

NOTICE OF INTENT
BOARD OF ELEMENTARY AND SECONDARY EDUCATION

Child Care Programs
(LAC 28: CLXV.103, 309, 311, 313, 320, 507, and 515)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) *et seq.*, the Board of Elementary and Secondary Education proposes to amend LAC 28:CLXV in *Bulletin 139—Louisiana Child Care and Development Fund Programs*. The proposed revisions accomplish the following: strengthen measures designed to protect children, ensure better statewide access to quality early care and learning, and provide additional clarity to Family Child Care, in-home, and school-based child care providers. The aforementioned revisions further codify definitions and regulations regarding CCAP contracted seats.

Title 28
EDUCATION

Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs

Chapter 1. Child Care Assistance Program

§103. Definitions

Automated Child Care Time and Attendance—an electronic system that provides accurate and timely capturing, tracking, and reporting of time and attendance data.

Back Scans—attendance scans by head of household or household designee utilizing the LDOE Automated Child Care Time and Attendance system that are made at a time other than the actual times of arrival and departure of the child.

BESE—Board of Elementary and Secondary Education.

Child Care and Development Fund (CCDF)—federal program whose purpose is to increase the availability, affordability and quality of child care for eligible families.

Child Care Assistance Program (CCAP)—program funded through the CCDF that makes payments to eligible child care providers for child care services provided to eligible families through both voucher seats and contracted seats.

Child Care Center—any place or center operated by any institution, political subdivision, society, agency, corporation, person or persons, or any other group for the purpose of providing care, supervision, and guidance of seven or more children, not including those related to the caregiver, unaccompanied by parent or legal custodian, on a regular basis for at least 12 1/2 hours in a continuous seven-day week.

Child Care Criminal Background Check (CCCBC)—information received by the department upon request for information pursuant to requirements set forth in R.S. 17:407.71 and 45 CFR 98.43(b).

Child Care Provider—an early learning center, family child care provider, in home child care provider, military child care center or school child care center.

Child Care Resource and Referral (CCR and R)—a state or local organization with whom the department has contracted to provide services to families, early childhood professionals, and communities statewide.

Contracted Seats—seats for full-time care for infants through three-year-old children of CCAP-eligible families, as defined in Chapter 5 of this Part, for which the LDOE pays a CCAP-certified child care provider for a specified number of child care seats.

Criminal Background Check (CBC)—a fingerprint-based personal Louisiana criminal history information record obtained from the Louisiana Bureau of Criminal Identification and Information pursuant to R.S. 17:407.71. A CBC is satisfactory if it shows no arrests for any crime included in R.S. 15:587.1(C), or if an arrest is shown on the CBC for any excludable offense, the CBC or documentation from the jurisdiction of arrest affirmatively shows that the charges were disposed of without a conviction. A plea of guilty or nolo contendere shall be deemed to be a conviction.

Family Independence Temporary Assistance Program (FITAP)—program administered by the Department of Children and Family Services (DCFS) that provides cash assistance to families with dependent children.

Full-Time Care—child care calculated to be 30 or more hours per week that is paid in units of days or half days with a maximum of 22 days per month.

Supervision—the function of observing, overseeing, and guiding a child or group of children, that includes awareness of and responsibility for the ongoing activity of each child and being near enough to intervene if needed.

Supplement—herbal or other dietary, nutritional, or other food or medical supplement administered to be ingested by children orally, in aerosol form, or in any other manner.

Supplemental Nutrition Assistance Program (SNAP)—federal program administered by DCFS that provides monthly benefits to that help eligible low income households buy food needed for good health.

Unexplained Absence—an absence for which the head of household has not provided verbal or written notification to the provider or the department about the absence.

Voucher Seats—a placement made to a CCAP-eligible family, as defined in Chapter 5 of this Part, that provides funding to a child care provider; this voucher is retained by the family when the child and family transfers to another CCAP-certified provider.

