

# STATE OF NEW YORK

10486--A

## IN ASSEMBLY

May 27, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Weinstein)  
-- (at request of the Governor) -- read once and referred to the  
Committee on Ways and Means -- committee discharged, bill amended,  
ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 53 of the laws of 2022, enacting the aid to  
localities budget, in relation to an increase in the federal poverty  
level for purposes of the child care program

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Section 1 of chapter 53 of the laws of 2022, enacting the  
2 aid to localities budget, is amended by repealing the items hereinbelow  
3 set forth in brackets and by adding to such section the other items  
4 underscored in this section.

5 DEPARTMENT OF FAMILY ASSISTANCE  
6 OFFICE OF CHILDREN AND FAMILY SERVICES

7 AID TO LOCALITIES 2022-23

8 CHILD CARE PROGRAM ..... 965,025,200  
9 -----

10 General Fund  
11 Local Assistance Account - 10000

12 Notwithstanding any inconsistent provision  
13 of law, the funds appropriated herein  
14 shall be available for transfer to the  
15 federal health and human services fund,  
16 local assistance account, federal day care  
17 account to operate and support enrollment  
18 in the child care facilitated enrollment  
19 pilot program which expand access to child  
20 care subsidies for working families who

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD15985-03-2

live or are employed in Manhattan, the Bronx, Brooklyn, Staten Island and Queens with income up to [~~275~~] 300 percent of the federal poverty level as provided to the Consortium for Worker Education to administer and to implement a plan approved by the office of children and family services. The administrative cost, including the cost of the development of the evaluation of the pilot program shall not exceed ten percent of the funds available for the purpose. The remaining portion of the funds shall be allocated to the office of children and family services to the local social services district where the recipient families reside as determined by the project administrator based on projected need and cost of providing child care subsidies payment to working families enrolled through the pilot initiative, provided however the local social services district shall not reimburse subsidy payment in excess of the amount the subsidy funding appropriated herein can support and the applicable local social services district shall not be required to approve or pay for subsidies not funded herein. Child care subsidies paid on behalf of eligible families shall be reimbursed at the actual cost of care up to the applicable market rate for the district in which the child care is provided and in accordance with the fee schedule of the local social services district making the subsidy payment. Up to ten percent of funds available for this purpose shall be made available to the Consortium for Worker Education, or other designated administrator, to administer and to implement a plan approved by the office of children and family services for this pilot program. This administrator shall prepare and submit to the office of children and family services, the chairs of the senate committee on social services, the senate committee on children and families, the senate committee on labor, the chairs of the assembly committee on children and families, the assembly committee on social services, and the assembly committee on labor a report on the pilot program with recommendations. Such report shall include available information regarding the pilot program or participants in the pilot program, including but not limited to: the number of income eligible children of

1 working parents with income greater than  
2 200 percent but at or less than [~~275~~] 300  
3 percent of the federal poverty level, the  
4 ages of the children served by the  
5 program, the number of families served by  
6 the program who are in receipt of family  
7 assistance, the factors that parents  
8 considered when searching for child care,  
9 the factors that barred the families'  
10 access to child care assistance prior to  
11 their enrollment in the facilitated  
12 enrollment program, the number of families  
13 who receive a child care subsidy pursuant  
14 to this program who choose to use such  
15 subsidy for regulated child care, and the  
16 number of families who receive a child  
17 care subsidy pursuant to this program who  
18 choose to use such subsidy to receive  
19 child care services provided by a legally  
20 exempt provider. Such report shall be  
21 submitted by the program administrator, on  
22 or before November 1, 2022, provided that  
23 if such report is not received by November  
24 30, 2022, reimbursement for administrative  
25 costs shall be either reduced or withheld,  
26 and failure of an administrator to submit  
27 a timely report may jeopardize such admin-  
28 istrator's program from receiving funding  
29 in future years. The administrator for  
30 this pilot program shall submit bimonthly  
31 reports to the office of children and  
32 family services, the local social services  
33 district, the administration for chil-  
34 dren's services, and the legislature. Each  
35 bi-monthly report shall provide without  
36 benefit of personal identifying informa-  
37 tion, the pilot program's current enroll-  
38 ment level, amount of the child's subsidy,  
39 co-payment levels, and any other informa-  
40 tion as needed or required by the office  
41 of children and family services. Further,  
42 the office of children and family services  
43 shall provide technical assistance to the  
44 pilot program to assist with program  
45 administration and timely coordination of  
46 the bi-monthly claiming process. Notwith-  
47 standing any other provision of law, this  
48 pilot program maintained herein may be  
49 terminated if the administrator for such  
50 program mismanages such program, by engag-  
51 ing in actions including but not limited  
52 to, improper use of funds, providing for  
53 child care subsidies in excess of the  
54 amount the subsidy funding appropriated  
55 herein can support, and failing to submit

