

# ASSEMBLY, No. 4746

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**Assemblywoman ANNETTE CHAPARRO**

**District 33 (Hudson)**

**SYNOPSIS**

Requires that certain provider subsidy payments for child care services be based on enrollment.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 10/8/2020)

1 AN ACT concerning State subsidies to child care providers and  
2 supplementing chapter 5B of Title 30 of the Revised Statutes.

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

6  
7 1. a. Notwithstanding any law, rule, or regulation to the  
8 contrary and in addition to any other criteria set forth by the  
9 Division of Family Development in the Department of Human  
10 Services to determine a provider's subsidy payment for child care  
11 services, the division shall determine the subsidy payment for child  
12 care services issued to a licensed child care provider in which 60  
13 percent or more of the provider's enrollment is eligible for child  
14 care services based on the number of children enrolled with the  
15 provider who are eligible for child care services. At no time shall a  
16 subsidy payment for child care services issued to a licensed child  
17 care provider in which 60 percent or more of the provider's  
18 enrollment is eligible for child care services be based on the  
19 attendance of eligible children for child care services.

20 b. The Commissioner of Human Services shall apply for such  
21 State plan amendments or waivers as may be necessary to  
22 implement the provisions of this section and to continue to secure  
23 any available federal financial participation for the applicable child  
24 care programs.

25 c. As used in this section, "child care services" means those  
26 services provided to eligible children, as certified by the Division of  
27 Family Development within the Department of Human Services, for  
28 which the division receives and administers State and federal  
29 funding to provide subsidy payments to licensed child care  
30 providers.

31  
32 2. The Commissioner of Human Services, pursuant to the  
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
34 1 et seq.) shall adopt rules and regulations necessary to implement  
35 the provisions of this act.

36  
37 3. This act shall take effect immediately.

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40 STATEMENT

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42 This bill requires that subsidy payments for child care services to  
43 providers with 60 percent or more of their enrollment eligible for  
44 child care services be based on enrollment. Under the bill, "child  
45 care services" means those services provided to eligible children, as  
46 certified by the Division of Family Development within the  
47 Department of Human Services, for which the division receives and  
48 administers State and federal funding to provide subsidy payments

1 to licensed child care providers. It is the intent of the bill's sponsor  
2 to provide relief to financially struggling child care providers who  
3 care for, educate, and support the State's low-income families. By  
4 basing subsidy payments for these providers on enrollment, rather  
5 than attendance, the bill offers a more reliable source of income for  
6 these providers. It is critical that the Legislature ensure adequate  
7 funding for child care providers who serve low-income families,  
8 particularly as they face higher operating costs and reduced  
9 enrollment due to the coronavirus disease 2019 pandemic, in order  
10 to ensure their continued success.

11 Under the bill, in addition to any other criteria set forth by the  
12 Division of Family Development in the Department of Human  
13 Services to determine a provider's subsidy payment for child care  
14 services, the division is required to determine the subsidy payment  
15 for child care services issued to a licensed child care provider in  
16 which 60 percent or more of the provider's enrollment is eligible  
17 for child care services based on the number of children enrolled  
18 with the provider who are eligible for child care services. At no  
19 time is a subsidy payment for child care services issued to a  
20 licensed child care provider in which 60 percent or more of the  
21 provider's enrollment is eligible for child care services to be based  
22 on the attendance of eligible children for child care services.  
23 Currently, the division determines subsidy payments to all providers  
24 based on the attendance, age, and disability-status of eligible  
25 children.

26 The bill also directs the Commissioner of Human Services to  
27 apply for such State plan amendments or waivers as may be  
28 necessary to implement the provisions of this section and to  
29 continue to secure any available federal financial participation for  
30 the applicable child care programs.