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Local Commissioners Memorandum

Transmittal:	02 OCFS LCM-16
To:	Local District Commissioners
Issuing Division/Office:	Division of Development and Prevention Services
Date:	August 21, 2002
Subject:	Child Care Market Rates
Contact Person(s):	Eileen Mahoney (518) 473-0711
Attachments:	A: Child Care Market Rates B: Request for Extension of October 1, 2001 Rates
Attachment Available On – Line:	Available

I. Purpose

The purpose of this release is to advise social services districts of revised regulations related to the application of daily versus weekly market rates statewide and changes to the actual dollar amount of family, group family and legally-exempt rates in Group A covering Nassau, Putnam, Rockland, Suffolk and Westchester Counties. This release replaces 01 OCFS LCM-16 issued October 12, 2001.

The market rates were filed on October 1, 2001. They were re-filed with the above-mentioned revisions on December 31, 2001 and were effective on that date. They were subsequently re-filed as an emergency rule on April 1, 2002 and July 1, 2002. The Office of Children and Family Services (OCFS) intends to adopt the emergency rule as a final rule.

Districts affected by the changes in actual rates (Group A counties), received notification in addition to the publication notice in the State Register. This notification was via electronic message dated January 9, 2002 and included the market rate language changes and revised rate charts.

II. Background

Federal statute Section 658E(c)(4)(A) of the Social Security Act and federal regulation 45 CFR Part 98.43(a) require the State to establish payment rates for federally funded child care subsidies that are sufficient to ensure equal access for eligible children. Federal regulation 45 CFR Part 98.43(b)(2) requires that payment rates be based on a local market rate survey. Section 410-x of the New York State Social Services Law requires OCFS to establish, in regulation, the applicable market-related payment rate which will establish a ceiling for State and federal reimbursement for payments for child care services.

Payment rates must be sufficient to ensure equal access for eligible families to child care services comparable to those provided to children whose parents are not eligible to receive assistance under any federal or State programs. In addition, market rates must take into account the variations in costs of providing child care in different settings and to children of different age groups and the additional cost of providing child care for children with special needs. The federal Administration for Children and Families has indicated in the preamble to the final rule for the Child Care and Development Fund, 45 CFR Parts 98 and 99, that it regards rates set at the 75th percentile as sufficient to provide subsidized parents equal access to child care providers.

In accordance with federal regulatory requirements, OCFS conducted the required survey of child care rates. Rate data was collected by mailing a survey form to all regulated child care providers. The rates included in the calculation of market rates for child day care centers in New York City that provide all of their child care services pursuant to contracts with the City's Agency for Child Development (ACD) were provided directly to OCFS by ACD.

The rate data was analyzed to determine the 75th percentile. The resultant rates were then clustered into five distinct groupings of districts based on similarities in the rates among the districts. The groupings have changed from the previous survey. Type of provider, age of child and amount of time in care differentiate the rates for each group.

The market rates for legally-exempt family child care and in-home child care were established based on data obtained on a previous survey of caregivers of legally-exempt family child care in one social services district. The percent difference in rates between the registered family day care rate and the legally-exempt family child care and in-home child care rate in this social services district was determined. This differential was then applied to the market rate established for family day care in all other social services districts to derive a rate for legally-exempt family child care and in-home child care.

Based on an inquiry by one of the Group A districts received after the initial emergency filing of the market rate regulations, an additional quality control review was conducted for family and group family provider rates in Group A. This review included a re-survey of a sample of providers to determine the accuracy of the rates originally provided on the market rate survey. As a result of this re-survey, actual rates were found to be lower than the rates reported previously.

When the actual rates were included and market rates for Group A counties were analyzed, the resultant rates for family day care, group family day care and legally-exempt family child care and in-home child care in Group A were reduced and the exception for Rockland county rates was eliminated.

In addition to the change in rates for Group A, a change in the market rate language as it pertains to the application of daily versus weekly rates was made. Regulations were clarified to reflect that the daily rate is applied in part-time situations only; and the weekly rate divided by five is applied to determine the maximum reimbursement for providers of full time care that charge on a daily basis and do not have a contract with the social services district. The higher daily rate for part-time care reflects conditions in the market place in which providers charge more on a pro rata basis for part-time care.

