



**Office of Child Care  
Advisory Council Meeting**

Office of Child Care  
Advisory Council



**AGENDA**  
**Thursday, August 22, 2019**

**Welcome and Introductions**

*Review Guidelines/Goals of Council (language): Advise and counsel the Office of Child Care, review proposed regulations, review issues and problems relating to care of children and suggested priorities for consideration by OCC and identify interdepartmental issues of importance to child care providers and users that should be addressed by OCC and other state agencies.*

*Regulations and the role of the Office of Child Care Advisory Council: Discuss new protocol and process for OCC Advisory Council and community stakeholder participation and review of all regulations prior to posting for public comments*

**Review minutes: Review Power Point presentation from last Council meeting**

**Legislative Updates:**

- a. Minimum wage changes in Maryland and impact on child care

**Jacqueline Grant, "Family Child Care Alliance" overview**

**Director, Office of Child Care Report:**

- a. Office of Legislative Audits & Findings
- b. RFP's and Grants coming soon
- c. Subsidy Update (MRS vs. Provider Registration Form) & Regulation Review

**Old Business:**

- a. Updates on Market Rate Cost of Care Survey
- b. IMPACT Project updates
- c. Preschool Development Grant Birth to 5

**Discussion:**

**Workforce Development – Angeline Bishop-Oshoko, Committee Chair**

**Topics/presentations for future meetings:**

Commission on Innovations and Excellence in Education  
NGA/CCSSO Early Childhood Education Workforce  
Training Advisory Council  
Workforce Competency Workgroup  
School Age Regulations  
Lead Poisoning Prevention Commission-Results of pilot program

**BRANCH UPDATES**

(Submitted in writing at request of Council prior to meetings)

**Council Member Reports/Updates**

**Adjournment**

**Next Meeting: November 21, 2019**  
10:00 am – 12:00 Noon  
8<sup>th</sup> Floor, Conference Room 6  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201

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AGENDA ITEMS	DISCUSSION OUTCOME	
<b>Attendees</b>	Council members:	Jennifer Nizer, Christina Peusch, Jacqueline Grant, Rachel London, Angeline Bishop-Oshoko, Steve Rohde, Gloria Brown Burnett, Lindi Budd, Steven Hicks, Michelle Becote-Jackson, Donna Mullen sitting for Brian Morrison
	Guests:	Lacey Tsonis, Crystal Gebhart, Rebecca Hancock, Shawn Rose, Derek Newberry, Madie Green, Debbie Moore, Flora Gee, Simeon Russell
	MSDE Staff:	Tara Bartosz, Lou Valenti, Debbie Langer, Rosemary Lober, Agneatha Wright, Andrea Zabel, Michelle Young, Jena Smith, Shelley Downs, John Lamb, Stephen Lenzner, Olivier Bitihari, LaTanya Taylor, Rene Williams, Lorena Guido, Beverly Olliviane, Manjula Paul
<b>Welcome And Opening Remarks</b>	Chris Peusch called the meeting to order. Minutes from 8.22.19 were approved by Steve Rohde and second by Gloria Brown-Burnett.	
<b>Review Guidelines/Goals of Council</b>	<p>While this was not discussed at the last meeting, as a reminder:</p> <p>The purpose of the OCC Advisory Council is to:</p> <ul style="list-style-type: none"> <li>Advise and counsel the Office of Child Care;</li> <li>Review regulations proposed by state agencies regulating child care;</li> <li>Review issues and problems relating to care of children and suggested priorities for consideration by the Office of Child Care; and</li> <li>Identify interdepartmental issues of importance to child care providers and users that should be addressed by the Office of Child Care and other state agencies.</li> </ul> <p>The Council meetings are “open” meetings but not “public” hearings. What this means is that the meeting is open to anyone who would like to attend. However, it is not a “public” meeting, in that the topics of discussion are limited to only those items on the Agenda. OCC Advisory Council meetings are not the appropriate forum to share concerns or complaints.</p> <p>The Agenda for each meeting is set prior to the meeting in consultation between the Department and the Chairperson for the Council. A Council member who would like to have an item considered for the agenda should make the request no later than two weeks prior to the meeting by contacting Tara Bartosz@ tara.bartosz@maryland.gov or Chris Peusch, <a href="mailto:mscca1@comcast.net">mscca1@comcast.net</a>. The Department will share information as specified on the Agenda set for the meeting.</p> <p>After all items on the Agenda are concluded, the Council meeting will be opened to “Other Business.” This will allow for discussion of items not necessarily related to those on the Agenda. To ensure an equal amount of time for participation, each speaker will be asked to limit their thoughts and comments to no more than three minutes. Comments made during this time should be succinct, specific and of interest to the Council members.</p> <p>Places at the table are reserved for Council members only. Therefore, non-member visitors attending the meetings should sit at the tables indicated for guests until the OCC Advisory Council chair invites visitors to sit in any remaining seats at the table.</p>	

