

Provider Business Procedures



With
South Carolina
A B C Child Care

Level **A**

Level **B**

abcqualitycare.org
1-800-262-4416

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INTRODUCTION

These procedures were developed as a policy guide for the operating practices for the payment, documentation and reporting system for the ABC Child Care Program, hereafter referred to as the ABC Program. Upon notification to providers, the S. C. Department of Social Services, at its sole discretion, may amend these procedures. Once notified in writing, the provider shall be responsible for compliance to the amended procedure for the purpose defined.

THE PROVIDER MUST REVIEW THESE PROCEDURES TO INSURE AN UNDERSTANDING OF POLICY AND WHAT IS REQUIRED. ANY QUESTIONS REGARDING THESE PROCEDURES CAN BE REFERRED TO ABC PROGRAM MONITORING.

GENERAL INFORMATION

- Providers are independent business owners. Any provider who applies and becomes enrolled in the ABC Program at Level A, or B is doing so voluntarily. In applying, providers choose the Level best suited for them. ABC enrollment is not a guarantee for any program and providers should not view participation in the ABC Program as a primary means of support.
- Any provider who voluntarily enrolls at Levels A or B agrees to meet and maintain the required enrollment prerequisites for the level enrolled, which include meeting additional program standards above regulatory requirements, and to meet and maintain documentation relating to attendance and ABC Payment. Provider payment rates for any enrolled ABC clients in the ABC Program are based on the Level of participation and the provider type. ABC will pay providers the rate they charge to all others, as long as it does not exceed the highest ABC maximum rates for the level they have agreed to meet.
- Providers voluntarily sign a 3 year enrollment agreement which expires 3 years from the date signed by the provider. Agreements are not automatically renewed. The ending date of the enrollment/agreement is not appealable. Providers wishing to continue to serve ABC children must meet the re-enrollment criteria.
- Enrollment Agreements are only good for the address listed in the Agreement. Agreements are not transferrable to new owners, or new locations.
- The ABC Program does not refer clients to providers. Clients voluntarily choose the provider that best meets their needs.
- A copy of these Business Procedures, the ABC Child Care Standards, and other important information can be found by visiting abcqualitycare.org or childcare.sc.gov.

**REVIEW AT A GLANCE
WHO TO CALL AND WHEN**

If any of the following occurs or is about to occur, the provider must report this information to the ABC Child Care Program by telephone or by writing to the appropriate person/office listed below. The provider must not send any information with their SVL.



THESE MUST BE REPORTED TO ABC PROGRAM MONITORING

- The facility is being investigated by DSS (Child Protective Services/OHAN)
- The facility is notified by DSS/Child Care Licensing that their License/Registration is being revoked or the application for renewal is being denied.
- Change in facility address (which voids the license/registration) or payment address [must submit new W-9]
- Change in phone number
- Change in FEIN or Social Security Number [must submit new W-9 and IRS letter if FEIN # or copy of Social Security Card if SSN]
- Change in Director [must submit proof of educational requirements]
- Change in Rates [must submit rate change form and current rate schedule]
- Plans to sell facility/change of ownership/entering management agreement
- Closing of facility permanently
- If provider needs to add or delete an age group
- Change in Regulatory Status
- Change in name of child care facility [must submit new W-9 and IRS letter]
- NAEYC Accredited facility loses accreditation (Level A only)

ABC PROGRAM MONITORING

Your ABC Monitor: _____ Phone: _____

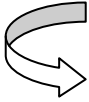
E-Mail: _____ @DSS.SC.GOV

There are two offices of ABC Program Monitoring.

Each office is responsible for providers in certain counties. Locate the county your facility is in. The address for the ABC Program Monitoring Office is listed below the counties for which they are responsible. Throughout the Business Procedures where it refers the provider to contact ABC Program Monitoring, this is the office you would contact:

Aiken
Allendale
Bamberg
Beaufort
Berkeley
Calhoun
Charleston
Clarendon
Colleton
Darlington
Dillon
Dorchester
Florence
Dorchester
Florence
Georgetown
Hampton
Horry
Jasper
Lexington
Marion
Marlboro
Newberry
Orangeburg
Richland
Sumter
Williamsburg
ABC Program Monitoring S. C. Department of Social Services 3150 Harden Street Ext. Columbia, SC 29203
Phone: (803) 898-2772 Fax: (803) 898-4510

Abbeville
Anderson
Cherokee
Chester
Chesterfield
Edgefield
Fairfield
Greenwood
Greenville
Kershaw
Lancaster
Laurens
McCormick
Oconee
Pickens
Saluda
Spartanburg
Union
York
Greenville Technical College ABC Child Care P. O. Box 5616, Station B Greenville, SC 29606-5616
Phone: (864) 250-8468 Fax: (864) 250-8044



REPORT THESE ITEMS TO THE ABC CHILD CARE CONTROL CENTER:

- When a child has missed ten consecutive days
- Inquiries regarding payment if payment not received after 10-14 working days from the date of SVL receipt by the ABC Child Care Program
- If provider is going to discontinue services to a client
- If provider will be temporarily closed for a week or longer
- If clients fail to attend the program after authorization is given

ABC CHILD CARE CONTROL CENTER

ABC Control Center
ATTN: Provider Team
S. C. Department of Social Services
P. O. Box 100160
Columbia, South Carolina 29202-3160

Phone: (800) 262-4416
Fax: (800) 310-5417

I. PROVIDER SELECTION BY CLIENT

The ABC Program advocates parental choice and clients are responsible for selecting the provider of their choice. The following are steps to be taken when a client selects your facility:

By a client already authorized for services:

A new client or a client already receiving services at another provider may want to transfer to your facility. When a client chooses you to care for their child(ren), you should:

- a. Refer to VIII. Client Transfer, for more detailed information
- b. See at least one acceptable i.d. of the client to ensure proper identification
- c. Complete along with the client, the blue client connection card OR the client connection fax form and send to the ABC Control Center in order to connect the client to your program and initiate the payment process for that client (See above for mailing/fax information). The provider may receive the blue Connection Card or Fax Form from the ABC Control Center or from the parent to obtain authorization to begin services to the client. This must be done in time to receive approval before serving the client. **DO NOT SERVE THE CLIENT BEFORE RECEIVING WRITTEN APPROVAL FROM THE ABC PROGRAM! IF YOU DO, THE ABC PROGRAM WILL NOT BE RESPONSIBLE FOR PAYMENT.**

IMPORTANT NOTES: The provider cannot accept/serve a child for a care type [age group] for which they have not been enrolled. A provider may be enrolled for full-time care type, but not half-time, etc. If providers are unsure as to the care types for which they are enrolled, they should refer to their enrollment information mailed to them or call ABC Program Monitoring. Care types may be added at the provider's request and upon determination by ABC Program Monitoring that the facility meets requirements.

- d. Upon receipt of the connection postcard or fax, the ABC Control Center will verify that the client is eligible to receive services, and that the provider is enrolled to serve the care type requested. The ABC Control Center will then authorize the provider to serve the client (if the client has complied with transfer procedures) and make the necessary "connection" in the system with an established start date.
- e. The ABC Control Center will send the provider and client an "Authorization/Connection Letter" confirming the connection. The letter will include information such as the authorization date, provider billing rate, client fee, care type authorized and number of weeks of care. **THIS IS THE PROVIDER'S AUTHORIZATION LETTER. THE PROVIDER MUST NOT SERVE THE CLIENT BEFORE RECEIVING THE AUTHORIZATION LETTER WITH THE APPROVED DATE.**



SPECIAL NOTE: If clients fail to attend the child care program for ten consecutive days after authorization is given, you must notify the ABC Control Center on the 11th day. You must not bill the ABC Program if the child doesn't return on the 11th day.

