



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSELAER, NY 12144

Sheila J. Poole
Commissioner

Local Commissioners Memorandum

Transmittal:	21-OCFS-LCM-19
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Care Services Division of Administration
Date:	July 6, 2021
Subject:	New York State Child Care Block Grant Subsidy Program Allocations SFY 2021-2022
Contact Person(s):	Please contact the following persons for questions regarding this LCM: <ul style="list-style-type: none"> • Program Questions Maryellen DeCicco, OCFS Division of Child Care Services 518-408-3395, Maryellen.DeCicco@ocfs.ny.gov • Claiming Questions <ul style="list-style-type: none"> ○ Regions 1-5 Lauren Horn: 518-474-7549 otda.sm.Field_Ops.I-IV@otda.ny.gov ○ Region 6 (NYC) Michael Simon: 212-961-8250 Michael.Simon@otda.ny.gov • WMS/Services Questions <ul style="list-style-type: none"> ○ Service Portal: https://nysitsm2.service-now.com/sp ○ 1-844-891-1786, fixit@its.ny.gov • Chat: https://chat.its.ny.gov
Attachments:	A: <i>New York State Child Care Block Grant Social Services District Allocations 4/1/2021-3/31/2022</i> B: <i>New York State Child Care Block Grant Maintenance of Effort Level</i> C: <i>Attachment for U.S. Department of Health and Human Services Grants</i>

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform local departments of social services (LDSSs) of their allocations and maintenance of effort (MOE) levels for the New York State Child Care Block Grant (NYSCCBG) subsidy program for the period April 1, 2021, through March 31, 2022. The funding is allocated based on the past three years average annual Federal Fiscal Year (FFY) claiming information for LDSSs in New York State.

II. Background

In order for an LDSS to participate in the NYSCCBG subsidy program, the commissioner of the LDSS must agree to comply with the program requirements of the NYSCCBG as set forth in Title 5-C of Article 6 of the Social Services Law; Title 18 of the New York State Code of Rules and Regulations (18 NYCRR) Parts 358, 404, 405, 407, 415, and 628; and New York State Office of Children and Family Services (OCFS) policy directives, including Administrative Directives (ADMs), Local Commissioner Memorandums (LCMs), and Informational Letters (INFs). Title 5-C of Article 6 of the Social Services Law, Section 410-x (4), requires OCFS to establish in regulation the applicable market-related payment rates that will establish the ceilings for state and federal reimbursement for payments made under the NYSCCBG. The amount to be paid or allowed for child care assistance funded under the NYSCCBG shall be the actual cost of care but no more than the applicable market rate established in regulations. LDSSs must pay the applicable market rate unless the actual cost of care is less, in which case LDSSs must pay the actual cost of care. The LDSS also must agree to comply with the requirements for the federal Child Care and Development Fund (CCDF). LDSSs provide such legal assurances as part of the submission of their Child and Family Services Plans.

Allocation information on additional federal funding that has been appropriated in the New York State Enacted Budget of State Fiscal Year (SFY) 2021-22 for the child care subsidy program is not included in this policy but will be provided separately at a later date.

III. Program Implications

A. ALLOCATION INFORMATION

Attachment A provides LDSS allocations for the NYSCCBG subsidy funds for the period beginning April 1, 2021 and ending March 31, 2022. The allocations are listed for two six-month periods to reflect the FFY, which differs from the SFY. The lists show allocations for the period April 1, 2021, to September 30, 2021, the last half of FFY 2020-21, and for the period October 1, 2021, to March 31, 2022, the first half of the FFY 2021-22. Previously, 20-OCFS-LCM-12, dated September 14, 2020, notified LDSSs of their NYSCCBG allocations for the first half of FFY 2020-21, October 1, 2020, to March 31, 2021. Any unspent funds allocated for that period will be carried into and be available for the period ending September 30, 2021. Any portion of an LDSS's NYSCCBG allocation for FFY 2020-21 (October 1, 2020, through September 30, 2021) that is not claimed by the LDSS by March 31, 2022, will remain available to the LDSS through the end of FFY 2021-22 (September 30, 2022). This would include any Temporary Assistance for Needy Families (TANF) funds transferred from an LDSS's SFY 2021-22 Flexible Fund for Family Services (FFFS) allocation for the period April 1, 2021, to September 30, 2021. However, claims for expenditures for October 1, 2020, through September 30, 2021, cannot be rolled forward into the next FFY.

