

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Proposed Regulation Public Comment
Date: Friday, June 2, 2023 2:58:02 PM

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

To whom it may concern,

My name is [REDACTED], and I am sending this email to express my concerns about the new changes being made to the CCA program. I am a single mother who works full time and cannot attend the scheduled public hearing on June 22nd, so I have chosen the only method I have available to me in order to voice my concerns.

I have been a part of this program for almost a year now. This program has made such a financial impact for me and my child. My income has not changed, nor will it. I am a single mother of one child and I do not receive financial support from her father, who is not in her life, or from family members. According to the state, my income is too high to receive any other benefits, or financial help. I pay for my own rent, car, groceries, and utilities. At the end of the month, I am barely making ends meet, even with this program in place as is.

The new changes that require me to have to pay a large co-pay will put my accounts into the negative every month. This program has been a blessing and I really do not know how I am going to afford groceries, or other necessities with my new \$350 co-pay, and \$50 tax fee. I am a hard working, devoted single mother who is a dotting member of our community. So I ask you to please hear our pleas for help, and to not make these changes to the CCA program. I appreciate your consideration and please feel free to contact me.

Sincerely,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Proposed Regulation Public Comment
Date: Friday, June 2, 2023 3:51:10 PM

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

To whom it concerns,

I have worked for the state, seen the system, and have personal individuals in my life who struggle to make ends meet, especially as a single parent. I have an older sister who depends on this funding for many reasons. It allows her to provide for my niece in ways she otherwise would not be able to. This program has been such a blessing. One wouldn't think \$400 would make all the difference, but it does. Mother's and children all across New Mexico will suffer if this program is changed. You will be putting children's education and safety at risk. I speak for all when I say that amending the CCA program will impact us in an extremely negative way. Please think of families and single parents across New Mexico before coming to a drastic conclusion or change. Thank you,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Public Comment
Date: Monday, June 19, 2023 10:21:14 PM

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

Public Comment

Dear ECECD,

I am writing regarding the new regulation proposing to have Private Childcare Centers pay the GRT. I have a Non-Profit Center here in Albuquerque. I been a long-term advocate of early childcare in the state of New Mexico. I have seen some great strides in the last few years that have elevated the early childcare industry in the state of New Mexico. For example, 12 years ago when I entered this field many of our workers, including myself, made \$9 an hour with no benefits. I had to get a second job just to make ends meet. My family life suffered tremendously, and it effected my work/life balance, and I was unable to be there for my teenage girls in the home. Their quality of life was severely impacted. Our Center worked hard to get through the star levels. With increased reimbursements and recommendations of the department we were able to increase our pay rates and give benefits to the employees. Because of that increase in income, I was able to let go of my second job and fully devote my time to the quality of our childcare facility. Funding on state subsidies should not be taxed. The GRT should not go to the parent or the Center. Funding that is given to public schools is not taxed to parents or the schools. I am a supporter of professional development, benefits, and high-quality environments for the classroom. I believe that a well-compensated and well trained early childcare workforce is what will help New Mexico get out of ranking last for child well-being and education. With higher salaries for our employees, we have seen lower turnover and we are seeing results in the classroom. Our preschoolers are surpassing the kindergarten readiness standards. I believe that all monies given to early childcare centers should stay with the Center and be invested back into the workforce and classrooms. Requiring an 8% tax to be paid by Centers on subsidy is a step backwards. Many of these Centers are women minority owned or led. That 8% can go to additional workers, training, raises, benefits, and classroom supplies. I understand the cost model may have included the GRT, but at the time it was done inflation that has hit in the last year was not a factor. I ask that an

alternative solution be sought out.

Kind Regards



From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Tuesday, June 20, 2023 11:23:23 AM
Attachments: [image004.png](#)
[image007.png](#)
[Public Comment - 8.9.3 NMAC - Notice of Rulemaking - La Esperanza CDC.pdf](#)

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

Please consider the attachment my official public comment.

With gratitude,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

June 20, 2023

Dear ECECD,

Here are my public comments related to 8.9.3 NMAC – regulations changes:

- 1) My program and my families appreciate the section 8.9.3.13.D cost-sharing chart to set a limit of 5% of gross income to determine copayments. Most of my families that qualify for child care assistance could not afford their high copayments. Current high copayments were greater than our program's private tuition. Thank you for these changes.
- 2) Section 8.9.3.15.E.(3) prohibiting child care providers from charging gross receipts tax to child care assistance families will regress the early childhood education progress that Secretary Groginsky and her department have achieved in New Mexico. Especially if child care providers are expected to cover the CPP (\$3) as well, this regulation change will place a financial burden on child care providers, and in the end, the quality of their service will decrease, and the most affected would be the new Mexico families and children receiving teaching and care. This is an equity issue; all families and children, regardless of socioeconomic status, deserve a quality early childhood education. This regulation is unfair and inequitable for providers and families in a community, with less than 70% of families eligible for child care assistance. Below I am displaying the different scenarios with actual amounts from my programs. As you can see in the first scenario, my program will be in red numbers. The 2nd scenario will make possible the creation of one job to benefit my program families and cover the increase in inflation. And the 3rd scenario, my program can create three jobs to benefit families and children and cover the increase in inflation.

