

3400.0180 REDETERMINATION OF ELIGIBILITY.

Subpart 1. **Redetermination time frame.** A CCAP agency must redetermine each participating family's eligibility during the time frame in Minnesota Statutes, section 119B.025, subdivision 3. A CCAP agency may establish criteria in the CCAP agency's child care fund plan to extend redetermination due dates longer than the time frame in Minnesota Statutes, section 119B.025, subdivision 3. A CCAP agency may defer a redetermination until the end of the academic school year for a family in which at least one parentally responsible individual meets the criteria in Minnesota Statutes, section 119B.025, subdivision 3, paragraph (c), clause (3). For purposes of this subpart, the end of the academic school year is August 31 of that year.

Subp. 2. Redetermination processing.

A. A CCAP agency must begin processing a participant's redetermination within ten calendar days from the date that the CCAP agency receives a redetermination form.

B. A participant must submit a signed and completed redetermination form and must provide verification of the participant's continued eligibility under subpart 3.

C. A CCAP agency must not treat a redetermination as a new application for child care assistance.

Subp. 3. Verification requirements.

A. At redetermination, a family must verify:

(1) income, if counted under Minnesota Statutes, chapter 256P, of all members of the family, including members temporarily absent from the household;

(2) the work, education, or training activity status of each parentally responsible individual;

(3) the family's residence, if a CCAP agency does not have verification of the family's current address;

(4) changes in family size that the family has not verified since the most recent eligibility determination;

(5) changes in the family's status that the family has not verified since the most recent eligibility determination;

(6) the family's cooperation with child support enforcement under Minnesota Statutes, section 119B.09, subdivision 1, paragraph (c);

(7) the family's assets that exceed \$1,000,000; and

(8) changes in a child's citizenship or immigration status under item D.

B. At redetermination, a family may provide verification of:

(1) income deductions as allowed by part 3400.0170. A CCAP agency must process a redetermination without income deductions if the family has not verified income deductions within the time frame identified in Minnesota Statutes, section 119B.025, subdivision 3; and

(2) the school status of students 6 years of age and older with earned income. If a family has not verified a student's school status within the time frame identified in Minnesota Statutes, section 119B.025, subdivision 3, the student's earned income must be counted under Minnesota Statutes, section 256P.06.

C. For a CCAP agency to authorize child care at redetermination, an eligible family must:

(1) provide verification of the work, education, or training schedule of each parentally responsible individual;

(2) provide the school schedule of each child who needs child care and attends school if the schedule or school attended has changed since the most recent eligibility determination; and

(3) provide verification of changes in a child's citizenship and immigration status under item D.

D. A family must have at least one child who meets the citizenship or immigration status requirement in the Federal Child Care and Development Fund, Code of Federal Regulations, title 45, section 98.20(c), or who is receiving child care in a setting subject to public education standards. For a CCAP agency to authorize child care, a family must verify the child's citizenship or immigration status unless a setting subject to public education standards is providing care for the child.

Subp. 4. Eligibility determination. At redetermination, a family must meet all applicable requirements under this chapter and Minnesota Statutes, chapter 119B, to continue receiving child care assistance. A CCAP agency must approve a family's eligibility when the CCAP agency receives the family's signed and completed redetermination form and verifications within the time frame identified in Minnesota Statutes, section 119B.025, subdivision 3, and the redetermination form and verifications indicate that the family is eligible. If a CCAP agency determines at redetermination that a family is ineligible for further child care assistance, the CCAP agency must terminate the family's child care assistance as provided in part 3400.0185.

Subp. 5. Unreported changes during 12-month eligibility period.

A. A CCAP agency must determine if information that the CCAP agency receives at redetermination indicates that a family met the reporting requirements in part 3400.0040, subpart 4, during the 12-month eligibility period. If a family did not meet the reporting requirements, a CCAP agency must determine if any unreported changes impacted the family's eligibility or child care authorization during the previous 12-month eligibility period.

B. If a family received more benefits than the family was eligible for during the 12-month eligibility period, a CCAP agency or the commissioner must recoup or recover an overpayment under part 3400.0187 and Minnesota Statutes, section 119B.11, subdivision 2a.

Subp. 6. Reported changes during 12-month eligibility period.

A. If a family reported an income change during the 12-month eligibility period that did not require verification under part 3400.0040, subpart 4a, and the income ends prior to redetermination, a CCAP agency must not require a family to provide verification of that income at redetermination.

B. When a family timely reports information required by part 3400.0040, subpart 4; a CCAP agency timely acts on the information under part 3400.0140, subpart 21; and redetermination results in a decrease in the amount of the family's child care assistance, the amount of child care assistance that the CCAP agency paid on behalf of the family between the date of the change and the date that the new child care assistance payment would be effective is not an overpayment.

Subp. 7. Changes in authorized hours. If redetermination results in an increase in the number of hours that a CCAP agency authorizes for a child, the increase in hours is effective on the first day of the service period after the CCAP agency approves the redetermination. An increase in child care hours is effective for service periods prior to the date that the CCAP agency approves the redetermination when the family requests and verifies a need for additional child care hours. If redetermination results in a decrease in the number of child care hours that a CCAP agency authorizes for a child, the decrease in hours is effective on the first day of the service period following the 15-day adverse action notice period.

Subp. 8. Copayment changes. At redetermination, the copayment must be calculated according to Minnesota Statutes, section 119B.12. When a change in income increases the amount of a participant's copayment, the new copayment is effective on the first day of the service period following the 15-day adverse action notice period. When a change in income decreases the amount of the copayment, the new copayment is effective on the first day of the service period after a CCAP agency approves the redetermination.

Subp. 9. Temporary breaks in authorized activity at redetermination. At redetermination, each family must meet the minimum authorized activity requirements in Minnesota Statutes, section 119B.10. If a parentally responsible individual meets all eligibility requirements and reports a temporary break from the parentally responsible individual's authorized activity and verifies that the parentally responsible individual expects to return to the authorized activity, the CCAP agency must suspend the parentally responsible individual's case following the 15-day adverse action notice period. If a parentally responsible individual meets all eligibility requirements and reports a temporary break from the parentally responsible individual's authorized activity and does not verify that the parentally responsible individual expects to return to the authorized activity, a CCAP agency must place the parentally responsible individual's case in temporary ineligible status following the 15-day adverse action notice period.

Statutory Authority: *MS s 119B.02; 119B.04; 119B.06; 256.01; 256H.01 to 256H.19*

History: *14 SR 519; 18 SR 1144; 26 SR 253; 33 SR 695; 47 SR 391*

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