

A MEMORIAL

REQUESTING A TASK FORCE OF CONCERNED AND INTERESTED PARTIES TO STUDY AND REPORT ON THE COST OF FULL COMPLIANCE WITH AND IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES GUIDELINES AND RECOMMENDATIONS FOR ELIGIBILITY, LEVEL OF SUBSIDY AND PARENTAL COPAYMENTS UNDER THE FEDERAL CHILD CARE AND DEVELOPMENT FUND PROGRAM.

WHEREAS, the federal Child Care and Development Block Grant Act of 1990 was adopted to assist families to transition from welfare to work by providing the means for child care; and

WHEREAS, the federal Child Care and Development Block Grant Act of 1990 was consolidated with other federal child care programs into the child care and development fund; and

WHEREAS, the federal temporary aid for needy families program that helps low-income families move from welfare to work also provides that thirty percent of its aid can be transferred to the child care and development fund for child care; and

WHEREAS, child care and development fund grants in New Mexico are administered by the children, youth and families department; and

WHEREAS, the goals of the child care and development fund are to:

A. allow each state maximum flexibility in developing child care programs and policies that best suit the needs of children and parents;

B. promote parental choice to empower working parents to make their own decisions on the child care that best suits their family needs;

C. encourage states to provide consumer education information to help parents make informed choices about child care;

D. assist states to provide child care to parents trying to achieve independence from public assistance; and

E. assist states in implementing the health, safety, licensing and registration standards established in state rules; and

WHEREAS, low-income families that have access to child care subsidies are able to work and support their families; and

WHEREAS, children enrolled in child care programs have better educational outcomes and are better socialized; and

WHEREAS, United States department of health and human services guidelines and recommendations are that:

A. family eligibility for support from the child care and development fund should be at eighty-five percent of state medium income adjusted for family size;

B. family copayments for child care should be no

more than ten percent of family income; and

C. child care provider reimbursement should be at the seventy-fifth percentile of market rates; and

WHEREAS, the children, youth and families department is not following the federal recommendations because it is:

A. only providing assistance to families whose income is one hundred fifty percent of the federal poverty level;

B. requiring copayments on a sliding scale that are greater than ten percent; and

C. reimbursing child care providers at a base rate below the seventy-fifth percentile of market rates, resulting in fewer providers, providers making only minimum wage and a higher turnover of eligible providers; and

WHEREAS, not only is the children, youth and families department responsible for complying with and implementing the federal guidelines and recommendations for eligibility, copayments and provider reimbursement under the child care and development fund, but also interested and concerned with compliance and implementation are the legislative finance committee and key stakeholders;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative finance committee be requested to ask the children, youth and families department and key stakeholders

to join a task force to study the cost of fully complying with and implementing the federal guidelines and recommendations for eligibility, copayments and provider reimbursement under the child care and development fund; and

BE IT FURTHER RESOLVED that the legislative finance committee report its findings to the governor and the legislative health and human services committee; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the director of the legislative finance committee and the secretary of children, youth and families.