Therefore, I am requesting to leave regulation 8.9.3.15.E.(3) as it was before "Child care providers are allowed to charge child care assistance families the applicable gross receipts tax for the sum of the child care assistance benefit and [co-payment] copayment."

Scenario 1- If the current proposed child care regulations pass: My program is in red, and there is not even funding to cover the increase in operational costs due to inflation.

Item	Albuquerque 69% subsidy	Rio Rancho 41% Subsidy
Increase in subsidy	\$12,034	\$21,533
GRT	\$4,666	\$7,961
CPP	\$6,105	\$14,273
4% Extra to cover Employer Tax	\$244	\$571
Net Gain	\$1,019	-\$1,271.75

Scenario 2 - If we remove regulation prohibiting providers from charging Gross Receipt Tax:

My program can create a new job/position: family liaison coordinator and cover the increase in operational costs due to inflation.

Item	Albuquerque 69% subsidy	Rio Rancho 41% Subsidy
Increase in subsidy	\$12,034	\$21,533
GRT	0	0
CPP	\$6,105	\$14,273
4% Extra to cover Employer Tax	\$244	\$571
Net Gain	\$5,685	\$6689

Scenario 3 - If we remove prohibiting providers from charging GRT and find other sources of funding for the CPP:

My program can create three jobs/positions: infant/toddler curriculum director, PreK curriculum director, and family liaison coordinator, and cover the increase in operational costs due to inflation.

Item	Albuquerque 69% subsidy	Rio Rancho 41% Subsidy
Increase in subsidy	\$12,034	\$21,533
GRT	\$0	\$0
CPP	\$0	\$0
4% Extra to cover Employer Tax	\$244	\$571
Net Gain	\$11,790	\$20,962

NOTE: Subsidy increases are based on a 5-star child care center at the highest rate. And amounts are a representation of the May 2023 subsidy reimbursement plus the increase in subsidy effective August 1, 2023

- 3) 8.9.3.17.B.(4)[5](#) – Thank you for this regulation. This will allow programs to keep the spot of the children when families are unable to take their children to the center for different reasons.

I appreciate in advance your commitment to New Mexico families and children!

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From:

Subject:

Date:

[EXTERNAL] 8.9.3 Public Comment

Tuesday, June 20, 2023 10:12:29 PM

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

Thank you for taking the time to read public comments.

I am the parent of a 14 month old little girl. Even though me and my spouse are a 2 income household, we still struggle to make ends meet. This program has been extremely beneficial to our family. The necessity of childcare is one that we could not get away from. Family members are not always available to help when we both have to work. Without this program we would be struggling so much more.

The expense of diapers and formula and everything else that comes with having a kid can stretch any family's budget. Because of this program, my family has been able to stay afloat financially. We are able to provide what is needed without going into debt. And, we don't have to stress about who is going to take care of her on what day. My daughter also gets the benefits of being around other kids her age. And the staff at her daycare are great with her.

I know my family's story is not unique. Many hard working New Mexican families have seen first hand the benefits of this program. I ask that you please vote to keep this much needed program.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 public comment
Date: Tuesday, June 20, 2023 10:34:59 PM

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

To whom it may concern,

My spouse and I have a 14 month old girl and we have benefited from the ECECD childcare assistance tremendously. We both work full-time and live check to check. Over the past 10 months, she's had to be in childcare because with our economy the way it is, we cannot survive on one income so one can stay home to car for her. We would be in severe debt if we had to pay a copay for childcare. We are in the higher percentage however still don't have enough to pay for childcare and all the monthly expenses a child needs, especially diapers and solid foods. We don't have much familial support to depend on and daycare has been our saving grace. I've recently thought about what we would do without this program and I honestly think we would have to put it on a credit card. We hope to one day be able to move into a home instead of renting and I currently have a car that is higher in miles and will soon need to get another so we can commute. We both drive daily from Los Lunas to Albuquerque for work. Before a kid, we were able to share a car, now with a child, we can't. We gratefully thank those who have voted yes to helping new Mexico families be able to work and support our families without the worry of who will be missing work to take care of our daughter and getting high debt because of over qualifying for everything and not having any money to live off or feed ourselves with because it's all going to pay for childcare.