The allocation methodology for SFY 2021-22 determines each LDSS's proportionate share of the block grant funds based on the average level of annual child care claims for the past three years, FFY 2017-18 through FFY 2019-20. The methodology did not take into account rollover of unspent NYSCCBG funds because all districts experienced rollover due to the impact of COVID-19. The funding is allocated based on claiming information for

LDSSs in New York State.

While the NYSCCBG allocation is the primary resource available to LDSSs in meeting their child care subsidy needs for low-income families and individuals on public assistance, all LDSSs have the ability to utilize additional funds from the FFFS for child care subsidy costs. Additional information on utilizing FFFS funds may be found in the SFY 2021-22 FFFS ADM, which will be released at a later date.

As was the case in SFY 2020-21, LDSSs that have fully expended their allocation and have met their MOE may seek 50% federal reimbursement through the Supplemental Nutrition Assistance Program Employment & Training (SNAP E&T) program. All SNAP E&T claims for FFY 2020-21 must be submitted to the New York State Office of Temporary and Disability Assistance (OTDA) by March 31, 2022. Further information about eligibility and claiming for FFY 2020-21 will be issued in a separate LCM from OTDA.

An LDSS may spend no more than 5% of its NYSCCBG allocation, including any funds transferred from FFFS, for administrative activities. Administrative activities do not include the costs of providing direct services such as eligibility determinations and redeterminations; preparation and participation in judicial hearings; child care placements; the recruitment, licensing, inspection, review and supervision of child care placements; rate setting for contract development; resource and referral services; training; or the establishment and maintenance of computerized child care information systems.

An LDSS, at its option, may make payments for eligible families to be transported to and from a child care provider. An LDSS will be reimbursed for transportation expenses charged by a child care provider that are separate and apart from the regular rate charged by the provider. The LDSS may make arrangements using other providers of transportation services. Expenditures for transportation are reimbursed as a program cost under the LDSS's NYSCCBG allocation if the provision of transportation services is included in the LDSS's Child and Family Services Plan.

B. ELIGIBLE FAMILIES

There are three broad categories of families eligible for child care services under the NYSCCBG when such care is not otherwise available from the caretaker(s) of the child in need of services. Eligible families are defined in 18 NYCRR Section 415.2. LDSSs are required to include this information in their Child and Family Services Plans, including the categories of families that the LDSS has chosen to serve and prioritize under the second and third categories listed below.

- The first category is families who are eligible for a child care guarantee.
- The second category is families who are eligible if funds are available.
- The third category is families who are eligible if funds are available and if the LDSS includes them as eligible families in the child care section of the Child and Family Services Plan.

C. PARENTAL CHOICE

LDSSs must inform parents or caretakers requesting NYSCCBG services that they

may either

- choose to have care provided by one of the child day care providers with whom the LDSS has contracted for the provision of child care services or
- request a child care certificate, which enables the parents or caretakers to select from a full range of child care arrangements, including care by licensed or registered child care providers and providers of legally exempt child care.

The child's parents or caretakers must be given discretion in selecting or arranging for the purchase of child care services from any eligible provider. The case record should document that parents or caretakers have been apprised of the full range of providers eligible for payment and of their right to elect to use a child care certificate. LDSSs must allow parents to select, and must have a method to pay, any and all legally operating eligible providers with whom they do not contract. A contract may not be made a condition of receiving payment from NYSCCBG funds.