IMPORTANT NOTE: Providers who are not licensed by DSS cannot serve Foster children and CPS (Child Protective Service) children unless otherwise approved. If you are a licensed provider whose license has expired, and are trying to serve a Foster or CPS child, you must contact ABC Program Monitoring.

II. MAXIMUM CARE ALLOWED

Clients can receive up to a maximum of 52 weeks of care during any one-year period of eligibility. This may be full-time care, part-time or a combination of the two.

Note: Less than half-time care may be in conjunction with full or half-time care and may be used alone. It cannot be used to pay the same child care provider.

III. CLIENT FEE

The client fee is based on family size and income, and is determined by the ABC Program. **The provider is responsible for the collection of client fees from the parent in advance of service delivery and documenting that those fees are paid in a timely manner.** The ABC Program assumes no responsibility for collection or payment of client fees.

Foster parents and clients participating in the Family Independence Program do not pay client fees. However, they are responsible for the difference between the provider's rate and the maximum rate paid by the ABC Program, if the provider's rate exceeds the maximum amount.

- 1) The client fee is to be collected weekly in advance of service delivery. ****Providers should not let clients get behind on their weekly fees. [Refer to the Special Note under Client Transfer - IV.]**
- 2) The provider may discontinue services to the client when client fees are not paid.
- 3) The provider must seek authorization from the ABC Control Center before discontinuing services to a client for failure to pay the client fee **[Refer to V.]**.
- 4) The weekly payment amount ABC pays to the provider will be minus the client's fee and any applicable second child discount. For example, if ABC has agreed that the weekly rate to the provider will be \$85.00 and the client fee is \$7.00, then the amount that will show on the SVL will be \$78.00 (\$85.00 - \$7.00 = \$78.00).

IV. CLIENT TRANSFER

Clients may transfer from one provider to another.

- 1) Clients must notify the ABC Control Center either by telephone or in writing and receive approval prior to the transfer.
- 2) Clients may be required to adhere to the provider's established policy for notification of transfer.
- 3) The effective date of the transfer will be the 1st Monday following the 7th working day after the ABC Control Center receives the phone call or written notice from the client requesting the transfer.

To determine the effective date of transfer:

The day the ABC Control Center receives the phone call or written notice is considered day one of the notice. Then begin counting seven working days from that date. In counting the 7 days, do not include state observed Holidays or weekends, as they are not considered working days. Whatever date the 7th working day falls on, the transfer date will be the next Monday

after that.

EXCEPTION: If notification is received on a Thursday, then Friday is counted as day one. If notice is received any other day of the week (Monday, Tuesday, Wednesday or Friday), that same day is always counted as day one.

EXAMPLE: Request is made on Wednesday. Counting seven [7] working days beginning with Wednesday, the 7th working day would fall on Thursday of the next week. The transfer date would be the next Monday following this Thursday.

- 4) Notice may be waived under unusual circumstances if sought by the client and approved by the ABC Control Center. The ABC Control Center will notify providers if waivers are approved.
- 5) The previous provider will not be paid after the start date is established for the new provider. **THE ABC PROGRAM WILL NOT PAY TWO PROVIDERS FOR THE SAME WEEK.**
- 6) The previous provider will be notified in writing of the client's last authorized day of service. A "Transfer Letter" will also be sent.
****SPECIAL NOTE: Clients with unpaid fees at the time of the transfer will still be allowed to transfer. It is the responsibility of the provider to ensure client fees are paid timely.**

V. DISCONTINUING SERVICES TO ABC CLIENTS

- 1) **When the Provider Discontinues Services To The Client**
Providers have a right to stop serving a client or child if either is disruptive to the program or does not comply with the provider's established policies. Providers must notify clients and the ABC Control Center by calling the provider line at [800-262-4416] before discontinuing services to the client.
 - The reason for discontinuing services must be included, i.e. failure to pay fees, parent does not pick child up on time, or child displays disruptive behavior, etc.
 - The ending date will be the last day of the service week (always a Sunday), in which the provider asked the client to leave.
 - Clients should be notified by the provider [preferably in writing] a minimum of three working days in advance of the effective date
 - Clients should be allowed to finish any week in which the provider has billed ABC for the client. Failure to allow the child to finish out a week will result in an early release, which would require the provider to forfeit any notice.
- 2) **When ABC Terminates Client's Eligibility**
The ABC Control Center may terminate a client's or child's eligibility. Once a decision has been reached to terminate eligibility, the provider will receive written notification from the ABC Control Center.
 - If termination is initiated by the SSS or the ABC Control Center, the provider and client will be notified by mail that the client's services are being terminated and all payments for services rendered after the termination date will become the client's responsibility.

- The provider will be mailed a **Denial/Termination Letter** that reflects the effective date of termination and the reason for the termination. A minimum of 10 calendar days advance notice will be given from the date the determination to end services is made, unless extenuating circumstances exist, and a waiver is given to the client.

VI. RECORDS

The following records **are required to be kept on-site and will be reviewed** during regular monitoring visits. Providers should establish good record keeping methods and maintain all documentation in an orderly fashion. If the Director or Primary Operator is not on-site during the monitoring visit, a designated person shall have access to the records. Records shall be maintained until reviewed or a minimum of 3 years, whichever is longest.

1) **Attendance**

- **Daily attendance records must be maintained for each child served through the ABC Program.**
- Attendance may be documented in several different ways by recording hours of attendance and days of absences on a roll book or log sheet to include the USDA Log Sheet, or sign-in/sign-out sheets or computer logs, etc. **IMPORTANT NOTE:** If provider uses sign-in/sign-out sheets, and the parents fail to sign-in and also sign-out, the DSS Auditors may recoup funds.
- Records must match the absences reported on the SVL submitted for the period. **PROVIDERS MUST ACCURATELY REPORT ALL ABSENCES ON THE SVL INDICATING "0" HOURS ATTENDED AND ABS REASON CODE FOR THE ABSENCE AND/OR ACTUAL NUMBER OF HOURS ATTENDED DAILY (WHOLE HOURS).**
- **Providers who do not maintain daily attendance or accurate records may be required to repay funds if the provider cannot provide documentation that child attended the program.**

2) **Receipts for Grant Purchases**

- Providers must maintain receipts on-site for items purchased under any grant received for a period of three (3) years for audit purposes.

3) **Service Voucher Log [SVL]:**

- Providers must maintain copies of the SVL on-site for a period of three (3) years for audit purposes. Providers must xerox the SVL and keep a copy on-site.
- Providers must review the SVL against the Provider's Remittance Advice.

4) **Staff Records:**

An individual file must be kept on-site for each staff employed. Information should include, but not be limited to, the following:

- Name and Job Title of Staff, i.e. Director, Lead Teacher, or Assistant Teacher

- Copy of High School Diploma/GED Certificate (see below)*
- Copies of any degrees/certificates/diplomas or college transcript (see below)**
- Documentation of child care experience, i.e. resume, completed job application, letters of reference, etc.
- Copy of ABC educational plan, if applicable
- Documentation of training received, i.e. certificates
- Progress toward meeting educational requirement such as quarterly transcripts
- Documentation of CPR/First Aid Certification, if applicable
- Physician Health Statement
- TB Test results or applicable statement
- Discipline Policy signed and dated yearly.

