



Kay Ivey
Governor

State of Alabama
Department of Human Resources
Gordon Persons Building
50 N. Ripley St.
P.O. Box 30400
Montgomery, AL 36130-4000
(334) 242-1425
dhr.alabama.gov



Nancy T Buckner
Commissioner

Provider Participation Requirements and Certifications

I understand that to participate in the Child Care Subsidy Program, I will adhere to the requirements and certifications described in this document.

I certify that I am a legally operating child care facility and that I maintain a current license (Attach a copy of your current license).

I certify that my facility meets the criteria for being excluded from licensure as stated below:

- a. Kindergartens, nursery schools, or other daytime programs operated by public elementary systems, secondary-level school units, or institutions of higher learning.
- b. Kindergartens, nursery schools, or other daytime programs, with or without stated educational purposes, operate four hours or less a day and receive children younger than lawful school age.
- c. Kindergartens, nursery schools, or other daytime programs operated as a part of a private school and receive children younger than lawful school age for four hours a day or less, with or without stated educational purposes.
- d. Facilities operated for more than four hours a day in connection with a shopping center or service or other similar facility, where transient children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available. The facilities shall meet local and state fire and health requirements.
- e. Any child care center that is conducted on federal government premises.
- f. Special activities programs for children of lawful school age including, but not limited to, athletics, crafts instruction, and similar activities conducted on an organized and periodic basis by civic, charitable, and governmental organizations provided local and state fire and health requirements are met.

I understand that, for subsidized child care participation, the fiscal year refers to October 1st through September 30th and refers annually to a twelve-month period. While registration is repeated annually, some information is requested based on the fiscal year.

I understand that repeating the registration process on an annual basis is required to remain on the subsidy program following the initial or most recently completed registration, anytime the owner of the facility changes, and anytime the facility's license or exclusion from licensure expires. I further understand that I must update my registration information anytime there is a change in my rates, the director, contact information, address, or my policies and procedures.

I understand that Alabama's Arise Care Childcare Management System (CMS) is an electronic process for recording time and attendance and making payments for a child receiving Child Care Subsidy benefits. CMS involves an electronic attendance device and QR code that a parent must scan to document a child's attendance. I understand that I must "accept" a child's enrollment in the Provider Portal to initiate payment for that child.

I understand that neither I nor anyone employed by me or acting on my behalf can have a parent's electronic device. I understand the facility may be terminated from the Subsidy Program participation if I or any person employed by me or acting on my behalf is found to have a parent's electronic device or Family Portal login information or who misuses the QR Code (See Provider Registration Guide).

I understand that as part of my registration, I must submit all my banking information through the Provider Portal. I understand the provider reimbursement is paid in arrears of three (3) weeks and paid based on my total enrollment weekly. I understand I am responsible for monitoring my enrollment and will report to the CMA any discrepancies with the Attendance Report.

I understand the Child Care Management Agency (CMA) will only pay me for scheduled closure weeks, including holidays and vacations, **not exceeding three (3) full weeks within a fiscal year.** **I understand I must take a whole week for vacation and/or holidays to receive accurate payment.** I understand that I am responsible for entering and updating my closure weeks and daily closures in the Provider Portal before the date of the closure. I certify that I will provide notice of my scheduled closure days to the parents of all children enrolled in this facility.

I understand I may request reimbursement for registration fees through the Provider Portal if the parent has not already paid the fee. I understand the rate and frequency of charge must be specified in my current provider rates and provided to the CMA. I certify that the registration fee charged to subsidy parents is no more than the rate and frequency of the fee charged to private pay parents. I understand that I may only be paid the registration fee for a child once annually at a maximum rate of **\$100.**

I understand I must adhere to the Child Care Subsidy Program Enrollment Policies and the Child Care Licensing and Performance Standards regarding ratios and group sizes for child care subsidy participating families and private-pay families.