D. REIMBURSEMENT

Claims for expenditures for child care services for families receiving public assistance will be reimbursed at 75% with NYSCCBG funds, up to the LDSS's NYSCCBG allocation ceiling. Claims for expenditures for child care for all other eligible families will be reimbursed at 100% with NYSCCBG funds as long as the LDSS's MOE is met, up to the LDSS's NYSCCBG allocation ceiling.

E. MAINTENANCE OF EFFORT

Each LDSS must maintain local spending for child care services at a level established by OCFS in accordance with state statute. The MOE for each LDSS is listed in Attachment B and is unchanged from the previous year.

The MOE was calculated by totaling the LDSS share of expenditures in FFY 1994-95 for child care services claimed under the following categories: State Low-Income Day Care program and administrative costs, Transitional Child Care, At-Risk Low-Income Child Care, Child Care and Development Block Grant, Emergency Assistance to Families, Job Opportunities and Basic Skills (JOBS)-related child care, and employment-related child care. The MOE for those LDSSs participating in the Child Assistance Program (CAP) was adjusted to reflect the LDSS share for FFY 1996-97 CAP child care expenditures included in their NYSCCBG allocations.

Each LDSS must meet its MOE level in cash in FFY 2020-21 and in each subsequent FFY. The MOE is met by the 25% local share of claims for expenditures for public assistance recipients, as reported on Schedule H, *Non-Title XX Services for Recipients*, and any other non-Title XX expenditures that are allowable but not reimbursed under the NYSCCBG allocation. Claims submitted under NYSCCBG will be processed to ensure that the LDSS's MOE requirement is met. Claims for administrative costs exceeding the 5% administrative cap will not count toward meeting the MOE and will not be eligible for federal and state reimbursement.

F. SYSTEMS INFORMATION

Procedures for the authorization of payment for child care services in the Welfare Management System (WMS) are as follows:

For child care payments for eligible families applying for or receiving public assistance, the LDSS can continue to use the DSS-3209, *IM/WMS Authorization*, for child care payments for eligible families applying for or receiving public assistance. The LDSS may, at its option, use the DSS-2970, *WMS Services Authorization*, to authorize payment for child care for public assistance families. Purchase of Service Type Suffix Code (Data Element #23021) value "S-Block Grant DC 75%" designates child care services funded under the NYSCCBG for public assistance applicants/recipients and reimbursed at 75% federal and state share, up to the LDSS's allocation ceiling.

The LDSS has the option to authorize payments for child care for NYSCCBG eligible families not in receipt of public assistance on the DSS-3209 for Supplemental Nutrition Assistance Program and Medical Assistance-only cases.

For all other eligible families, the LDSS must authorize payment in WMS Services by using Purchase of Service Type Suffix Code value "R-Block Grant DC 100%" on the DSS-2970, *WMS Services Authorization*, which designates child care services funded under NYSCCBG for non-public assistance families and reimbursed at 100% federal and state share, up to the LDSS's allocation ceiling.

In circumstances of an adult-only public assistance case in which the children are not included in the public assistance filing unit, child care payment is authorized as a public assistance family and reimbursed at 75% federal and state share. For cases in which children are in receipt of public assistance but the caretaker is not included in the public assistance filing unit, child care is authorized in WMS Services and reimbursed at 100% federal and state share, up to the LDSS's allocation ceiling.

WMS Services continue to support the monitoring of the issuance and return of child care certificates. Instructions for the child care certificate are included in [92 LCM-138, Child Care Certificate Program](#) and in the *BICS Operations Manual*, page A-62, BICS Production Request 32, Request for Self-Selected Day Care Certs, in the edition dated April 1, 2005. Information is also provided in the *Benefit Issuance Control Subsystem (BICS) Services Payments Processing (BSPP) Manual*, Chapter 2, Authorizations, and Self-Selected Day Care Certificates.

