

**3400.0060 BASIC SLIDING FEE PROGRAM.**

Subpart 1. [Repealed, 26 SR 253]

Subp. 2. **Basic sliding fee allocation.** The commissioner must allocate money from the child care fund for the basic sliding fee program as provided in Minnesota Statutes, section 119B.03, subdivisions 6 to 9. By July 1 of each year, the commissioner must notify all county, Tribal, and human services boards of their allocations under the basic sliding fee program, including the amount available for payment of administrative expenses.

Subp. 3. [Repealed, 26 SR 253]

Subp. 4. **Reallocation of unexpended or unencumbered funds.** The commissioner must reallocate unexpended or unencumbered funds according to items A to D.

A. The commissioner may reallocate unexpended or unencumbered funds following the first, second, and third quarters of the allocation period as provided in Minnesota Statutes, section 119B.03, subdivision 5. Following the fourth quarter of the allocation period, the commissioner must review county and Tribal expenditures under the basic sliding fee program and must reallocate unearned allocations to counties and Tribes that had direct service earnings in excess of their allocation.

B. The amount reallocated to any county or Tribe must be based on direct service earnings in excess of its allocation. The amount reallocated must not be greater than the direct service earnings in excess of allocation minus the county's or Tribe's fixed local match to be calculated as specified in Minnesota Statutes, section 119B.11, subdivision 1.

C. If the amount of funds available for reallocation is less than total county or Tribe direct service earnings in excess of allocations, the reallocated funds must be prorated to each county and Tribe based on the ratio of the county's or Tribe's direct service earnings in excess of its allocation to the total of all county and Tribal direct service earnings in excess of their allocation.

D. If the amount of funds available for reallocation is greater than total county or Tribe direct service earnings in excess of allocations under the basic sliding fee program, the funds remaining after the basic sliding fee reallocation must be carried forward and added to the funds available for allocation in the next allocation period.

Subp. 5. **Families eligible for assistance under the basic sliding fee program.** To the extent of available allocations, an applicant is eligible for child care assistance under the basic sliding fee program if:

A. the applicant meets eligibility requirements under part 3400.0040;

B. the applicant is not a MFIP or DWP participant; and

C. the family meets the income eligibility requirements specified in Minnesota Statutes, section 119B.09.

Subp. 6. [Repealed, 47 SR 391]

Subp. 6a. [Repealed, 47 SR 391]

Subp. 7. [Repealed, 47 SR 391]

Subp. 8. [Repealed, 47 SR 391]

Subp. 9. **Child care responsibility when family moves.**

A. When a family receiving child care assistance from the basic sliding fee program moves to a new county or moves to an area served by a Tribal CCAP agency in Minnesota, the original county or Tribal CCAP agency must continue to provide child care assistance to a family for two full calendar months after the family's move if the family needs child care and remains eligible for the basic sliding fee program. Before a family transfers to a Tribal CCAP agency, the family must meet the Tribal CCAP agency's criteria for families that the Tribal CCAP agency serves. The limitation in Minnesota Statutes, section 119B.09, subdivision 1, paragraph (a), clause (2), regarding the family's household income at program entry does not apply when a family receiving assistance moves to another county or moves to an area served by a Tribal CCAP agency and continues receiving assistance from the new county or Tribal CCAP agency.

B. If there is a waiting list for the basic sliding fee program in the receiving county or Tribal CCAP agency when the county or Tribal CCAP agency assumes responsibility for the family after two full calendar months following the family's move, the receiving county or Tribal CCAP agency must fund child care assistance for the family through the portability pool while the family remains eligible. An eligible family must continue to receive child care assistance through the portability pool until the family is able to receive child care assistance through the receiving county's or Tribe's basic sliding fee program.

C. If there is no waiting list for the basic sliding fee program and funds are available, the receiving county or Tribal CCAP agency must immediately move the family into the county's or agency's basic sliding fee program when the county or agency assumes responsibility for the family after two full calendar months following the family's move according to Minnesota Statutes, section 256G.07, subdivision 1.

Subp. 10. **Continued eligibility under basic sliding fee program.** A CCAP agency must not refuse to provide continued child care assistance to a family receiving assistance through the basic sliding fee program when there is a change in the family's financial or household status as long as the family continues to meet the eligibility requirements in this part and the general eligibility requirements in part 3400.0040. Except for the job search time limit under Minnesota Statutes, section 119B.10, subdivision 1, paragraph (a); the education time limit in Minnesota Statutes, section 119B.10, subdivision 3, paragraph (b); the extended eligibility period in Minnesota Statutes, section 119B.105; and the time limit to submit proof of eligibility under Minnesota Statutes, section 119B.025, subdivision 1, paragraph (d), a CCAP agency must not set a time limit for eligibility under the basic sliding fee program.

**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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