I understand I will be subject to random audits of my enrollment of Child Care Subsidy Program Participants. I certify that I will maintain sufficient business records on-site to document the delivery of services to both subsidized and private-pay children, including my published rates and attendance policies, daily attendance (sign-in and sign-out) sheets, receipts for copayments paid by all parents, the Certificate of Child Care forms and all other records required by federal and state laws and regulations and to provide them upon request. **I certify that I will retain these records for three (3) years.** I further certify that I will fully cooperate with the CMA and/or the Alabama Department of Human Resources by allowing their representatives unrestricted on-site access to these records for both subsidized and private-pay children in order to assure my compliance with the statements and certifications made in this registration.

I understand that for subsidized child care participation, my facility must have a health and safety inspection before the enrollment of children and annually each year the provider is registered with the Child Care Subsidy Program. I understand that as a registered provider in the Child Care Subsidy Program, I am required to adhere to the Child Care Subsidy Program Health and Safety Guidelines, pre-service and ongoing training, and criminal background checks required under the Child Care Development Block Grant Act of 2014 and the Child Care Development Fund Final Rule. I hereby certify that I and all employees, including the director, teachers, caregivers, or any persons with direct unsupervised contact with children will fully comply with this requirement. Furthermore, I understand that failure to comply with this requirement may result in termination or denial from participation in the Child Care Subsidy Program.

I understand that I and all individuals employed or who volunteer at this facility are subject to the criminal history checks every five years or 180 days after separation from child care employment as required under Alabama Act No. 2000-775, the Child Care Safety Act of 2018, and the Child Care Licensing and Performance Standards. I hereby certify that I and all employees and volunteers of this facility will fully comply with this requirement. I understand that I am not authorized to receive federal or state funds from the CMA, the Alabama Department of Human Resources or the State of Alabama for any period during which this facility is determined to be out of compliance with this requirement. I understand that failure to comply with this requirement or provide the required documentation regarding criminal history background checks will result in termination or denial from participation in the Child Care Subsidy Program. I further understand that in the event this facility is found to have failed to comply with this requirement, I must repay any federal or state funds I received during the period of noncompliance.

I certify that I am **not** an employee of the CMA, the Alabama Department of Human Resources, or the State of Alabama and that I am not entitled to any benefits under the Alabama Merit System.

I understand that **parents are solely responsible for choosing the type of care and the child care facility** for their children. I also understand **there is no entitlement or guarantee under this registration that any child will be placed in my care**. I further understand that the CMA, Alabama Department of Human Resources, and the State of Alabama do not instruct parents with their child care selections.

I certify that I will comply with federal and state regulations, which require that parents have the right to unrestricted access to their child (ren) while in the care of this facility. I further certify that I will comply with federal and state regulations, which require that smoking not be permitted in any portion of any indoor facility used regularly for child care except private residences. I certify that I will comply with the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and all other applicable federal and state laws, rules, and regulations.

I understand that Alabama Law mandates that all child care workers report any suspected incidences of child abuse and neglect to the Alabama Department of Human Resources or law enforcement personnel. I am required to report all such suspected incidences of child abuse or neglect. I certify that I will make this policy known to my staff and that I and my staff will fully comply with this requirement.

I certify that the rates entered in my Provider Portal are the accurate, current, and correct standard rates that I charge to all parents for the care of their child (ren) and that these rates are no more than the rates I publish, charge, and collect from the parents of private-pay children. **I understand that the CMA cannot pay me more than I charge for private-pay children for a family of the same size and income.**

I understand that **the CMA will only reimburse me the maximum authorized reimbursement rate** established by the Alabama Department of Human Resources, **which may be less than my published rates**. I further understand that **the CMA will not reimburse me for optional fees** that I may charge.

I certify that I will collect the total parental copayment assessed by the CMA from all parents of subsidized children. Failure to collect the copayment will not prevent the parent from transferring to another child care provider, and neither the CMA nor DHR will assist in collecting the debt.

I certify that **I will inform all parents** of the types and amounts of **all applicable rates and fees before their children are enrolled** in my facility.