Water Activity—a water-related activity in which children are in, on, near and accessible to, or immersed in, a body of water, including but not limited to a swimming pool, wading pool, water park, river, lake, or beach.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR part 98 and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2109 (October 2015), amended LR 42:42 (January 2016), LR 42:1870 (November 2016), LR 43:1279 (July 2017), LR 44:257 (February 2018), effective March 1, 2018, LR 44:800 (April 2018), LR 47:1279 (September 2021), LR 48:30 (January 2022), LR 48:1006 (April 2022), LR 49:1208 (July 2023), LR 50:

Chapter 3. CCAP Provider Certification

§309. Specific Certification and Registration Requirements for Family Child Care Providers

A. – A.2. ...

3. Telephone. Have a working telephone that is capable of receiving incoming and making outgoing calls and that is available at all times in the residence in which care is being provided. The provider shall notify the LDOE immediately upon a change in such phone numbers by submitting written notice to the LDOE by fax or email.

4. – 9. ...

10. Medication Administration Training. Provide documentation of current medication administration training. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

11. – 15.b. ...

c. Supplements. Children shall not be administered any form of supplements without prior written parental authorization.

16. – 31. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2111 (October 2015), amended LR 42:2173 (December 2016), LR 43:1279 (July 2017), LR 44:258 (February 2018), effective March 1, 2018, LR 47:1280 (September 2021), LR 49:1208 (July 2023), LR 50:

§311. Specific Certification Requirements for In-Home Child Care Providers

A. – A.1. ...

2. Telephone. Have a working telephone that is capable of receiving incoming and making outgoing calls and that is available at all times in the home in which care is being provided. Notify the LDOE immediately upon a change in such phone numbers by submitting written notice to the LDOE by fax or email.

3. – 8. ...

9. Medication Administration Training. Provide documentation of current medication administration training. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

10. – 14.b. ...

c. Supplements. Children shall not be administered any form of supplements without prior written parental authorization.

15. – B. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2112 (October 2015), amended LR 42:2174 (December 2016), LR 43:1280 (July 2017), LR 44:260 (February 2018), effective March 1, 2018, amended LR 47:1282 (September 2021), LR 49:1209 (July 2023), LR 50:

§313. Specific Certification Requirements for Public School and BESE-Approved Nonpublic School Child Care Centers

A. – A.5.

6. Medication Administration Training. Provide documentation of current medication administration training. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

7. – 8.d. ...

e. The three hours of training by a child care health consultant on infectious diseases, health and safety, and/or food service preparation required in LAC 51:XXI.301.A.9 shall not count towards the annual training requirements. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed social worker, or licensed nutritionist who is on the LDOE registry of approved trainers.

9. – 11.b. ...

c. Supplements. Children shall not be administered any form of supplements without prior written parental authorization.

12. – 27. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2113 (October 2015), amended LR 42:2174 (December 2016), LR 44:261 (February 2018), effective March 1, 2018, amended LR 47:1284 (September 2021), LR 49:1209 (July 2023), LR 50:

§320. Suspension of Payments to Providers

A. ...

B. If the provider does not come into compliance within 14 calendar days of such notice, the LDE may suspend payments to the provider until the provider is in compliance.

C. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1280 (July 2017), LR 50:

Chapter 5. CCAP Household Eligibility

§507. Certification Requirements for Categorically Eligible Households

A – A.2. ...

3. participate in the system designated by the LDOE for capturing time and attendance; and

4. – 4.b. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:43 (January 2016), LR 50:

§515. Payments Made on Behalf of Households

A – C.3. ...

D. Payment for voucher seats is made to the provider after the child care has been provided.

E. – G. ...

H. Payment for contracted seats.

1. Providers will be paid to reserve or hold a seat based on the approved age category for the designated seat.

2. The seat may be held and payment made for 45 calendar days prior to being filled.

3. After 45 calendar days, the contract for the seat will no longer be in effect, and the provider will not be paid to hold the seat.

4. The seat will be paid at the rate specified in the agreement with the provider for the length of the contract based on the age of the child at the contract start date.

5. Payments for contracted seats will be made prior to provision of child care services. Any payments made for contracts that are not filled will be rectified through the LDOE recoupment process.