III. Program Implications

Actual Cost of Care

Effective December 31, 2001 payments for child care services under the New York State Child Care Block Grant (NYSCCBG) and under Title XX must be for the actual cost of care up to the applicable market rate as updated in Attachment A. The actual cost of care is the rate charged by the provider. However, federal and State reimbursement is available only for payments for child care services for eligible families that do not exceed the amount charged by the provider to the general public for equal care. Social services districts may negotiate payment rates with individual providers. Negotiated rates may be the same as or lower than the rates charged to non-subsidized families. Even though the negotiated rate may be less than the usual charge to non-subsidized families, the negotiated rate is considered the actual cost of care for those child care services provided under a contractual agreement between the social services district and the provider. A contract cannot be made a condition of receiving payment under the NYSCCBG.

Selection of the Applicable Market Rate

Whenever child care services are provided, the social services district must consider at least three factors when selecting the applicable market rate. The factors that will affect payment in every case are the type of provider, age of child, and duration of care.

Additional factors may apply in certain circumstances. These circumstances include care provided outside of the family's district; care provided to a child with special needs; programs that are accredited or provide care during non-traditional hours; and care provided in excess of a weekly or daily period.

1. Type of Provider

- a. Licensed or registered day care centers and legally-exempt group child care** - The maximum payment rate for care provided by licensed or registered day care center providers and by caregivers of legally-exempt group child care as defined in 18 NYCRR Section 415.1 is the applicable market rate for day care centers.
- b. Registered family day care homes** - The maximum payment rate for care provided by registered family day care homes is the applicable market rate for family day care.
- c. Licensed group family day care homes** - The maximum payment rate for care provided by licensed group family day care homes is the applicable market rate for group family day care.
- d. Registered school-age child care programs** - The maximum payment rate for care provided by registered school-age child care programs is the applicable market rate for school-age child care programs.
- e. Legally-exempt family child care and legally-exempt in-home child care providers** - The maximum payment rate for care provided by legally-exempt family child care and legally-exempt in-home child care providers is the applicable market rate for legally-exempt family child care and in-home child care.

Note: All legally-exempt providers including legally-exempt group, legally-exempt family and legally-exempt in-home providers must meet applicable health and safety standards and must be enrolled by the district before payment can be made.

2. Age of Child

Market rates are differentiated by the age of the child. The age categories are:

- a. under 1-1/2 years;**
- b. 1-1/2 years through 2 years;**
- c. 3 years through 5 years; and**
- d. 6 years through 12 years.**

When a change in a child's age results in movement from one age category to another, the new market rate limit should be applied at the beginning of the first full month following such a change.

3. Duration of Care

Market rates also are differentiated by the number of hours of care that are needed.

- a. Weekly**

The social services district may apply the weekly rates as the maximum payment limit only when the child care services are provided for 30 or more hours over the course of five or fewer days in a single week.

b. Daily

The social services district may apply the daily rates as the maximum payment limit only when the child care services are provided for at least six but fewer than twelve hours per day. **The market rate charts provide the daily rates for part-time care (i.e. less than 30 hours per week). If daily rates are charged for full-time care, the full time daily rates are calculated by taking the weekly rate and dividing by five.**

c. Part-day

The social services district must apply the part-day rates as the maximum payment limit when the child care services are provided for at least three but fewer than six hours per day. Part-day rates also must be applied for children who are provided care before and/or after school for less than three hours per day by day care centers or school-age child care programs that do not charge on an hourly basis.

d. Hourly

With the exception noted in the definition of the part-day rate, the social services district must apply the hourly rates as the maximum payment limit when the child care services are provided for fewer than three hours per day.

4. Special Considerations for Rate Determinations

Weekly Versus Daily Rates

When a child day care provider routinely charges non-subsidized parents on a weekly basis and has not signed a purchase of service contract or other written agreement for payment on a different basis, the social services district must apply the weekly market rate as the maximum payment limit for child care services that are provided for 30 or more hours for five or less days per week.

When a child day care provider routinely charges non-subsidized parents on a daily basis and has not signed a purchase of service contract or other written agreement for payment on a different basis, the social services district must apply the daily market rate as the maximum payment limit for child care services that are provided for 30 or more hours over the course of five or fewer days in a single week. The full-time daily rate is determined by dividing the weekly rate by five.