I certify that the statements on this form are true and correct to the best of my knowledge. I understand that if I willingly provide false information and fail to comply with the statements and certifications made on this form, I may have to repay money to the CMA or the Alabama Department of Human Resources for any period of noncompliance. **Furthermore**, I may be temporarily or permanently suspended from future participation in the Child Care Subsidy Program.

Provider Registration Guide

The mission of the Child Care Subsidy Program is to provide Alabama's families equal access to affordable and quality child care services.

Alabama Department of Human Resources (DHR) Child Care Subsidy Program (Subsidy Program) assists Alabama's families with the cost of child care. The Subsidy Program is a certificate program that allows the parent to choose the childcare setting that best meets the needs of their family. DHR administers the Subsidy Program regionally through Child Care Management Agencies (CMAs) in 9 Regions. The CMA serving your region is responsible for the registration process and providing technical assistance to help providers.

Registration is a voluntary process and shall not be interpreted or construed as a condition of licensure or legal status concerning the Child Care Licensing and Performance Standards applicable to providing child care services under Alabama Law. A provider's registration status shall not be a condition for the provider to access and/or receive quality enhancement services.

What are the Health and Safety Guidelines and the penalties for non-compliance?

Pursuant to changes in the Child Care and Development Block Grant Act (42 U.S.C.S. §§9857 et seq), the Alabama Department of Human Resources (the Department) is required to create and implement health and safety standards for all child care facilities that receive Child Care and Development Funds (CCDF) through the Child Care Subsidy Program. The primary change relates to the obligation to monitor health and safety standards in all programs, including exempt child care facilities that receive CCDF funds.

The law requires that states must certify to the Administration for Children and Families, Office of Child Care, that they are following the regulations regarding the distribution of these funds. If a facility is not in compliance with the health and safety standards, it is ineligible to receive CCDF funds.

A facility, whether an initial registration, re-registration, or after a period of inactivity, is required to undergo a Health and Safety inspection prior to enrolling children participating in the Child Care Subsidy Program for inspections not completed within the previous twelve (12) months.

The Office of Child Care Subsidy will notify the CMA when a provider is eligible to enroll children participating in the Child Care Subsidy Program.

Penalties may be imposed by the Department when the facility fails to meet and maintain the Health and Safety Guidelines.

1. If an inspection, evaluation, or investigation indicates non-compliance with the Health and Safety Guidelines (deficiency), the Department shall prepare a deficiency report. A deficiency report is prepared in conjunction with or after a visit to the facility or after an investigation of a complaint regarding the facility.
2. In any visit to the facility where deficiencies are observed or noted, the Department's representative shall complete a deficiency report and discuss the deficiencies observed or noted with the facility representative. A copy of the completed deficiency report shall be provided to the facility representative.
3. The facility shall be ineligible to participate in the Child Care Subsidy Program if any violation of any of the Guidelines (deficiency) is not corrected within ninety (90) days of the discovery of the deficiency. In such instances the facility will remain ineligible to participate until no deficiencies exist, as verified by the Department's representative.
 - a. Certain situations may warrant an extension.
 - b. Compliance may be achieved by the facility providing documentation to the Department or visits may be conducted by the Department's representative to monitor compliance.

4. The Department may determine that a facility is **immediately** ineligible to participate in the Child Care Subsidy Program if:
 - a. It is determined that a deficiency will result in the immediate and/or irreparable threat of harm against any children at the facility;
 - b. The Department's representative is denied access to inspect the facility, or
 - c. The facility fails to obtain the required fire inspection, health inspection or zoning approval.

What credentials/information do providers have to furnish for registration?