6. The LDOE may terminate or refuse renewal of a provider's contracted seats and impose a period of ineligibility for any provider found to operate in violation of the CCAP provider agreement and will be subject to §321. of this Part.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:6 and 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2116 (October 2015), amended LR 42:44 (January 2016), LR 42:1870 (November 2016), LR 44:801 (April 2018), LR 45:1745 (December 2019), LR 47:573 (May 2021), LR 48:31 (January 2022), LR 48:1270 (May 2022), LR 50:

COMPARISON DOCUMENT

TITLE 28

EDUCATION

Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs

Chapter 1. Child Care Assistance Program

§103. Definitions

Automated Child Care Time and Attendance—an electronic system that provides accurate and timely capturing, tracking, and reporting of time and attendance data. ~~This system may utilize an adult's finger image or IVR interactive voice response (IVR) as a mechanism for capturing this data.~~

Back Scans—attendance scans by head of household or household designee utilizing the LDOE Automated Child Care Time and Attendance system tracking of time services (TOTS) point of service machine (POS) or interactive voice response (IVR) that are made at a time other than the actual times of arrival and departure of the child.

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Child Care Criminal Background Check (CCCBC)—information received by the department upon request for information pursuant to requirements set forth in R.S. 17:407.71 and 45 CFR 98.43(b).

Child Care Health Consultant—~~qualified health and safety professional approved by LDEH to provide training, consultation, and technical assistance to in- and out-of-home child care facilities and early childhood education staff (and parents) on health and safety topics.~~

Child Care Provider—an early learning center, family child care provider, in home child care provider, military child care center or school child care center.

Child Care Resource and Referral (CCR and R)—a state or local organization with whom the department has contracted to provide services to families, early childhood professionals, and communities statewide.

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Family Independence Temporary Assistance Program (FITAP)—program administered by the Department of Children and Family Services (DCFS) that provides cash assistance to families with dependent children.

Finger Imaging—the measurement of physical characteristics of an adult's finger for use in personal identification.

Full-Time Care—child care calculated to be 30 or more hours per week that is paid in units of days or half days with a maximum of 22 days per month.

Supervision—the function of observing, overseeing, and guiding a child or group of children, that includes awareness of and responsibility for the ongoing activity of each child and being near enough to intervene if needed.

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Chapter 3. CCAP Provider Certification

§309. Specific Certification and Registration Requirements for Family Child Care Providers

A. – A.2. ...

3. Telephone. Have a working telephone that is capable of receiving incoming and making outgoing calls and that is available at all times in the residence in which care is being provided. ~~When a landline is used to operate the time and attendance equipment, a secondary phone number must be provided to the LDE.~~ The provider shall notify the LDOE immediately upon a change in such phone numbers by submitting written notice to the LDOE by fax or email.

4. – 9. ...

10. Medication Administration Training. Provide documentation of current medication administration training ~~with a child care health consultant approved by LDH.~~ Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

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c. Supplements. Children shall not be administered any form of supplements without prior written parental authorization.

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A. – A.5.

6. Medication Administration Training. Provide documentation of current medication administration training with a child care health consultant approved by LDH. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

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e. The three hours of training by a child care health consultant on infectious diseases, health and safety, and/or food service preparation required in LAC 51:XXI.301.A.9 shall not count towards the annual training requirements. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed social worker, or licensed nutritionist who is on the LDOE registry of approved trainers.

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Chapter 5. CCAP Household Eligibility

§507. Certification Requirements for Categorically Eligible Households

A. – A.2.

3. participate in the system designated by the LDOE department for capturing time and attendance, which may include finger imaging for the heads of household and household designees; and

4. – 4.b. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:43 (January 2016), LR 50:

§515. Payments Made on Behalf of Households

A. – C.3.

D. Payment for voucher seats is made to the provider after the child care has been provided.

E. – G.

H. Payment for contracted seats.

1. Providers will be paid to reserve or hold a seat based on the approved age category for the designated seat.

2. The seat may be held and payment made for 45 calendar days prior to being filled.

3. After 45 calendar days, the contract for the seat will no longer be in effect, and the provider will not be paid to hold the seat.