When the child care services are provided for fewer than 30 hours per week, the social

services district must apply the daily, part-day or hourly rates, or a combination thereof, as applicable. The market rate charts reflect part-time daily rates as used for care provided at least six but less than twelve hours per day for less than 30 hours per week.

Care in Excess of a Weekly or Daily Period

When child care services are provided by a single provider in excess of one weekly or daily period and the provider charges an additional rate for hours outside the program's normal operating hours, payment for the additional child care services will be based on the actual cost of care up to the applicable market rate.

For example, a provider whose normal operating hours are 7:00 AM to 5:30 PM cares for a child for 16 hours per day, Monday through Friday, and charges an additional amount for care after 5:30. The maximum payment available is one weekly market rate plus five part-day rates. Five part-day rates apply because care is for 12 or more hours per day. Since four additional hours per day are provided, part-day maximum rates would apply for the additional hours.

Care Provided By Multiple Providers

Payment for child care services which are provided by multiple providers during the course of a single day or week will be made to each provider for the actual cost of such services up to the applicable market rate for each. For example, a provider cares for a child from 7:30 AM to 4:30 PM, Monday through Friday. Another provider cares for that child from 6:00 PM to 9:30 PM on Tuesday and Thursday. The maximum payment available is one weekly market rate for the first provider and two part-day market rates for second provider.

Rate for Five-Year-Olds in School-Age Child Care Programs

The market rate that applies for five-year-olds attending a school-age child care program is the rate for 6-12 year-old children in the same program.

Children with Special Needs

When child care services are provided to children with special needs, social services districts will receive reimbursement for payments in excess of the applicable market rate up to the statewide limit when the increased payments are the result of increased rates associated with meeting the special care needs of such children. The rate of payment for child care services provided to a child determined to have special needs is the actual cost of care up to the statewide limit of the highest weekly, daily, part-day or hourly market rate for child care services in the State, as applicable, based on the amount of time the child care services are provided per week regardless of the type of child care provider used or the age of the child.

The highest full time market rates in the State are as follows. These rates are also the maximum reimbursable rates for special needs children.

Weekly \$267.00

Daily \$ 67.00

Part-Day \$ 45.00

Hourly \$ 17.00

Detailed policies and procedures relative to the provision of child care services to children with special needs are set forth in 91 ADM-34.

Location of Care

Whenever child care services are provided by a provider located outside the social services district that authorizes the subsidy, the social services district must make payments based on the cost of care up to applicable market rates for the county in which the care is provided. The same applies to care provided in another state.

Differential Payment Rates

Nationally Accredited Programs

Social services districts are allowed to establish differential payment rates for child care services provided by licensed or registered child care providers that have been accredited by a nationally recognized child care organization. Nationally recognized organizations that provide accreditation to regulated child care providers include the National Association for Education of Young Children (NAEYC), National Association for Family Child Care (NAFCC) and National School Age Child Care Association (NSACCA).

Non-traditional Hours

Additionally, districts are allowed to establish differential payment rates for child care services that are provided during non-traditional hours, that is during evening, night or weekend hours. Although legally-exempt family and in-home child care providers are **not** eligible for the differential payment rate for accredited programs, social services districts may establish a differential rate for non-traditional hours provided by legally-exempt family and in-home child care providers as well as for regulated providers.

Conditions Pertaining to Differential Payments

The differential payment rates established by the district may be up to 15 percent higher than the applicable market rates (ex. if the market rate is \$200, a differential of 15% would raise the market rate up to \$230 for eligible programs). Districts must pay the lower of the rate charged by the provider to the general public for equal care or the differential payment rate.

The differential payment rates the district sets for accredited programs may be different from the rates set for care provided during non-traditional hours. There can only be a total of 15 percent in differential payment to any one provider. For instance, a provider who is nationally accredited and who also provides child care for non-traditional hours is eligible only for a maximum of 15 percent increase above the market rate for the respective type of care and age of the child.

