

6M-4.400 Required Parent Copayment ~~Co-payment~~.

(1) Sliding ~~F~~Scale. Each coalition ~~must shall~~ implement ~~the a~~ sliding fee scale issued by the Division of Early Learning (DEL) and its copayment waiver ~~co-payment~~ policies, as applicable, for families receiving school readiness services. Parent copayments will be set at a level not to exceed seven percent (7%) of the family's income, regardless of the number of children in care during the authorized twelve (12) months of eligibility.

~~(a) A coalition's sliding fee scale must be set at a level that provides economically disadvantaged families equal access to the care available to families whose income is high enough not to qualify for school readiness services. A coalition must submit their proposed sliding fee scale to the Office of Early Learning (OEL) for approval. The OEL shall review the sliding fee scale to determine that the scale is reflective of the annually released income limits, has an effective date no later than July 1st of that year, and that parent ~~co~~ payments do not exceed 10 percent of the family's income, regardless of the number of children in care, during the authorized 12 months of eligibility. If the coalition's proposed sliding fee scale does exceed 10 percent of family income, the coalition must provide justification of how the sliding fee scale meets the federal requirement that the ~~co~~ payment be affordable, prior to approval of the proposed sliding fee scale by the OEL.~~

~~(b) The coalition's ~~co~~ payment policy shall be submitted with the coalition's sliding fee scale as part of the coalition's approved plan per Rule 6M 9.115, F.A.C.~~

(2) Copayment ~~Co-payment~~ Assessment. Each family that receives school readiness services will shall be assessed a copayment ~~co-payment~~ based on family size, the hours of care needed, and the family's income, according to the sliding fee scale issued approved by DEL the Office of Early Learning (OEL) as described in subsection (1).

~~(a) If a child is authorized for part time care, the parent will shall be assessed a part time copayment ~~co-payment~~. If a child is authorized for full time care, the parent will shall be assessed a full time copayment ~~co-payment~~. A parent with two or more children receiving school readiness services may receive a ~~co-payment~~ discount for the second and any subsequent child in their care based on the coalition's approved sliding fee scale. When a discount is applied, the youngest child must be assessed a full ~~co-payment~~ based on the approved sliding fee scale and the hours of care needed.~~

~~(b) When a child's normal schedule of care is based on the school year schedule and the child is authorized school readiness part time care during the school year and attends a full time day at the school readiness program on~~

a school holiday or school closure, the parent ~~will shall~~ pay the part time ~~copayment eo-payment~~. During the summer break, if said child is authorized school readiness full time care, the parent ~~will shall~~ pay the full time ~~copayment eo-payment~~.

(c) ~~Copayments Co-payments~~ for at-risk families as defined in ~~s. section~~ 1002.81(1), F.S., ~~must shall~~ be assessed at the initial child care authorization. A coalition may waive a ~~copayment eo-payment~~ for an at-risk child in accordance with subsection (6).

~~(d) A eo-payment shall not be equal to or greater than the providers private pay rate.~~

~~(d) (e)~~ A family may submit documentation at any time during the eligibility authorization period to decrease the ~~copayment eo-payment~~.

(3) Graduated Phase-out. At the end of the initial 12-month eligibility period, the coalition ~~will shall~~ re-evaluate the family's eligibility.

(a) ~~At the end of the initial 12-month eligibility period at redetermination,~~ if a family's income is above one hundred fifty (150) percent of the Federal Poverty Level (FPL), but at or below eighty-five (85) percent of the State Median Income (SMI), the family will enter graduated phase-out. The parent ~~will shall~~ be assessed a ~~copayment eo-payment~~ that gradually increases as the family's income increases and is based on the DEL issued approved sliding fee scale. ~~As the family's income increases the eo-payment shall gradually increase based on the approved sliding fee scale.~~

1. During graduated phase-out, school readiness childcare funding will be authorized for 12 months from the redetermination date. At redetermination the coalition ~~must shall~~ provide written notice to the family and provider of the required ~~copayment eo-payment~~ for the 12-month period to be paid by the parent to the provider. The notice ~~must shall~~ inform the parent that the ~~copayment will eo-payment shall~~ increase as the family's income increases.

2. During graduated phase-out, the family ~~must shall~~ report any changes in ~~family size or~~ income to the coalition within fourteen (14) ~~ten (10)~~ calendar days. The coalition ~~will shall~~ adjust the family's ~~copayment eo-payment~~ based on the reported information and ~~will shall~~ notify the family and provider of any changes within ten (10) calendar days. The parent ~~copayment will eo-payment shall~~ be increased or decreased based on any reported changes, ~~as required,~~ that affect the parent ~~copayment eo-payment~~.