4. The seat will be paid at the rate specified in the agreement with the provider for the length of the contract based on the age of the child at the contract start date.

5. Payments for contracted seats will be made prior to provision of child care services. Any payments made for contracts that are not filled will be rectified through the LDOE recoupment process.

6. The LDOE may terminate or refuse renewal of a provider's contracted seats and impose a period of ineligibility for any provider found to operate in violation of the CCAP provider agreement and will be subject to §321. of this Part.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:6 and 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2116 (October 2015), amended LR 42:44 (January 2016), LR 42:1870 (November 2016), LR 44:801 (April 2018), LR 45:1745 (December 2019), LR 47:573 (May 2021), LR 48:31 (January 2022), LR 48:1270 (May 2022), LR 50:

**BOARD OF ELEMENTARY AND SECONDARY EDUCATION
FAMILY IMPACT STATEMENT
(LA R.S. 49:953 and 972)**

Person Preparing Statement: Ashley Townsend
Phone: 225-342-3446
Division: Governmental, Administrative, and Public Affairs
Rule Title: Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs (LAC 28:CLXV.103, 309, 311, 313, 320, 507, and 515)

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

PLEASE RESPOND (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the stability of the family? No
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? Yes
3. Will the proposed Rule affect the functioning of the family? No
4. Will the proposed Rule affect family earnings and family budget? No
5. Will the proposed Rule affect the behavior and personal responsibility of children? No
6. Is the family or local government able to perform the function as contained in the proposed Rule? Yes

Signature of Contact Person: Ashley Townsend

Date Submitted: 3/8/2024

**POVERTY IMPACT STATEMENT
(LA R.S. 49:973)**

Person Preparing Statement: Ashley Townsend
Phone: 225-342-3446
Division: Governmental, Administrative, and Public Affairs
Rule Title: Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs (LAC 28:CLXV.103, 309, 311, 313, 320, 507, and 515)

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on the rule proposed for adoption, amendment, or repeal. All Poverty Impact Statements shall be in writing and kept on file in the state agency which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records. For the purposes of this Section, the word "poverty" means living at or below one hundred percent of the federal poverty line.

PLEASE RESPOND (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the household income, assets, and financial authority? No
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes
3. Will the proposed Rule affect employment and workforce development? Yes
4. Will the proposed Rule affect taxes and tax credits? No
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? Yes

Signature of Contact Person: Ashley Townsend

Date Submitted: 3/8/2024

Small Business Statement

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, May 10, 2024, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person
Preparing
Statement:

Ashley Townsend

Dept.: LA Department of Education
Board of Elementary &
Secondary Education

Phone: 225-342-3446

Office: Governmental, Admin., and Public Affairs

Return
Address: P.O. Box 94064
Baton Rouge, LA

Rule
Title: Part CLXV. Bulletin 139—
Louisiana Child Care and Development Fund Programs
(LAC 28:CLXV.103, 309, 311, 313, 320, 507, and 515)

Date Rule
Takes Effect: Upon final adoption by BESE

SUMMARY

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will increase the number of seats funded through the Child Care Assistance Program (CCAP). The average cost of a B-3 seat is \$12,500 and includes the average of the CCAP infant, toddler, and three-year-old rate. Currently, 4,500 children are enrolled in B-3 seats, with approximately 6,000 expected to be funded through the annual CCAP appropriation, including the contracted seats provided for through the proposed rule change. The FY 24 appropriation included in Act 447 of the 2023 Regular Session for this purpose was \$87.7 M. Additional reviewers of applications will be contracted as needed, estimated at a potential \$434,700 in FY 24, \$819,480 in FY 25, and \$819,480 in FY 26. These costs will be funded using federal dollars received through the American Rescue Plan Act (ARPA), the Childcare Development Block Grant, and the Child Care Development Fund.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