If a district chooses to offer a differential payment, the district must indicate so in its Consolidated Services Plan or Integrated County Plan. The information in the plan must include the percentage above the applicable market rate that it opts to allow for accredited programs and/or for care provided during non-traditional hours, as applicable. The district must also indicate in its Consolidated Services Plan or Integrated County Plan if any restrictions, limitations or requirements are placed on providers who may be eligible for the differential payment.

Waivers to Exceed 15 Percent

A district may request a waiver to establish a payment rate that is in excess of 15 percent above the applicable market rate upon showing that the 15 percent maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

IV. System Implications

This LCM has no Welfare Management System implications. Claims should continue to be made on the Schedule G for Title XX and on Schedule H for the NYSCCBG.

V. Additional Information

None

VI. Required Actions

The changes to the dollar amount of the rates for Group A counties and the application of daily versus weekly rates were effective December 31, 2001. They are not retroactive to October 1, 2001. All districts will need to review rates paid on a daily basis for full time care to determine whether that they exceed the weekly rate divided by five.

If daily rates do exceed the weekly amount divided by five and care is provided for 30 or more hours per week, the district will need to reduce the amount of child care benefits. This requires a client notice of intent to change child care benefits. Districts should also notify the affected provider of this change.

District staff in Nassau, Putnam, Rockland, Suffolk, and Westchester, whose market rates

are found in Group A of the market rate chart, will need to review rates to determine whether the reduced rates impact any current cases. If so, the benefit amounts will need to be reduced and the client will need to receive a notice of intent to change benefit amount. Districts should also notify any affected provider of this change.

In either of the above situations, if the provider's rate is in excess of the market rate and the district does not have a contract with the provider, the parent who chooses to continue care with the provider must make up the difference between the provider's rate and the market rate. If the district has a contract to pay a rate that is higher than the market rate, the amount above the market rate is not reimbursable from State and federal funds.

Social services districts must review all currently authorized cases. The payment authorized must be for the actual cost of care up to the applicable market rate. Social services districts should pay particular attention to those authorizations that were made based on the October 1, 2001 market rate limit. Reviews must take place as soon as possible but in no case later than September 30, 2002, whichever comes first.

In order to ease the transition from the October 1 to December 31, 2001 reduced market rate changes, districts may request an extension of the December 31, 2001 effective date. Any district that wishes to extend the implementation date for the reduced rate changes must submit a request to OCFS on the attached form no later than September 30, 2002.

An extension date for implementation of the reduced rates can be for any date up to and including September 30, 2002, unless there are extenuating circumstances beyond the district's control showing why a later date is needed. Extenuating circumstances would only include the existence of an executed contract with a contract period ending later than September 30, 2002 and which references a reduced family day care, group family day care or legally-exempt family child care rate in Group A counties only, or a full-time rate based on the part-time daily rates any where in the State. If there are executed contracts that must be amended, the extension date may be up to and including December 31, 2002.

Districts that do not request and receive approval for an implementation date extension are subject to the retroactive **December 31, 2001** effective date.

VII. Effective Date

The effective date of this release is the date issued.

/s/ Larry G. Brown

Larry G. Brown
Deputy Commissioner
Division of Development and Prevention Services

ATTACHMENT A

CHILD CARE MARKET RATES

Market rates are established in five groupings of social services districts as follows:

DISTRICT GROUPINGS

- Group A: Nassau, Putnam, Rockland, Suffolk, Westchester
- Group B: Columbia, Erie, Monroe, Onondaga, Ontario, Rensselaer, Saratoga, Schenectady, Tompkins, Warren
- Group C: Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Orleans, Oswego, Otsego, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Washington, Wayne, Wyoming, Yates
- Group D: Albany, Dutchess, Orange, Ulster
- Group E: Bronx, Kings, New York, Queens, Richmond

MARKET RATES

Except for districts noted with an asterisk (*) in the following market rate schedules, the rates established for a group apply to all districts in the designated group. Districts with an exception have a different rate indicated in bold. Some districts have an exception only for a particular rate(s). Where no exception appears under a rate column, the designated group rate applies.

Section 415.9. Rates.

