

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

**Proposing rule making related to eligibility guidelines
and providing an opportunity for public comment**

The Human Services Department hereby proposes to amend Chapter 170, “Child Care Services,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 234.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 234.6.

Purpose and Summary

The proposed amendments update the eligibility guidelines for the Child Care Assistance (CCA) Plus program. The 12-month limit on eligibility is being removed, and the income guidelines are being revised. The definition of “infant and toddler” in the payment rate tables is being revised to include children up to three years old, and the definition of “preschool” is being revised accordingly.

Fiscal Impact

The current CCA Plus program is based on an income limit of 85 percent of the state median income and is limited to 12 months. The time limit is in conflict with federal regulations. Effective July 1, 2020, the time limit will be eliminated and the income eligibility criteria will be reduced to 225 percent of the federal poverty level. Caseloads are projected to temporarily decrease slightly in SFY 2021 as the cases transition to the new eligibility criteria. The change recommended by the Governor to the infant and toddler definition is also incorporated in this estimate. \$354 is the projected average monthly cost per case for the CCA Plus program for SFY 2021 based on actuals through December 31, 2019, including the additional cost to the CCA Plus program due to the change to the infant and toddler definition.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on March 17, 2020. Comments should be directed to:

Nancy Freudenberg
Iowa Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind paragraph **170.2(1)“a”** and adopt the following new paragraph in lieu thereof:

a. Income limits.

(1) For initial eligibility, an applicant family’s nonexempt gross monthly income as established in paragraph 170.2(1)“c” cannot exceed the amounts in this subparagraph.

1. 145 percent of the federal poverty level applicable to the family size for children needing basic care; or

2. 200 percent of the federal poverty level applicable to the family size for children needing special-needs care; or

3. 85 percent of Iowa’s median family income, if that figure is lower than the standard in numbered paragraph “1” or “2.”

(2) For ongoing eligibility, at the time of a family’s annual eligibility redetermination as described in subrule 170.3(5), the family’s nonexempt gross monthly income as established in paragraph 170.2(1)“c” cannot exceed the amounts in this subparagraph.

1. 225 percent of the federal poverty level applicable to the family size for children needing basic care or special-needs care; or

2. 85 percent of Iowa’s median family income, if that figure is lower than the standard in numbered paragraph “1.”

ITEM 2. Amend paragraph **170.4(2)“a”** as follows:

a. Sliding fee schedule.

(1) The fee schedule shown in the following table is effective for eligibility determinations made on or after July 1, ~~2019~~ 2020:

