441—170.3(237A,239B) Application and determination of eligibility.

170.3(1) *Application process.* Application for child care assistance may be made online using the electronic application available on the family portal, at any local office of the department, or by mailing an application to the department.

a. At the end of a certification period, ongoing eligibility is determined by completing the Child Care Assistance Review form.

b. The application may be filed by the applicant; by the applicant's authorized representative; or, when the applicant is incompetent or incapacitated, by a responsible person acting on behalf of the applicant.

c. The date of application is the date a signed application form containing a legible name and address is received by the department. An electronic or paper application delivered to a closed office is considered to be received on the first day following the day the office was last open that is not a weekend or state holiday.

d. Families who are determined eligible for child care assistance will be approved for a certification period of at least 12 months. Families who fail to complete the review and redetermination process will lose eligibility at the end of the certification period.

170.3(2) *Exceptions to application requirement.* An application is not required for:

a. A person who is participating in activities approved under the PROMISE JOBS program.

b. Recipients of the family investment program or those whose earned income was taken into account in determining the needs of family investment program recipients. The date of application is the date the family requests child care assistance from the department.

c. Children with protective needs.

d. Licensed foster parents who need child care for foster children.

e. Child care services provided under a court order.

170.3(3) *Application processing.* The department will promptly approve or deny an application based on priority groups and the date the application was received.

a. The department, or PROMISE JOBS program as applicable, will determine the number of units of service authorized for each eligible family and will:

(1) Inform the family through the notice of decision; and

(2) Inform the family's provider through the Certificate of Enrollment form.

b. Unless a provider or applicant indicates otherwise, delivery of notice shall be effectuated through electronic means.

c. The effective date of assistance will be the date of application or the date the need for service began, whichever is later. When an application is not required, the effective date will be as follows:

(1) For a person participating in activities under the PROMISE JOBS program, the effective date of child care assistance will be the date the person becomes a PROMISE JOBS participant or the date the person has a need for child care assistance to participate in an approved PROMISE JOBS activity as described in 441—Chapter 93, whichever is later.

(2) For a family receiving family investment program benefits, the effective date of child care assistance will be no earlier than the effective date of family investment program benefits, 30 days before the date of application for child care assistance, or the date the need for service began, whichever is the latest.

(3) For a family with protective service needs, the effective date of assistance will be the date the family signs the Application for All Social Services form.

(4) When child care services are provided under a court order, the effective date of assistance will be the date specified in the court order or the date of the court order if no date is specified.

(5) For a family whose application was denied for failure to provide requested information but who provides all information necessary to determine eligibility, including verification of all changes in circumstances, within 14 days of the denial, the effective date of assistance will be the date that all information required to establish eligibility is provided. If the fourteenth calendar day falls on a weekend or state holiday, the family will have until the next business day to provide the information.

170.3(4) *Waiting lists for child care services.*

a. When the department has determined that there may be insufficient funding, applications for child care assistance will be taken only for the priority groups for which funds have been determined available according to subrule 170.2(3).

b. When the department determines that there is adequate funding, the department will notify the public regarding the availability of funds.

170.3(5) *Review and redetermination.* The department will redetermine a family's financial and general eligibility for child care assistance no sooner than 12 months following the initial determination or most recent redetermination.

a. The department will use information gathered on the Child Care Assistance Review form to redetermine eligibility, except when the family is not required to complete a review form as provided in paragraph 170.3(5)*"b."*

(1) If the family does not return a complete review form to the department by the end of the certification period, the family must reapply for benefits, except as provided in paragraph 170.3(6)*"a."* A returned Child Care Assistance Review form is complete when all items are answered, the form is signed and dated by the applicant, and is accompanied by all verification needed to determine continued eligibility.

(2) The department will redetermine only general eligibility for recipients eligible under paragraph 170.2(1)*"b."*

(3) If eligibility under paragraph 170.2(1)*"b"* ends, the department will redetermine financial and general eligibility for child care assistance. The redetermination of eligibility will be completed within 30 days.

b. Families who have children with protective needs, licensed foster parents who need child care for foster children, and families who are receiving child care assistance because the parent is participating in activities under the PROMISE JOBS program are not required to complete the Child Care Assistance Review form. The department will gather information needed to redetermine general eligibility. If the department needs information from the family, the department will send a written request to the family. If the family does not return the requested information by the due date, the family must reapply for child care assistance, except as provided in paragraph 170.3(6)*"a."*

170.3(6) *Reinstatement.* Assistance will be reinstated without a new application when all necessary information is provided before the effective date of expiration or cancellation and eligibility can be reestablished. If there is a change in circumstances, the change must be verified before the case will be reinstated.

a. Grace period. Assistance will be reinstated without a new application when all information necessary to determine eligibility, including verification of all changes in circumstances, is provided within 14 calendar days of the effective date of expiration or cancellation and eligibility can be reestablished. If the fourteenth calendar day falls on a weekend or state holiday, the family will have until the next business day to provide the information. The effective date of child care assistance will be the date that all information required to establish eligibility is provided.

b. Denial. Child care assistance will be denied when the department determines that:

(1) The client is not in need of service;

(2) The client is not financially eligible;

(3) There is another resource available to provide the service or a similar service free of charge that allows parents to select from the full range of eligible providers;

(4) Funding is not available;

(5) An application is required and the client or representative refuses or fails to sign the application form;

(6) The client refuses or fails to supply information or verification requested or to request assistance and authorize the department to secure the required information or verification from other sources. Signing a general authorization for release of information to the department does not meet this responsibility; or

(7) The client fails to cooperate with a quality control review or with an investigation conducted by the department of inspections, appeals, and licensing.

c. Termination. Child care assistance may be terminated when the department determines that:

(1) The client no longer meets the eligibility criteria in subrule 170.2(2);

(2) The client's income exceeds the financial guidelines;

(3) Another resource is available to provide the service or a similar service free of charge that allows parents to select from the full range of eligible providers;

(4) Funding is not available;

(5) The client makes a false or misleading statement, misrepresents, conceals, or withholds facts;

(6) The client refuses or fails to supply information or verification requested or to request assistance and authorize the department to secure the required information or verification from other sources; or

(7) The client fails to cooperate with a quality control review or with an investigation conducted by the department of inspections, appeals, and licensing.

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