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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Senior Legislative Research Analyst - Ryan Bush
DATE: May 19, 2014
SUBJECT: Department of Health and Welfare - Idaho Child Care Program (ICCP)

IDAPA 16.06.12 - Rules Governing the Idaho Child Care Program (ICCP) (Docket No. 16-0612-1401)

The Department of Health and Welfare submits notice of proposed rulemaking at IDAPA 16.06.12 - Rules Governing the Idaho Child Care Program (ICCP). The Department states that this rule was published as a temporary rule effective November 1, 2013, and was published in the January 2014 Idaho Administrative Bulletin. The Department further states that its former co-pay structure did not comply with federal regulation because it was based upon a percentage of the cost of child care. To comply with federal requirements, co-pays must be income based. Therefore, this rule bases co-payment upon family income. This rule also distinguishes between the co-pay requirements for post-secondary students and high school or GED students. Specifically, post-secondary students who do not work ten or more hours per week will be required to pay their own co-payment.

The Department states that negotiated rulemaking was not conducted because this rule is being done to align with federal regulations. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Department in Section 56-202(b), Idaho Code.

cc: Department of Health and Welfare - Idaho Child Care Program (ICCP)
Beverly Barr and Frank Powell