1 claims for reimbursement in a timely fashion ..... 500,000  
2  
3 Notwithstanding any inconsistent provision  
4 of law, the funds appropriated herein  
5 shall be available for transfer to the  
6 federal health and human services fund,  
7 local assistance account, federal day care  
8 account to operate and support enrollment  
9 in the child care facilitated enrollment  
10 pilot program which expand access to child  
11 care subsidies for working families who  
12 live or are employed in Onondaga County  
13 with income up to [~~275~~] 300 percent of the  
14 federal poverty level as provided to the  
15 AFL-CIO Workforce Development Institute to  
16 administer and to implement a plan  
17 approved by the office of children and  
18 family services. The administrative cost,  
19 including the cost of the development of  
20 the evaluation of the pilot program shall  
21 not exceed ten percent of the funds available  
22 for the purpose. The remaining  
23 portion of the funds shall be allocated to  
24 the office of children and family services  
25 to the local social services district  
26 where the recipient families reside as  
27 determined by the project administrator  
28 based on projected need and cost of  
29 providing child care subsidies payment to  
30 working families enrolled through the  
31 pilot initiative, provided however the  
32 local social service district shall not  
33 reimburse subsidy payment in excess of the  
34 amount the subsidy funding appropriated  
35 herein can support and the applicable  
36 local social services district shall not  
37 be required to approve or pay for subsidies  
38 not funded herein. Child care subsidies  
39 paid on behalf of eligible families  
40 shall be reimbursed at the actual cost of  
41 care up to the applicable market rate for  
42 the district in which the child care is  
43 provided and in accordance with the fee  
44 schedule of the local social services  
45 district making the subsidy payment. Up to  
46 ten percent of funds available for this  
47 purpose shall be made available to the  
48 AFL-CIO Workforce Development Institute,  
49 or other designated administrator, to  
50 administer and to implement a plan  
51 approved by the office of children and  
52 family services for this pilot program.  
53 This administrator shall prepare and  
54 submit to the office of children and family  
55 services, the chairs of the senate  
56 committee on social services, the senate

1 committee on children and families, the  
2 senate committee on labor, the chairs of  
3 the assembly committee on children and  
4 families, the assembly committee on social  
5 services, and the assembly committee on  
6 labor a report on the pilot program with  
7 recommendations. Such report shall include  
8 available information regarding the pilot  
9 program or participants in the pilot  
10 program, including but not limited to: the  
11 number of income eligible children of  
12 working parents with income greater than  
13 200 percent but at or less than ~~275~~ 300  
14 percent of the federal poverty level, the  
15 ages of the children served by the  
16 program, the number of families served by  
17 the program who are in receipt of family  
18 assistance, the factors that parents  
19 considered when searching for child care,  
20 the factors that barred the families'  
21 access to child care assistance prior to  
22 their enrollment in the facilitated  
23 enrollment program, the number of families  
24 who receive a child care subsidy pursuant  
25 to this program who choose to use such  
26 subsidy for regulated child care, and the  
27 number of families who receive a child  
28 care subsidy pursuant to this program who  
29 choose to use such subsidy to receive  
30 child care services provided by a legally  
31 exempt provider. Such report shall be  
32 submitted by the program administrator, on  
33 or before November 1, 2022, provided that  
34 if such report is not received by November  
35 30, 2022, reimbursement for administrative  
36 costs shall be either reduced or withheld,  
37 and failure of an administrator to submit  
38 a timely report may jeopardize such admin-  
39 istrator's program from receiving funding  
40 in future years. The administrator for  
41 this pilot program shall submit bimonthly  
42 reports to the office of children and  
43 family services, the local social services  
44 district, the administration for chil-  
45 dren's services, and the legislature.  
46 Each bi-monthly report shall provide with-  
47 out benefit of personal identifying infor-  
48 mation, the pilot program's current  
49 enrollment level, amount of the child's  
50 subsidy, co-payment levels, and any other  
51 information as needed or required by the  
52 office of children and family services.  
53 Further, the office of children and family  
54 services shall provide technical assist-  
55 ance to the pilot program to assist with  
56 program administration and timely coordi-

