



Suffolk County Department of Social Services FCSA Child Care Bureau

What Are My Responsibilities as a Child Care Provider Serving DSS Subsidized Children?

As a provider who receives child care subsidy payments from this Department, you are obligated to comply with federal, state and local laws, regulations, policies and procedures. It is your responsibility to ensure your program is, and remains in, full compliance. By doing so not only will you safeguard the children you serve but you will also avoid state and local disciplinary actions that would result from non-compliance.

IMPORTANT NOTE TO PROVIDERS HAVING CONTRACTS WITH THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES:

In addition to all of the above requirements, contracted child care providers must fully comply with all of the terms and conditions of their contract.

1. **Compliance with NYS Regulations**

You must operate your child care program in compliance with all applicable New York State Office of Children and Family Services (OCFS) regulations. Failure to do so may result in OCFS taking enforcement action pursuant to Title 18 of the New York Code of Rules and Regulations § 413.3. **You can find the full text of the regulations on the OCFS website at:**

http://www.ocfs.state.ny.us/main/childcare/daycare_regs.asp.

- a. Child care subsidy program regulations can be found in 18 NYCRR § 415.
- b. Some child care provider regulations are specific to your provider type. You can use the chart below to find regulations that apply specifically to your provider type.

Eligible Provider Type	NYS Regulations
Enrolled Legally-Exempt In-Home Child Care Provider	18 NYCRR § 415
Enrolled Legally-Exempt Family Child Care Provider	
Enrolled Legally-Exempt Group Child Care Provider	
Registered Family Day Care Home	18 NYCRR § 417 & 413
Registered School Age Child Care	18 NYCRR § 414 & 413
Licensed Group Family Day Care Home	18 NYCRR § 416 & 413
Licensed Child Day Care Center	18 NYCRR § 418-1 & 413
Registered Small Child Day Care Center	18 NYCRR § 418-2 & 413
Public school district operating a child care program that meets State and Federal Requirements	18 NYCRR § 413

2. **Attendance Records**

- a. You must keep current and accurate attendance records for each child on a daily basis at the child care program site. The records must show the date of attendance, the actual time of arrival, and the actual time of departure. (NOTE: The time of arrival and time of departure **MUST NOT BE ROUNDED**; the actual time must be entered. For example, the actual arrival time of 8:24 must be entered as 8:24, not 8:15 or 8:30.)
- b. If the child did not attend child care due to illness, vacation, or any other reason, the child must be marked on the attendance sheet as absent for that day.
- c. If the child care program is closed, the attendance sheet must reflect this. Children must **NOT** be marked as absent or in attendance when the child care program is closed.

- d. Attendance sheets must be filled out completely and accurately before asking the parent to sign their approval. You should never require a parent sign a blank or partial attendance sheet or sign prior to the last day their child attends in any month.

3. **True and Accurate Claims for Reimbursement**

You must submit true and accurate attendance information to the Department of Social Services for reimbursement for providing child care to a child receiving a subsidy. Overpayments due to billing errors on your part will require repayment back to Suffolk County Department of Social Services. Billing for days your program was closed constitutes fraud. Any false or fraudulent claims for payments by a provider may result in:

- a. Deferral or disallowance of payment(s) for such claims with a social services district;
- b. Referral to the New York State Office of Children and Family Services Regional Office or Enrollment Agency, which may lead to revocation of a provider's registration or license, or termination of enrollment;
- c. Referral for criminal prosecution; and/or
- d. Disqualification to provide subsidized child care for five (5) or more years.

4. **Rates Charged for Subsidized Child Care**

You must not charge more for subsidized child care than you charge for non-subsidized care (i.e. your private paying clients).

5. **Collection of Family Share Payments**

If a family is required by Suffolk County to pay a weekly family share (also known as "parent fee") towards their child care, you must collect the family share directly from the parent. Failure to collect the weekly fee may adversely impact your ability to receive future payments from Suffolk County. If a family fails to pay their family share, you must promptly report this, in writing, to the Suffolk County Department of Social Services' Child Care Bureau.

6. **Reporting Program Changes to Suffolk County Department of Social Services**

You are required to immediately report to the Suffolk County Department of Social Services Child Care Bureau any other change that may affect your eligibility to serve subsidized families and children including:

- a. The suspension or termination of your license, registration or enrollment as a child care provider.
- b. The temporary or permanent closure of your child care program location.
- c. The re-location of your child care program to another site.
- d. Change in program type (for example, a registered family day care provider becoming a licensed group family day care provider).

Such changes must be reported, in writing, to the attention of the Director of the Child Care Bureau, Suffolk County Department of Social Services, P.O. Box 18100, Hauppauge, NY 11788-8900. A copy of the notice can be faxed to the Child Care Bureau at (631) 854-3331.

7. **Communication with the Child Care Unit regarding DSS authorized Child's Attendance**

You are required to immediately notify the Child Care Unit, in writing (please see below fax number and e-mail address), when a child who has been authorized to receive child care does not begin care within 3-5 days of the authorized start date. You are also required to immediately notify the Child Care Unit when you become aware that a child's care will end or a child has stopped attending before the authorized end date.