



Georgia Dept of Early Care and Learning

BRIGHT FROM THE START

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Brian P. Kemp
Governor

Amy M. Jacobs
Commissioner

Memorandum

To: CAPS Child Care Providers, Families, and Stakeholders
From: Elisabetta Kasfir, Deputy Commissioner for Federal Programs
Re: Update: Emergency CAPS Policy Waivers

In March 2020, the Georgia Department of Early Care and Learning (DECAL) waived certain Childcare and Parent Services (CAPS) policies to support families and child care providers impacted by COVID-19. This memorandum provides updated information about some of these waived policies. Until further notice, the emergency CAPS policy waivers identified in this memorandum shall supersede applicable policies contained in the CAPS policy manual.

In the May 7, 2021 memorandum, DECAL introduced the **ACCESS – Awarding Child Care Education Scholarship Supplements** – initiative. The purpose of ACCESS is to temporarily support CAPS families by paying for child care. Through ACCESS, CAPS will pay the child care provider's full published rate for the type of care provided, including the family fee, from May 17, 2021 through service period ending October 2, 2022. During this time, CAPS families will not pay the provider any tuition related fees or co-payments for child care.

While the ACCESS initiative is in effect, participating CAPS providers cannot change their tuition rate for children subsidized by CAPS. The provider's published rates confirmed through the STABLE 3 application process or confirmed otherwise by CAPS will be used to calculate payments through October 2, 2022.

In order for CAPS to predict costs and thereby maintain funding for ACCESS, to safeguard against unintended influence on market rates, and to allow providers financial flexibility, CAPS has implemented the following changes to CAPS emergency policies:

1. On May 17, 2021, CAPS reinstated the emergency policy suspending a provider's ability to change rates for children subsidized by CAPS (see *temporary suspension of provider rate changes*).
2. **Beginning May 31, 2021**, CAPS will implement the *Provider rate charged for children not subsidized by CAPS* policy waiver. While this waiver is in effect, participating CAPS providers may charge a different rate for children **NOT** subsidized by CAPS than the rate charged for children subsidized by CAPS.

A complete list of policy waivers, including the one addressed in this memorandum, is detailed in the following table. The policy waivers are in effect as listed. (Families or child care providers are not required to submit individual requests.) CAPS may create additional waivers as new information is received from the CDC and the Georgia Department of Public Health or as the needs of families and child care providers change.

Policy Waiver	Begin Date	End Date	Impacted Policies
Provider rate charged for children not subsidized by CAPS	5/31/2021	10/2/2022	<u>12.4.9.1</u>
Emergency CAPS family fee waiver	5/17/2021	10/2/2022	<u>9.3.3, 9.6.1, 9.6.2</u>
Emergency CAPS maximum reimbursement rate waiver	5/17/2021	10/2/2022	<u>10.8.3, 12.4.6.4¹</u>
Temporary suspension of provider rate changes	5/17/2021	10/2/2022	<u>12.4.10.1</u>
Emergency CAPS payment policies waiver <ul style="list-style-type: none"> Active scholarships can be billed for any service period after the child attended child care in person at least once. Note: effective October 26, 2020, the provider must be <i>Open for Care</i> or in an approved <i>Temporarily Closed</i> status. 	3/16/2020	To be determined	<u>12.4.6.5</u>
Emergency CAPS state-approved activity policies waiver	3/16/2020	To be determined	<u>6.8.1, 13.4.3</u>
Alternate methods for recording arrival and departure	4/8/2020	To be determined	<u>12.4.5.1, 12.4.5.2, 12.4.5.9, 12.4.5.10, 15.3.3</u>

Emergency CAPS family fee policy waiver

As part of the federal **Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA)**, DECAL received funds to help mitigate the negative financial impact of the COVID-19 pandemic on Georgia's child care industry and to help eligible Georgia families (also negatively impacted by the pandemic) pay for child care. DECAL will use this historic investment in early learning to support families and child care programs through an initiative called **ACCESS — Awarding Child Care Education Scholarship Supplements**. Funding for ACCESS is time limited and provided as relief from the federal government.

The purpose of ACCESS is to temporarily support CAPS families by paying for child care. Through ACCESS, CAPS will pay the provider their full published rate for the type of care provided, including the family fee, **from May 17, 2021 through service period ending October 2, 2022**.

¹ CAPS policy 12.4.6.4 adjusted for this memorandum: When multiple types of care are provided for the same child within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse the provider is the provider's published rate for full time care.

With this initiative, CAPS families will not pay the provider any tuition related fees or co-payments for child care.

As required in [CAPS Policy 9.3.1](#) and [CAPS Policy 9.3.2](#), CAPS assesses family fees to allow families to share in the cost of their child care expenses. The family fees are calculated at the time of initial eligibility, at redetermination, and when a change is reported that has a positive impact on the family's child care expense. Although, the CAPS family fee will continue to be assessed systematically and reflected on the active scholarships, the family will not be required to pay the family fee to their child care provider while the ACCESS initiative is in effect. CAPS will pay the provider their full published rate for the type of care provided, which will include the family fee (see following *emergency CAPS maximum reimbursement rate policy waiver*).

Emergency CAPS maximum reimbursement rate policy waiver

To increase families' access to quality child care during the time the ACCESS initiative is in effect, CAPS will pay licensed and licensed-exempt child care providers their published rate for the type of care provided to the child. Informal child care providers will be reimbursed at the CAPS maximum reimbursement, except for children with disabilities or in the state's custody. Families will not pay the provider any tuition related fees or co-payments for child care. Child care providers cannot charge families enrolled in CAPS any tuition related fees or co-payments. However, the provider may charge the family for costs outside of child care, such as transportation or meal fees.