3. During graduated phase out, if the family's income exceeds 85% of the SMI, the family is no longer eligible for the program. The coalition ~~will shall~~ notify the family that the family is no longer eligible to receive school

readiness services and school readiness services will be discontinued in accordance with Rule 6M-4.200, F.A.C. two weeks (14 calendar days) from the date of the notice, as long as the two-week period does not extend beyond the family's authorized eligibility period. During the graduated phase out, if the family's income falls below 150% of the FPL federal poverty level, the copayment must ~~eo-payment shall~~ be adjusted based on the approved sliding fee scale and the family will remain in graduated phase out and continue to receive services for the remainder of the twelve-month phase-out period.

(b) At the end of the initial 12-month eligibility period at redetermination, if a family's income remains at or below 150% percent of the FPL, the family will remain eligible pursuant to Rule 6M-4.200, F.A.C. The family's eligibility, copayment ~~eo-payment~~, and reporting requirements are subject to the requirements of the initial eligibility period and will not be subject to the graduated phase-out criteria.

(c) At the end of the initial 12-month eligibility period at redetermination, if a family's income exceeds 85% of the SMI, or the family is otherwise no longer eligible, the coalition must ~~shall~~ notify the family that the family is no longer eligible to receive school readiness services and school readiness services will be discontinued.

(4) Parent and ~~P~~provider ~~N~~otification. Prior to a child's enrollment at the child care provider, the coalition will ~~shall~~ issue a payment certificate to the parent and to submit to an eligible child care provider. The payment certificate includes the copayment ~~eo-payment~~ to be paid by the parent to the school readiness provider. The coalition must notify the parent that additional fees ~~which are~~ charged by the provider may apply. If a child is enrolled with more than one provider or a family has more than one child enrolled in the school readiness program, the family will make only one copayment to one, ~~a co-payment must be assessed for each~~ authorized provider.

(5) Copayment ~~Co-payment~~ Collection. The copayment ~~eo-payment~~ amount for which the family is responsible will ~~shall~~ be subtracted from the provider's reimbursement, prior to payment by the coalition or its designee. Collection of the family's required copayment ~~eo-payment~~ for school readiness services will ~~shall~~ be the responsibility of the provider of school readiness services in accordance with s. 1002.88(1) ~~Section 1002.84(8)~~, F.S.

(a) The provider must ~~shall~~ provide written notice of the copayment ~~eo-payment~~ due date. The parent copayment must ~~eo-payment shall~~ be collected within ten (10) calendar days of the provider's payment due date. The provider must give the parent a receipt for each copayment ~~eo-payment~~ made by the parent and retain receipt records for all child care copayments ~~eo-payments~~.

(b) The provider must ~~shall~~ document outstanding parent copayment ~~eo-payment~~ balances. The provider must

~~shall~~ provide written notification to the parent of the current outstanding ~~copayment~~ ~~eo-payment~~ balance within fifteen (15) calendar days of the provider's payment due date. This notification ~~must shall~~ be provided at least on a monthly basis as long as there is a ~~copayment~~ ~~eo-payment~~ balance. Outstanding parent ~~copayments~~ ~~eo-payments~~ will be subject to the provider's payment policies as acknowledged and agreed upon by the parent. The provider ~~must shall~~ document the parent's acknowledgement of receipt of payment policies related to the school readiness program prior to the parent enrolling his/her child in the provider's school readiness program. If the provider intends to take action, in accordance with its policy, against a school readiness parent for non-payment of the ~~copayment~~ ~~eo-payment~~ that includes disenrolling the child from the provider site, the provider ~~must shall~~ notify the coalition at least five (5) calendar days prior to disenrollment.