GROUP A COUNTIES: Nassau, Putnam, Rockland, Suffolk, and Westchester

Age of Child:	<u>Under 1 1/2</u>	<u>1 1/2 - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$252.00	\$230.00	\$210.00	\$212.00
Daily	\$63.00	\$58.00	\$53.00	\$53.00
Part-Day	\$42.00	\$39.00	\$35.00	\$35.00
Hourly	\$8.00	\$8.50	\$7.50	\$7.00
REGISTERED FAMILY DAY CARE				
Weekly	\$200.00	\$200.00	\$180.00	\$175.00
Daily	\$50.00	\$50.00	\$45.00	\$44.00
Part-Day	\$33.00	\$33.00	\$30.00	\$29.00
Hourly	\$8.00	\$7.50	\$7.00	\$7.00
GROUP FAMILY DAY CARE				
Weekly	\$215.00	\$200.00	\$197.00	\$185.00
Daily	\$54.00	\$50.00	\$49.00	\$46.00
Part-Day	\$36.00	\$33.00	\$33.00	\$31.00
Hourly	\$7.50	\$7.00	\$6.50	\$6.50
SCHOOL AGE CHILD CARE				
Weekly	\$0.00	\$0.00	\$0.00	\$212.00
Daily	\$0.00	\$0.00	\$0.00	\$53.00
Part-Day	\$0.00	\$0.00	\$0.00	\$35.00
Hourly	\$0.00	\$0.00	\$0.00	\$7.00

GROUP A COUNTIES continued

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE

Weekly	\$150.00	\$150.00	\$135.00	\$131.00
Daily	\$38.00	\$38.00	\$34.00	\$33.00
Part-Day	\$25.00	\$25.00	\$23.00	\$22.00
Hourly	\$6.00	\$5.63	\$5.25	\$5.25

Section 415.9. Rates.

GROUP B COUNTIES: Columbia, Erie, Monroe, Onondaga, Ontario, Rensselaer,
Saratoga, Schenectady, Tompkins and Warren

Age of Child:	<u>Under 1 1/2</u>	<u>1 1/2 - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$165.00	\$155.00	\$145.00	\$138.00
Daily	\$41.00	\$39.00	\$36.00	\$35.00
Part-Day	\$27.00	\$26.00	\$24.00	\$23.00
Hourly	\$7.00	\$7.00	\$6.25	\$7.00
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REGISTERED FAMILY DAY CARE				
Weekly	\$127.00*	\$125.00*	\$120.00	\$120.00*
*Columbia	\$140.00	-----	-----	-----
*Saratoga	\$140.00	\$140.00	-----	\$130.00
*Warren	-----	-----	-----	\$130.00
Daily	\$32.00*	\$31.00*	\$30.00	\$30.00*
*Columbia	\$35.00	-----	-----	-----
*Saratoga	\$35.00	\$35.00	-----	\$33.00
*Warren	-----	-----	-----	\$33.00
Part-Day	\$21.00*	\$21.00*	\$20.00	\$20.00*
*Columbia	\$23.00	-----	-----	-----
*Saratoga	\$23.00	\$23.00	-----	\$22.00
*Warren	-----	-----	-----	\$22.00
Hourly	\$4.50	\$4.50	\$4.00	\$4.00
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GROUP FAMILY DAY CARE				
Weekly	\$140.00	\$135.00	\$130.00	\$125.00
Daily	\$35.00	\$34.00	\$33.00	\$31.00
Part-Day	\$23.00	\$23.00	\$22.00	\$21.00
Hourly	\$5.00	\$5.00	\$5.00	\$5.00
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GROUP B COUNTIES continued

SCHOOL AGE CHILD CARE

Weekly	\$0.00	\$0.00	\$0.00	\$138.00
Daily	\$0.00	\$0.00	\$0.00	\$35.00
Part-Day	\$0.00	\$0.00	\$0.00	\$23.00
Hourly	\$0.00	\$0.00	\$0.00	\$7.00

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE

Weekly	\$95.00	\$94.00	\$90.00	\$90.00
Daily	\$24.00	\$24.00	\$23.00	\$23.00
Part-Day	\$16.00	\$16.00	\$15.00	\$15.00
Hourly	\$3.38	\$3.38	\$3.00	\$3.00

Section 415.9. Rates.