Monthly Income According to Family Size

Unit Fee Based on
Number of Children
in Care

Level	1	2	3	4	5	6	7	8	9	10	11	12	13+	1	2	3 or more
A	\$989	\$1,340	\$1,689	\$2,039	\$2,389	\$2,739	\$3,088	\$3,439	\$3,789	\$4,138	\$4,489	\$4,838	\$5,188	\$0.00	\$0.00	\$0.00
	\$1,011	\$1,365	\$1,720	\$2,075	\$2,429	\$2,784	\$3,139	\$3,493	\$3,848	\$4,203	\$4,557	\$4,912	\$5,267			
B	\$1,041	\$1,410	\$1,778	\$2,146	\$2,515	\$2,883	\$3,251	\$3,620	\$3,988	\$4,356	\$4,725	\$5,093	\$5,461	\$0.20	\$0.45	\$0.70
	\$1,064	\$1,437	\$1,810	\$2,184	\$2,557	\$2,930	\$3,304	\$3,677	\$4,050	\$4,424	\$4,797	\$5,170	\$5,544			
C	\$1,070	\$1,449	\$1,828	\$2,206	\$2,585	\$2,964	\$3,342	\$3,721	\$4,100	\$4,478	\$4,857	\$5,236	\$5,614	\$0.45	\$0.70	\$0.95
	\$1,094	\$1,477	\$1,861	\$2,245	\$2,629	\$3,012	\$3,397	\$3,780	\$4,163	\$4,548	\$4,931	\$5,315	\$5,699			
D	\$1,099	\$1,489	\$1,878	\$2,266	\$2,656	\$3,044	\$3,433	\$3,823	\$4,211	\$4,600	\$4,990	\$5,378	\$5,767	\$0.70	\$0.95	\$1.20
	\$1,124	\$1,517	\$1,911	\$2,306	\$2,700	\$3,094	\$3,489	\$3,883	\$4,277	\$4,672	\$5,066	\$5,460	\$5,854			
E	\$1,130	\$1,531	\$1,930	\$2,330	\$2,730	\$3,130	\$3,529	\$3,930	\$4,329	\$4,729	\$5,129	\$5,529	\$5,928	\$0.95	\$1.20	\$1.45
	\$1,155	\$1,560	\$1,965	\$2,371	\$2,776	\$3,181	\$3,587	\$3,992	\$4,397	\$4,803	\$5,207	\$5,612	\$6,018			
F	\$1,161	\$1,572	\$1,983	\$2,393	\$2,805	\$3,215	\$3,625	\$4,037	\$4,447	\$4,858	\$5,269	\$5,679	\$6,090	\$1.20	\$1.45	\$1.70
	\$1,187	\$1,602	\$2,018	\$2,435	\$2,851	\$3,267	\$3,684	\$4,100	\$4,516	\$4,933	\$5,349	\$5,765	\$6,182			
G	\$1,193	\$1,616	\$2,038	\$2,460	\$2,883	\$3,305	\$3,727	\$4,150	\$4,572	\$4,994	\$5,417	\$5,838	\$6,260	\$1.45	\$1.70	\$1.95
	\$1,220	\$1,647	\$2,075	\$2,504	\$2,931	\$3,359	\$3,788	\$4,215	\$4,643	\$5,071	\$5,499	\$5,927	\$6,355			
H	\$1,226	\$1,660	\$2,094	\$2,527	\$2,962	\$3,395	\$3,828	\$4,263	\$4,696	\$5,130	\$5,564	\$5,997	\$6,431	\$1.70	\$1.95	\$2.20
