

H. B. No. 7  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, delete "5104.302" and insert "5104.303" 1

In line 6, delete "5104.302" and insert "5104.303" 2

Delete lines 7 through 129 3

After line 129, insert: 4

**"Sec. 5104.30.** (A) The department of children and youth 5  
is hereby designated as the state agency responsible for 6  
administration and coordination of federal and state funding for 7  
publicly funded child care in this state. Publicly funded child 8  
care shall be provided to the following: 9

(1) Recipients of transitional child care as provided 10  
under section 5104.34 of the Revised Code; 11

(2) Participants in the Ohio works first program 12  
established under Chapter 5107. of the Revised Code; 13

(3) Individuals who would be participating in the Ohio 14  
works first program if not for a sanction under section 5107.16 15  
of the Revised Code and who continue to participate in a work 16



activity, developmental activity, or alternative work activity 17  
pursuant to an assignment under section 5107.42 of the Revised 18  
Code; 19

~~(4) A family receiving publicly funded child care on 20  
October 1, 1997, until the family's income reaches one hundred 21  
fifty per cent of the federal poverty line~~ Subject to section 22  
5104.303 of the Revised Code, foster caregivers, as defined in 23  
section 5103.02 of the Revised Code, and kinship caregivers, as 24  
defined in section 5180.50 of the Revised Code; 25

(5) Subject to available funds, other individuals 26  
determined eligible in accordance with rules adopted under 27  
section 5104.38 of the Revised Code. 28

The department shall apply to the United States department 29  
of health and human services for authority to operate a 30  
coordinated program for publicly funded child care, if the 31  
director of children and youth determines that the application 32  
is necessary. For purposes of this section, the department of 33  
children and youth may enter into agreements with other state 34  
agencies that are involved in regulation or funding of child 35  
care. The department shall consider the special needs of migrant 36  
workers when it administers and coordinates publicly funded 37  
child care and shall develop appropriate procedures for 38  
accommodating the needs of migrant workers for publicly funded 39  
child care. 40

(B) The department of children and youth shall distribute 41  
state and federal funds for publicly funded child care, 42  
including appropriations of state funds for publicly funded 43  
child care and appropriations of federal funds available under 44  
the child care block grant act, Title IV-A, and Title XX. The 45  
department may use any state funds appropriated for publicly 46

funded child care as the state share required to match any 47  
federal funds appropriated for publicly funded child care. 48

(C) In the use of federal funds available under the child 49  
care block grant act, all of the following apply: 50

(1) The department may use the federal funds to hire staff 51  
to prepare any rules required under this chapter and to 52  
administer and coordinate federal and state funding for publicly 53  
funded child care. 54

(2) Not more than five per cent of the aggregate amount of 55  
the federal funds received for a fiscal year may be expended for 56  
administrative costs. 57

(3) The department shall allocate and use at least four 58  
per cent of the federal funds for the following: 59

(a) Activities designed to provide comprehensive consumer 60  
education to parents and the public; 61

(b) Activities that increase parental choice; 62

(c) Activities, including child care resource and referral 63  
services, designed to improve the quality, and increase the 64  
supply, of child care; 65

(d) Establishing the step up to quality program pursuant 66  
to section 5104.29 of the Revised Code. 67

(4) The department shall ensure that the federal funds 68  
will be used only to supplement, and will not be used to 69  
supplant, federal, state, and local funds available on the 70  
effective date of the child care block grant act for publicly 71  
funded child care and related programs. If authorized by rules 72  
adopted by the department pursuant to section 5104.42 of the 73  
Revised Code, county departments of job and family services may 74

purchase child care from funds obtained through any other means. 75

(D) The department shall encourage the development of 76  
suitable child care throughout the state, especially in areas 77  
with high concentrations of recipients of public assistance and 78  
families with low incomes. The department shall encourage the 79  
development of suitable child care designed to accommodate the 80  
special needs of migrant workers. On request, the department, 81  
through its employees or contracts with state or community child 82  
care resource and referral service organizations, shall provide 83  
consultation to groups and individuals interested in developing 84  
child care. The department of children and youth may enter into 85  
interagency agreements with the department of education and 86  
workforce, the chancellor of higher education, the department of 87  
development, and other state agencies and entities whenever the 88  
cooperative efforts of the other state agencies and entities are 89  
necessary for the department of children and youth to fulfill 90  
its duties and responsibilities under this chapter. 91

The department shall develop and maintain a registry of 92  
persons providing child care. The director shall adopt rules in 93  
accordance with Chapter 119. of the Revised Code establishing 94  
procedures and requirements for the registry's administration. 95

(E) (1) The director shall adopt rules in accordance with 96  
Chapter 119. of the Revised Code establishing both of the 97  
following: 98

(a) Payment rates for providers of publicly funded child 99  
care not later than the first day of July in each odd-numbered 100  
year; 101

(b) A procedure for paying providers of publicly funded 102  
child care. 103

(2) In establishing payment rates under division (E) (1) (a)	104
of this section, the director shall do all of the following:	105
(a) Use the information obtained from the market rate	106
survey developed and conducted in accordance with 45 C.F.R.	107
98.45;	108
(b) Establish an enhanced payment rate for providers who	109
enroll children whose caretaker parents work nontraditional	110
hours;	111
(c) With regard to the step up to quality program	112
established pursuant to section 5104.29 of the Revised Code,	113
establish enhanced payment rates for child care providers that	114
participate in the program.	115
(3) In establishing payment rates under division (E) (1) (a)	116
of this section, the director may establish different payment	117
rates based on any of the following:	118
(a) Geographic location of the provider;	119
(b) Type of care provided;	120
(c) Age of the child served;	121
(d) Special needs of the child served;	122
(e) Whether the expanded hours of service are provided;	123
(f) Whether weekend service is provided;	124
(g) Whether the provider has exceeded the minimum	125
requirements of state statutes and rules governing child care;	126
(h) Any other factors the director considers appropriate."	127
In line 130, delete " <u>5104.302</u> " and insert " <u>5104.303</u> "	128

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	129
<b>LSC technical amendment - section updates</b>	130
<b>R.C. 5104.30 and 5104.302 (renumbered to 5104.303)</b>	131
Updates sections to reflect changes made as part of H.B.	132
96, the 136th General Assembly's main operating budget.	133