***High School Diploma: The ABC Child Care Program accepts high school diplomas which meet the following criteria**

A prescribed secondary course of study that:

- a. Includes subjects such as: Reading Skills, English, and Mathematics, American and World History, Biology, Social Science, and Physical Science, Career-oriented electives like Auto Repair Technician, Personal Computer Specialist, and more... Traditional electives like Chemistry, foreign language, and Music
- b. Has minimum compulsory attendance requirements
- c. Is accepted by institutions of higher education
- d. May include home school diplomas, as recognized by each individual state
- e. Is recognized by the SC Department of Education or is accredited by one of the six regional accrediting bodies recognized by the US Department of Education.

Non-traditional high school degrees will be reviewed by ABC for compliance to the above criteria.

See <http://www.ed.gov/students/prep/college/diplomamills/index.html>)

****College Degree:**

All college degrees must be accredited by one of the six regional accrediting bodies recognized by the US Department of Education in order to be accepted by ABC.

Directors are responsible for ensuring that staff hired have verifiable high school diplomas and college degrees.

5) **Client/Child Records:**

An individual file should be kept on-site for each child enrolled through the ABC Program. Information should include, but not be limited to, the

following:

- Parent name, child's complete name [especially if last name is different than parent, Social Security # of parent. It is helpful to cross-reference each child's file with other children from the same family, especially when the last names are different
- ABC Authorization/Connection Letter - describes the client's name and name of the child, amount of billing, start and stop dates, client fee amount (if applicable), and type of care
- Copies of immunization records for children under age five (5)
- Discipline Policy signed and dated by the parent yearly
- Any correspondence from the ABC Program related to the client.

VII. AMENDMENT OF PROVIDER'S ENROLLMENT

A provider's enrollment can be amended at any time after enrollment in the ABC Program. An amendment can be initiated by the provider and/or ABC Program Monitoring.

◆ **PLEASE DO NOT SEND ANY CHANGES WITH YOUR SVL.**

The provider must notify ABC Program Monitoring if any changes or amendments need to be made to their enrollment.

Amendments may occur for, but are not limited to, the following reasons:

1) Changing Provider Rates

a. Rate Increases

Providers who increase their child care rates may request a rate increase.

- The provider must call ABC Program Monitoring and request a Rate Change Form be sent to them.
- The form is signed and dated by the provider, and returned with the required documentation to ABC Program Monitoring. The form will be completed by ABC Program Monitoring.
- Required documentation: The provider must include a copy of their published/written child care rates [i.e. written fee policy, parent handbook with rates included] along with any correspondence given to parents notifying them of the rate increase. The rate increase will not be processed without this information. Providers who do not currently have a written fee policy [outlining what rates they charge] are required to develop one
- Providers will receive written notification of the outcome of their request for a rate increase. Providers must contact ABC Program Monitoring if they have not received anything in writing within a month of submitting the request. **Rate increases cannot be made retroactive.**
- Providers should check the SVL to ensure the rate increase has been applied even after receiving written approval of the rate increase
- Once approved, the rate increase will not immediately take effect for

those clients currently being served by the provider. The payment rate will remain the same until the client's eligibility period is renewed. If the client continues to select the provider, then the new payment rate will be effective for the client with the date of their new eligibility period.

EXCEPTION: Foster care children and all children connected to Level A providers are the only clients immediately connected at the new rate.

- Any new clients selecting the provider on or after the date of the rate increase will be paid at the new rate.
- If the provider charges more than the maximum allowed by the ABC Program, then only the maximum will be paid. The provider may require the client to pay the difference between their rate and the maximum paid by the ABC Program.

b. Rate Decreases

Providers who decrease their rates **must** notify ABC Program Monitoring and request a Rate Change Form be sent to them.

- The same procedures as outlined in Rate Increases will be followed with the exception that all rate decreases will be **effective immediately** for all children without regard to the client's eligibility status.

2) Adding or Deleting Additional Age Group:

- a. Providers can request to add another age group(s) not previously enrolled by contacting ABC Program Monitoring. Providers must be currently providing child care services for the age group.
 - Providers must meet regulatory requirements for age group(s) served.
 - An on-site visit is required for child care centers to add age groups, but is not required for family/group child care homes.
- b. Providers can request to add half-time or full-time for an age group already enrolled.
- c. Providers should request to delete an age group if they are no longer serving an age group or do not want to be enrolled for that age group.

3) Change in Facility's Regulatory Status:

- a. The provider must notify ABC Program Monitoring if one of the following occurs:
 - If provider changes from Family to Group
 - If provider changes from Family or Group to a Center
 - If provider changes from a Group to a Family
 - If provider changes from Center to a Family or Group.
- b. The provider must notify ABC Program Monitoring within one (1) working day if DSS/Child Care Licensing revokes their registration or license or the application for renewal is denied by the DSS/Child Care Licensing.
- c. The Provider must notify ABC Program Monitoring in writing within

one (1) working day if they are under investigation by the DSS/Child Care Licensing/OHAN, or another local, state or federal agency.

4) **Change in Name of Child Care Facility:**

If the provider changes the name of the child care facility they must:

- Notify ABC Program Monitoring in writing
- Submit a signed W-9 Tax form which can be requested from ABC Program Monitoring
- Submit a new IRS Form – SS-4 or 147-C Letter.

5) **Program Moves Location:**

If the provider moves to another facility, the following must occur:

- The provider must notify ABC Program Monitoring as soon as possible, but no later than 15 days prior to the move.
- **The provider must only serve the children at the facility enrolled.** When a provider moves, the License/Registration becomes invalid and the provider must obtain a new License/Registration for the new location and submit to ABC Program Monitoring prior to the move.
- If the regulatory requirements are met, the facility demonstrates a history of compliance with regulatory requirements, there is no turnover of the director, and at least 75% of the caregiver staff remains with the facility, the provider's enrollment will be amended and the provider will be allowed to serve the children at the new facility.
- If the facility is issued a provisional license at the new location, the program will be reclassified to a Level C until a regular license is issued. When the provider is issued their regular license, they may apply to enroll at Level B (without the six month wait) or above if all prerequisites for ABC enrollment are met.
- If the facility does not meet regulatory requirements at the new facility, termination will be initiated. If the process results in termination, the termination should be effective the 1st Monday after 10 working days (excluding weekends and state holidays) after notification that the appeals process has ended.

6) **Change in Director of Child Care Facility:**

If there is a change in the Director of the child care facility they must:

- Notify ABC Program Monitoring in writing or by phone
- Submit documentation [i.e. degree, CDA, diploma, etc.] that director meets the qualifications outlined in the ABC Child Care Standards
- If needed, submit signed educational plan indicating director will obtain approved credential, certificate, diploma, or degree within three years. An educational plan can be obtained from ABC Program Monitoring.

7) **Change in Mailing/Payment Address or Phone Numbers:**

If there is a change in the facility address where services are provided [other than the provider has moved], such as a change because of 911 or payment address, or phone number:

- Notify ABC Program Monitoring in writing or by telephone
- Submit a signed W-9 Tax form which can be requested from ABC Program Monitoring.