1 nation of the bi-monthly claiming process.  
2 Notwithstanding any other provision of  
3 law, this pilot program maintained herein  
4 may be terminated if the administrator for  
5 such program mismanages such program, by  
6 engaging in actions including but not  
7 limited to, improper use of funds, provid-  
8 ing for child care subsidies in excess of  
9 the amount the subsidy funding appropri-  
10 ated herein can support, and failing to  
11 submit claims for reimbursement in a time-  
12 ly fashion ..... 500,000

13 Notwithstanding any inconsistent provision  
14 of law, the funds appropriated herein  
15 shall be available for transfer to the  
16 federal health and human services fund,  
17 local assistance account, federal day care  
18 account to operate and support enrollment  
19 in the child care facilitated enrollment  
20 pilot program which expand access to child  
21 care subsidies for working families who  
22 live or are employed in Erie County with  
23 income up to [~~275~~] 300 percent of the  
24 federal poverty level as provided to the  
25 AFL-CIO Workforce Development Institute to  
26 administer and to implement a plan  
27 approved by the office of children and  
28 family services. The administrative cost,  
29 including the cost of the development of  
30 the evaluation of the pilot program shall  
31 not exceed ten percent of the funds avail-  
32 able for the purpose. The remaining  
33 portion of the funds shall be allocated to  
34 the office of children and family services  
35 to the local social services district  
36 where the recipient families reside as  
37 determined by the project administrator  
38 based on projected need and cost of  
39 providing child care subsidies payment to  
40 working families enrolled through the  
41 pilot initiative, provided however the  
42 local social services district shall not  
43 reimburse subsidy payment in excess of the  
44 amount the subsidy funding appropriated  
45 herein can support and the applicable  
46 local social services district shall not  
47 be required to approve or pay for subsi-  
48 dies not funded herein. Child care subsi-  
49 dies paid on behalf of eligible families  
50 shall be reimbursed at the actual cost of  
51 care up to the applicable market rate for  
52 the district in which the child care is  
53 provided and in accordance with the fee  
54 schedule of the local social services  
55 district making the subsidy payment. Up to  
56 ten percent of funds available for this