G. CLAIMING INSTRUCTIONS

NYSCCBG expenditures for child care subsidies for families receiving public assistance are claimed on Schedule H, *Non-Title XX Services for Recipients* (LDSS-4283), line 2 (Day Care Services for Children), column 16 (Day Care Block Grant 75%). NYSCCBG program expenditures for child care subsidies for all other eligible families are claimed on Schedule H, line 2, column 15 (Day Care Block Grant 100%). Please refer to the *Fiscal Reference Manual*, Volume 2, Chapter 3, for detailed instructions for completing Schedule H.

NYSCCBG child counts and expenditures also must be reported on the Schedule G-2, *Summary of All Payments for Day Care* (LDSS-2109EL). Expenditures made under the

services types allowed must be reported on the Schedule G-2, via the Automated Claiming System. The BICS Schedule G-2 report provides the information needed to file the report. Please refer to the *Fiscal Reference Manual*, Volume 2, Chapter 3, for Schedule G-2 instructions.

Administrative expenditures for the NYSCCBG that are not direct charged on the Schedule D-2 are claimed in accordance with the Services Random Moment Survey (RMS) as Child Care Block Grant costs on line 6, section 1A (associated central services costs are claimed on line 4, section 2) of the Schedule D-2, *Allocation for Claiming General Services Administration Expenditures* (LDSS-2347B). Instructions for completing the Schedule D-2 are contained in Chapter 9 of the *Fiscal Reference Manual*, Volume 3 (Cost Allocation Plan).

Claiming instructions for LDSS administrative expenditures related to the training of employees that are claimed on the Schedule D-6, *Reimbursement Claim for Training* (LDSS-2347-C), for the NYSCCBG program are provided in Chapter 13 of Volume 3 of the *Fiscal Reference Manual*.

The *Fiscal Reference Manual* (FRM) is available here: FRM Vol. 2 & 3 – <http://otda.state.nyenet/bfdm/finance/>.

H. SUBAWARD INFORMATION

Title 45 U.S. Code of Federal Regulations Part 75 (45 CFR 75), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards*, section 352(a) states “all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, includes the changes in subsequent subaward identification.” Attachment C provides the required subaward information for subrecipients.

/s/ Janice M. Molnar, Ph.D.

Issued by:

Name: Janice M. Molnar, Ph.D.
 Title: Deputy Commissioner
 Division/Office: Division of Child Care Services

/s/ Derek J. Holtzclaw

Issued by:

Name: Derek J. Holtzclaw
 Title: Deputy Commissioner
 Division/Office: Division of Administration

ATTACHMENT A

**NEW YORK STATE CHILD CARE BLOCK GRANT
SOCIAL SERVICES DISTRICT ALLOCATIONS
4/1/2021-3/31/2022**

LDSS	April 1, 2021 September 30, 2021	October 1, 2021 March 31, 2022	Final SFY 2021- 22 Allocation
Albany	\$5,692,074	\$5,692,073	\$11,384,147
Allegany	\$208,920	\$208,919	\$417,839
Broome	\$2,372,971	\$2,372,970	\$4,745,941
Cattaraugus	\$863,333	\$863,332	\$1,726,665
Cayuga	\$854,059	\$854,058	\$1,708,117
Chautauqua	\$1,915,542	\$1,915,542	\$3,831,084
Chemung	\$1,929,005	\$1,929,005	\$3,858,010
Chenango	\$256,045	\$256,045	\$512,090
Clinton	\$504,463	\$504,462	\$1,008,925
Columbia	\$657,405	\$657,405	\$1,314,810
Cortland	\$427,773	\$427,773	\$855,546
Delaware	\$532,870	\$532,870	\$1,065,740
Dutchess	\$3,503,038	\$3,503,037	\$7,006,075
Erie	\$14,469,420	\$14,469,420	\$28,938,840
Essex	\$255,622	\$255,622	\$511,244
Franklin	\$555,580	\$555,580	\$1,111,160
Fulton	\$207,610	\$207,609	\$415,219
Genesee	\$412,098	\$412,097	\$824,195
Greene	\$247,596	\$247,595	\$495,191
Hamilton	\$12,611	\$12,611	\$25,222
Herkimer	\$459,216	\$459,215	\$918,431
Jefferson	\$906,443	\$906,442	\$1,812,885
Lewis	\$121,443	\$121,443	\$242,886
Livingston	\$762,073	\$762,073	\$1,524,146
Madison	\$471,169	\$471,169	\$942,338
Monroe	\$20,630,011	\$20,630,011	\$41,260,022
Montgomery	\$459,662	\$459,662	\$919,324
Nassau	\$31,572,954	\$31,572,954	\$63,145,908
Niagara	\$1,547,855	\$1,547,855	\$3,095,710
Oneida	\$3,797,776	\$3,797,776	\$7,595,552
Onondaga	\$10,815,893	\$10,815,892	\$21,631,785
Ontario	\$1,102,656	\$1,102,655	\$2,205,311

