



Office of Children and Family Services

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Informational Letter

Transmittal:	22-OCFS-INF-04
To:	Local Departments of Social Services Commissioners
Issuing Division/Office:	Division of Child Care Services, Bureau of Child Care Assistance
Date:	May 11, 2022
Subject:	Notification of Changes to the Child Care Assistance Program as a Result of the State Fiscal Year 2023 Enacted Budget
Suggested Distribution:	Directors of Social Services Directors of Temporary Assistance Child Care Assistance Supervisors Temporary Assistance Supervisors Child Care Assistance Staff
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Attachments:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR 415	§ SSL 410-u § SSL 410-w		

I. Purpose

The purpose of this Informational Letter (INF) is to inform local social services districts (districts) of the impact the enacted 2023 state budget will have on the Child Care Assistance Program regarding the provision of child care services funded under the New York State Child Care Block Grant (NYSCCBG) and Title XX of the federal Social Security Act.

II. Background

On April 9, 2022, the New York State Budget for State Fiscal Year 2023 was enacted. The budget includes \$670 million to supplement existing federal, state, and local funding to support subsidized child care, including an increase in the market rate to the 80th percentile. The budget also enacts amendments to subdivision 2 of section 410-u of the Social Services Law (SSL) to support legislative changes to income eligibility levels, to expand access to child care assistance, and to allow the New York State Office of Children and Family Services (OCFS) to obligate and liquidate funds allocated to the NYSCCBG in accordance with the timelines provided in the budget. Subdivisions 1 and 3 of section 410-w of the SSL have also been amended to increase the eligibility level from 200% of the state income

standard (SIS) to 300% SIS, provided all other criteria are met and the family income does not exceed 85% of the State Median Income (SMI), effective August 1, 2022, and to remove the 17 ½-hour work requirement for child care subsidy recipients who are attending a post-secondary educational program, effective June 1, 2022. Additionally, the child care assistance market rate will be increased to the 80th percentile effective June 1, 2022.

Regulatory changes are forthcoming to support these legislative changes. Districts and stakeholders, including members of the public, will have the opportunity to comment on the proposed rules once they have been published in the *State Register*.

III. Program Implications

The major implications include an increase of family income to 300% SIS to determine family eligibility for child care assistance, provided all other criteria are met and the family income does not exceed 85% SMI, and the removal of the 17 ½-hour work requirement for child care subsidy recipients who are attending a post-secondary educational program.

The market rate will also be increased to the 80th percentile effective June 1, 2022. As the Market Rate Survey was only recently concluded, data is currently being analyzed. No district action is required related to this change at this time. Information regarding the increase in the market rate to the 80th percentile will follow in future policy directives.

Additional guidance further detailing program implications, required actions, and implementation will be forthcoming following the adoption of the regulations.

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

Issued by:

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Title: Deputy Commissioner

Division/Office: Division of Child Care Services