GROUP C COUNTIES: Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Orleans, Oswego, Otsego, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Washington, Wayne, Wyoming, and Yates

Age of Child:	<u>Under 1 1/2</u>	<u>1 1/2 - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$131.00*	\$125.00*	\$118.00*	\$115.00
*Broome	\$150.00	\$143.00	\$136.00	-----
*Chautauqua	-----	-----	\$123.00	-----
Daily	\$33.00*	\$31.00*	\$30.00*	\$29.00
*Broome	\$38.00	\$36.00	\$34.00	-----
*Chautauqua	-----	-----	\$31.00	-----
Part-Day	\$22.00*	\$21.00*	\$20.00*	\$19.00
*Broome	\$25.00	\$24.00	\$23.00	-----
*Chautauqua	-----	-----	\$21.00	-----
Hourly	\$5.00	\$5.00	\$4.50	\$5.00
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REGISTERED FAMILY DAY CARE				
Weekly	\$110.00*	\$100.00*	\$100.00*	\$100.00*
*Lewis	\$125.00	-----	-----	-----
*Niagara	\$125.00	\$125.00	\$120.00	\$120.00
*Oneida	\$125.00	\$125.00	-----	-----
*Schoharie	\$125.00	\$125.00	\$120.00	-----
*Sullivan	\$125.00	\$125.00	\$120.00	\$125.00
*Washington	\$125.00	-----	-----	-----
Daily	\$28.00*	\$25.00*	\$25.00*	\$25.00*
*Lewis	\$31.00	-----	-----	-----
*Niagara	\$31.00	\$31.00	\$30.00	\$30.00
*Oneida	\$31.00	\$31.00	-----	-----
*Schoharie	\$31.00	\$31.00	\$30.00	-----
*Sullivan	\$31.00	\$31.00	\$30.00	\$31.00
*Washington	\$31.00	-----	-----	-----

GROUP C COUNTIES continued

Part-Day	\$19.00*	\$17.00*	\$17.00*	\$17.00*
*Lewis	\$21.00	-----	-----	-----
*Niagara	\$21.00	\$21.00	\$20.00	\$20.00
*Oneida	\$21.00	\$21.00	-----	-----
*Schoharie	\$21.00	\$21.00	\$20.00	-----
*Sullivan	\$21.00	\$21.00	\$20.00	\$21.00
*Washington	\$21.00	-----	-----	-----
Hourly	\$3.00	\$3.00	\$3.00	\$3.00

GROUP FAMILY DAY CARE

Weekly	\$120.00	\$115.00	\$110.00	\$105.00
Daily	\$30.00	\$29.00	\$28.00	\$26.00
Part-Day	\$20.00	\$19.00	\$19.00	\$17.00
Hourly	\$3.50	\$3.50	\$3.50	\$3.50

SCHOOL AGE CHILD CARE

Weekly	\$0.00	\$0.00	\$0.00	\$115.00
Daily	\$0.00	\$0.00	\$0.00	\$29.00
Part-Day	\$0.00	\$0.00	\$0.00	\$19.00
Hourly	\$0.00	\$0.00	\$0.00	\$5.00

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE

Weekly	\$83.00	\$75.00	\$75.00	\$75.00
Daily	\$21.00	\$19.00	\$19.00	\$19.00
Part-Day	\$14.00	\$13.00	\$13.00	\$13.00
Hourly	\$2.25	\$2.25	\$2.25	\$2.25

Section 415.9. Rates.

GROUP D COUNTIES: Albany, Dutchess, Orange, and Ulster

Age of Child:	<u>Under 1 1/2</u>	<u>1 1/2 - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$176.00	\$165.00	\$150.00	\$150.00
Daily	\$44.00	\$41.00	\$38.00	\$38.00
Part-Day	\$29.00	\$27.00	\$25.00	\$25.00
Hourly	\$6.00	\$6.30	\$6.30	\$6.00
REGISTERED FAMILY DAY CARE				
Weekly	\$150.00	\$150.00	\$135.00	\$135.00
Daily	\$38.00	\$38.00	\$34.00	\$34.00
Part-Day	\$25.00	\$25.00	\$23.00	\$23.00
Hourly	\$5.00	\$5.00	\$5.00	\$5.00
GROUP FAMILY DAY CARE				
Weekly	\$165.00	\$150.00	\$150.00	\$150.00
Daily	\$41.00	\$38.00	\$38.00	\$38.00
Part-Day	\$27.00	\$25.00	\$25.00	\$25.00
Hourly	\$6.00	\$6.00	\$5.00	\$5.00
SCHOOL AGE CHILD CARE				
Weekly	\$0.00	\$0.00	\$0.00	\$150.00
Daily	\$0.00	\$0.00	\$0.00	\$38.00
Part-Day	\$0.00	\$0.00	\$0.00	\$25.00
Hourly	\$0.00	\$0.00	\$0.00	\$6.00