LDSS	April 1, 2021 September 30, 2021	October 1, 2021 March 31, 2022	Final SFY 2021- 22 Allocation
Orange	\$3,651,885	\$3,651,884	\$7,303,769
Orleans	\$363,702	\$363,701	\$727,403
Oswego	\$1,200,185	\$1,200,185	\$2,400,370
Otsego	\$437,333	\$437,332	\$874,665
Putnam	\$450,799	\$450,798	\$901,597
Rensselaer	\$1,945,024	\$1,945,024	\$3,890,048
Rockland	\$4,338,963	\$4,338,963	\$8,677,926
Saint Lawrence	\$712,629	\$712,629	\$1,425,258
Saratoga	\$1,007,121	\$1,007,121	\$2,014,242
Schenectady	\$3,706,253	\$3,706,252	\$7,412,505
Schoharie	\$263,056	\$263,055	\$526,111
Schuyler	\$241,636	\$241,635	\$483,271
Seneca	\$210,904	\$210,904	\$421,808
Steuben	\$1,245,784	\$1,245,783	\$2,491,567
Suffolk	\$18,124,541	\$18,124,541	\$36,249,082
Sullivan	\$830,610	\$830,609	\$1,661,219
Tioga	\$589,532	\$589,532	\$1,179,064
Tompkins	\$998,915	\$998,914	\$1,997,829
Ulster	\$1,922,740	\$1,922,740	\$3,845,480
Warren	\$535,874	\$535,873	\$1,071,747
Washington	\$483,188	\$483,187	\$966,375
Wayne	\$630,648	\$630,648	\$1,261,296
Westchester	\$17,439,691	\$17,439,691	\$34,879,382
Wyoming	\$196,802	\$196,802	\$393,604
Yates	\$168,405	\$168,405	\$336,810
NYC	\$245,819,608	\$245,819,607	\$491,639,215
State Total	\$416,041,014	\$416,040,987	\$832,082,001