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	Comments and remarks that do not coincide directly with Agenda items may not be shared until the meeting is opened to "Other Business".
<p><b>Group work and Discussion</b></p> <p><b>Subsidy Regulations</b></p>	<ul style="list-style-type: none"> <li>• Members, MSDE staff and guest will be looking at the first draft of the subsidy regulations – that is the focus of this meeting. We will not be looking at punctuation, spelling, etc., we are looking at regs only.</li> <li>• Division of Early Childhood doesn't have anyone writing regs.</li> <li>• Rene Williams did the subsidy regs. Rene Williams was recognized for the outstanding work on the regulations.</li> <li>• Subsidy regs in italics are the new language, regs in brackets are being taken out.</li> <li>• The time line: <ul style="list-style-type: none"> <li>*We will read the regulations and make suggestions, comments.</li> <li>*The notes made will be reviewed and regulations will be revised and then sent to the State Board for approval in October and then will go out for public comment.</li> </ul> </li> <li>• The most impactful regs to consider first are chapter 6 (Provider regs), chapter 10 (Termination) and chapter 11 (Payment for CCS).</li> </ul>
<p><b>Group Presentation</b></p>	<p>Groups met for one hour to review regs. Below were the notes of those meetings (each group shared 2 items, the remaining items were written down)</p> <p>*<b>Group 1</b> said that overall they were pleased with the regs – lots of positive comments. Their biggest concern was that some of the number days were confusing (week days, post office days for processing, etc.)</p> <p>*<b>Group 2</b> was concerned with the name of scholarship – implies it's free. Many may not think they still will need to pay the co-pay or deductibles. Can it be remarketed to educate parents? Concern about days and notification of termination. Providers may not get letter in a timely manner until after the child is still there for 2 weeks.</p> <p>*<b>Group 3</b> posed the question about the days asked how we know when the clock starts ticking? What are the implication of not meeting the 10 day. Is that a non-compliance and will it impact your EXCELS Rating. They also asked about Item #10 from the parent's perspective, what's the advantage of the quicker turn around?</p> <p>*<b>Group 4</b> asked if child support not be included as income and not be a pre-requisite. They also recommended that the special needs accommodations be easier to use. Recommend that special disability rate be easier and more of an incentive to be used. Suggested some language on chart paper.</p> <p>*<b>Group 5</b> discussed Tiered Reimbursement – they were glad there is no distinction between center and family but asked why is there a distinction for ages of the children? They also spoke on the topic of overpayment irregularities – ie school age often gets more money than provider charges between payments and copays. School-age needs a separate payment rate.</p> <p>*<b>Group 6</b> asked if eligibility is county specific? They recommended that the amount parents receive be based on the county they live in. They also were concerned about non-monitored informal care – was the intention to push families away from informal and towards registered or licensed programs? Rene clarified that all providers have to be fingerprinted/monitored for child safety – that's all they are looking at.</p>

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<p><b>Group Comments, Suggestions and Recommendations</b></p>	<p><b>Group 1</b> ( need clarity from Andrea)</p> <ul style="list-style-type: none"> <li>• CSCCS should hire more staff</li> <li>• Many of the changes were wonderful improvements. "Excellent changes , but difficult for CSCCS to implement with current practices and staffing."</li> </ul> <p>The following are questions that need to be addressed:</p> <p>03.</p> <ul style="list-style-type: none"> <li>• Clarification needed for Chapter 3/G/ 4 and 6: Change of training; Is a change of household not reportable until re-application?</li> </ul> <p>05.</p> <ul style="list-style-type: none"> <li>• Chapter 5/C/2 "10 days" for processing requests is not a realistic timeline within the current SOPs and contract with CSCCS.</li> <li>• In light of the current wait list/freeze, will re-determination be required?</li> <li>• Chapter 5/f/2 How would this change be implemented? or enforced? Perhaps with a "Paid In Full" receipt of some sort.</li> <li>• "10 business days" for processing is difficult to meet when patrons are using "snail mail". Especially if the family or provider is not near a CSCCS office or has poor internet access.</li> </ul> <p>07.</p> <ul style="list-style-type: none"> <li>• Chapter 7/C/3(c) 15 days for issuance instead of 10 days is more feasible.</li> <li>• We need to help families distinguish between Business Days and Calendar Days (in a glossary or somewhere).</li> </ul> <p><b>Group 2</b> was concerned with the name of scholarship – implies it's free, can it be remarketed to educate parents?</p> <p>01.</p> <ul style="list-style-type: none"> <li>• How will will the name of Scholarship be marketed?</li> </ul> <p>06.</p> <ul style="list-style-type: none"> <li>• Suggests clarification on “high quality”</li> </ul> <p>10.</p> <ul style="list-style-type: none"> <li>• Suggests clarification on the timeframe, timely notification and oversubscribe</li> </ul> <p>11.</p> <ul style="list-style-type: none"> <li>• Asks if the validate rates came from the Market Rate Survey (MRS)</li> </ul>