Providers must submit the following information as part of the registration process:

1. The provider's legal business name, legal business address, and the category and type of child care facility;
2. The provider's current published policy for all children served by the provider, including, as applicable:
 - a.) The normal weekly rate(s) applied for payments received by the provider on the published due date or during any published grace period;
 - b.) The rate applied for payments received by the provider in advance of the published due date;
 - c.) The rate applied for payments received by the provider after the published due date, including any published grace period;
 - d.) Mandatory and optional fees, including descriptions of all services required or offered;
 - e.) Sliding-fee scales, incentives and/or discounts and the associated eligibility criteria;
 - f.) Available scholarships and the associated funding sources and eligibility criteria;
 - g.) Any other relevant policies the provider chooses to establish.
3. A copy of the provider's current license or current documentation for exclusion, as applicable;
4. A completed Form W-9 with the provider's federal tax ID or Social Security number; and,

How will providers know if a parent is eligible for the Subsidy Program?

Parents determined eligible for the Child Care Subsidy Program and select a provider are issued a Certificate of Child Care Award. The provider will receive notification through the Provider Portal of any action taken to enroll, unenroll, modify the schedule, and change the copayment.

Parents who are determined eligible for the Child Care Subsidy Program but have yet to select a provider are issued a Pre-Certificate of Child Care, which allows them to choose a provider. Immediately after the provider accepts a child and notifies the CMA of the start date, the CMA enrolls the child and issues the Certificate to the parent. The provider must accept the enrollment to begin receiving payments for the child. The provider has a right to deny a child's enrollment.

Parents are solely responsible for choosing their children's type of care and the child care facility. Funds paid to providers for child care services are considered assistance to the families of the children authorized to receive those services. Such payments must not be construed as assistance to any provider.

Does the Certificate show how much providers will be reimbursed?

The Certificate provides the following information:

1. The parent's certification period;
2. The authorized child/ren;
3. The date of enrollment;

4. The care level of each child;
5. The authorized unit of care to each child;
6. The provider rate of reimbursement;
7. The assessed parental copayment
8. The net subsidy amount (the amount paid by Subsidy program); and,
9. The child's schedule.

Below is an example of how the information is provided on the bottom of Certificate

PERIOD OF CERTIFICATION																							
From <u>11/02/2024</u> Through <u>11/30/2025</u>																							
<p>MY KIDS LEARNING ACADEMY 86 HWY 431 HEFLIN, AL 36264</p> <p><Include space for a minimum of 4 children></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Child Name</th> <th style="width: 15%;">Start Date</th> <th style="width: 15%;">Care Level</th> <th style="width: 15%;">Schedule Type</th> <th style="width: 15%;">*Subsidy Rate</th> <th style="width: 15%;">Parent Copayment</th> <th style="width: 15%;">Net Subsidy</th> <th style="width: 15%;">Schedule</th> </tr> </thead> <tbody> <tr> <td>Joseph Kidd</td> <td>4/22/2024</td> <td>Preschool</td> <td>Full-Time</td> <td>122.00</td> <td>0.00</td> <td>122.00</td> <td>Full-Time Weekly</td> </tr> </tbody> </table>								Child Name	Start Date	Care Level	Schedule Type	*Subsidy Rate	Parent Copayment	Net Subsidy	Schedule	Joseph Kidd	4/22/2024	Preschool	Full-Time	122.00	0.00	122.00	Full-Time Weekly
Child Name	Start Date	Care Level	Schedule Type	*Subsidy Rate	Parent Copayment	Net Subsidy	Schedule																
Joseph Kidd	4/22/2024	Preschool	Full-Time	122.00	0.00	122.00	Full-Time Weekly																

Are providers notified of changes in parents' eligibility or is the initial Certificate all a provider will receive?

The CMA will make reasonable efforts to inform providers of changes in a parent's eligibility as soon as possible. Parents are required to report some changes in their circumstances within ten (10) days of the change. However, depending upon the parent's situation, the CMA may not be required to give the parent advance notice of an action which reduces, suspends or terminates services. In the event there is a change in the subsidy, the parent will be issued a new Certificate of Child Care and the provider will be notified of the changes through the Provider Portal.

What if parent continues to take their child/ren to care after subsidy benefits have been reduced or terminated?

If the provider has continued to provide services greater than the authorized amount, the parent is responsible for payment of child care during timeframes in which they were not eligible for subsidy but continued to use provider services. The provider is responsible for collecting from the parent any money they owe for the period the CMA cannot reimburse the provider.

