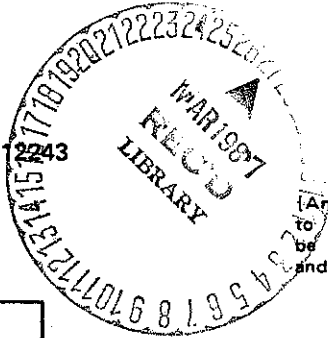


NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243
 CESAR A. PERALES
 Commissioner



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL NO.: 87 ADM-12
 [Family & Children Services]

TO: Commissioners of Social Services

SUBJECT: Policy on Reimbursement for
 Payment for Children Absent
 from Day Care

DATE: March 25, 1987

SUGGESTED DISTRIBUTION: Social Services Districts
 Day Care Centers
 Staff Development Coordinators

CONTACT PERSON: Any questions regarding this release should be directed to the Division of Family and Children Services Regional Office Directors:

- Karen Schimke, Buffalo Regional Office, 716 - 847-3145;
- John O'Connor, Eastern Regional Office, 518 - 473-1095;
- Fred Cantlo, Metropolitan Regional Office 212-488-3485;
- Frank Petrus, Western Regional Office, 716 - 238-8200.

I. PURPOSE

The purpose of this directive is to advise local social service districts of the change in regulation regarding reimbursement of payment for day care on behalf of children who are temporarily absent.

II. BACKGROUND

For a number of years 18 NYCRR Section 416.6(g)(3) has established limits for the number of days in any calendar month, 3 month and 6 month period that local social service

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
		18 NYCRR 416.6(g)(3)			

DSS-296 (8/82)

districts could be reimbursed for payments on behalf of a child in day care if that child was absent. This regulation also permitted payments for a greater number of days "for cases of extenuating circumstances certified by the local commissioner and approved by the department"...

With the increased level of reimbursement now available for day care, the dollar value of payment for absent days has experienced a proportional increase which erodes the ability to fund day care for those children attending day care on a regular basis. As a result the regulation has been changed to reduce the limit on absences reimbursed on a routine basis, while continuing to permit higher levels in special circumstances.

III. PROGRAM IMPLICATIONS

The following chart lays out the maximum number of days during which a child's absence from day care will be reimbursed, routinely and with Department approval.

Period	New Routine Limits # of days	Limits with Dept. Approval # of days
in a month	12	15
in 3 months	12	20
in 6 months	24	40

Approval of reimbursement may be sought for absences more extensive than identified in the left hand column as routine limits when:

- absence is associated with circumstances related to the child's need for day care as a preventive or child protective service, or
- child is diagnosed as having Acquired Immune Deficiency Syndrome (AIDS) or AIDS Related Complex (ARC), or
- the family of the child is homeless, or
- absence is due to a child's illness or handicapping condition, or
- the child is under the (2) years of age

However, in no instance can reimbursement be sought for absences beyond the limit set in the right hand column.

Where absences are not related to such factors, districts will risk losing reimbursement unless families who have been deemed to need day care for a child are encouraged to have those children attend with some consistency. Loss of reimbursement may also be avoided by encouraging staff to promptly recognize and report that a child has been withdrawn from a day care program. Further, it should be noted that once it has been identified that the child has withdrawn, the remaining days of reimbursable absences can not be claimed.

IV. REQUIRED ACTIONS

A district which plans to seek reimbursement for more than the routine number of days of absence for one or more of these categories of children shall:

1. Request approval in advance from the Department Regional Office, indicating which categories are to be covered.
2. The request shall specify that the district will submit a quarterly report showing how many children, in each category, have experienced a total of how many days of absence in excess of the routinely permitted number. The request shall indicate the form in which this report will be submitted.
3. If the Regional Office has approved the request, excess days of absence listed on the quarterly report will be eligible for reimbursement.

V. ADDITIONAL INFORMATION

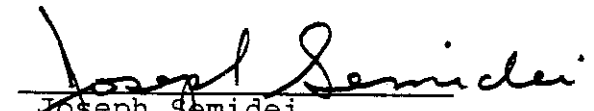
The following is a suggested format for the quarterly report:

District _____
Quarter _____

	# served in exceptional categories	# days of absence routinely reimbursable	# of excess days for which reimbursement is claimed
a. protective/ preventive			
b. homeless			
c. AIDS/ARC			
d. illness			
e. infants			

VI. EFFECTIVE DATE

The effective date of this procedure shall be July 1, 1987.


Joseph Semidei
Deputy Commissioner
Division of Family
and Children Services

Filed 9/4/86

STATE DEPARTMENT OF SOCIAL SERVICES

ALBANY, NEW YORK

Pursuant to the provisions of Sections 20(3)(d), 34(3)(f), 153 and 410-c of the Social Services Law, I, Cesar A. Perales, Commissioner of Social Services, do hereby repeal paragraph (3) of subdivision (g) of Section 416.6 and enact a new paragraph (3) of subdivision (g) of Section 416.6 to the Official Regulations of the State Department of Social Services, being Chapter II of Title 18 NYCRR, effective immediately upon filing with the Secretary of State.

Dated: September 4, 1986

Signed: Cesar A. Perales

Commissioner

This is to certify that this is the original of an order of the State Department of Social Services, made on 9/4/86 repealing paragraph (3) of subdivision (g) of Section 416.6 and enacting a new paragraph (3) of subdivision (g) of Section 416.6 to the Official Regulations of the State Department of Social Services, being Title 18 NYCRR, the express terms of which were published in the New York State Register on 6/4/86.

Dated: September 4, 1986

Signed: Cesar A. Perales

Commissioner

Paragraph 416.6(g)(3) is revoked in its entirety and a new paragraph 416.6(g)(3) is enacted to read as follows:

(3) Except in cases of extenuating circumstances verified by the local commissioner of social services and approved by the department, temporary absences from day care are limited to no more than 12 days in any one calendar month, 12 days in any 3 month period, or 24 days in any six month period.

(Deleted material [brackets]; new material underlined).