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	<p><b>Group 3</b> asked how we know when the clock starts ticking in regards to the turnaround timeframe? They also asked about Item #10, what's the advantage of the quicker turn around?</p> <ul style="list-style-type: none"> <li>• Applauds name change to Scholarship</li> <li>• Inquires about how in-kind helps</li> </ul> <p>06.</p> <ul style="list-style-type: none"> <li>• Recommend that registered/licenced child care and family provisers receive the same tiered reimbursement payment</li> </ul> <p>07.</p> <ul style="list-style-type: none"> <li>• Recommend 30 day turn around. Unsure about when that begins.</li> </ul> <p>10.</p> <ul style="list-style-type: none"> <li>• In terms of parents, we want to understand the advantage of the quicker turnaround</li> </ul> <p>11.</p> <ul style="list-style-type: none"> <li>• Provide clarity on 21.69 days/month</li> </ul> <p><b>*Group 4</b> asked if child support not be included as income. They also recommended that the special needs accommodations be easier to use. ( need clarity from Beverly)</p> <ul style="list-style-type: none"> <li>• Child support not be included in income.</li> <li>• Child support not be reured as a pre-requisite.</li> <li>• Insure consistency for non-relative informal care (provide clafication).</li> <li>• Provide more notice for notification of termination.</li> <li>• Vouchers should be written to the start of the week and continue to the end.</li> <li>• Provider indictes the child has a disability and needs a reasonable accomoation remove the rest of the recommendations Change the definition of a child with a disability – Children are not diagnosed easily with a disality at a young age.</li> <li>• Provide a handbook or FAQ that will clarify what the regulation means for families and providers.</li> </ul> <p>02.</p> <ul style="list-style-type: none"> <li>• <b>Definition of Child:</b> Suggested - add without disability, delete word disable, add individual...with a disability younger than 21 and</li> <li>• Change wording of special need to documented disability</li> <li>• What is mental injury? Change language to trauma</li> <li>• Change reasonable accommodation to reasonable developmental accommodation</li> </ul> <p>11.</p> <ul style="list-style-type: none"> <li>• Why was Somerset County left off of our highest federal policy area</li> <li>• Language is confusing "illness or health condition"</li> <li>• Add other health care providers to list</li> </ul>

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	<ul style="list-style-type: none"> <li>• Payment: There needs to be allowance for a child who leaves the country to visit family and is absent for more than 5 consecutive days – should be 10 days</li> </ul> <p>*Group 5 discussed Tiered Reimbursement – they were glad there is no distinction between center and family but asked why is there a distinction for ages? They also spoke on the topic of overpayment irregularities – ie school age often gets more money than provider charges between payments and copays.</p> <p>06.</p> <ul style="list-style-type: none"> <li>• <b>Tiered Reimbursement Rates:</b> Agree with not distinguishing between type of care and do rates have to be based on age of child or can it just be based on EXCELS level?</li> <li>• <b>Overpayment irregularities:</b> Doesn't include cases where the reimbursement rate (with or without parent copay exceeds the total cost of care charged by the program. No method to return these overpayments</li> <li>• <b>Terms Interchanged/not defined:</b> Parent/customer/recipient – interchanged Pre Child Care Scholarship – not defined Receipted CSCCS Formal Child Care (instead of regulated)</li> </ul> <p>11.</p> <ul style="list-style-type: none"> <li>• Can other high poverty areas in Maryland be considered for higher rates as Baltimore City is? (would recognize vulnerable families throughout Maryland in Title I areas)</li> <li>• For any care, does this mean something specific? It is unclear/vague with context of babysitting. (is a term missing?)</li> </ul> <p>Concerns: Pg 28 (a)(i) &amp; (ii): Says “or” – unclear what capacity with age intended is to be.</p> <p>*Group 6 asked if eligibility is county specific? They recommended that the amount parents receive be based on the county they live in. They also were concerned about non-monitored informal care – was the intention to push families away from informal and towards registered or licensed programs? Rene clarified that all providers have to be fingerprinted/monitored for child safety – that's all they are looking at.</p> <p>03.</p> <ul style="list-style-type: none"> <li>• What is state Median income?</li> <li>• Is the SMI county based applicant per county?</li> </ul> <p>06.</p> <ul style="list-style-type: none"> <li>• Is it changing to a “certificate of Compliance” instead of “letter”?</li> <li>• Clarify: No longer monitoring family member care</li> <li>• Clarify: How is quality being monitored in a private home?</li> </ul> <p>11.</p> <ul style="list-style-type: none"> <li>• How can a provider be active in Maryland EXCELS if not registered?</li> </ul>

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	<p>General Policy question: Was the intention to eliminate "Babysitting" to encourage parent/families to seek regulated providers?</p>
<p><b>Discussion:</b></p>	<p>Income tables are being removed to support the State Median Income which will allow the subsidy amounts to automatically change when SMI changed without needing to place in regulation.</p> <p>Plan on creating a FAQ to assist with language</p> <p>Comments and discussion about the reduced timelines in the regulations</p>
<p><b>Next Meeting</b></p>	<p><b>November 21, 2019</b> 10:00 am – 12:00 Noon MSDE 8th Floor Conference Room 6</p>
<p><b>Future 2020 Meetings</b></p>	<p>February 20, 2020 May 20, 2020 August 20, 2020 November 20, 2020</p> <p>10:00 am – 12:00 Noon MSDE 8th Floor Conference Room 6</p>