8) **Change in Telephone Number:**

If there is a change in the facility phone number where services are being delivered:

- Notify ABC Program Monitoring in writing or by phone. **The provider must maintain a working LAN telephone at all times, at the facility where services are being delivered.** Non-published numbers are not allowed, nor is a cell-phone allowed as the main phone.

VIII. HISTORY OF COMPLIANCE TO REGULATORY REQUIREMENTS

(Formerly called *License in Good Standing*)

Please refer to the Level A and B mandatory standards, “Standard I. Regulatory Requirements”. This is where providers are required to meet History of Compliance.

The child care facility is required to have and maintain a History of Compliance with regulatory requirements in order for the facility to enroll and maintain enrollment as a Level A or B facility in the ABC Program.

History of Compliance is defined as having:

(1) No frequent or multiple deficiencies or a significant event *posing substantial threat to the health or safety of the children that involve supervision, compliance with ratios, or health and safety violations.*

(2) At least one caregiver with a Cardiopulmonary Resuscitation (CPR) certification and pediatric first aid certification who is on-site at all times when the children are in care.

- *Frequent* is defined as having 3 or more violations that pose a substantial threat to children’s health and safety within a six month period of time.
- *Multiple* is defined as having 3 or more different violations that pose a substantial threat to children’s health and safety within a six month period of time.
- Any *significant event* which poses substantial threat is defined as, but not limited to: any environment, situation, or occurrence that poses a substantial threat to the health and safety of children.
- *Substantial threat* to the health and safety of children is any action, condition, or event that results in children being placed in impending danger or harm.

Conditions that could pose a *substantial threat* can include, but are not limited to:

- ❖ children left alone in the facility;

- ❖ sewer backed up in facility;
 - ❖ no water in the facility;
 - ❖ no heat or air conditioning in facility in extreme weather conditions;
 - ❖ fire alarm disconnected;
 - ❖ lack of supervision resulting in a child leaving the facility unnoticed;
 - ❖ lack of supervision resulting in child left at another location such as restaurant, zoo, etc;
 - ❖ children removed due to abuse or neglect by Licensing, OHAN, or Child Protective Services staff;
 - ❖ smoking in the facility by staff;
 - ❖ exceeding the facility capacity or staff - child care ratios defined by Child Care Licensing
- Cardiopulmonary Resuscitation Certification (CPR) and Pediatric First Aid Certification(FA) - facility cannot have more than 3 violations where they fail to meet CPR/First Aid coverage within a 12 month period of time.

If any supervision offense results in harm to a child (i.e., child injured), the termination process will be initiated with that offense.

IX. VOLUNTARY TERMINATION FROM ABC BY PROVIDER

Level A and B providers should notify ABC Program Monitoring directly if they want to voluntarily terminate their enrollment; however, if providers contact the ABC Control Center, ABC Program Monitoring will verify the provider’s intent through a phone contact with the provider. Providers who have received a grant must, however, stay in the program for the period required by the grant, or the grant funds may be recouped.

Voluntary termination of a provider’s enrollment agreement is not appealable. If the provider requests to voluntarily end their enrollment agreement, and then later requests to rescind the termination of their agreement, the ABC Program is under no obligation to do so, particularly if the provider’s file has been closed in the ABC Voucher System. The provider may however reapply for any Level after waiting six months.

X. ADVERSE ACTIONS BY DSS

1) TERMINATION OF PROVIDER’S ENROLLMENT BY THE ABC PROGRAM

The ABC Program will initiate termination of an ABC Child Care provider’s enrollment agreement during any 3-year enrollment period if the provider fails to comply with the requirements of the ABC Program and criteria to maintain enrollment at the Level enrolled. Providers at Level A and B are paid the rate they charge others up to higher maximum rates because they agreed to meet additional standards and criteria. **EXCEPTION:** See Reclassification.

If enrollment is terminated for cause, the provider cannot reapply at any level for six months following the date the appeals process has ended.

If the process results in termination of enrollment, the termination should be effective the first Monday following 10 working days (excluding weekends and state holidays) after notification that the appeals process has ended.

A child care facility's enrollment will be terminated for, but not limited to, the following reasons:

1. **Failure to Maintain Regulatory Requirements:** If a provider fails to maintain their regulatory status or if the provider's regulatory status is revoked, denied, or suspended, or an injunction is issued to close the facility, termination of the provider's enrollment will be initiated.

If a provider is under appeal with Child Care Licensing and the health and/or safety of the children are jeopardized, the Child Care Services Director can make the decision to remove all ABC children from the facility during the appeals process. Examples of situations that could jeopardize children's health and/or safety are: sewer backed up in the facility; no water in the facility; over heated facility due to no air conditioning; child seriously injured or death of a child due to lack of supervision or negligence by staff; lack of supervision resulting in a child leaving the facility unnoticed; children removed due to abuse or neglect; over ratios by more than 25%; etc

2. **Failure to Maintain History of Compliance:**

History of Compliance is defined as having:

- 1) No frequent (3 or more within 6 months) deficiencies *posing substantial threat to the health or safety of the children that involve supervision, compliance with ratios, or health and safety violations.*
 - a) **Maintaining Staff-Child Ratios Requirements** – Providers shall at all times maintain staff:child ratios. When it has been determined a provider has failed to meet the required staff-child ratios 3 or more times during any 6-month period, the termination of enrollment process will be initiated.
 - b) **Maintaining Supervision Requirements** – Providers shall at all times maintain supervision requirements. When it has been determined that a provider has failed to meet supervision of children requirements 3 or more times during any 6-month period, the termination of enrollment process will be initiated.
 - c) **Maintaining Regulatory Capacity** – Providers shall at all times maintain the facility's regulatory capacity. When it has been determined a provider has exceeded the regulatory capacity at a

facility 3 or more times during any 6-month period, the termination of enrollment process will be initiated.

- d) **Maintaining Health and Safety Regulations** - Providers shall at all times maintain health and safety regulations. When it has been determined that the provider has received multiple violations which affect the health and safety of children, the termination of enrollment process will be initiated.
 - e) **Smoking in the Facility** - When it has been determined that a provider has received multiple violations which affect the health and safety of children, the termination of enrollment process will be initiated.
- 2) No multiple (3 or more within 6 months) deficiencies *posing substantial threat to the health or safety of the children that involve supervision, compliance with ratios, or health and safety violations.*
- a) **Maintaining A Combination of Ratios, Supervision, Regulatory Capacity, or Health and Safety** - When it has been determined a provider has failed to meet a combination of ratios, supervision, regulatory capacity requirements or health and safety (#a, b, c, and d above) during any on-site visit, or individually for 3 or more times during any six month period (i.e., 1st violation ratios, 2nd violation supervision, 3rd violation ratios), the termination of enrollment process will be initiated.
- 3) At least one caregiver with cardiopulmonary resuscitation (CPR) certification and pediatric first aid certification who is on-site at all times when children are in care.
- a) **Meeting CPR/First Aid Certification** - Providers shall at all times have one caregiver with CPR and FA on-site. When it has been determined that a provider has failed to meet the CPR/First Aid Certification coverage at a facility 3 or more times during any 6-month period, the termination of enrollment process will be initiated.
- 4) Maintaining History of Compliance in which **no** significant event occurs that poses a substantial threat to *the health or safety of the children that involve supervision, compliance with ratios, or health and safety violations.*

3. Failure to Maintain Required Program Assessment Scores:



Level A Providers:

The minimum score required for enrollment is an average score of 4.5 on the [Environment Rating Scales](#) (ITERS-R, ECERS-R, and/or SACERS)

appropriate for each age group of children in randomly selected classrooms. Additionally, each classroom observed must earn a minimum score of 4.0 on the Interaction Subscale.

