

From: [REDACTED]

Sent: Thursday, August 11, 2022 10:35 AM

To: ECECD-ECS-PublicComment <ECECD-ECS-PublicComment@state.nm.us>

Subject: [EXTERNAL] Gratitude for Program Eligibility

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Allowing elligabitly to my family during this transitional phase while we are beginning to qualify for less assistance has allowed my family to work harder to provide the income necessary to compensate what those benefits provided for our family! Thank you!

From: [REDACTED]
Sent: Monday, September 26, 2022 11:09 PM
To: ECECD-ECS-PublicComment <ECECD-ECS-PublicComment@state.nm.us>
Cc: [REDACTED]
Subject: [EXTERNAL] Proposed Regulation Public Comment

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

See attachments/comments for the following reg changes:

- **8.9.3 NMAC** – Child Care Assistance Requirements for Child Care Assistance Programs for Clients and Child Care Providers (Formerly 8.15.2 NMAC)
- **8.9.4 NMAC** – Child Care Licensing; Child Care Centers, Out of School Time Programs, Family Child Care Homes, and Other Early Care and Education Programs (Formerly 8.16.2 NMAC)

See the attachment for the past 2021 reg changes (*Notice of Rulemaking and Public Rule Hearing 8.16.2 NMAC. The public rule hearing was held Thursday, October 14, 2021, at 1:00 p.m*) **that the public and providers did not have time to discuss since we were dealing with the COVID spike and a labor crisis**. Since ECECD can submit changes anytime, the public and providers should be able to do the same.

Comments: There are no increases in the reimbursement rates.

applicant from the work/education requirement upon submission of a demonstration of incapacity.

I. Calculating Need for Care: The department determines the number of hours of care needed in consultation with the parent or legal guardian at the time of certification, and approved hours are reflected in the child care placement agreement covering the certification period. The department determines the number of hours of care needed based on the qualifying activity of the parent or legal guardian and physical custody of the child, as applicable. Clients and caseworkers shall negotiate a reasonable amount of study and travel time during the application process and special attention shall be paid to the child's specific needs. The department determines the number of hours of care needed based on a maximum weekly need and approved based on the units of service set forth below in Subsection E and F of 8.9.3.17 NMAC.

J. Children enrolled in head start, kindergarten, school or other programs: Child care benefits are not paid during the hours that children are attending head start, kindergarten, New Mexico pre-k, school or other programs, such as online or home-schooling.

Comments: I agree with the section "I." However, section "J" I believe, is an attempt to only give part-time contracts. According to the math shown below, most children participating in before and after school programs (NM PreK and School age) need a full-time contract instead of part-time contracts. Numbers are average.

Average days that Elementary schools are closed	46
Average days that providers are closed	10
Number of days that providers give full time care to school age and NM PreK	36
Average full-time care hours per day	10
Number of hours providers provide full-time care during school year	360
Number of weeks during the school year	40
Additional hours per week needed (360 hrs divided by 40 weeks)	9
Average Before and After care hours per week	22
Addition of average B&A care hours per week plus additional hours per week needed	31
30 hrs per week is a FULL-TIME CONTRACT	

(1) Providers who receive national accreditation on or before December 31, 2014 from an accrediting body that is no longer approved by CYFDECECD will no longer have national accreditation status, but will remain eligible to receive an additional \$150 per child per month for full time care above the base rate for type of child care (licensed center, group home or family home) and age of child until December 31, 2017.

(a) In order to continue at this reimbursement rate until December 31, 2017 a provider holding accreditation from accrediting bodies no longer approved by CYFDECECD must maintain licensing standards and maintain accreditation without a lapse.

(b) If the provider fails to maintain their accreditation, the provider reimbursement will revert to the base reimbursement rate unless they have achieved a FOCUS star level or regain national accreditation status approved by CYFD.ECECD.

(2) The licensee shall notify the

The above section was removed.

Comments: Please list the accreditation body that are no longer approve so the centers affected will know that they will no longer receive the \$150 additional.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Proposed Regulation Public Comment
Date: Tuesday, September 27, 2022 2:07:08 PM

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

The purpose of this email is to respond to the opportunity for public comment for the changes proposed under the new rules of NMAC 8.9.3.

We have questions on the intent of the proposed new rules in NMAC 8.9.3 specifically under section 8.9.3.11 J which states “children enrolled in head start, kindergarten, school or other programs: Child care benefits are not paid during the hours that children are attending head start, kindergarten, New Mexico pre-k, school or other program such as online or home-schooling.”

We would like clarification if the intent of the language under section 8.9.3.11 J of the proposed NMAC is that participants of Early Head Start programs would not be eligible for state subsidies? If it is indeed the case that the State’s intent is to no longer extend subsidies to participant of Early Head Start Programs we would like to strongly advocate against this direction.

[REDACTED] operates a federally funded Early Head Start-Child Care Partner Program (EHS-CCP). One of the main compliance requirements for the program is that [REDACTED] as a grantee is required to ensure that at least 25 percent of the EHS-CCP enrolled children receive child care subsidies at the time of their enrollment.

<https://eclkc.ohs.acf.hhs.gov/policy/im/acf-im-hs-15-03-attachment>

The intent of the federal government is to try and leverage federal and state funds to extend funding into more services.

If the state decides to make Early Head Start programs ineligible for subsidies it will put our program out of federal compliance and likely put the continuity of the program in jeopardy.

Thank you for your consideration.

[REDACTED]
[REDACTED]
[REDACTED]
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