

STATE OF NEW YORK

9464--A

IN SENATE

May 30, 2022

Introduced by Sen. KRUEGER -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- 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 Assembly, 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.

LBD15985-02-2

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

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