1 purpose shall be made available to the  
2 AFL-CIO Workforce Development Institute,  
3 or other designated administrator, to  
4 administer and to implement a plan  
5 approved by the office of children and  
6 family services for this pilot program.  
7 This administrator shall prepare and  
8 submit to the office of children and fami-  
9 ly services, the chairs of the senate  
10 committee on social services, the senate  
11 committee on children and families, the  
12 senate committee on labor, the chairs of  
13 the assembly committee on children and  
14 families, the assembly committee on social  
15 services, and the assembly committee on  
16 labor a report on the pilot program with  
17 recommendations. Such report shall include  
18 available information regarding the pilot  
19 program or participants in the pilot  
20 program, including but not limited to: the  
21 number of income eligible children of  
22 working parents with income greater than  
23 200 percent but at or less than ~~275~~ 300  
24 percent of the federal poverty level, the  
25 ages of the children served by the  
26 program, the number of families served by  
27 the program who are in receipt of family  
28 assistance, the factors that parents  
29 considered when searching for child care,  
30 the factors that barred the families'  
31 access to child care assistance prior to  
32 their enrollment in the facilitated  
33 enrollment program, the number of families  
34 who receive a child care subsidy pursuant  
35 to this program who choose to use such  
36 subsidy for regulated child care, and the  
37 number of families who receive a child  
38 care subsidy pursuant to this program who  
39 choose to use such subsidy to receive  
40 child care services provided by a legally  
41 exempt provider. Such report shall be  
42 submitted by the program administrator, on  
43 or before November 1, 2022, provided that  
44 if such report is not received by November  
45 30, 2022, reimbursement for administrative  
46 costs shall be either reduced or withheld,  
47 and failure of an administrator to submit  
48 a timely report may jeopardize such admin-  
49 istrator's program from receiving funding  
50 in future years. The administrator for  
51 this pilot program shall submit bimonthly  
52 reports to the office of children and  
53 family services, the local social services  
54 district, the administration for chil-  
55 dren's services, and the legislature. Each  
56 bi-monthly report shall provide without



benefit of personal identifying information, the pilot program's current enrollment level, amount of the child's subsidy, co-payment levels, and any other information as needed or required by the office of children and family services. Further, the office of children and family services shall provide technical assistance to the pilot program to assist with program administration and timely coordination of the bi-monthly claiming process. Notwithstanding any other provision of law, this pilot program maintained herein may be terminated if the administrator for such program mismanages such program, by engaging in actions including but not limited to, improper use of funds, providing for child care subsidies in excess of the amount the subsidy funding appropriated herein can support, and failing to submit claims for reimbursement in a timely fashion ..... 500,000

Notwithstanding any inconsistent provision of law, the funds appropriated herein shall be available for transfer to the federal health and human services fund, local assistance account, federal day care account to operate and support enrollment in the child care facilitated enrollment pilot program which expand access to child care subsidies for working families who live or are employed in Nassau County with income up to ~~[275]~~ 300 percent of the federal poverty level as provided to the AFL-CIO Workforce Development Institute to administer and to implement a plan approved by the office of children and family services. The administrative cost, including the cost of the development of the evaluation of the pilot program shall not exceed ten percent of the funds available for the purpose. The remaining portion of the funds shall be allocated to the office of children and family services to the local social services district where the recipient families reside as determined by the project administrator based on projected need and cost of providing child care subsidies payment to working families enrolled through the pilot initiative, provided however the local social services district shall not reimburse subsidy payment in excess of the amount the subsidy funding appropriated herein can support and the applicable local social services district shall not



1 be required to approve or pay for subsi-  
2 dies not funded herein. Child care subsi-  
3 dies paid on behalf of eligible families  
4 shall be reimbursed at the actual cost of  
5 care up to the applicable market rate for  
6 the district in which the child care is  
7 provided and in accordance with the fee  
8 schedule of the local social services  
9 district making the subsidy payment. Up to  
10 ten percent of funds available for this  
11 purpose shall be made available to the  
12 AFL-CIO Workforce Development Institute,  
13 or other designated administrator, to  
14 administer and to implement a plan  
15 approved by the office of children and  
16 family services for this pilot program.  
17 This administrator shall prepare and  
18 submit to the office of children and fami-  
19 ly services, the chairs of the senate  
20 committee on social services, the senate  
21 committee on children and families, the  
22 senate committee on labor, the chairs of  
23 the assembly committee on children and  
24 families, the assembly committee on social  
25 services, and the assembly committee on  
26 labor a report on the pilot program with  
27 recommendations. Such report shall include  
28 available information regarding the pilot  
29 program or participants in the pilot  
30 program, including but not limited to: the  
31 number of income eligible children of  
32 working parents with income greater than  
33 200 percent but at or less than ~~275~~ 300  
34 percent of the federal poverty level, the  
35 ages of the children served by the  
36 program, the number of families served by  
37 the program who are in receipt of family  
38 assistance, the factors that parents  
39 considered when searching for child care,  
40 the factors that barred the families'  
41 access to child care assistance prior to  
42 their enrollment in the facilitated  
43 enrollment program, the number of families  
44 who receive a child care subsidy pursuant  
45 to this program who choose to use such  
46 subsidy for regulated child care, and the  
47 number of families who receive a child  
48 care subsidy pursuant to this program who  
49 choose to use such subsidy to receive  
50 child care services provided by a legally  
51 exempt provider. Such report shall be  
52 submitted by the program administrator, on  
53 or before November 1, 2022, provided that  
54 if such report is not received by November  
55 30, 2022, reimbursement for administrative  
56 costs shall be either reduced or withheld,