B Level B Providers:

The minimum score required for enrollment and to maintain enrollment is:
1) Center-based = 80% for each age group 2) Family/Group = 80% overall.

- If a center-based facility scores less than 65% in all age groups or a Family/Group facility scores less than 65% overall during an on-site ABC Level B Child Care Standards assessment, the termination process shall be initiated with that review.
- If a center-based facility is enrolled for more than 1 age group and any age group scores less than 65%, de-enrollment of the age group(s) scoring less than 65% shall be initiated with that review.
- If a center-based facility is enrolled for more than 1 age group and any age group scores **at least** 65%, but less than the 80% required, then 2 more assessments will be conducted for that age group. If after 3 assessments the score is still below 80% the de-enrollment process of the age group(s) not meeting the 80% requirement shall be initiated upon the third visit.

4. **Failure to Maintain NAEYC (National Association For The Education of Young Children) Accreditation (Level A only):**



Level A (NAEYC) providers enrolled in the ABC Program prior to January 1, 2008, were grandfathered into Level A based on current accreditation by the National Association for the Education of Young Children (NAEYC). A grandfathered Level A provider may remain a Level A provider as long as they maintain their NAEYC Accreditation. Should they lose their accreditation for any reason, providers will be given 30 days to apply for whatever Level best suits them. Providers wishing to re-enroll as Level A providers will have to meet the enrollment criteria established for Level A providers after January 1, 2008. Upon receipt of the provider's completed application, the ABC Program will have 90 - 150 days to complete the applicable on-site assessment depending on the size of the program, scheduling constraints, and/or provider circumstances. **Note: Level C does not require an on-site assessment prior to enrollment. If the provider does not make application within the prescribed time frame, termination of enrollment will be initiated.**

5. **Use of Corporal Punishment:** *The ABC program defines corporal punishment as the use of physical force to the body as a discipline measure. Physical force to the body includes but is not limited to spanking, slapping, biting, and shaking. (1) If the owner/operator of the facility administers*

corporal punishment, termination of facility will occur on the 1st offense. 2) If staff in a child care center uses corporal punishment, and the corporal punishment was not condoned by the owner/operator, the provider should be given an opportunity to take appropriate corrective action. If appropriate action is taken, termination will not occur (3) If further instances of corporal punishment are used at the facility within any 12-month period, termination of enrollment will occur.

When termination is warranted as a result of corporal punishment, the termination process shall be initiated immediately.

6. **The Office of Out of Home Abuse and Neglect (OHAN) Finding(s):** If a staff's name at an ABC facility is entered into the Central Registry, and the perpetrator is not barred from the facility, the termination of enrollment will be initiated immediately. For Family/Group facilities, termination will be initiated immediately. The Child Care Services Director can make a decision to remove all ABC children from the facility during the appeals process.
7. **Failure to Submit Required Corrective Action:** If a provider does not correct the deficiencies/violations within the timeframe allowed (including any extension of time allowed for correction), the termination of enrollment process shall be initiated.
NOTE: In the event the ABC Program terminates a provider's enrollment during the 3 year enrollment period, and the Appeals Office upholds the provider, any outstanding corrective action not affected by the appeal must be submitted.
8. **Facility Moves:** If the facility moves to another location, and the provider has not obtained a regulatory document for the new location, termination of enrollment will be initiated.
9. **Failure to Provide Child Care Services at Enrolled Address:** Providers must notify ABC in advance of days the facility will be temporarily closed or if the facility is moving or permanently closing.

When an unannounced on-site visit is conducted at an ABC facility during the hours the facility should be in operation, and services cannot be verified on the day of the visit, the ABC Program will provide written notice by certified mail to the provider to notify the provider that if services cannot be verified during the next unannounced on-site visit, the termination of enrollment process will be initiated.

If a 2nd visit is conducted and services cannot be verified (i.e. looks abandoned, no one comes to the door, no furniture inside, wood over windows, grass overgrown, etc.), the termination of enrollment process shall be initiated. Funds will be recouped for the period of time when services could not be verified.

10. **Providing Services at a Location Other Than the Enrolled Address OR other than the site the child is connected to:** Per the Provider Agreement, providers are authorized only to serve children at the site which is enrolled and has been approved by the ABC Program. When children are served at a location that has not been approved by the ABC Program, this potentially places children in harm. For example, the other location may not be a licensed facility where health and safety codes are met. Additionally, ABC is paying for a higher quality of care at the enrolled location and thus cannot guarantee the quality of care at locations other than the enrolled site.

Children must be served at the location for which they have been connected. If the provider has two or more locations enrolled, they may not switch or transport children between locations without notifying the ABC Control Center for authorization. Children will appear on the SVL for the location in which they have been connected. When it is verified that children are being served at a location other than the enrolled address, the termination of enrollment process will be initiated.

11. **Failure to Respond to Attempts by ABC Staff to Reach the Provider:** If the provider has ABC children connected, and there are 3 documented attempts within a period of 15 days (excluding weekends and holidays) by the ABC Program to reach the provider, by phone, letter, e-mail, and/or on-site visit and there is no response by the provider, the termination of enrollment process shall be initiated. Funds shall be recouped for the period of time when services could not be verified.
12. **Failure to Operate During Stated Hours of Operation:** If a provider has 3 documented incidents of non-compliance with the stated hours of operation during any 12-month period, the termination of enrollment process may be initiated.
13. **Failure to Maintain LAN (Local Area Network) Phone Service:** Providers are required to have LAN phone services where ABC children are served. Cell phones are not permitted as the primary/sole phone service. When it becomes known to the ABC Program that a provider does not have LAN phone services at a facility where ABC child care services are provided, the provider should be given 30 days to secure LAN phone services. If the provider does not secure LAN phone services within the 30 days; or if it is documented that the provider did not have LAN phone services 2 times within any 12-month period, the termination of enrollment process may be initiated.
14. **Misuse of ABC Grant Funds:** If a provider uses ABC grant funds on purchases other than its approved use and the provider does not reimburse the ABC Program within the timeframe given for reimbursement (including any extension of time approved), the termination of enrollment process may be initiated. Funds will be recouped.

