS in-home/relative child care rate for children with special needs? DSHS subsidy programs pay in-home/relative child care providers for care of a child with special needs (as described in WAC 388-15-185) two dollars per hour plus whichever is greater of the following:

(1) Sixty-two cents per hour; or
(2) The provider's documented additional cost associated with the care for that child with special needs.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090.
infectious diseases, immunizations, and building and physical premises safety relevant to the care of the child.


WAC 388-165-240 What are the parent/guardian payment responsibilities when they choose in-home/relative child care? The parent is the employer of the in-home/relative provider. The parent:

1. Pays the provider the entire amount that DSHS gives them toward the cost of care;
2. Pays the provider the amount that was authorized for a copayment;
3. Requires the in-home/relative provider to sign a receipt when they receive payment;
4. Keeps the receipts for DSHS to review at the next eligibility determination; and
5. Keeps accurate attendance records.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-240, filed 10/22/99, effective 11/22/99.]

WAC 388-165-245 What is the responsibility of DSHS regarding child care subsidies for in-home/relative child care? (1) On all payments DSHS makes toward the cost of in-home/relative child care, DSHS pays the employer's share of:

a. Social Security taxes;
b. Medicare taxes;
c. Federal Unemployment Taxes (FUTA); and
d. State unemployment taxes (SUTA) when applicable.

(2) On all payments DSHS makes toward the cost of in-home/relative child care DSHS withholds the following taxes:

a. Social security taxes up to the wage base limit; and
b. Medicare taxes.

(3) If an in-home/relative child care provider receives less than one thousand one hundred dollars per family in a calendar year, DSHS refunds all withheld taxes to the provider.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-245, filed 10/22/99, effective 11/22/99.]

WAC 388-165-250 When can DSHS pay toward the cost of in-home/relative child care provided outside the child's home? DSHS will pay toward the cost of child care provided in the relative's home by the following adult relative of the child:

1. Siblings and stepsiblings living outside the child’s home;
2. Grandparents;
3. Aunts;
4. Uncles;
5. First cousins;
6. Great grandparents;
7. Great aunts;
8. Great uncles; and
9. Extended family members as determined by law or custom of the Indian child's tribe.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055 and 74.08.090. 99-22-011, § 388-165-250, filed 10/22/99, effective 11/22/99.]