1 and failure of an administrator to submit  
2 a timely report may jeopardize such admin-  
3 istrator's program from receiving funding  
4 in future years. The administrator for  
5 this pilot program shall submit bimonthly  
6 reports to the office of children and  
7 family services, the local social services  
8 district, the administration for chil-  
9 dren's services, and the legislature. Each  
10 bi-monthly report shall provide without  
11 benefit of personal identifying informa-  
12 tion, the pilot program's current enroll-  
13 ment level, amount of the child's subsidy,  
14 co-payment levels, and any other informa-  
15 tion as needed or required by the office  
16 of children and family services. Further,  
17 the office of children and family services  
18 shall provide technical assistance to the  
19 pilot program to assist with program  
20 administration and timely coordination of  
21 the bi-monthly claiming process. Notwith-  
22 standing any other provision of law, this  
23 pilot program maintained herein may be  
24 terminated if the administrator for such  
25 program mismanages such program, by engag-  
26 ing in actions including but not limited  
27 to, improper use of funds, providing for  
28 child care subsidies in excess of the  
29 amount the subsidy funding appropriated  
30 herein can support, and failing to submit  
31 claims for reimbursement in a timely fash-  
32 ion ..... 1,500,000

33 Notwithstanding any inconsistent provision  
34 of law, the funds appropriated herein  
35 shall be available for transfer to the  
36 federal health and human services fund,  
37 local assistance account, federal day care  
38 account to operate and support enrollment  
39 in the child care facilitated enrollment  
40 pilot program which expand access to child  
41 care subsidies for working families who  
42 live or are employed in Suffolk County  
43 with income up to [~~275~~] 300 percent of the  
44 federal poverty level as provided to the  
45 AFL-CIO Workforce Development Institute to  
46 administer and to implement a plan  
47 approved by the office of children and  
48 family services. The administrative cost,  
49 including the cost of the development of  
50 the evaluation of the pilot program shall  
51 not exceed ten percent of the funds avail-  
52 able for the purpose. The remaining  
53 portion of the funds shall be allocated to  
54 the office of children and family services  
55 to the local social services district  
56 where the recipient families reside as

determined by the project administrator based on projected need and cost of providing child care subsidies payment to working families enrolled through the pilot initiative, provided however the local social services district shall not reimburse subsidy payment in excess of the amount the subsidy funding appropriated herein can support and the applicable local social services district shall not be required to approve or pay for subsidies not funded herein. Child care subsidies paid on behalf of eligible families shall be reimbursed at the actual cost of care up to the applicable market rate for the district in which the child care is provided and in accordance with the fee schedule of the local social services district making the subsidy payment. Up to ten percent of funds available for this purpose shall be made available to the AFL-CIO Workforce Development Institute, or other designated administrator, to administer and to implement a plan approved by the office of children and family services for this pilot program. This administrator shall prepare and submit to the office of children and family services, the chairs of the senate committee on social services, the senate committee on children and families, the senate committee on labor, the chairs of the assembly committee on children and families, the assembly committee on social services, and the assembly committee on labor a report on the pilot program with recommendations. Such report shall include available information regarding the pilot program or participants in the pilot program, including but not limited to: the number of income eligible children of working parents with income greater than 200 percent but at or less than ~~275~~ 300 percent of the federal poverty level, the ages of the children served by the program, the number of families served by the program who are in receipt of family assistance, the factors that parents considered when searching for child care, the factors that barred the families' access to child care assistance prior to their enrollment in the facilitated enrollment program, the number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy for regulated child care, and the