Temporary suspension of provider rate changes

To enhance support to families and to ensure paying child care providers their published rate is sustainable, a **temporary suspension of provider rate changes will be reinstated from May 17, 2021 through October 2, 2022**. During this time, participating CAPS providers cannot change their tuition rates for families enrolled in the CAPS program.

CAPS will reimburse the provider in accordance with their published rates as verified by CAPS staff, or at the time of enrollment with CAPS for new providers. Providers will not need to provide rate sheets to families for CAPS while this waiver is in effect. If a provider feels there is a discrepancy in their rates, the provider can contact CAPS at 1-833-4GA-CAPS (1-833-442-2277).

Emergency CAPS payment policies waiver

As of October 26, 2020, child care providers must be *Open for Care* to bill for CAPS scholarships. For the service period beginning October 26, 2020, and beyond, providers must remain in an *Open for Care* status or a *Temporarily Closed* status as defined by CAPS, to be eligible to bill for CAPS scholarships.

CAPS defines *Open for Care* and *Temporarily Closed* as follows:

- **Open for Care:** Open for care means that a facility is currently serving children or is accessible to the public in an environment that is ready for operations and able to comply with all licensing regulations. The facility must be ready and available anytime during reported operating hours to participate in a licensing inspection.
- **Temporarily Closed:** Temporarily closed means that a facility is currently closed but is taking active steps to become *Open for Care* within 30 calendar days of the date of closure. If the facility is unable to open within 30 calendar days, the facility must get written approval from CAPS to maintain a status of *Temporarily Closed*.

Child care providers may bill CAPS for any service period if the following conditions are met:

- The child must be enrolled in the CAPS program.
- After the child is enrolled in the CAPS program, he/she must attend child care **in person at least once BEFORE** the provider can bill for services.
- If the child is absent **AFTER** he/she has attended child care **at least once**, the child care provider can bill on an active scholarship.

The conditions noted above apply to open and temporarily closed programs. When billing for absent children, or billing for a service period when the program is temporarily closed, providers should only bill on one scholarship per child. The provider must bill according to the school calendar or the type of care provided to the child.

Child care providers who experience a temporary closure **after** October 26, 2020 that exceeds 30 calendar days can submit a written request to CAPS to remain in a *Temporarily Closed* status as defined by CAPS. The request must include **1)** the reason(s) for remaining temporarily closed; **2)** the active steps taken to re-open; and **3)** barriers to reopening that may take more than 30 calendar days to resolve. The request can be mailed to **CAPS, Georgia Department of Early Care and Learning, 2 Martin Luther King Jr. Drive SE, Suite 754, Atlanta, GA 30334** or emailed to caps.support@dec.al.ga.gov.

CAPS will pay providers for any service period on an active scholarship after the child attended child care in person at least once. Providers must continue to maintain accurate arrival and departure records (see *alternate methods for recording arrival and departure* below).

The purpose of the payment policy waiver is to enable providers to continue to operate or to pay teachers in the event of a temporary closure.

Emergency CAPS state-approved activity policies waiver

Families currently participating in CAPS who experience a permanent loss of employment or cannot attend an education/training program due to circumstances related to COVID-19 can continue child care services at the current level through the end of their current eligibility period. The family does not need to report this permanent loss in activity.

Families must complete the CAPS annual redetermination requirements before their current eligibility period expires. If state-approved activity requirements are not met at annual redetermination, because of circumstances related to COVID-19, the lack of an activity will not impact eligibility if the family provides documentation of COVID-19 related job loss or reduced hours.

Alternate methods for recording arrival and departure

Child care providers must comply with child care licensing rules when recording arrival and departure information to ensure the health and safety of children is maintained. **Per [CAPS Policy 12.4.5.9](#) and [CAPS Policy 12.4.5.10](#), providers must maintain accurate written or electronic arrival and departure records.** However, to help slow the spread of COVID-19, alternate methods for recording children's arrival at and departure from child care (formerly referred to as "temporary suspension of family signatures on CAPS arrival and departure records") may be used. While this

waiver is in effect, such methods as one staff person recording arrival and departure information for all children **to include the date, child's name, arrival and departure times, and the name of the parent or authorized person who dropped off and picked up the child each day** are acceptable. Parents or other authorized persons are not required to sign written or electronic arrival and departure records while this waiver is in effect.

Expired Policy Waivers

The policy waivers detailed in the following table have expired². CAPS has resumed regular practices as prescribed in the noted policy.

Expired Policy Waivers		
Policy Waiver	Period	Impacted Policies
Emergency CAPS payment policies waiver <ul style="list-style-type: none"> Providers can bill whether open or closed if the child attended at least once since March 1, 2020. 	3/16/2020 – 10/25/2020	<u>12.4.6.6</u>
<ul style="list-style-type: none"> Active scholarships can be billed at the CAPS highest rate if the child attended at least once since March 1, 2020. 	3/16/2020 – 9/13/2020	<u>12.4.6.5</u>
Essential Services Workforce Priority Group	4/1/2020 – 9/30/2020	<u>7.3.1</u>
Temporary suspension of disallowing billing for CAPS and another federal or state program during the same service period.	4/8/2020 – 9/13/2020	<u>12.4.9.2</u>
Temporary suspension of provider rate changes ³	3/16/2020 – 7/5/2020	<u>12.4.11.1</u>

We will communicate additional information and updates as we adapt our policies to ensure the health and safety of all children, their families, and the child care workforce. Contact our office at 1-833-4GA-CAPS (1-833-442-2277) if you have questions or need additional information. To learn more about CAPS Policies and Procedures, visit <https://caps.decal.ga.gov/en/>.

² April 22, 2021: Expiration date adjusted to align with CAPS service period policy.

³ May 17, 2021: Reinstated as part of ACCESS.