	\$1,253	\$1,692	\$2,131	\$2,572	\$3,011	\$3,450	\$3,891	\$4,330	\$4,769	\$5,210	\$5,649	\$6,088	\$6,529			
I	\$1,260	\$1,707	\$2,152	\$2,598	\$3,045	\$3,490	\$3,936	\$4,382	\$4,828	\$5,273	\$5,720	\$6,165	\$6,611	\$1.95	\$2.20	\$2.45
	\$1,288	\$1,740	\$2,191	\$2,644	\$3,095	\$3,547	\$4,000	\$4,451	\$4,903	\$5,355	\$5,807	\$6,259	\$6,711			
J	\$1,295	\$1,753	\$2,211	\$2,669	\$3,127	\$3,585	\$4,043	\$4,502	\$4,959	\$5,417	\$5,876	\$6,333	\$6,791	\$2.20	\$2.45	\$2.70
	\$1,323	\$1,787	\$2,251	\$2,716	\$3,180	\$3,644	\$4,109	\$4,572	\$5,036	\$5,501	\$5,965	\$6,429	\$6,894			
K	\$1,331	\$1,802	\$2,273	\$2,743	\$3,215	\$3,685	\$4,156	\$4,628	\$5,098	\$5,568	\$6,040	\$6,511	\$6,981	\$2.45	\$2.70	\$2.95
	\$1,360	\$1,837	\$2,314	\$2,792	\$3,269	\$3,746	\$4,224	\$4,700	\$5,177	\$5,655	\$6,132	\$6,609	\$7,087			
L	\$1,367	\$1,852	\$2,335	\$2,818	\$3,303	\$3,786	\$4,269	\$4,754	\$5,237	\$5,720	\$6,205	\$6,688	\$7,171	\$2.70	\$2.95	\$3.20
	\$1,397	\$1,887	\$2,377	\$2,868	\$3,358	\$3,848	\$4,339	\$4,829	\$5,318	\$5,809	\$6,299	\$6,789	\$7,280			
M	\$1,405	\$1,903	\$2,400	\$2,897	\$3,395	\$3,892	\$4,389	\$4,887	\$5,384	\$5,880	\$6,378	\$6,875	\$7,372	\$2.95	\$3.20	\$3.45
	\$1,436	\$1,940	\$2,443	\$2,948	\$3,452	\$3,955	\$4,460	\$4,964	\$5,467	\$5,972	\$6,476	\$6,979	\$7,484			
N	\$1,444	\$1,955	\$2,466	\$2,976	\$3,488	\$3,998	\$4,508	\$5,020	\$5,530	\$6,040	\$6,552	\$7,062	\$7,573	\$3.20	\$3.45	\$3.70
	\$1,475	\$1,993	\$2,510	\$3,029	\$3,546	\$4,063	\$4,582	\$5,099	\$5,616	\$6,135	\$6,652	\$7,169	\$7,688			
O	\$1,484	\$2,010	\$2,535	\$3,059	\$3,585	\$4,110	\$4,634	\$5,160	\$5,685	\$6,210	\$6,736	\$7,260	\$7,785	\$3.45	\$3.70	\$3.95
	\$1,517	\$2,048	\$2,580	\$3,113	\$3,645	\$4,177	\$4,710	\$5,242	\$5,773	\$6,307	\$6,838	\$7,370	\$7,903			
P	\$1,524	\$2,065	\$2,604	\$3,143	\$3,683	\$4,222	\$4,761	\$5,301	\$5,840	\$6,379	\$6,919	\$7,458	\$7,997	\$3.70	\$3.95	\$4.20
	\$1,558	\$2,104	\$2,650	\$3,198	\$3,744	\$4,291	\$4,838	\$5,384	\$5,931	\$6,478	\$7,025	\$7,571	\$8,118			