number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy to receive child care services provided by a legally exempt provider. Such report shall be submitted by the program administrator, on or before November 1, 2022, provided that if such report is not received by November 30, 2022, reimbursement for administrative costs shall be either reduced or withheld, and failure of an administrator to submit a timely report may jeopardize such administrator's program from receiving funding in future years. The administrator for this pilot program shall submit bimonthly reports to the office of children and family services, the local social services district, the administration for children's services, and the legislature. Each bi-monthly report shall provide without benefit of personal identifying information, the pilot program's current enrollment level, amount of the child's subsidy, co-payment levels, and any other information as needed or required by the office of children and family services. Further, the office of children and family services shall provide technical assistance to the pilot program to assist with program administration and timely coordination of the bi-monthly claiming process. Notwithstanding any other provision of law, this pilot program maintained herein may be terminated if the administrator for such program mismanages such program, by engaging in actions including but not limited to, improper use of funds, providing for child care subsidies in excess of the amount the subsidy funding appropriated herein can support, and failing to submit claims for reimbursement in a timely fashion ..... 1,500,000

DEPARTMENT OF FAMILY ASSISTANCE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

AID TO LOCALITIES 2022-23

EMPLOYMENT AND INCOME SUPPORT PROGRAM ..... 5,186,541,000

Special Revenue Funds - Federal  
Federal Health and Human Services Fund  
Temporary Assistance for Needy Families Account - 25178

1 Notwithstanding any inconsistent provision  
2 of law, the funds appropriated herein  
3 shall be available for transfer to the  
4 federal health and human services fund,  
5 local assistance account, federal day care  
6 account to continue operation of the  
7 facilitated enrollment pilot program in  
8 Capital Region-Oneida (consisting of Rens-  
9 selaer, Schenectady, Saratoga, Albany and  
10 Oneida counties) as provided to the NYS  
11 AFL-CIO Workforce Development Institute to  
12 act or continue to act as the administra-  
13 tor to implement the program proposed by  
14 the union child care coalition of the NYS  
15 AFL-CIO and approved by the office of  
16 children and family services. The adminis-  
17 trative cost, including the cost of the  
18 development of the evaluation of the pilot  
19 program shall not exceed ten percent of  
20 the funds available for this purpose. The  
21 remaining portion of the funds shall be  
22 allocated by the office of children and  
23 family services to the local social  
24 services districts where the recipient  
25 families reside as determined by the  
26 project administrator based on projected  
27 need and cost of providing child care  
28 subsidies payment to working families  
29 enrolled through the pilot initiative, a  
30 local social services district shall not  
31 reimburse subsidy payments in excess of  
32 the amount the subsidy funding appropri-  
33 ated herein can support. Child care subsi-  
34 dies paid on behalf of eligible families  
35 shall be reimbursed at the actual cost of  
36 care up to the applicable market rate for  
37 the district in which child care is  
38 provided and in accordance with the fee  
39 schedule of the local social services  
40 district making the subsidy payment. Up to  
41 \$254,900 shall be made available to the  
42 NYS AFL-CIO Workforce Development Insti-  
43 tute, or other designated administrator,  
44 to administer and to implement a plan  
45 approved by the office of children and  
46 family services for this pilot program in  
47 consultation with the advisory council.

48 This administrator shall prepare and submit  
49 to the office of children and family  
50 services, the chairs of the senate commit-  
51 tee on social services, the senate commit-  
52 tee on children and families, the senate  
53 committee on labor, the chairs of the  
54 assembly committee on children and fami-  
55 lies, and the assembly committee on social  
56 services, an evaluation of the pilot with

