

**SENATE, No. 2908**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED SEPTEMBER 14, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Co-Sponsored by:**

**Senators Pou, Turner, A.M.Bucco and Gopal**

**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: 11/16/2020)**

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 for a full day of  
2   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.