Monthly Income According to Family Size

Unit Fee Based on
Number of Children
in Care

Level	Monthly Income According to Family Size													Unit Fee Based on Number of Children in Care		
	1	2	3	4	5	6	7	8	9	10	11	12	13+	1	2	3 or more
Q	\$1,567	\$2,123	\$2,677	\$3,231	\$3,786	\$4,340	\$4,894	\$5,449	\$6,003	\$6,557	\$7,113	\$7,667	\$8,221	\$3.95	\$4.20	\$4.45
	\$1,602	\$2,163	\$2,725	\$3,288	\$3,849	\$4,411	\$4,974	\$5,535	\$6,097	\$6,660	\$7,221	\$7,783	\$8,346			
R	\$1,610	\$2,180	\$2,749	\$3,318	\$3,889	\$4,458	\$5,027	\$5,598	\$6,167	\$6,736	\$7,307	\$7,876	\$8,445	\$4.20	\$4.45	\$4.70
	\$1,645	\$2,222	\$2,799	\$3,377	\$3,954	\$4,531	\$5,109	\$5,686	\$6,263	\$6,841	\$7,418	\$7,995	\$8,573			
S	\$1,655	\$2,241	\$2,826	\$3,411	\$3,998	\$4,583	\$5,168	\$5,755	\$6,340	\$6,925	\$7,511	\$8,096	\$8,681	\$4.45	\$4.70	\$4.95
	\$1,691	\$2,284	\$2,877	\$3,472	\$4,065	\$4,658	\$5,252	\$5,845	\$6,438	\$7,033	\$7,626	\$8,219	\$8,813			
T	\$1,700	\$2,302	\$2,903	\$3,504	\$4,107	\$4,708	\$5,309	\$5,911	\$6,512	\$7,113	\$7,716	\$8,317	\$8,918	\$4.70	\$4.95	\$5.20
	\$1,737	\$2,347	\$2,956	\$3,566	\$4,175	\$4,785	\$5,395	\$6,004	\$6,613	\$7,224	\$7,833	\$8,442	\$9,053			
U	\$1,748	\$2,367	\$2,985	\$3,602	\$4,222	\$4,840	\$5,457	\$6,077	\$6,695	\$7,312	\$7,932	\$8,550	\$9,167	\$4.95	\$5.20	\$5.45
	\$1,786	\$2,412	\$3,038	\$3,666	\$4,292	\$4,919	\$5,546	\$6,173	\$6,799	\$7,426	\$8,053	\$8,679	\$9,307			
V	\$1,795	\$2,431	\$3,066	\$3,701	\$4,337	\$4,971	\$5,606	\$6,242	\$6,877	\$7,512	\$8,148	\$8,782	\$9,417	\$5.20	\$5.45	\$5.70
	\$1,835	\$2,478	\$3,121	\$3,766	\$4,409	\$5,053	\$5,697	\$6,341	\$6,984	\$7,629	\$8,272	\$8,915	\$9,560			
W	\$1,845	\$2,499	\$3,152	\$3,804	\$4,458	\$5,111	\$5,763	\$6,417	\$7,069	\$7,722	\$8,376	\$9,028	\$9,681	\$5.45	\$5.70	\$5.95
	\$1,886	\$2,547	\$3,209	\$3,872	\$4,533	\$5,194	\$5,857	\$6,518	\$7,179	\$7,842	\$8,504	\$9,165	\$9,828			
X	\$1,896	\$2,568	\$3,238	\$3,908	\$4,580	\$5,250	\$5,920	\$6,592	\$7,262	\$7,932	\$8,604	\$9,274	\$9,944	\$5.70	\$5.95	\$6.20
	\$1,938	\$2,617	\$3,296	\$3,977	\$4,656	\$5,335	\$6,016	\$6,696	\$7,375	\$8,056	\$8,735	\$9,414	\$10,095			
Y	\$1,949	\$2,639	\$3,328	\$4,017	\$4,708	\$5,397	\$6,086	\$6,776	\$7,465	\$8,154	\$8,845	\$9,534	\$10,223	\$5.95	\$6.20	\$6.45
	\$1,992	\$2,690	\$3,388	\$4,088	\$4,787	\$5,485	\$6,185	\$6,883	\$7,581	\$8,282	\$8,980	\$9,678	\$10,378			
Z	\$2,002	\$2,711	\$3,419	\$4,127	\$4,836	\$5,544	\$6,251	\$6,961	\$7,669	\$8,376	\$9,086	\$9,794	\$10,501	\$6.20	\$6.45	\$6.70
	\$2,046	\$2,763	\$3,481	\$4,200	\$4,917	\$5,634	\$6,353	\$7,071	\$7,788	\$8,507	\$9,224	\$9,942	\$10,661			
AA	\$2,058	\$2,787	\$3,515	\$4,242	\$4,972	\$5,699	\$6,427	\$7,156	\$7,883	\$8,611	\$9,340	\$10,068	\$10,795	\$6.45	\$6.70	\$6.95
	\$2,103	\$2,841	\$3,578	\$4,317	\$5,055	\$5,792	\$6,531	\$7,269	\$8,006	\$8,745	\$9,483	\$10,220	\$10,959			
BB	\$4,000	\$5,000	\$6,000	\$7,000	\$8,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,500	\$10,000	\$10,500	\$11,500	\$6.70	\$6.95	\$7.20

(2) No change.

ITEM 3. Amend subparagraph **170.4(7)“a”(2)** as follows:

(2) Under age group, “infant and toddler” shall mean age two weeks to ~~two~~ three years; “preschool” shall mean ~~two~~ three years to school age; “school age” shall mean a child in attendance in full-day or half-day classes.