1 recommendations. Such evaluation shall  
2 include available information regarding  
3 the pilot programs or participants in the  
4 pilot programs, including but not limited  
5 to: the number of income eligible children  
6 of working parents with income greater  
7 than 200 percent but at or less than [~~275~~  
8 300 percent of the federal poverty level,  
9 the ages of the children served by the  
10 project, the number of families served by  
11 the project who are in receipt of family  
12 assistance, the factors that parents  
13 considered when searching for child care,  
14 the factors that barred the families'  
15 access to child care assistance prior to  
16 their enrollment in the facilitated  
17 enrollment program, the number of families  
18 who receive a child care subsidy pursuant  
19 to this program who choose to use such  
20 subsidy for regulated child care, and the  
21 number of families who receive a child  
22 care subsidy pursuant to this program who  
23 choose to use such subsidy to receive  
24 child care services provided by a legally  
25 exempt provider. Such report shall be  
26 submitted by the applicable project admin-  
27 istrator, on or before November 1, 2022,  
28 provided that if such report is not  
29 received by November 30, 2022, reimburse-  
30 ment for administrative costs shall be  
31 either reduced or withheld, and failure of  
32 an administrator to submit a timely report  
33 may jeopardize such administrator's  
34 program from receiving funding in future  
35 years. Child care subsidies paid on behalf  
36 of eligible families shall be reimbursed  
37 at the actual cost of care up to the  
38 applicable market rate for the district in  
39 which the child care is provided, in  
40 accordance with the fee schedule of the  
41 local social services district making the  
42 subsidy payments. The administrator for  
43 this pilot project is required to submit  
44 bi-monthly reports on the fifteenth day of  
45 every other month beginning on May 15,  
46 2022 and bi-monthly thereafter that  
47 provide current enrollment and information  
48 including, but not limited to, the amount  
49 of the approved subsidy level, the level  
50 of co-payment by the local social services  
51 district required for the participants in  
52 the program, the program's adopted budget  
53 reflecting all expenses including salaries  
54 and other information as needed, to the  
55 office of children and family services,  
56 the chairs of the senate committee on

1 social services, the senate committee on  
2 children and families, the senate commit-  
3 tee on labor, the chairs of the assembly  
4 committee on children and families and the  
5 assembly committee on social services, and  
6 the local social services districts.

7 Provided however that if such bi-monthly  
8 reports are not received from this Capital  
9 Region-Oneida administrator, reimbursement  
10 for administrative costs shall be either  
11 reduced or withheld and failure of an  
12 administrator to submit a timely report  
13 may jeopardize such administrator's  
14 program from receiving funding in future  
15 years. The office of children and family  
16 services shall provide technical assist-  
17 ance to the pilot program to assist in  
18 timely coordination with the monthly  
19 claiming process. Notwithstanding any  
20 other provision of law, this pilot program  
21 maintained herein may be terminated if the  
22 administrator for such program mismanages  
23 such program, by engaging in actions  
24 including but not limited to, improper use  
25 of funds, providing for child care subsi-  
26 dies in excess of the amount the subsidy  
27 funding appropriated herein can support,  
28 and failing to submit claims for  
29 reimbursement in a timely fashion (52211) .... 2,549,000

30 Notwithstanding any inconsistent provision  
31 of law, the funds appropriated herein,  
32 shall be available for transfer to the  
33 federal health and human services fund,  
34 local assistance account, federal day care  
35 account to operate and support enrollment  
36 in the child care facilitated enrollment  
37 pilot programs which expand access to  
38 child care subsidies for working families  
39 living or employed in the Liberty Zone,  
40 the boroughs of Brooklyn, Queens, and  
41 Bronx, and in the county of Monroe, with  
42 income up to [~~275~~] 300 percent of the  
43 federal poverty level. Of the amount  
44 appropriated herein, \$2,185,000 shall be  
45 made available for Monroe county, and  
46 \$3,754,000 shall be made available for all  
47 other projects. Up to \$218,500 shall be  
48 made available to the NYS AFL-CIO Work-  
49 force Development Institute to administer  
50 Monroe county's program and to implement a  
51 plan approved by the office of children  
52 and family services; and up to \$375,400  
53 shall be made available to the Consortium  
54 for Worker Education, Inc., to administer  
55 and to implement a plan approved by the  
56 office of children and family services for