15. **Fraud:** If a provider intentionally makes a false statement or misrepresentation regarding a material fact or fails to disclose a material fact that results in obtaining, attempting to obtain, or continuing to receive ABC funds which the provider would not otherwise qualify to receive, the termination of enrollment process shall be initiated. Funds will be recouped for the period of time when the provider did not qualify for the funds.
16. **Owner, Director, and/or Operator Guilty of Fraud in A State-Funded or Federally-funded Program:** If an owner/operator is found guilty of committing fraud in another state-funded or federally funded-program, the termination of enrollment process shall be initiated. If a director is guilty of committing fraud in another state-funded or federally-funded program and the director is retained in the capacity as director of the facility, the termination of enrollment process will be initiated.
17. **Failure to Maintain ABC Documentation Requirements:** If a provider is cited 3 times for the same record keeping violations during any 12-month period, the termination of enrollment process may be initiated. The violations can be noted by the ABC Program Staff, the DSS Audit Staff or Child Care Licensing.
18. **Verbal or Physical Abuse of ABC Staff:** If a provider curses or yells at any ABC Program staff, the provider will be sent a certified letter after the 1st offense. The letter will describe the incident and inform the provider that another such incident will result in termination being initiated. If the provider threatens, or physically assaults any ABC Program staff during the course of conducting ABC business, termination of enrollment will be initiated.
19. **Refusal to Allow ABC Representatives Access to the Facility:** If a provider refuses to allow an ABC staff on the premises or in the building of an enrolled child care facility, and the ABC staff is on official ABC business during operating hours of the facility and the provider is open for business, the provider will be sent a certified letter after the 1st offense, describing the incident and notifying the provider that as a result of the incident any available bonus for the review period is forfeited, and if ABC staff are denied access during any future visits, the termination of enrollment process will be initiated. If a 2nd incident occurs, the termination of enrollment process shall be initiated immediately.

2) **EXCEPTIONS TO TERMINATION OF PROVIDER ENROLLMENT**

The following terminations are not appealable. In the following situations, even though ABC Program Monitoring considers this a closing of the provider's file, the ABC Child Care Voucher System will terminate the provider's enrollment in the ABC Voucher System based on closure, and send the provider a termination letter. The following are reasons a provider would be terminated:

- A. **Provider has no current ABC children and 1) is not operating the program because they have no children at all 2) has closed the program or 3) vacated the facility and did not notify the ABC Program.** Example: monitor conducts unannounced visit and finds facility abandoned. Program will attempt to reach provider by phone. If unsuccessful, then a letter will be mailed notifying the provider that they must contact Program Monitoring within five working days of receipt of the letter or the file will be closed. If no response received, then file will be closed. Should the provider reopen at another location and wish to apply for enrollment, they must wait six months before they can reapply.
- B. **Provider has no children at all (ABC or private pay) for one year, but is keeping the program open.** When providers do not have children enrolled, ABC Program Monitoring cannot conduct observations and therefore the provider is unable to meet the standards. Therefore, the provider's file will be closed; however, the six month wait period to reapply for enrollment will be waived.
- C. **Provider has no current ABC children connected and the ABC Program cannot reach anyone either at the facility (on-site) or by phone during the normal hours of operation.** Program Monitoring will send a letter notifying the provider they must contact Program Monitoring within five working days of receipt of the letter or their file will be closed. If there is no response by the provider, the file will be closed and the provider must wait six months before they can reapply.
- D. **Facility Ownership Changes.** A provider must immediately notify the ABC Program of any changes in ownership of the facility. A change in ownership invalidates the enrollment agreement as it is not transferrable. It also invalidates the DSS License or Registration. The provider's file will be placed in a closed status. The new owner may apply for enrollment at any level desired by completing the application process and meeting the enrollment requirements.

The provider must notify ABC Program Monitoring at least 30 days prior to the sale. **VERY IMPORTANT NOTE:** It is extremely crucial to notify ABC Program Monitoring of the sale of the facility so that payment under the provider's TAX ID number can be stopped. If the provider fails to do this and the new owner continues to receive the SVLs and submits them, payment will continue to be made under the original provider's TAX ID, and thus they are responsible for payment of taxes due. When the new owner keeps the same facility name, it is easy for them to deposit the checks. The ABC Program cannot be held responsible when providers fail to notify the ABC Program of the sale. Providers should NOT send this notification in with their last SVL, but must call or write ABC Program Monitoring directly.

XI. RECLASSIFICATION OF PROVIDER'S ENROLLMENT STATUS IN THE ABC PROGRAM

Reclassification is the process whereby providers are moved from a higher quality level to a lower one within the ABC Voucher System.

Reclassification may be initiated by the ABC Program during the provider's 3-year enrollment agreement or the provider can request to be reclassified in writing at any time if they meet the criteria. When reclassification occurs, providers remain in the ABC Program and can accept vouchers; however, the payment rate is adjusted upon the change of Levels. The provider will be required to complete new enrollment paperwork. **Reclassification is not appealable.**

Providers are not eligible for reclassification if they fail to meet the History of Compliance.

The following are the reasons that a provider may be reclassified:

- a. Provider at Level A or B moves the facility and the new location does not have a regular license (only provisional) required for enrollment of new location
- b. Provider scores are below the required scores (but above 65%) for the Level enrolled after 3 consecutive visits
- c. Provider cannot meet the mandatory standards, i.e. education, training hours due to valid reasons such as health reasons, personal circumstances (spouse or family member ill or dying)
- d. Level A providers with NAEYC Accreditation who lost or did not renew their accreditation.

XII. EXPIRATION OF THE 3 YEAR ENROLLMENT AGREEMENT

Enrollment periods/agreements are effective for a period of 3 years from the date signed by the provider. The provider's ABC enrollment expires on the expiration date of the agreement. **The end of the enrollment period is not appealable.**

All providers will be notified in writing 90 days prior to the expiration date of their agreement and provided an application to re-apply for a subsequent enrollment period at the same Level.

If the provider meets the eligibility criteria for enrollment the provider will be offered the opportunity to voluntarily sign another 3 year enrollment period/agreement.

If the provider does not meet the eligibility criteria for the Level which they applied, they will be given 30 days to apply for another Level as long as they meet the History of Compliance.

XIII. ELIGIBILITY CRITERIA FOR SUBSEQUENT 3 YEAR ENROLLMENT AGREEMENT

ABC Program Monitoring staff will notify providers in writing at least 90 days prior to the expiration date of the existing agreement. Providers will be sent an

application to complete and return if they are interested in applying for another 3-year enrollment period. The application must be returned 60 days before the end of the existing agreement.

To be eligible for another enrollment period, the provider must have maintained a History of compliance with regulatory requirements, and also have consistently demonstrated the following eligibility criteria during the current 3 year enrollment period:



Level A (NAEYC) Providers enrolled before January 1, 2008:

Re-enrollment eligibility is based on a summative review of the provider's performance during the previous 3 year enrollment period. Factors used to determine re-enrollment eligibility include, but are not limited to repeated non-compliance with the following:

- Must have a current regular license or approval
- Must have maintained accreditation by National Association for the Education of Young Children (NAEYC) without a break in accreditation. (Failure to maintain NAEYC accreditation requires the provider to meet the criteria for Level A providers who enrolled January 1, 2008 and after or enroll at another Level.)
- Must have adhered to the ABC Level A mandatory standards which are inherent in the NAEYC Standards.



Level A (ERS) Providers enrolled January 1, 2008 and after:

Re-enrollment eligibility is based on a summative review of the provider's performance during the previous 3 year enrollment period. Factors used to determine re-enrollment eligibility include, but are not limited to repeated non-compliance with the following:

- Must have a current regular license or approval.
- Must meet the ABC Level A mandatory standards.
- Must meet the overall average score of 4.5 (on a 7 point scale) or higher, with a 4.0 minimum score on the interaction subscale for each age group assessed with the Environment Rating Scale (ERS) on an on-site review conducted by an ABC monitor during the current enrollment period.