Will providers be reimbursed after a Certificate has expired?

A Child Care Certificate is fully redeemed on the last day of the Certification period. Parents are required to re-apply for continuing services at twelve (12) month intervals. Parents are sent a message to complete recertification 45 days before the end of the certification period. Additional notifications will be sent through the Parent Portal and Provider Portal at 30 days, 15 days, 10 days, and every day afterward until the recertification application is completed or the certification period ends. A new Child Care Certificate is issued when a parent is approved for continued services.

What is the maximum provider rate of reimbursement?

The Department's intent is for parents of subsidized children to purchase care from their chosen providers at rates that are no greater than the rates those providers publish, charge, and collect from private-pay parents for families of the same size, age range, and/or income range, and/or number of children within the family for whom services are provided. Regardless of the provider's published rates, the maximum rate of reimbursement will not exceed the allowable rate based on the number of hours (~~unit of care~~) care is authorized.

The **maximum** allowable rate of reimbursement payable by the CMA **will not exceed the lesser of:**

1. The provider's normal published weekly rate which is payable on the provider's published "due date".
2. The provider's published discounted rate such as:
 - a.) Giving a discount for serving more than one child in the same family;
 - b.) Giving an employee discount if the subsidized child's parent is an employee of the provider; and/or
 - c.) Using variable rates based on a sliding fee scale; **or**
 - d.) The maximum applicable rate the CMA is allowed to pay as set by the child care market.

Providers are to submit written, advance notice to the CMA of any rate changes. If the CMA reimbursement rate changes as a result of the provider rate change, the new reimbursement rate will be effective the first day of the month following the month the written notice is submitted by the provider.

Can a provider be reimbursed for provider closure days?

Providers may be reimbursed for up to, but no more than, three scheduled closure weeks during the fiscal year. Reimbursement for closures or absences is allowable **only** if the provider requires reimbursement of, and collects such reimbursement from, private-pay parents.

The provider is required to enter the scheduled closure days and weeks on the Provider Portal prior to the date of the closure.

Can a provider be reimbursed for emergency closure days?

Because providers are paid by weekly enrollment instead of attendance, the provider would receive payment for any individual closure day regardless of it being a normal closure or emergency closure. Therefore, emergency and daily closures will be paid in the weekly rate.

Will a provider be reimbursed for a subsidy child that is chronically absent?

Because reimbursement made to providers is considered assistance to the family and not the provider, it is the provider's responsibility to contact the parent regarding chronic absenteeism or sporadic attendance and decide whether to continue providing services. If a provider continues services, the provider is solely responsible for the absences within the month not covered under the chronic absenteeism policy.

What is chronic absenteeism policy?

Chronic absenteeism is absence transactions totaling more than **ten** consecutive days within a month. An exception applies for children with chronic illnesses as documented by their physician or those absent for a specific period (i.e., summer vacation). The parent must notify the CMA to suspend the enrollment so the child will not be considered chronically absent.

The CMA cannot make reimbursement for an absence more than the 10th day of absence within a month **except** as follows:

1. Reimbursement can be made for up to, but not more than ten (10) days of absence per month, for a child who has a documented physical or mental condition and the provider submits documentation from a licensed physician, psychiatrist or psychologist.
2. Any child registered with the Alabama Early Intervention Program through the Alabama Department of Rehabilitation.

If a child's QR scanning indicates chronic absence of over 10 days, the CMA will notify the parent and provider of unenrollment through the Portals.

Can a provider ever be reimbursed for more than 10 absences in a calendar month?

No. Reimbursement is authorized for up to, but not more than, ten (10) days within a calendar month. This applies to all Child Care Subsidy Program children including children that are referred from County DHR.

No reimbursement/payment is authorized for any month during which the child fails to attend at least one day during the month.

Is the parent responsible for other fees charged by the provider?