1 the programs in the Liberty Zone, and the  
2 boroughs of Brooklyn, Queens and Bronx.  
3 Each pilot program administrator shall  
4 prepare and submit to the office of chil-  
5 dren and family services, the chairs of  
6 the senate committee on children and fami-  
7 lies and the senate committee on social  
8 services, the chair of the assembly  
9 committee on children and families, the  
10 chair of the assembly committee on social  
11 services, the chair of the senate commit-  
12 tee on labor, and the chair of the assem-  
13 bly committee on labor, a report on the  
14 pilot with recommendations for continua-  
15 tion or dissolution of the program  
16 supported by appropriate documentation.  
17 Such report shall include available,  
18 information regarding the pilot programs  
19 or participants in the pilot programs,  
20 absent identifying information, including  
21 but not limited to: the number of income-  
22 eligible children of working parents with  
23 income greater than 200 percent but at or  
24 less than ~~[275]~~ 300 percent of the federal  
25 poverty level; the ages of the children  
26 served by the project, the number of fami-  
27 lies who receive a child care subsidy  
28 pursuant to this program who choose to use  
29 such subsidy for regulated child care, and  
30 the number of families who receive a child  
31 care subsidy pursuant to this program who  
32 choose to use such subsidy to receive  
33 child care services provided by a legally  
34 exempt provider. Such report shall be  
35 submitted by the applicable project admin-  
36 istrator, on or before November 1, 2022,  
37 provided that if such report is not  
38 received by November 1, 2022, reimburse-  
39 ment for administrative costs shall be  
40 either reduced or withheld, and failure of  
41 an administrator to submit a timely report  
42 may jeopardize such program's funding in  
43 future years. Expenses related to the  
44 development of the evaluation of the pilot  
45 programs shall be paid from the pilot  
46 program's administrative set-aside or  
47 non-state funds. The remaining portion of  
48 the project's funds shall be allocated by  
49 the office of children and family services  
50 to the local social services districts  
51 where the recipient families reside as  
52 determined by the project administrator  
53 based on projected needs and cost of  
54 providing child care subsidy payments to  
55 working families enrolled in the child  
56 care subsidy program through the pilot

1 initiative, provided however that the  
2 office of children and family services  
3 shall not reimburse subsidy payments in  
4 excess of the amount the subsidy funding  
5 appropriated herein can support and the  
6 applicable local social services district  
7 shall not be required to approve or pay  
8 for subsidies not funded herein. Child  
9 care subsidies paid on behalf of eligible  
10 families shall be reimbursed at the actual  
11 cost of care up to the applicable market  
12 rate for the district in which the child  
13 care is provided, for subsidy payments in  
14 accordance with the fee schedule of the  
15 local social services district making the  
16 subsidy payments. Pilot programs are  
17 required to submit bi-monthly reports to  
18 the office of children and family  
19 services, the local social services  
20 district, and for programs located in the  
21 city of New York, the administration for  
22 children's services, and the legislature.  
23 Each bi-monthly report must provide with-  
24 out benefit of personal identifying infor-  
25 mation, the pilot program's current  
26 enrollment level, amount of the child's  
27 subsidy, co-payment levels and other  
28 information as needed or required by the  
29 office of children and family services.  
30 Further, the office of children and family  
31 services shall provide technical assist-  
32 ance to the pilot program to assist with  
33 project administration and timely coordi-  
34 nation of the bi-monthly claiming process.  
35 Notwithstanding any other provision of  
36 law, any pilot programs maintained herein  
37 may be terminated if the administrator for  
38 such programs mismanages such programs, by  
39 engaging in actions including but not  
40 limited to, improper use of funds, provid-  
41 ing for child care subsidies in excess of  
42 the amount the subsidy funding appropri-  
43 ated herein can support, and failing to  
44 submit claims for reimbursement in a time-  
45 ly fashion (52212) ..... 5,939,000

46 § 2. This act shall take effect immediately and shall be deemed to  
47 have been in full force and effect on and after April 1, 2022.