Level B Providers:

Re-enrollment eligibility is based on a summative review of the provider's performance during the previous 3 year enrollment period. Factors used to determine re-enrollment eligibility include, but are not limited to repeated non-compliance with the following:

- Must have met 80% or higher compliance score during each on-site assessment within the 3 year period.
- Must have met the ABC Level B mandatory standards and submitted corrective action within the required time frame, if applicable.
- Must have had no repeated violations with the same ABC Mandatory Requirements in which corrective action had to be submitted each time, (i.e. never has training hours, Corporal Punishment Statements, CPR/FA, etc.).

- Must have complied with the time frames for meeting educational requirements.

Providers Who Do Not Meet Eligibility Criteria

Providers who demonstrated repeated non-compliance with any of the above criteria during the 3 year enrollment period will be staffed internally to determine re-enrollment eligibility:

- Level A (NAEYC) providers who do not meet the eligibility criteria will be given the reason(s) and 30 days to apply for enrollment at either Levels A, B, or C. The end of agreement date is not appealable. If the provider wishes to re-enroll as a Level A provider, they must meet the criteria established for Level A (ERS) after January 1, 2008.
- Level A (ERS) providers who do not meet the eligibility criteria will be given the reason(s) and 30 days to apply for enrollment at either Levels B or C. The end of agreement date is not appealable. If the provider chooses to apply for the same Level, they must wait six months and complete a self-study.
- Level B providers who do not meet the eligibility criteria will be given the reason(s) and 30 days to apply for enrollment at Level C. The end of agreement date is not appealable. To reapply for enrollment at Level B, providers must wait 6 months and document they have received technical assistance from a Certified Technical Assistance Provider (TAP). TAP's are certified through the Center for Child Care Career Development (CCCCD). Failure to provide this documentation renders the provider ineligible to reapply at Level B.

If the provider does not make an application for another Level within the specified time frame, then the ABC Program will assume that the provider is no longer interested in participating and the file will be closed and terminated as the Agreement period has ended. **It is the provider's responsibility to insure that their application has been received by contacting their Program Monitoring Office.** If ABC children are connected, then the provider will be contacted and given the last date payment will be made on behalf of the clients.

XIV. WAITING PERIODS FOR ENROLLMENT

1. Waiting Period When ABC Terminates Provider's Enrollment

- When the ABC Program terminates a provider's enrollment during the 3 year enrollment period, and the provider does not request an appeal, they must wait 6 months after the effective date of the termination before applying for enrollment at any level.
- In the case where the provider requests an appeal and the Appeals Office does not uphold the provider in the appeal, the provider must wait 6 months after the date the final appeals decision is issued before applying for enrollment at any level.

- If the provider requests to appeal any decision, and then withdraws the request, the six months would begin upon notification that the appeal process has ended.

SEE ENROLLMENT EXCEPTIONS

2. Waiting Period for Provider Who Voluntarily Terminates Enrollment

- Providers who voluntarily terminate enrollment must wait six months before re-applying for any Level.

3. Waiting Period When Provider is Not Eligible for Subsequent Enrollment Agreement -

Level A providers:

- Level A (NAEYC) providers enrolled prior to January 1, 2008, who are not eligible for a subsequent 3 year enrollment agreement have 30 days to apply for any Level. If the provider wishes to reapply as a Level A provider, they must meet the requirements established for Level A (ERS) providers after January 1, 2008.
- Level A (ERS) providers enrolled after January 1, 2008, who are not eligible for a subsequent 3 year enrollment agreement will have 30 days to apply for Level B or Level C. However, should they wish to reapply for Level A again, they must wait 6 months and complete a self-study.

Level B providers:

- Level B providers who are not eligible for a subsequent 3 year enrollment agreement will have 30 days to apply for enrollment at Level C. If the provider wishes to reapply as a Level B, they must wait 6 months and receive technical assistance from a Certified Technical Assistance Provider (TAP). TAP's are certified through the Center For Child Care Career Development (CCCCD). Failure to provide this documentation will render the provider ineligible to re-enroll at Level B.

4. Exemption of Waiting Period

- If extenuating circumstances exist, the Director of Child Care Services may grant an exemption of the 6 month wait for applying for enrollment, if recommended by Program Monitoring or the Control Center, as applicable. No exemption will be granted for providers who are terminated for failure to maintain History of Compliance with regulatory requirements.
- Providers whose file is inactive are exempt from the 6 month wait.

5. Ineligibility to Participate in Publicly Funded Programs - Any institution or it's principals who are ineligible for any other publicly funded program due to the above criteria are prohibited from participating in the ABC program at any level. However, this prohibition does not apply if the institution or principal has been fully reinstated in, or determined eligible for, that program, including the payment of any debts owed.

XV. ENROLLMENT EXCEPTIONS

The following are reasons a provider is ineligible to re-enroll in the ABC Child Care Program.

1. **Death of a Child** - When a negative action by a provider results in the death of a child at a facility.
2. **Fraud** - Providers found guilty in court of committing.
3. **Falsified Documents** - Providers who falsify or misrepresent official or legal documents (i.e., birth certificates, degrees, transcripts, etc.), or other ABC program documents (SVL, attendance records) and submit to the ABC Program or to Child Care Licensing.
4. **Administrative or Judicial Determination of Abuse and/or Neglect** - Owners of facilities or owners with staff who abuse or neglect children and whose name has been entered into the Central Registry cannot be re-enrolled as long as the perpetrator continues to be employed and/or present at the facility.

NOTE: Upon receiving a provider's application for enrollment in the ABC Program at any Level, if it is known by the ABC Program that the provider purchased the facility from a provider whose enrollment was terminated due to Numbers 1 through 4 above, then the new owner shall submit legal documentation verifying the change of ownership and provide a notarized statement that the previous owner has no financial or personal interest or association with the child care facility.

XVI. GRANTS

Providers who receive a grant(s) must stay in the program for the period required in the grant agreement.

If the provider does not comply by staying in the program for the required amount of time, recoupment of grant funds will be initiated.

If a recoupment has been initiated against the provider perhaps because of an audit, overpayment, or if the provider owes money to the Government due to an IRS lien, and funds are being recouped from the provider through their payments, then the provider will not be eligible for any grants offered at that time due to the fact that the Voucher System will automatically take the grant money in payment towards the recoupment or lien. **This is not appealable.**

Failure to use grants funds properly may result in the initiation of an audit by the ABC Child Care Program.

XVII. APPEALS PROCESS

CONNECTION OF CLIENTS DURING THE APPEAL PROCESS:

No new ABC clients will be allowed to connect to an ABC facility during an appeal by the provider with the DSS ABC Program or Child Care Licensing.

Providers may continue serving current children connected through the end of their current eligibility period unless the health and/or safety of the children are jeopardized. If the client's eligibility ends and they are reauthorized, they will not be allowed to reconnect to the provider as this is considered a new connection. The Child Care Services Director can make a decision to remove all ABC children from the facility during the appeals process, if it is determined that the health and/or safety of the children is being jeopardized.

PROVIDERS:

The provider is given an opportunity to request a fair hearing in compliance with the Civil rights Act of 1964. The provider may appeal any decision that results in any adverse actions such as termination, de-enrollment, or reclassification. The following is not appealable: 1) the natural ending of the 3-year provider enrollment period based on the expiration date, 2) provider closure, and 3) failing the assessment scores during an enrollment visit.

