

1 AN ACT relating to the Child Care Assistance Program.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 199.894 is amended to read as follows:

4 As used in KRS 199.892 to 199.896, unless the context otherwise requires:

5 (1) "Cabinet" means the Cabinet for Health and Family Services;

6 (2) "Secretary" means secretary for health and family services;

7 (3) **"Child Care and Development Fund" has the same meaning as in 45 C.F.R. sec.**  
8 **98.2;**

9 **(4) "Child Care Assistance Program" means Kentucky's child-care subsidy program**  
10 **providing families with the financial resources to find and afford quality child**  
11 **care;**

12 **(5)** "Child-care center" means any child-care center that provides full- or part-time care,  
13 day or night, to four (4) or more children in a nonresidential setting who are not the  
14 children, grandchildren, nieces, nephews, or children in legal custody of the  
15 operator. "Child-care center" shall not include any child-care facility operated by a  
16 religious organization while religious services are being conducted, or a youth  
17 development agency. For the purposes of this section, "youth development agency"  
18 means a program with tax-exempt status under 26 U.S.C. sec. 501(c)(3), which  
19 operates continuously throughout the year as an outside-school-hours center for  
20 youth who are six (6) years of age or older, and for which there are no fee or  
21 scheduled-care arrangements with the parent or guardian of the youth served;

22 ~~**(6)**~~ "Department" means the Department for Community Based Services; and

23 ~~**(7)**~~ "Family child-care home" means a private home that is the primary residence  
24 of an individual who provides full or part-time care day or night for six (6) or fewer  
25 children who are not the children, siblings, stepchildren, grandchildren, nieces,  
26 nephews, or children in legal custody of the provider.

27 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 199.892 TO 199.896 IS

1 CREATED TO READ AS FOLLOWS:

- 2 (1) Applicants for the Child Care Assistance Program operated by the cabinet  
3 utilizing federal funds under the Child Care and Development Fund, in  
4 accordance with 45 C.F.R. sec. 98.2, shall have gross income at or below two  
5 hundred percent (200%) of the federal poverty level to be eligible at application  
6 and at recertification. Income guidelines do not apply to cases approved by the  
7 Division of Protection and Permanency within the cabinet.
- 8 (2) The cabinet shall not implement an individual or a family co-payment  
9 requirement as a condition for an individual or a family to participate in the  
10 Child Care Assistance Program.
- 11 (3) The cabinet shall promulgate administrative regulations in accordance with KRS  
12 Chapter 13A to implement this section.