**ATTACHMENT B
NEW YORK STATE CHILD CARE BLOCK GRANT**

**MAINTENANCE OF EFFORT (MOE) LEVEL
Federal Fiscal Year 1994-95 Basis**

LDSS	MOE Amount	LDSS	MOE Amount
Albany	\$1,019,127	Oneida	\$283,468
Allegany	\$68,895	Onondaga	\$1,204,201
Broome	\$518,534	Ontario	\$73,752
Cattaraugus	\$34,769	Orange	\$32,900
Cayuga	\$15,101	Orleans	\$36,152
Chautauqua	\$558,879	Oswego	\$41,453
Chemung	\$63,364	Otsego	\$28,900
Chenango	\$27,933	Putnam	\$62,728
Clinton	\$99,395	Rensselaer	\$164,819
Columbia	\$7,848	Rockland	\$235,830
Cortland	\$53,422	Saint Lawrence	\$101,658
Delaware	\$34,955	Saratoga	\$30,127
Dutchess	\$193,433	Schenectady	\$228,165
Erie	\$1,264,742	Schoharie	\$12,101
Essex	\$16,498	Schuyler	\$9,515
Franklin	\$26,381	Seneca	\$19,292
Fulton	\$38,407	Steuben	\$148,022
Genesee	\$49,813	Suffolk	\$692,326
Greene	\$20,310	Sullivan	\$28,491
Hamilton	\$2,738	Tioga	\$22,049
Herkimer	\$14,318	Tompkins	\$70,752
Jefferson	\$81,936	Ulster	\$208,356
Lewis	\$11,454	Warren	\$22,063
Livingston	\$76,936	Washington	\$32,583
Madison	\$12,147	Wayne	\$39,416
Monroe	\$4,221,021	Westchester	\$1,018,071
Montgomery	\$11,738	Wyoming	\$13,806
Nassau	\$1,574,621	Yates	\$11,683
Niagara	\$364,420		
		New York City	\$52,937,271
		State Total	\$68,293,085

ATTACHMENT C

ATTACHMENT FOR U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES GRANTS

Title 45 U.S. Code of Federal Regulations Part 75 (45 CFR 75), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards*, section 352(a) states “all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, includes the changes in subsequent subaward identification.”

(i)	Subrecipient Name	Attachment A
(ii)	Subrecipient's unique entity identifier	County LDSS office
(iii)	Federal Award Identification Number (FAIN)	2001NYCCDD 2001NYCCDM 2101NYCCDF 2101NYCCDD 2101NYCCDM
(iv)	Federal Award Date of award to the recipient by the HHS awarding agency	11/7/2019 (2001NYCCDD) 11/20/2019 (2001NYCCDM) 01/28/2021 (2101NYCCDF) 02/03/2021 (2101NYCCDD) 01/28/2021 (2101NYCCDM)
(v)	Subaward period of Performance start and end date	Section 3.A "Allocation Information"
(vi)	Amount of Federal Funds Obligated to the subrecipient by this action by the pass-through entity to the subrecipient	Attachment A contains allocations from the NYS Child Care Block Grant which consists of State Funds, CCDF Matching, Mandatory and Discretionary funds, and TANF transfers to CCDF Discretionary funds.
(vii)	Total amount of the Federal funds obligated to the subrecipient by the pass-through entity including the current obligation	Attachment A contains allocations from the NYS Child Care Block Grant which consists of State Funds, CCDF Matching, Mandatory and Discretionary funds, and TANF transfers to CCDF Discretionary funds.
(viii)	Total amount of the award committed to the subrecipient by the pass-through entity	Attachment A contains allocations from the NYS Child Care Block Grant which consists of State Funds, CCDF Matching, Mandatory and Discretionary funds, and TANF transfers to CCDF Discretionary funds.
(ix)	Federal award project description	Child Care Discretionary Funds (CCDD) and Child Care Mandatory (CCDF) and Matching (CCDM) Funds comprise the Child Care and Development Fund program. Program funds provide grants to States, Territories, Tribes, and tribal organizations serving federally recognized tribes (public institutions

		of higher education and hospitals are not eligible applicants) for child care assistance for low-income families.
(x)	Name of the HHS awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity	Awarding HHS Agency: Administration for Children and families Pass-through: NYS Office of Children and Family Services Awarding official contact information: Clinton McGrane, Director of School Readiness Grants 26 Federal Plaza Room 4114 New York, NY 10278 212-264-2890 ext. 176 clinton.mcgrane@acf.hhs.gov
(xi)	CFDA Number and Name	93.575 (Discretionary) 93.596 (Mandatory and Matching)
(xii)	Identification of whether the award is Research and Development (R&D)	N
(xiii)	Indirect cost rate for the Federal award (including if the de minimis rate is charged per section 75.414)	Please see uniform guidance 45 CFR 75. However, please note that administrative costs are capped at 5%.