

ASSEMBLY, No. 4716

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblywomen Dunn and Reynolds-Jackson

SYNOPSIS

Increases child care provider payments and revises hourly limits on child care for school-aged children under subsidized child care assistance program during 2020-2021 school year.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/8/2021)

1 **AN ACT** concerning the subsidized child care assistance program
2 for certain children during 2020-2021 school year.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in this act:

8 “Child care services” means those services provided to eligible
9 children for which the Division of Family Development in the
10 Department of Human Services receives and administers State and
11 federal funding, pursuant to the “Child Care and Development
12 Block Grant of 1990,” Pub.L.101-508 (42 U.S.C. s.9857 et seq.) to
13 provide subsidy payments to licensed child care providers.
14

15 2. Notwithstanding any law, rule, or regulation to the contrary
16 and commencing upon the effective date of this act and expiring on
17 June 30, 2021, the Division of Family Development in the
18 Department of Human Services shall issue subsidy payments to a
19 licensed provider of child care services for services provided to a
20 school-aged child enrolled with the child care provider on a part-
21 time basis, based upon a rate of \$28.90 per day. Part-time child
22 care services shall be limited to a maximum of six hours of care per
23 day for a school-aged child enrolled with a licensed provider of
24 child care services. Nothing in this section shall be construed to
25 prohibit the division from issuing a higher hourly subsidy payment
26 to a licensed provider of child care services for a school-aged child.
27

28 3. Notwithstanding any law, rule, or regulation to the contrary
29 and commencing upon the effective date of this act and expiring on
30 June 30, 2021, the Division of Family Development in the
31 Department of Human Services shall issue subsidy payments to a
32 licensed provider of child care services for services provided to a
33 school-aged child enrolled with the child care provider on a full-
34 time basis, based upon a rate of \$48.80 per day. Full-time child
35 care services shall be limited to a minimum of 6.25 hours of care
36 per day and a maximum of ten hours of care per day for a school-
37 aged child enrolled with a licensed provider of child care services.
38 Nothing in this section shall be construed to prohibit the division
39 from issuing a higher hourly subsidy payment to a licensed provider
40 of child care services for a school-aged child.
41

42 4. There are hereby appropriated such sums as may be
43 necessary for the implementation of this act, as determined by the
44 Commissioner of Human Services. The amount appropriated shall
45 be funded first by federal assistance, provided pursuant to the
46 “Child Care and Development Block Grant of 1990,” Pub.L.101-
47 508 (42 U.S.C. s.9857 et seq.), to the extent not prohibited by

1 federal law. The remaining amounts necessary to fund the
2 provisions of this act shall be appropriated from the General Fund.

3
4 5. The Commissioner of Human Services shall apply for such
5 State plan amendments or waivers as may be necessary to
6 implement the provisions of this act and to secure any available
7 federal financial participation for the relevant child care programs.

8
9 6. This act shall take effect immediately and shall expire on
10 June 30, 2021.

11
12
13 STATEMENT

14
15 This bill revises the subsidized child care assistance program
16 reimbursement rate for participating licensed child care providers
17 that enroll school-aged children during the 2020-2021 school year,
18 and establishes limits on the number of hours of child care services
19 provided to school-aged children enrolled on a “part-time” and
20 “full-time” basis. Under the bill, providers that enroll school-aged
21 children on a part-time basis would receive \$28.90 per day for
22 providing a maximum of six hours of care. Child care providers
23 enrolling school-aged children on a full-time basis would be
24 reimbursed \$48.80 per day for providing between 6.25 and ten
25 hours of care. In addition, this bill specifies that nothing in the bill
26 should be construed as preventing the Division of Family
27 Development in the Department of Human Services, which
28 administers the subsidized child care assistance program, from
29 paying providers a higher hourly subsidy rate for school-aged
30 children. The bill’s requirements become effective upon enactment
31 and expire on June 30, 2021.

32 The bill appropriates such amounts as necessary to implement
33 these reimbursement changes to the subsidy program, but notes that
34 the primary source of funding is to be federal funds allocated
35 pursuant to the “Child Care and Development Block Grant of
36 1990,” Pub.L. 101-508 (42 U.S.C. s.9857 et seq.), to the extent
37 allowed under federal law. Any remaining funding needed to
38 implement the bill’s provisions is to be appropriated from the
39 General Fund. Finally, the bill stipulates that the Commissioner of
40 Human Services is to apply for any State plan amendments or
41 waivers required to ensure continued federal financial participation
42 for the State’s subsidized child care assistance program.

43 Under current regulation (N.J.A.C. 10:15-3.3 and N.J.A.C.
44 10:15-10.1), the subsidized child care assistance program limits
45 payment for services provided to school-aged children to three
46 hours during the school year, permitting these providers to offer
47 before- and after school services to school-aged children. Only
48 during the summer months, as well as recognized holidays and

1 vacations during the school year, are providers paid based for a full
2 day of care for school-aged children. Licensed child care providers
3 receive a daily subsidy rate of \$14.65 for school-aged children
4 enrolled on a part-time basis during the academic year, and \$29.30
5 for those school-aged children enrolled in full-time care.

6 To comply with federal and State public health guidelines during
7 the novel coronavirus disease 2019 (COVID-19) pandemic, many
8 New Jersey school districts plan to have some combination of
9 hybrid and remote instruction during the 2020-2021 school year,
10 while other districts plan to provide only remote instruction. In
11 general, the number of hours that a child will be physically present
12 in school will likely be limited to three or four hours per day for
13 two or three days per week. In light of these circumstances, many
14 working parents will need more than the currently-subsidized three
15 hours of care per day for their school-aged children. Based on
16 current projections, most children will spend five or six hours in
17 child care on days they attend school in-person. At the current
18 subsidy rate of \$14.65 per day for a school-aged child enrolled in
19 child care on a part-time basis, a provider would earn \$2.93 per
20 hour for five hours of care and \$2.44 per hour for six hours of care
21 provided on days the child's school offers hybrid instruction. A
22 child attending school virtually will typically spend anywhere from
23 eight to ten hours in a child care setting. Based on the current full-
24 time child care subsidy rate of \$29.30 per day for a school-aged
25 child, a provider would earn \$3.66 per hour for eight hours of care
26 and \$2.93 per hour for ten hours of care provided to a school-aged
27 child on days the child attends school virtually from the child care
28 facility.

29 It is the intent of the bill's sponsor to ensure that child care
30 providers that participate in the State's subsidized child care
31 assistance program are fairly and adequately reimbursed for the
32 hours of essential child care services they provide to school-aged
33 children during the 2020-2021 school year.