

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

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| LOCAL COMMISSIONERS MEMORANDUM |
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OTDA-4037EL (Rev. 11/98)

Transmittal No: 99 LCM-19

Date: August 27, 1999

Division: Temporary Assistance

TO: Local District Commissioners

SUBJECT: Notice: LDSS-4647: "Important Information about Child Care"

ATTACHMENTS: LDSS-4647: "Important Information about Child Care" -
Not Available on Line

The purpose of this release is to provide local districts with the notice entitled LDSS-4647: "Important Information about Child Care". This notice must be provided to all Temporary Assistance applicants and recipients, along with the Client Information Booklets, at application and at recertification. This notice is required by the federal Department of Health and Human Services. Failure to provide this notice can result in substantial financial penalties to New York State. These penalties would be shared with local districts.

The final federal TANF regulations require States to inform single custodial caretaker relatives with children under age 6 who are receiving TANF benefits that their TANF benefits cannot be reduced or ended because they are not participating in work requirements if the reason is that they do not have appropriate, accessible, affordable and suitable child care. New York State Law requires this for caretaker relatives with children under age 13.

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Please note that in the "Notice of Important Information about Child Care" districts are required to define reasonable distance for the purpose of determining whether child care is accessible. The definition of reasonable distance will become part of the child care section of your Consolidated Services Plan. Until such time as the new child care planning forms become available, districts must submit their proposed definition of reasonable distance to the following address:

Office of Children and Family Services
Bureau of Early Childhood Services
40 N. Pearl St. (Riverview Center)
Albany, New York 12243
Attn. Paula Vielkind

Districts must use the proposed definition on an interim basis pending OCFS approval. The proposed definition must be submitted by September 10, 1999. The definition must be submitted to OCFS as an amendment to the existing Consolidated Services Plan. As such, a 30 day public notice period as well as OCFS approval is required before the definition is given final approval. The draft definition may be submitted to OCFS concurrent with the beginning of the public notice period. It should be noted, however, that any changes to the proposed definition as a result of the review process might require additional public notice. Any sanctions placed on clients for refusal to participate where the client maintained that there was no available child care within a reasonable distance may need to be corrected if OCFS determines that the district's proposed definition of reasonable distance needs to be substantially modified.

This federal notification requirement will be met by having local social services districts provide the notice attached to this LCM. Both English and Spanish versions are attached to the LCM.

This notice will be printed by the Office of Temporary and Disability Assistance and will be sent to, and available in, local social services districts in early September, 1999. Until this notice is available, local districts must copy the notice that is attached to this LCM and provide it to all applicants at application and to all recipients at next client contact and thereafter at recertification. The notice will eventually become part of the Client Information Booklets.

This LCM will be followed by an administrative directive which will provide you with more detailed information on this federal requirement.

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Any questions on this should be directed to Dottie Mullooly at 518-474-9101. Any questions on the Consolidated Services Plan or on the definition of reasonable distance should be directed to Paula Vielkind at 518-402-6520.

Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance