

10-010.C Child Care Provider Requirements

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Eligible Child Care Providers

Child care providers for CalWORKs funded programs are selected by parents. The child care providers are required to cooperate by providing information about themselves, and in some instances their home/facility as stated below. Participants may choose licensed or licensed-exempt child care provided:

- by a relative
- by a person not related to the child
- in the child's home, or the provider's home
- in a child care center

Verification Requirements

Each contractor shall maintain a provider file, separate from the parent file, for every child care provider providing care for children of that contractor's clients.

- The contractor files shall be in County-approved format.
- The file shall contain all required verifications.
 - There are different verification requirements for the different types of providers. The verification requirements are clarified below.
 - Licensed providers are reviewed and regulated by the State of California, Community Care Licensing and have fewer requirements than unlicensed providers.

License-exempt providers who are not exempt relatives are required to be TrustLine registered.

Note: All new providers must complete the Form 590 Withholding Exemption Certificate from California State Franchise Tax Board.

- All providers shall be given a Child Care Stage 1 Program Handbook approved by HHS&A Eligibility Operations child Care Program. The Child Care Staff is to ensure that the provider understands the regulations and policies explained in the handbook.
- The provider must sign verification that he or she has received a Child Care Stage 1 Program Handbook as part of the enrollment process.
- Use the charts below to determine the required verifications for each program and provider.

Verifications by Provider Type

If provider is...	Then the verifications required are...
Licensed	▪ Name, address and telephone number.

	<ul style="list-style-type: none"> ▪ Information regarding current fees and rate schedule. ▪ The usual and customary services provided for those fees. ▪ Termination policy or statement regarding the requirements for terminating child care. ▪ A statement of age groups served. ▪ A declaration that the parent(s) has unlimited access to their child(ren), to the provider and staff, whenever the child(ren) are in the provider's care. ▪ A statement of whether religious instruction or worship is a part of their child care program. • A copy of the current rate schedule (if not already on file). • For Family Day Care homes, a copy of a valid Social Security Card. • A completed "Request for Taxpayer Identification Number", W-9 (if not already on file). • A signed 3-day absence policy form (if not already on file). • A signed statement that the provider has received the Stage 1 Program Handbook.
<p>Exempt Center- Based</p>	<ul style="list-style-type: none"> ▪ Name, address and telephone number. ▪ Information regarding current fees and rate schedule. ▪ The usual and customary services provided for those fees. ▪ Termination policy or statement regarding the requirements for terminating child care. ▪ A statement of age groups served. ▪ A declaration that the parent(s) has unlimited access to their child(ren), to the provider and staff, whenever the child(ren) are in the provider's care. ▪ A statement of whether religious instruction or worship is a part of the child care. ▪ A completed "Request for Taxpayer Identification Number", W-9 (if not already on file). ▪ A signed statement that a Stage 1 Program

	Handbook has been received (if not already on file).
License Exempt Non-Relative	<ul style="list-style-type: none">▪ Name, date of birth, address, and telephone number.▪ The names, addresses, and telephone numbers of two character references.▪ A statement regarding their health education, experience or other qualifications, criminal record, and names and ages of other persons in the home or providing child care.▪ A statement regarding their relationship to each child for whom they are providing child care and the location the child care will be provided.▪ Information regarding current fees and rate schedule.▪ A declaration that the parent(s) has unlimited access to their child(ren) and to the provider, whenever the child(ren) are in the provider's care, and that their rates are the same for unsubsidized children.▪ A statement of whether religious instruction or worship is a part of the child care.▪ The completed Trustline Application Form (TLR1) that includes box 16 (Live Scan Transaction Completed) signed off by the Live Scan operator.– OR cleared as a Trustline child care provider.▪ A completed health and safety self-certification.▪ A copy of a valid CA driver's license or any state issued photo ID with a photo that establishes that the provider is at least 18 years old.▪ A copy of a valid Social Security Card, or<ul style="list-style-type: none">○ Proof of application for SSN accepted by SSA, or○ Actual SSN card, or○ SSA Award Letter, or○ SSA check displaying the applicant/recipient's name and SSN with letters A, HA,J, T, or M following the SSN

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	<ul style="list-style-type: none">▪ A completed “Request for Taxpayer Identification Number”, W-9.▪ A signed statement that a Stage 1 Program Handbook has been received.
License Exempt Relative	<ul style="list-style-type: none">▪ Name, date of birth, address, and telephone number.▪ The names, addresses, and telephone numbers of two character references.▪ A statement from the provider as to her or his health education, experience or other qualification, criminal record, and names and ages of other persons in the home or providing child care.▪ A statement regarding their relationship to each child for whom they are providing child care and the location the child care will be provided.▪ Verification of the relationship shall be provided. Verification consists of birth certificates or other documentation that provides the linkage between the child and the provider. If the provider and parent are unable or unwilling to submit the required documentation to verify relationship, the provider may opt to Trustline.▪ A license-exempt relative that was previously denied Trustline cannot be enrolled until they clear the denial with Trustline. (Refer to Enrolling Denied Providers below).▪ Information regarding current fees and rate schedule.▪ A copy of a valid CA driver’s license or any state issued photo ID with a photo that establishes that the provider is at least 18 years old.▪ A copy of a valid Social Security Card, or<ul style="list-style-type: none">○ Proof of application for SSN accepted by SSA, or○ Actual SSN card, or○ SSA Award Letter, or○ SSA check displaying the applicant/recipient’s name and SSN with letters A, HA,J, T, or M following the SSN

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	<ul style="list-style-type: none"> ▪ A completed “Request for Taxpayer Identification Number”, W-9. ▪ A signed statement that a Stage 1 Program Handbook has been received. ▪ Note: If it is disclosed during the interview process that a license-exempt relative provider has a felony, the County shall deny payment for child care services that are exempt from licensure if the child care case file contains credible information that the provider has been convicted of a crime specified in Penal Code sections referenced in Health and Safety Code section 1596.871 (f)(1).
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Providers Who Offer Religious Instruction

Child care centers and providers can be associated with houses of worship. In such cases, these providers may incorporate religion into their child care programs.

In Stage 1, this is permitted.

Adding a Provider

To add or change a provider, refer to [CPG 10-250 Fiscal Procedures](#) – Supportive Services for instructions

Note: Add/Change Provider Form shall not be submitted to Fiscal for Licensed-Exempt Non-Relative providers until after the TrustLine Cleared letter is received.

Enrolling Denied Providers

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- An unlicensed provider that has been denied or closed TrustLine cannot be enrolled as a child care provider unless:
 1. The provider calls their State Analyst that was listed on the Closure Letter. The provider can call 1-888-422-5669 if they do not have the analyst’s name.
 2. The State Analyst will evaluate whether the TrustLine application can be reopened or cleared.
 3. Trustline will notify the Contractor by written letter, when the provider has been reopened or cleared Trustline.
 4. Once verification is received from Trustline, the provider may be enrolled as a provider.
- This process can take three or more months and the parent shall choose another provider while this is in process.
- A provider who was licensed in the past two years or worked in a facility licensed by Community Care Licensing in the past two years must complete the Trustline process and complete all information

on the TLR1, question 8. By completing question 8, fingerprinting/livescan is not required.

Client Responsibility For Payment When Trustline is Pending

The agency will not pay for child care services until the provider is Trustline registered. If the provider requires payment before that, the client is responsible for paying it. After the provider becomes Trustline registered, the agency will pay the provider for child care provided up to 120 days from the date child care was requested and provided.

Payments Processed After Trustline Clearance

No payments can be made to any license-exempt provider subject to Trustline clearance until the provider has been cleared by Trustline.

To support continuous participation in WTW activities, there is a 120-day retroactive payment period to facilitate a seamless delivery of child care services. Therefore, a provider who becomes Trustline registered may be retroactively paid for his/her services for up to 120 calendar days forward from the first day that CalWORKs child care services were requested and received, or backward from the date Trustline is Cleared.

The total amount of retroactive time that will be paid will not exceed 120 days. To ensure that this timeframe does not disrupt participation in WTW activities, the participant may need assistance in finding alternative child care if/when their chosen provider does not clear within the retroactive timeframe.

Providers who are rejected by Trustline will receive a letter to notify them of the rejection. The contractor will also receive a copy of the rejection letter via the Trustline Clerk.

Trustline Administrative Error Overpayment

For License-Exempt Non-Relative Providers, an Administrative Error Overpayment results

- When a payment is made to a provider who is not TL
- When a timely Child Care Payment Discontinuance Notice of Action is not sent and a payment is made when eligibility ceases (revoked)

Refer to [44-350 Child Care Overpayments and Underpayments](#)

Immediate Notification of Discontinuance

As soon as the Child Care Staff is notified that the Trustline Registry application has been denied, the Trustline file is closed, **or** Trustline registration is revoked, the contractor shall immediately notify the parent and the provider that no payments will be made to the provider, and the parent must find a new provider.

Rejection Reasons

Reasons for rejections are substantiated reports of child abuse or felony conviction for any of the following Penal Code Sections:

- a. PC 187 Murder
- b. PC 192(a) Voluntary Manslaughter
- c. PC 203-206.1 Mayhem
- d. PC 220 Sexual Assault
- e. PC 243.4 Sexual Battery
- f. PC 261 Rape
- g. PC 264.1 Rape/Foreign Object
- h. PC 273a(1) Willful Cruelty
- i. PC 273d Corporal Punishment
- j. PC 286 Sodomy
- k. PC 290 Registration of Sex Offenders
- l. PC 368 Elder Abuse
- m. PC 288 Lewd or Lascivious
- n. PC 667.5 (c) Violent Felonies
- o. Felonies punishable by death or life imprisonment

Note: Refer to [Health and Safety Code Section 1596.871 \(f\)\(1\)](#) for additional crimes that may prohibit provider from providing child care.

A Substantiated Report of Child Abuse or Felony Conviction Is Known to the Contractor

If the contractor or county knows of a substantiated report of child abuse or felony conviction from the list above, then the provider will be denied, as they will not pass Trustline.

If a Trustline exempt person is known to have a conviction from the list above, then the provider will be denied.

CWS Searches Report

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In some instances the Child Care Staff may have reason to believe the provider is unfit to care for children. In such cases the Child Care Staff will consult with their Supervisor. If the Supervisor agrees, the Supervisor will contact the Child Welfare Services (CWS) Child Abuse Hotline at 858-560-2191 and file a report and must immediately notify the County Child Care Administrator. The Supervisor is required to document this action in the provider case file.

Note: “Reason to believe” can be based on newspaper reports, a California Department of Justice Criminal Record Report that indicates arrests/convictions, information from a third party, etc.

CWS Research Process

Continue the Trustline process while conducting the CWS research.

Step	Action
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1	Using the provider's name and social security number, the supervisor shall contact CWS to check the CWS records.						
2	CWS shall notify the child care supervisor of the findings.						
3	The supervisor shall document the findings in the child care case file.						
4	After the CWS check, <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr style="background-color: #cccccc;"> <th style="text-align: left;">If provider is ...</th> <th style="text-align: left;">Then Child Care Staff will ...</th> </tr> </thead> <tbody> <tr> <td>Found unfit</td> <td>Notify the family that the provider is not acceptable, and the family is given 10 days to select another provider. Do not disclose the reason the caretaker is not acceptable. CWS records are confidential.</td> </tr> <tr> <td>Not found unfit</td> <td>Continue with the application and Trustline process. The Child Care Staff will take appropriate action on information received from Trustline.</td> </tr> </tbody> </table>	If provider is ...	Then Child Care Staff will ...	Found unfit	Notify the family that the provider is not acceptable, and the family is given 10 days to select another provider. Do not disclose the reason the caretaker is not acceptable. CWS records are confidential.	Not found unfit	Continue with the application and Trustline process. The Child Care Staff will take appropriate action on information received from Trustline.
If provider is ...	Then Child Care Staff will ...						
Found unfit	Notify the family that the provider is not acceptable, and the family is given 10 days to select another provider. Do not disclose the reason the caretaker is not acceptable. CWS records are confidential.						
Not found unfit	Continue with the application and Trustline process. The Child Care Staff will take appropriate action on information received from Trustline.						

Completion of TLR1 and TLR 508

The following provides basic information to the Trustline Forms listed. Additional instructions are available on the CDSS website/TLR1 Form.

Form/ Line #	Completed By	Details
TLR1/ Line 1-9	Child Care Provider	Personal Information
TLR1/ Line 11	May be Prefilled	YMCA/CRS 3333 Camino del Rio S. #400 San Diego, CA 92108-3839
TLR1/ Line 12	NA	Remains blank as HHSA is not providing Stage 1 Child Care
TLR1/ Line 13	Child Care Designated Worker	<ul style="list-style-type: none"> • Payment Program: Check Stage 1 • County: San Diego/ID# 37 • Child Care R&R Program: YMCA/CRS Child Care

		<p>Resource/ID# 46</p> <ul style="list-style-type: none"> • Alternative Payment Program: Include Stage 1 contractor on line by ID#: <ul style="list-style-type: none"> ○ YMCA ID#64A (Stage 1), or ○ PCG ID# 179 (Stage 1) • Case number: For family using this provider • County/Worker Name: Contractor Child Care worker name and phone number
TLR1/ Line 14-15	Live Scan	Prefilled
TLR1/ Line 16	Live Scan Operator	Signs when completed
TRL 508	Child Care Provider	<p>Answer questions regarding criminal record.</p> <p>If answer is Yes, details must be included on the back of the form</p> <p>Complete signature/personal information</p>

Live Scan Electronic Fingerprint System

YMCA Childcare Resource Services (CRS) has a Live Scan electronic fingerprint system.

- Each child care provider required to be Trustlined must:
 - Complete the Trustline Registry Subsidized Application Form TLR 1 and Trustline Criminal Record Statement Form 508
 - Contact CRS at 1-800-315-4507 to schedule an appointment to be fingerprinted and bring the TLR1 and 508 Forms to the appointment
 - Retain a copy of the TLR1 form after the Livescan operator completes verification of fingerprinting on the bottom portion. A copy is to be submitted to the Child Care worker for verification of applying for Trustline Registration.
- Trustline's service is available to anyone by calling the Resource and Referral Network at 1-800-822-8490 to find out if a particular provider is on the Registry or to check on the status of an application.

**Trustline
Process
Overview**

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STEP	ACTION	
a.	The Child Care Staff determines the child care provider's licensure status.	
b.	If the provider...	Then...
	Is exempt from Trustline Registration The provider is exempt if they are any of the following, by blood, adoption or marriage: <ul style="list-style-type: none"> • Grand-parents, • Aunts, • Uncles 	Refer to Verification by Provider Type above for License Exempt Relative providers.
	Is not exempt from Trustline Registration	The provider must be cleared in CalWIN and the Trustline tab reviewed for prior compliance with Trustline.
	Has not been referred to Trustline before	Continue with step c
	Has previously been referred to Trustline, and complied	Refer to Provider Already Trustlined
	The provider failed to comply with Trustline in the past	Refer to Enrolling Denied Providers
c.	The Child Care Staff gives the Trustline Application (TLR1), Trustline Registry Criminal Record Statement (TLR 508), and the Trustline Packet to the child care provider. Trustline packet may include other instructions such as 24-728 Steps for Completing the Trustline Application (or other County approved form) <ul style="list-style-type: none"> ▪ This must be documented in the case file. 	
d.	The provider must complete the Trustline Application, TLR1, and go to the local Trustline office to be fingerprinted (Live Scanned) within seven calendar days, or as soon as possible, from the date they began to provide child care services.	

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e.	<p>Once the provider submits a copy of the completed Trustline Application TLR1/TLR 508 to the Child Care worker:</p> <ul style="list-style-type: none">▪ The child care case remains pending in CalWIN until provider is cleared by Trustline▪ Child Care worker completes and sends parent/provider NA832 Approval NOA (using CalWIN Client Correspondence, "Print a NOA Manually") and▪ Checks the box regarding "You have chosen a provider _(name)_____who is not licensed...."
f.	<p>Additionally, if CCM receives a completed TL Application from provider:</p> <ul style="list-style-type: none">• The Child Care Staff forwards the Trustline Compliance Form 24-736 or other County approved form to the Trustline Clerk or contractor's designee.• The Child Care Staff shall retain a photocopy in the case file. <p>Note: If a Child Care Staff receives information directly from Trustline Registry/or provider, they are to forward the information to the Trustline Clerk or designee who will monitor the Trustline application status.</p>
g.	<p>YMCA/CRS TL Coordinator actions:</p> <ul style="list-style-type: none">• YMCA/CRS TL Coordinator faxes compliance information daily to each Child Care Contractor's Trustline Clerk or designee for providers that have completed the TLR1/TLR 508, and fingerprinting. <p>Note: YMCA/CRS must be notified whenever the Contractor Child Care Trustline liaison changes to ensure documents are sent to the appropriate person.</p> <p>TL Clerk or designee actions:</p> <ul style="list-style-type: none">• The Trustline Clerk or designee receives the faxed compliance information from YMCA/CRS TL Coordinator and forwards the information to the Child Care Staff.• The Trustline Clerk or designee will track the TL pending referral until response is received from the State TL Registry.
h.	<p>The Trustline Office will inform the Trustline Clerk or designee once the provider has complied with Trustline or if Trustline is cleared, denied, revoked, or closed.</p>

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i.	The verification of completing the Trustline application shall be submitted to the Child Care worker by the deadline for intake verifications or the case shall be denied/discontinued in a timely manner.								
j.	<table border="1"><thead><tr><th data-bbox="570 348 987 394">If the provider</th><th data-bbox="987 348 1398 394">Then</th></tr></thead><tbody><tr><td data-bbox="570 394 987 680">Complies with Trustline by submitting to the Child Care worker a copy of the completed TRL1 signed off by Live Scan operator, by the deadline for intake verifications</td><td data-bbox="987 394 1398 680">Continue to monitor the case for Trustline clearance.</td></tr><tr><td data-bbox="570 680 987 1003">Does not comply with Trustline – fails to submit paperwork to Trustline and/or does not return the completed TLR1 signed off by Live Scan operator by the deadline for intake verifications</td><td data-bbox="987 680 1398 1003">Deny the provider and require the parent to find a new provider immediately.</td></tr><tr><td data-bbox="570 1003 987 1146">Insists that they were Trustlined</td><td data-bbox="987 1003 1398 1146">The provider is responsible for providing verification of compliance.</td></tr></tbody></table>	If the provider	Then	Complies with Trustline by submitting to the Child Care worker a copy of the completed TRL1 signed off by Live Scan operator, by the deadline for intake verifications	Continue to monitor the case for Trustline clearance.	Does not comply with Trustline – fails to submit paperwork to Trustline and/or does not return the completed TLR1 signed off by Live Scan operator by the deadline for intake verifications	Deny the provider and require the parent to find a new provider immediately.	Insists that they were Trustlined	The provider is responsible for providing verification of compliance.
If the provider	Then								
Complies with Trustline by submitting to the Child Care worker a copy of the completed TRL1 signed off by Live Scan operator, by the deadline for intake verifications	Continue to monitor the case for Trustline clearance.								
Does not comply with Trustline – fails to submit paperwork to Trustline and/or does not return the completed TLR1 signed off by Live Scan operator by the deadline for intake verifications	Deny the provider and require the parent to find a new provider immediately.								
Insists that they were Trustlined	The provider is responsible for providing verification of compliance.								
k.	<ul style="list-style-type: none"><li data-bbox="570 1241 1398 1346">▪ The date of compliance is the date that Resource and Referral verifies Live Scan application completion on the TLR1, Box 16.								
l.	<p data-bbox="570 1423 1398 1528">Once a provider has complied with Trustline, the Trustline Clerk or designee shall monitor the compliance list for a clearance/denial/closed/revoked letter from Trustline.</p> <p data-bbox="570 1598 1398 1780">CDSS form Notification of Parental Choice With Trustline Registration, or other County approved form, shall be used to notify parents at the 30, 60, 90 day mark that the Trustline Clearance has not been received yet and parent may choose to select a different provider.</p>								
m.	The Trustline Clerk or designee shall notify the Child Care Staff and other appropriate contractor staff once the clearance/denied/closed/revoked letter is received from								

	<p>Trustline.</p> <p>The 24-736 Trustline Verification and Compliance Form, or other County-approved form shall be used.,</p> <ul style="list-style-type: none"> ▪ A copy of the Trustline Clearance, and the Compliance form is to be filed in the parent file and the provider file. ▪ Exception: When a clearance letter is not available, a copy of the California Department of Social Services Registry Letter showing the provider cleared Trustline, shall be accepted.
n.	<p>The TrustLine Clerk or designee shall complete the Child Care Provider Set-Up form, (24-811), and fax to Fiscal's CPMU (Centralized Provider Maintenance Unit) clerk to update CalWIN. Refer to CPG 10-250 D.1 in the following situations:</p> <ul style="list-style-type: none"> ▪ A "Cleared" TrustLine Registry Letter has been received and copy provided to Child Care worker, or ▪ The Child Care Staff has notified the TrustLine Clerk or designee that a license-exempt provider has changed provider types (in-home to out-of-home, relative to non-relative, etc). <p>Note: Changes in provider types require a separate provider ID number and will be created by Fiscal.</p> <p>Child Care staff shall clear child care providers carefully to ensure the correct provider type is selected when provider has more than one child care ID number.</p>

Trustline Results Definitions

The following table lists the different types of Trustline (TL) results and their definitions:

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Result	Definition
In Process/ Compliance/ Reopened	These three results mean the provider completed the TL application (TLR1), TLR 508, was fingerprinted by Live Scan and submitted both forms to YMCA/CRS to forward to Trustline Registry
Reopened	Providers who have previously been denied or closed and were approved by their analyst to reopen
Cleared	Providers who have cleared the background check and are on the Trustline Registry

Non-Compliance	Provider fails to complete the TL application process within the appropriate time frame to provide pending verifications to child care worker
Denied	There are two types of denials: <ul style="list-style-type: none"> • Non-exempt felony convictions for which providers will receive a disqualification, and • A myriad of other crimes plus substantiated child abuse for which an individual may be disqualified
Closed	This is a broad term used for applicants that are: <ul style="list-style-type: none"> ▪ Denied (criminal history) ▪ Closed (admin reasons – fingerprint issues) ▪ Closed (current address unknown) ▪ Closed (failure to supply additional information requested) ▪ Closed (criminal history after cleared), etc.
Revoked	Provider is registered on TL and subsequently has disqualifying information reported to the CA Criminal History System or the CA Child Abuse Central Index

Child's Siblings

A sibling of a child shall complete Trustline requirements. Siblings are not exempt from the Trustline requirements.

Provider Already Trustlined

When enrolling a provider that is already Trustlined with the Trustline Registry In-Home/License Exempt Child Care Provider Program, Child Care Staff must complete the following actions to define the contractor as the contact agency for the provider.

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STEP	ACTION					
1	Obtain the provider's California Driver's License, California ID or other ID used to register with Trustline. Clear the provider in CalWIN and any internal tracking system to verify if Trustline compliance is already on file.					
2	<table border="1"> <thead> <tr> <th>If...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td>Records do not show prior compliance/clearance with</td> <td>Contact Trustline at 1-800-822-8490 to get verbal verification that the child care provider is registered.</td> </tr> </tbody> </table>		If...	Then...	Records do not show prior compliance/clearance with	Contact Trustline at 1-800-822-8490 to get verbal verification that the child care provider is registered.
If...	Then...					
Records do not show prior compliance/clearance with	Contact Trustline at 1-800-822-8490 to get verbal verification that the child care provider is registered.					

	Trustline	Note: Resource and Referral (R&R) cannot verify the providers Trustline Registration without one of the IDs listed above.
	The provider is Trustline registered	Complete the Trustline Payment Program Change Form 24-733 . The contractor may use its own form. Follow directions on the form. Retain a photocopy of the form in the parent file and the original to the provider clerk for the provider file.
	Trustline states the provider is not Trustlined	Follow the steps in Trustline Process Overview

Licensed Provider Changes Address

A licensed provider may move and change their address.

- For the provider to continue being paid as a licensed provider a new license is required for the new address.
- When a license is pending for a new address, the licensed provider becomes a license-exempt provider and can care for only one unrelated family.
- The provider shall complete a Trustline packet within 7 days. The provider must complete Question 8 on the TLR1 and follow the procedures outlined above for completing Trustline registry.
- The provider shall be coded on in the contractor's tracking system with "re-license pending" until the new license is received.

License Revoked or Suspended

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When the contractor is notified by the Resource & Referral (R&R) program that a licensed child care provider has received a Temporary Suspension Notice (TSO) or their license has been revoked, the contractor shall do the following within two business days:

- Terminate payment to the child care provider as of the effective date of the TSO or license revocation;
- Inform the parents and the child care provider in writing that the payment has been terminated and the reason for the termination.

Licensed Provider on Probation

When the contractor is notified by the R&R program that a licensed child care provider's license has been placed on probation, the contractor shall, within two business days, inform the parents in writing that:

- Their child care provider has been placed on probation
- They have an option to locate alternate child care arrangements or remain with the provider without risk of subsidy payments being terminated, unless the provider's license is revoked or suspended.
- If parent chooses to remain with this provider, parent shall sign the County Probation/DNR (Do Not Refer) Awareness Form, or other county approved form.

Providers on Do Not Refer (DNR) List

When the contractor is notified by the R&R (Resource & Referral) program that a Child Care provider has been placed on the Do Not Refer (DNR) list, the contractor shall treat these like providers who have been placed on probation.

Health and Safety Self-Certification

When the child care provider is license-exempt, the provider must complete a Health and Safety Self-Certification.

Exemptions:

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Aunts, Uncles, and Grandparents, by blood, adoption or marriage are exempt from the Health and Safety Self-Certification.

- They shall complete the Declaration of Exemption from Health and Safety Self-Certification Form, 24-726.1 or other County-approved form.
 - Health & Safety Facility Checklist 24-727 or other County approved form that provides parents with a list of suggested questions to ask child care providers to help ensure that the building and physical premises where child care is provided is a safe and healthy place for a child.
 - A statement of relationship of provider and child-is required for license-exempt relatives.
-

TB Test Verification

A license-exempt provider is responsible for providing verification of a TB test to the parent.

- This is addressed on the Health and Safety Self-Certification For License-Exempt Providers Form (/24-413.1) or other County-approved form.
- The contractor does not take any action based on the results. This is the parent's responsibility.
- If asked, the Child Care Staff may inform the parent, that a person with TB is not a safe provider, since the child could become infected.

Three-Day Absence Reporting Responsibilities

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Staff are to inform all providers that they are required to call Child Care Staff when a child has been absent from their care for three consecutive days. Providers must provide a signed three-day absence policy. **All providers must report any three-day absence for any schedule.**

- A licensed provider is required to submit a written Three-Day Absence Policy for Licensed Providers/License-Exempt Centers. The contractor may use its own form.
- A licensed provider must report any three-day absence for any rate/schedule that a child is enrolled. By reporting a three-day absence, the Child Care Staff is alerted to clarify the hours needed by the parent/caretaker

If...	Then...
A licensed provider reports a three-day absence	The provider would be paid for the three days.
A licensed provider fails to report a three-day absence	The provider shall not be paid for the days the child was absent.
Any provider type has a varied schedule	The provider shall be paid for actual care.
The parent was no longer in an approved activity or there was no longer a need for child care	The provider would be paid the three days in addition to their termination policy, not to exceed a two-week termination notice
A license-exempt provider reports, as required, when a child has missed three consecutive days of child care	<ul style="list-style-type: none">• The Child Care Staff is alerted to clarify the hours needed by the parent/caretaker.• A license-exempt provider would not be paid for the three-day absence

Provider Denials

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- Although the child care programs are based on parental choice, there are instances when a parent's choice of provider will be denied.

Examples include:

- Provider refuses to complete the Trustline application, and is

not exempt from Trustline requirements.

- Provider refuses to provide any required verifications.
 - Agency has knowledge that the provider has been convicted of a disqualifying crime. See list at [Rejection Reasons](#).
 - Agency has knowledge that the provider has a substantiated report of child abuse. Must have Supervisor approval to deny the provider.
 - Provider convicted of Child Care Fraud. Must have Supervisor approval to deny the provider.
 - The Child Care Staff shall send the appropriate and timely denial NOA to the parent/caretaker and provider. If the parent/caretaker chooses to use this provider, the child care program will not pay beyond the discontinuance date.
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Provider Discontinuances

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Providers can be discontinued from the programs for various reasons.

- If a provider is discontinued from a program, the parent remains eligible and given the opportunity to select another provider.

Examples are:

- Provider has been denied, closed, or revoked Trustline.
 - Provider fails to complete the required Trustline application within 10 days.
 - Licensed provider has their license revoked.
 - Parent selects another provider.
 - Provider chooses not to care for a child(ren) any longer.
 - Provider convicted of Child Care Fraud. Must have Supervisor approval to discontinue the provider.
 - The Child Care Staff shall send the appropriate and timely NOA to the parent and provider.
 - The Child Care Staff shall also notify the parent that they have 10 days to find a new provider.
 - The new provider shall complete the enrollment process before child care can be approved.
 - The parent can be referred to the Resource and Referral for assistance, if necessary.
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Provider Holidays and Vacations

Some licensed child care providers identify in their contract with the parent/caretaker, holidays and/or vacation days that they are not available to provide child care services but request payment.

- As a result, some affected parents are required to use another child

care provider to provide child care services necessary to retain employment and/or continue in their approved welfare-to-work activity.

- Payments shall be processed for a maximum of ten days per year for holiday and vacation days identified by the provider. Verification of the contractual terms used by the licensed child care provider to charge the public for the same services is required.
- Payments may also be processed for an alternate provider if necessary for the parent to retain employment and/or continue in their approved welfare-to-work activity.
- The alternate provider shall complete the enrollment process and be an eligible provider before payment can be processed.
- Payment to an eligible alternate provider when the regular provider has a paid holiday/vacation day is limited to ten days per fiscal year.

Note: This applies only to licensed providers. License-exempt providers are paid for actual hours of care provided.

Excused Absences

There are no limits to payment for excused absences for providers who have verified that they have a private-pay family who also pays for excused absences.

- Excused absences are defined as:
 - Illness or quarantine;
 - Family emergency;
 - Court ordered visitations; or
 - Court appearances.
- Excused absences shall be paid up to the provider's termination policy with a maximum of two weeks.
- Example: A child is enrolled with a provider that has a two-week termination policy. The child has court ordered visitation with his/her father for two months during the summer. The child's mother has requested that we pay the provider for the two months. This request is based on the need to hold a child care slot with the provider for when the child returns.
- In this situation, the mother has advanced notice of the child's court ordered visitation. The mother would be responsible to give the provider a two-week notice of termination prior to the last date of attendance. The provider would not be paid for any additional time.
- Paying a provider beyond the termination policy maximum of two weeks would be considered a "gift of public funds" and would thus constitute an overpayment to the provider.

Child Absences and Illness Days

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- A child may be unable to attend their regular licensed provider when ill. An alternate provider may be paid when the child is ill and the parent has to obtain care from an alternate provider. Payment to an eligible alternate provider when the child is ill shall be limited to a maximum of ten days per fiscal year.
- Payments may also be processed for an alternate provider if necessary for the parent to retain employment and/or continue in their approved welfare-to-work activity when a child is unable to attend the regular provider due to illness. The licensed child care provider shall identify; in their contract with the parent/caretaker, illnesses that prevent the child from attending their program. The alternate provider must complete the enrollment process and be an eligible provider before payment can be processed. Payments are limited to ten days per fiscal year.

Verification of Excessive Excused Absences

Verification will be required for a child that has excessive absences from their regular licensed provider.

- Excessive absences are defined as more than ten days per year.
- The parent must submit written verification from the child's physician for excessive absences due to illness.
- A licensed provider must agree to accept payment for actual care provided, or the parent shall chose a provider that will accept payment for actual care provided, not payment for enrolled hours.
- The parent is responsible for providing verification that the licensed provider will except payment for actual care provided.
- If verification is not received and/or the child has excessive unexcused absences, the child care will be paid on actual attendance only.
- Example: A child is consistently absent. Care is approved for nine hours a day, five days a week. The child was absent for six days in the month of January and eight days in the month of February. If a physician's verification is not provided, the parent would be notified in March that she must provide verification that the provider agrees to accept payment for actual care provided and not payment for enrolled hours.

Provider Rate Changes

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- A provider may change their child care rates no more than once per fiscal year. When a provider notifies the Child Care Section of a rate increase, the rate takes affect the first of the following month or later if the provider identifies the effective date of the increase as later than the following month.

Example 1: A licensed provider notifies the contractor of a rate

increase on May 10. The provider states the rate increase is for May 1. The Child Care Staff would notify the provider that the rate increase would take effect June 1.

Example 2: A provider notifies the contractor of a rate increase on May 10. The provider states the rate increase is for July 1. The Child Care Staff would notify the provider that the rate would take effect July 1.

- Licensed providers need to provide the notification sent to all families that explained the rate change or complete a Parent-Provider Fee Agreement on each family.
 - License-exempt providers shall complete a Parent-Provider Fee Agreement for each family.
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**Registration,
Material,
and/or
Insurance
Fees**

A licensed provider may request registration, materials, and/or insurance fees when enrolling children.

- The fees must be established in the provider's fee agreement or contract, at the time of enrollment.
- The fee is usually requested when enrolling a child but may also be requested annually.
- The fee can only be paid when a provider's rate does not exceed the Regional Market Rate (RMR).
- Payment may include:
 - Full payment if the fees along with the child care payment does not exceed the RMR; or
 - Partial payment, paid monthly, if the fees along with the child care payment does not exceed the RMR, until the total amount is paid, or until the child care is discontinued, whichever is first.

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**CalWORKs
Recipient as a
Child Care
Provider**

A CalWORKs recipient's welfare-to-work activity or employment cannot be as a child care provider where the recipient would be able to take care of his or her own children.

- An active CalWORKs recipient cannot provide License-exempt child care as a welfare-to-work activity.
- A parent cannot be approved child care subsidies when working as a family child care provider or working in the same licensed facility and classroom where the child is enrolled, because their work does not preclude them from supervising their own child(ren).
- The children of a family child care provider may be served in a State Preschool program.

Multiple Providers

A parent may choose more than one provider to meet the child care hours only when:

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- More than one provider is necessary to meet the certified need for child care; and
 - Neither provider's hours of operation cover the hours of need; and
 - Providers have documentation when unable to provide all hours of care (documentation could be an employer's verification showing the provider's work schedule); or
 - One provider can meet the entire need for care, but the parent has also chosen a licensed center to provide the child with school readiness experiences. This is for preschool age children only (2-5 year olds); or
 - The parent has chosen a second provider to provide back-up care when their first provider is a licensed provider and is closed and/or unavailable to provide care.
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