Parents are solely responsible for paying providers for any additional charges the provider may have. This includes, but is not limited to the following:

1. Late pick-up fees;
2. Any amount greater than the maximum amount of the subsidy paid by CMA and the parental copay; and
3. Any other mandatory or optional rates and fees.

***When collecting fees, the provider should credit the parent for the CMA assessed parental copay first.**

When do providers collect the assessed CMA parental copayments?

Parents are required to pay copayments as a condition of eligibility. Depending upon their situation, some parents may have a zero-copayment amount. Neither the CMA nor the provider is allowed to waive the parental copayments.

The parent must begin paying their assessed parental copayment on the first day of enrollment. Thereafter, parental copayments are due on Monday of the current week.

The parent may pay copayments in advance for more than one week at a time. Upon termination of care, parent copayments paid in advance for any full week during which the child does not receive care must be refunded to the parent; however, the provider is not to refund copayments for any partial weeks of service.

What if the parent fails to pay the CMA assessed parental copayment?

Providers are required to collect the CMA assessed parental copayment. Failure to collect the copay is the sole responsibility of the provider. The CMA nor DHR will intervene to assist in collecting the debt.

Can a parent transfer to another provider if they have not paid their CMA assessed parental copayment?

Yes, the parent is allowed to transfer to another provider if they have not paid their CMA assessed parental copayment. If the parent owes additional fees to the provider, including the assessed parent copayment, the provider should credit the parent for the CMA assessed parental payment first. Parents will not be denied transfer for non-

payment of copayments or other fees. It is the sole responsibility of the provider to collect mandatory copayments and not allow for the accumulation of debt of said copayments.

Is the provider required to issue a receipt for payment of CMA assessed parental copayments?

The provider **must** issue the parent a receipt at the time the parent pays the assessed parental copayment. If the provider is unable to produce a valid copy of the receipt given to the parent, the parental copayment is deemed **not** to have been collected. The receipt should indicate the period that the copayment represents.

Failure by the provider to collect the CMA assessed parental copayment is considered noncompliance with program requirements. For each instance the required parental copayment is not collected the provider will have a financial chargeback. Multiple instances of noncompliance may result in the provider being disqualified from participating in the Child Care Subsidy Program.

What is considered provider Noncompliance with Program Requirements?

If the provider fails to comply with the provider's published policies, the constraints agreed to by the provider on the Provider Portal, and/or is found in possession of a parent's electronic device. Noncompliance includes, but is not limited, to any combination of the following behaviors:

1. Failing without good cause to submit accurate billing including Adjustment Requests;
2. Failing to produce documentation at request of DHR or the CMA for audit purposes;
3. Receiving payment for care at an unregistered location; or,
4. Failing to collect the required parental copayments; or,
5. Failing to report enrolled children that are not attending the facility for ten or more days unless an exception applies; or,
6. Committing any Intentional Program Violation and/or failing without good cause to comply with a Repayment Agreement.

What steps are taken to resolve an instance of noncompliance?

Upon learning of the provider's failure to comply with the provider's published policies or the constraints agreed to by the provider on the current Provider Participation Requirements and Certifications, the CMA is to inform the provider in writing of any corrective action needed to resolve the noncompliance and attempt to ascertain the reason for the noncompliance. One of the following will occur based on the provider's intent with regard to subsequent compliance:

1. If the provider takes the necessary corrective action and commits to comply with the registration requirements, document and update the registration file, as appropriate. In this instance, reimbursement may be continued.
2. If the provider indicates an unwillingness to comply, or fails to take the required corrective action, the CMA will take action to terminate reimbursement of funds.

What is a “pattern of noncompliance”?

A “pattern of noncompliance” is deemed to have been established when there have been three (3) instances of the provider failing to conduct business within the constraints agreed to by the provider on the Provider Participation Requirements and Certifications. *Possession of the parent's electronic payment device or Family Portal login information or misuse of the QR code are immediate offenses.* Any provider determined to have demonstrated a “pattern of noncompliance”, as described above, must be disqualified from registering to participate in the Program, as follows:

1. When the pattern of noncompliance has been established, a mandatory period of three (3) months;
2. For the first instance after a pattern of noncompliance has been established, a mandatory period of six (6) months; and,
3. For the second and subsequent instances after a pattern of noncompliance has been established, a mandatory period of one (1) year.