A fair hearing must be requested in writing, and must be made within 30 days from the date of the negative action. The request may be made by the provider or a person acting on his/her behalf, such as a legal representative, relative, or friend. Staff must not impede, limit, or interfere in any way with the client's right to request a fair hearing. If the client or provider wishes to appeal the decision, he/she must notify SCDSS in writing, postmarked within 30 days of receiving a service denial notice or termination letter. The notice of intent to appeal should be directed to:

South Carolina Department of Social Services
Individual and Provider Rights
P.O. Box 1520
Columbia, South Carolina 29202-1520

If notice of intent to appeal is not submitted to SCDSS within the 30 day period, the right to challenge the denial or termination will be lost and the decision will become final.

XVIII. GLOSSARY OF TERMS

Definitions of key terms are presented to ensure clarity and understanding. These definitions express the administering agency's intent and meaning for the terms identified.

ABC Child Care Control Center: (ABC Control Center)

The authorized child care voucher system management center that is available to provide assistance to clients and providers, and to handle child care applications, funding and connecting.

- Providers call: 1-800-262-4416 for notification requirements and/or questions concerning ABC Program procedures.
- Parents call: 1-800-476-0199 for any questions.

ABC Child Care Program (ABC Program):

The South Carolina statewide child care assistance program funded by Child Care and Development Fund (CCDF), Social Services Block Grant (SSBG) and state match.

ABC Child Care Program Monitoring (ABC Program Monitoring):

The entity that enrolls, monitors, and provides technical assistance to providers enrolled in the ABC Program at Levels A or B, and makes all changes to a provider's file. There are two offices of ABC Program Monitoring.

Absenteeism:

When the child is **not** present (absent all day) at the provider's facility during the service unit (week) either due to illness, vacation, or court ordered non-custodial visitation or for other known or unknown reasons.

Activity Fees

Activity fees are considered other fees charged by the provider to parents such as transportation fees, or special activity fees, etc. These fees are the responsibility of the parent.

Authorized Service Period:

The specific time frame that child care services are authorized for a client and a specific provider.

Billing Rate:

The provider's weekly service rate minus any applicable client fee, and any discount for a second child.

Care Type:

The age groups 0-2 years, 3-5 years, 6-12, and 13-18 years in which the provider has enrolled with the ABC Program. Providers cannot offer services to ABC clients or receive payment for service in a care type in which they have not been enrolled.

Center-based Care:

Facility licensed by DSS to serve 13 or more children.

Child:

The recipient of child care services.

Child Name:

The first name of the child.

Child Number:

This is the last 4 digits of the client's Social Security number plus the two digit code 01, 02, etc. assigned to the child. It identifies the child for the purpose of payment and system activities. **Providers should never change the assigned child number.**

Client:

An individual who has met the eligibility criteria and is funded for child care.

Client Fee:

That portion of the provider's weekly service rate (cost) which is based on the client's family size and income, and paid by the client directly to the provider. The fee amount is established by SCDSS on the basis of family size and gross family income. That portion of the child care cost, which is paid by the client directly to the child care provider.

Client Number:

The last 4 digits of the client's Social Security number. This number identifies all client activity in the system.

Client Termination of Eligibility:

Action taken when the client is no longer eligible for services. Once notified that the client's eligibility is terminated, the provider is not eligible for payment for services.

Connected:

A start and stop date (linked to a specific provider) within the ABC Voucher System.

Denial:

When an applicant is denied child care assistance due to inability to meet eligibility criteria or failure to comply with application requirements.

Eligibility Period:

The amount of time authorized for the individual child to receive child care services.

End Date:

The last date of service authorization.

Facility Cost:

The cost a provider charges all parents for a week of child care. Note: Parents are responsible for the difference between the facility cost and the amount paid by the ABC Program, plus any applicable client fee.

Family Child Care Home:

Home registered or licensed by DSS to serve no more than 6 children.

Family Independence Act of 1995:

An Act passed by the South Carolina General Assembly to require the DSS to emphasize employment and training with only a minor welfare component. The Act specifies action required by DSS to implement “Welfare Reform”. It also specifies requirements for applicants and recipients in order to receive financial assistance.

Family Independence: (FI)

Child care assistance provided to current FI stipend clients to encourage participation in approved employment, education, or training activities. These requirements are met through the Family Independence Program in South Carolina in an effort to emphasize parental responsibility and self-sufficiency.

Family Independence Stipend:

A monthly payment made to a family who meets the required eligibility standards; previously referred to as Welfare or AFDC.

Foster Care:

Children who are in the custody of DSS and placed out of their home by and/or under the supervision of DSS.

Full-Time Care:

Thirty or more hours of child care service provided during one week.

Funded:

Any child for whom dollars have been allocated in their name.

Group Child Care Home:

Home licensed by DSS to serve no more than 12 children.

Half-Time Care:

Less than thirty (30) hours, but more than fifteen (15) hours of child care service provided during one week.

Less Than half-time Care:

Less than 15 hours of child care service provided during a week. No registration fee is allowed for this care type. This care type only applies to Welfare Reform participants receiving subsidized child care, and must be used in conjunction with full and half-time care, or may be used alone. This cannot be used to pay the same provider.

Level A:

Exemplary programs measured against rigorous quality standards.

Level B:

Programs measured against quality standards beyond basic state regulations.

Level C:

Programs meeting basic licensing regulations (health & safety)

Less than Half-Time Care:

Less than fifteen (15) hours of child care service provided during a week. No registration fee is allowed for this care-type. This care-type applies only to Welfare Reform participants receiving subsidized child care and must be used in conjunction with full and half-time care.

Maximum Rate:

Maximum weekly rates established by SCDSS on the basis of a market rate survey of urban and rural counties, type of facility, and care types.

Payable Adjustment:

The process of paying the provider for additional monies due them.

Provider Identification Number:

The Federal Employer Identification Number [FEIN] or Social Security number of the provider. This number identifies the provider for purposes of payment, tracking and reporting.

Receivable Adjustment:

The process of collecting monies that were paid to the provider that were not due them.

Registration Fee:

A fee providers charge to clients participating in a child care program. Registration fees are set amounts established by the provider to cover costs not included in the weekly. This fee may also not exceed the fee charged to private-paying clients in the child care program. A Provider is not eligible for a registration fee for clients receiving less than half-time care. The ABC Program will pay registration fee to providers up to an established program maximum. **The provider may require the client to pay the fee if the client has used up their allocation for registration fees.**

Remittance Advice:

A document included with the provider's check. There are three different types:

- 1) Paid Remittance Advice: indicates what clients and weeks were paid;
- 2) Rejected Remittance Advice: indicates which clients and weeks were not paid and the reason;
- 3) Adjusted Remittance Advice: indicates if funds were deducted from the provider's check, the amount, and the reason.

Service Codes:

Those codes assigned to identify the type of payment being made to the provider, i.e. CS for client services, GR for grant request, and RF for registration fees.

Service Cost:

The provider rate as reflected in the ABC Voucher System.

Service Unit:

One week of child care [Monday - Sunday]. A service unit may be for half-time, full-time, or less than half-time child care.

Service Voucher Log [SVL]:

A pre-printed payment request form used to process payments to providers for eligible clients.

South Carolina Department of Social Services [SCDSS]:

The administering state agency for the ABC Program and the agency responsible for administering the Welfare Reform, Family Independence Program.

Start Date:

The date services are authorized to begin by DSS or the ABC Program/Control Center staff.

Stop Date:

The last date of service authorization.

Week:

Monday through Sunday.