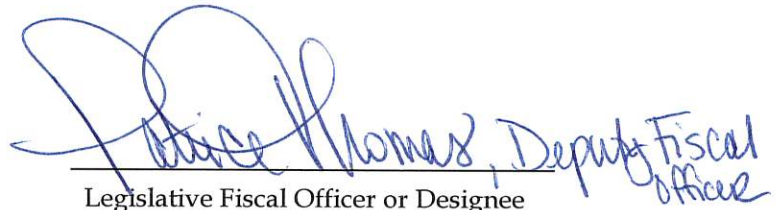
The proposed rule change may result in economic benefits to directly affected persons, small businesses, or nongovernmental groups. The changes support the critical stabilization of the child care industry (which results in a more stable workforce across Louisiana industry and the economy) by paying the fixed costs of providing quality child care services. The changes will additionally assist providers in offering early learning care more consistently and comprehensively for more families and children, statewide, to ensure that some children in every parish receive care.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will provide for more stable employment within the child care sector and greater stability for owners of child care centers, as center leadership will be able to operate with greater assurance that payment will be received for a certain number of seats. More stable child care options will support parents in the workforce.



Signature of Agency Head or Designee


Legislative Fiscal Officer or Designee

Beth Scioneaux, Deputy Superintendent for Management and Finance
Typed Name & Title of Agency Head or Designee

4/04/2024
Date of Signature

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**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule change amends LAC 28:CLXV in *Bulletin 139—Louisiana Child Care and Development Fund Programs* to include updates to definitions regarding Automated Child Care Time and Attendance, Back Scans, and Finger Imaging, in addition to requirements for secondary phone numbers for providers, due to implementation of new systems; deletion of “Child Care Health Consultant” (CCHC) definition; clarification of qualifications for in-person trainer requirements to conduct health and safety training and medication training; addition of a definition for Supplement; addition of a requirement that the administration of supplements will require prior written parental authorization; clarification regarding potential suspension of payments; addition of definitions for contracted and voucher seats and update of Child Care Assistance Program definition; and addition of methods for making payments on CCAP contracted seats.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule revisions are proposed by LDOE to strengthen measures designed to protect children, to better ensure statewide access to quality early care and learning, and to provide additional clarity to child care providers.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

Yes.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) X NO. If no, provide justification as to why this rule change should be published at this time

Federal funding from ARPA, CCDBG, and CCDF exists to cover this work.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 24	FY 25	FY 26
Personal Services	\$434,700	\$819,480	\$819,480
Operating Expenses	0	0	0
Professional Services	0	0	0
Other Charges	0	0	0
Equipment	0	0	0
Major Repairs & Constr.	0	0	0
TOTAL	\$434,700	\$819,480	\$819,480

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule change will require additional reviewers to be hired. This expense will be paid using Federal funds, as outlined below.

3. Sources of funding for implementing the proposed rule or rule change.

ARP Act and Child Care Community Block Grant in FY 24, and the Child Care and Development Fund for FY 25 and FY 26.

SOURCE	FY 24	FY 25	FY 26
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated	0	0	0
Federal Funds	\$434,700	\$819,480	\$819,480
Other (Specify)	0	0	0
TOTAL	\$434,700	\$819,480	\$819,480

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There is no anticipated impact to local governmental units as a result of the proposed rule change.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

REVENUE INCREASE/DECREASE	FY 24	FY 25	FY 26
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated Funds*	0	0	0
Federal Funds	0	0	0
Local Funds	0	0	0
TOTAL	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data,

assumptions, and methods used in calculating these increases or decreases.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

- A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule change may result in economic benefits to directly affected persons, small businesses, or nongovernmental groups, as it supports the critical stabilization of the child care industry (which results in a more stable workforce across Louisiana industry and the economy) by paying the fixed costs of providing quality child care services and because it will provide early learning care more consistently and comprehensively for more families and children, statewide, to ensure that some children in every parish receive care.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

Indeterminable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule change may provide for more stable employment within the child care sector and greater stability for owners of child care centers, as center leadership will be able to operate with greater assurance that payment will be received for a certain number of seats. More stable child care options will support parents in the workforce.