What happens if a provider is in possession of a parent's electronic payment device?

Possession, by an individual employed by the child care provider or the provider, of a parent's electronic payment device or Family Portal login information, or misuse of the QR code may result in termination from program participation.

The provider is given advance notice before action is taken to terminate Program participation. An investigation will be conducted by DHR. During the investigation the provider may submit any materials (written or otherwise).

Upon investigation and ultimate verification that a provider was in possession of a parent's electronic payment device or Family Portal login information, or misused the QR code, the provider will be informed of the result of the investigation including:

1. Subsidy reimbursement will stop effective thirty (30) days from the date of the letter or notice;
2. The period of the provider's disqualification; and,
3. Any funds paid to the provider during the time period that the provider was found to be in possession of the parent's electronic payment device will be recouped.
 - a. The recoupment of funds will be considered fraud, and,
 - b. If the amount of the recoupment is \$2500 or greater the case will be referred for prosecution.

Any provider found to be in violation of this policy must be disqualified from Program participation as follows:

1. For the first instance, a provider must be disqualified from registering to participate in the Program for a mandatory period of three (3) months;
2. For the second instance, a provider must be disqualified from registering to participate in the Program for a mandatory period of six (6) months;
3. For the third instance, and any subsequent instances, a provider must be disqualified from registering to participate in the Program for a mandatory period of one (1) year.

The provider may request a hearing within 60 days of the notice of disqualification from Program participation.

Can a provider dispute an action taken to deny or terminate program participation?

A provider has the right to request a fair hearing in response to any action to deny or terminate program participation. The request must be as follows:

1. Requests for hearings must be made in writing to the CMA by the provider or the provider's legal representative **within 60 days** of the action.
2. The hearing request will be forwarded to the Administrative Hearing Officer of the Alabama Department of Human Resources.

Subsidy Program List of Terms:

Attendance is defined as a full or partial day during which the eligible and authorized child is physically present at the child care facility for the purposes of receiving services.

Care Level is defined as:

1. Infant/Toddler (INTD)- Birth to 36 months;
2. Preschool (PRES)- 37 months to five (5) years;
3. School Age (SCH)- Five (5) years/start of Kindergarten to twelve (12) years; or
4. Above age 13 (GT13)- Thirteen (13) years to nineteen (19) with documentation of a disability

Certification Period is defined as the timeframe for which a parent has been authorized for services.

Enrollment is defined as:

1. **Starting with** the first full or partial day the eligible and authorized child is in attendance at a child care facility, **or** the first full or partial day such payment is authorized, **whichever is later**; and
2. **Ending on** the last full or partial day such payment is authorized (subject to chronic absenteeism policy).
3. **For payment:** Providers may not have more children enrolled in their facility that exceeds 30% of the total day time capacity. Providers that have night time capacities must be open for operations beginning 7 pm in accordance with the Child Care Licensing and Performance Standards and at a minimum of 5 additional hours (midnight). Providers that close prior to 7 pm are considered as day capacity only for the purposes of subsidy participation. Under these provisions, school age children may not be authorized for full-time care during the school year with a provider that is not open after 7 pm. Also, school age children may not be authorized for full-time care during the school year for days the school is open and in session (including virtual).

Parental copayment is defined as the amount of the subsidy reimbursement that the parent has been assigned to pay to the provider. The copayment is determined by the CMA and is based on the family's total gross monthly income and the size of the family.

Full-time care is defined as care averaging **more than 25 hours per week**. The maximum reimbursement will be at the provider's full-time rate less parental copayment.

Part-time care is defined as care averaging **25 hours or less per week**. The maximum reimbursement will be no more than half of the provider's full-time rate less parental copayment.