GROUP D COUNTIES continued

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE

Weekly	\$113.00	\$113.00	\$101.00	\$101.00
Daily	\$28.00	\$28.00	\$25.00	\$25.00
Part-Day	\$19.00	\$19.00	\$17.00	\$17.00
Hourly	\$3.75	\$3.75	\$3.75	\$3.75

Section 415.9. Rates.

GROUP E COUNTIES: Bronx, Kings, Manhattan, Queens, and Richmond

Age of Child:	<u>Under 1 1/2</u>	<u>1 1/2 - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$267.00	\$255.00	\$180.00	\$177.00
Daily	\$67.00	\$64.00	\$45.00	\$44.00
Part-Day	\$45.00	\$43.00	\$30.00	\$29.00
Hourly	\$13.75	\$17.00	\$13.00	\$11.65
<hr/>				
REGISTERED FAMILY DAY CARE				
Weekly	\$135.00	\$130.00	\$121.00	\$120.00
Daily	\$34.00	\$33.00	\$30.00	\$30.00
Part-Day	\$23.00	\$22.00	\$20.00	\$20.00
Hourly	\$15.00	\$10.00	\$11.00	\$11.60
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GROUP FAMILY DAY CARE				
Weekly	\$150.00	\$150.00	\$140.00	\$130.00
Daily	\$38.00	\$38.00	\$35.00	\$33.00
Part-Day	\$25.00	\$25.00	\$23.00	\$22.00
Hourly	\$15.00	\$13.00	\$11.00	\$16.00
<hr/>				
SCHOOL AGE CHILD CARE				
Weekly	\$0.00	\$0.00	\$0.00	\$177.00
Daily	\$0.00	\$0.00	\$0.00	\$44.00
Part-Day	\$0.00	\$0.00	\$0.00	\$29.00
Hourly	\$0.00	\$0.00	\$0.00	\$11.65
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GROUP E COUNTIES continued

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE

Weekly	\$101.00	\$98.00	\$91.00	\$90.00
Daily	\$25.00	\$25.00	\$23.00	\$23.00
Part-Day	\$17.00	\$17.00	\$15.00	\$15.00
Hourly	\$11.25	\$7.50	\$8.25	\$8.70

SPECIAL NEEDS

The rate of payment for child care services provided to a child determined to have special needs is the actual cost of care up to the statewide limit of the highest weekly, daily, part-day or hourly market rate for child care services in the State, as applicable, based on the amount of time the child care services are provided per week regardless of the type of child care provider used or the age of the child.

The highest full time market rate in the State is:

Weekly	\$267.00
Daily	\$ 67.00
Part-Day	\$ 45.00
Hourly	\$ 17.00

Attachment B

Request to Extend the October 1 Effective Date for Certain Market Rates

County:

Contact Person:

Telephone/Email:

____ I am requesting an extension of the effective date for daily market rates or for market rates in Group A counties, from October 1 through _____ for the following types of providers: (check as many as are applicable).

____ Day Care Centers

____ School-Age Child Care

____ Family Day Care Homes

____ Group Family Day Care Homes

____ Legally-exempt Group

____ Legally-exempt Family

Reason for Request:

____ Sufficient time to inform parents and providers of any rate reductions. (The extension date can be no later than **September 30, 2002**).

____ Contracts with end dates on or after September 30, 2002 that will need to be amended. (The extension date can be up to and including **December 31, 2002**).

Upon request of OCFS, I agree to provide any back-up information requested including but not limited to names of providers and copies of signed contracts.

Commissioner or designee

Date