(6) ~~Copayment~~ ~~Co-payment~~ ~~W~~waivers. ~~In accordance with Section 1002.84(8), F.S.,~~ ~~T~~he coalition may waive the ~~assessed parent copayment in accordance with Section 1002.84(9), F.S.~~ ~~eo-payment on a case-by-case basis.~~ Each coalition must ~~submit a copayment waiver policy including~~ ~~include~~ a list of qualifying events ~~in its coalition plan~~ and ~~outlining~~ ~~outline~~ the procedure for obtaining a ~~copayment~~ waiver ~~in its coalition plan pursuant to Rule 6M-9.115, F.A.C~~ of a ~~eo-payment~~. Requests for ~~copayment~~ ~~the eo-payment~~ waivers ~~must shall~~ be documented in the case file ~~during the initial authorization for care and at each redetermination.~~

(a) ~~At risk eo-payment~~ waivers. A ~~eo-payment~~ may be waived on a case-by-case basis for families participating in an ~~at risk program as defined in Section 1002.81(1), F.S.~~

(b) ~~Temporary eo-payment~~ waivers. A ~~eo-payment~~ may be temporarily waived on a case-by-case basis for families with income at or below 100 percent of the federal poverty level during an event that limits a parent's ability to pay as defined by ~~Section 1002.84(8), F.S.~~

(7) Transfers. A parent may not transfer ~~any~~ ~~his or her~~ child to another school readiness program provider until the parent has submitted documentation from the current school readiness program provider to the early learning coalition stating that the parent has satisfactorily fulfilled the ~~copayment~~ ~~eo-payment~~ obligation related to ~~the~~ school readiness program. Satisfactory fulfillment of the ~~copayment~~ ~~eo-payment~~ obligation is defined as immediate payment of the outstanding ~~copayment~~ ~~eo-payment~~ obligation or establishment of a repayment plan for the outstanding ~~copayment~~ ~~eo-payment~~ obligation. All transfers ~~must shall~~ be approved by the coalition.

(a) If the referenced documentation is not available, the coalition ~~must shall~~ contact the provider to determine compliance and document compliance as reported by the provider. The coalition ~~will shall~~ complete the transfer

once the ~~copayment~~ ~~eo-payment~~ obligation has been satisfactorily fulfilled.

(b) If a parent of an at-risk child defined in ~~s. Section~~ 1002.81(1), F.S., is unable to satisfactorily fulfill the ~~copayment~~ ~~eo-payment~~ obligation prior to transfer, the provider ~~must~~ ~~shall~~ attempt to arrange a repayment plan with the at-risk child's parent. If the provider is unable to arrange a payment plan with the at-risk child's parent, the provider ~~must~~ ~~shall~~ document the repayment attempt and submit to the coalition.

(8) ~~Copayment~~ ~~Co-payment~~ ~~C~~hanges. A parent ~~copayment will~~ ~~eo-payment shall~~ not be increased during the initial 12-month eligibility authorization period. The amount of ~~copayment~~ ~~eo-payment~~ assessed ~~must~~ ~~shall~~ be in effect for the family's authorized eligibility period, unless:

(a) through (b) No change.

(c) ~~The parent's~~ ~~An~~ employment status ~~or~~; income ~~or~~ ~~family size~~ results in a lower parent ~~copayment~~ ~~eo-payment~~; or

(d) No change.

(e) ~~Copayments~~ ~~Co-payments~~ during graduated phase out may be increased or decreased based on the family's income ~~and size~~.

(9) ~~Coalition~~ ~~Copayment~~ ~~eo-payment~~ ~~E~~rrors. The coalition ~~will~~ ~~shall~~ not take action to recover an incorrect ~~copayment~~ ~~eo-payment~~ made due to an error of the coalition or its designee. Once the error is discovered, the coalition must correct the error and apply the corrected ~~copayment~~ ~~eo-payment~~. The coalition ~~must~~ ~~shall~~ notify the parent within ten (10) calendar days of changes to the ~~copayment~~ ~~eo-payment~~. This notification must be documented.

(10) ~~Copayment~~ ~~Co-payment~~ ~~R~~ecovery. In cases when a ~~provider~~ reimbursement overpayment is caused by an incorrect ~~copayment~~ ~~eo-payment~~ assessment which resulted from parent error or parent fraud, the coalition ~~must~~ ~~shall~~ attempt to recover the overpayment ~~from the provider~~ and document attempts. If the coalition is unsuccessful in recovery of the overpayment, the coalition ~~must~~ ~~shall~~ notify ~~DEL~~ the Office of Early Learning and submit documentation as necessary in accordance with the ~~coalition's~~ ~~ELC's~~ approved anti-fraud plan.

(11) Accessibility of Copayment Information. Each coalition must post an electronic copy of its current sliding fee scale and the DEL approved copayment waiver policies to its website in an easily accessible location.

Rulemaking Authority 1001.02(1),(2)(n) ~~1001.213(2)~~ FS. Law Implemented 1002.84(9)(8) FS. History—New 2-2-05, Formerly 60BB-4.400, Amended 1-1-15, 3-20-17.