P.s. our daughter loves her school and is such a social butterfly. She loves her teachers and playing with her friends and getting those social skills everyone needs. Here is a picture of her at daycare.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Tuesday, June 20, 2023 4:56:30 PM
Attachments: [Comments-ECECD proposed regulations-2023-06-20.pdf](#)

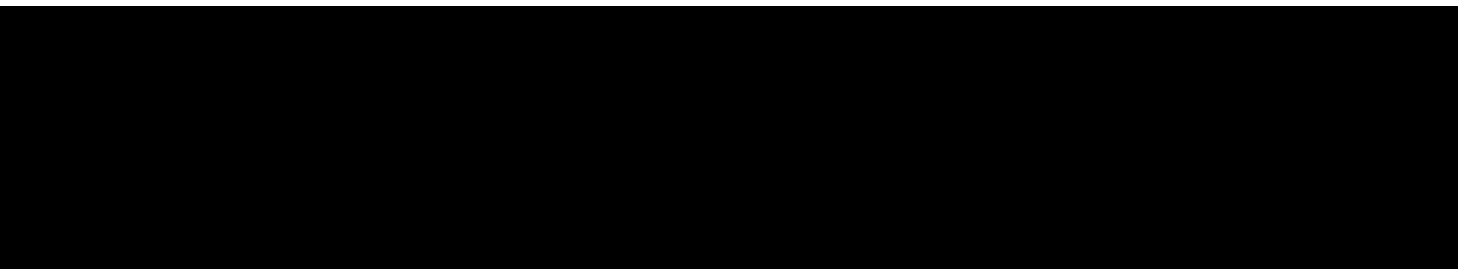
CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good afternoon,

Attached are comments from the [REDACTED] on the proposed regulations.

Best,

[REDACTED]




June 20, 2023

New Mexico Early Childhood Education and Care Department
P.O. Drawer 5619
Santa Fe, NM 87502-5619
Via email: ECECD-ECS-PublicComment@ECECD.NM.Gov

Re: 8.9.3 Public Comment

To Whom It May Concern:

Please accept the following comments on the proposed revisions to 8.9.3 NMAC regarding the Early Childhood Education and Care Department's (the Department) child care assistance program.

 is dedicated to advancing economic and social justice through education, advocacy, and litigation. We work with low-income New Mexicans to improve living conditions, increase opportunities, and protect the rights of people living in poverty. We recognize that economic injustices and poverty are rooted in historical, racial, and structural inequity.

Equitable access to high-quality child care has proven benefits for children's educational success by supporting families' specific needs and choices for their children's care. As you know, access to and investment in child care is critically important for women, especially women of color, who are more likely to be pushed out of the labor force unless they have access to affordable child care. We must also support those essential workers that provide child care by ensuring providers can and do pay fair wages. Without a strong child care workforce, families will continue to struggle to access affordable child care. Our specific recommendations are below.

I. The Department's Proposed Changes Will Make Child Care Accessible for New Mexicans and Support Child Care Workers

Thank you for proposing changes to the copayment methodology and taking public comment on the process that will follow the end of COVID-19-related child care copayment waivers. The changes proposed by the Department are closely aligned with what families have been asking the New Mexico government to implement for many years and are supported by research. Below are more detailed comments:

1. The Copayment Calculation Methodology Very Closely Aligns with the Federal Government's Recommendations on Affordable Care

Thank you for proposing to permanently eliminate copayments for families with incomes below 185% of the federal poverty level and providing a sliding scale of copayments that are based on income. Federal law requires that copayments do not create barriers to assistance. As you know,

families with the lowest incomes face some of the greatest barriers to opportunity because everyday expenses are such a large share, if not all, of the families' income. Making child care directly accessible to families without copayments ensures that they will have greater access to employment and education. As you know, the federal government estimates that copayments that are more than 7% of a family's income are unaffordable. (Federal Register, Vol. 81, No. 190, at p. 67467, issued September 30, 2016.) When child care is affordable, families can access it without cost-related barriers and then have fewer care-related interruptions in work¹ and have more money in their budgets to pay for other necessities like groceries, clothing, and diapers.²

The proposal to maintain eligibility to families up to 400% of the federal poverty level, with a sliding scale copayment that tops out at 5% of income, softens the cliff effect for families and ensures more families can access high-quality care. An analysis by the [REDACTED] and [REDACTED] found that the previous policy of capping eligibility at 200% of the federal poverty level caused families' out-of-pocket child care costs to double once they became ineligible for assistance.³ Maintaining eligibility up to 400% of the federal poverty level, with affordable copayments, ensures that families do not face the hardships of a cliff effect.

2. Prohibiting the Charging of Gross Receipts Tax by Providers to Families Makes Child Care Truly Affordable

Thank you for prohibiting the charging of gross receipts taxes to child care participants and for including those costs in the reimbursement rate. Currently, the cost of gross receipts taxes prevents the lowest income families from participating in the program, negating the increased access that should be achieved through waiving copayments. The taxes charged to families with very low incomes are often a large share of their income, especially for those families who also participate in TANF.

3. Increasing Provider Rates Based on a Minimum Wage for Child Care Employees Helps Provide Fair Wages to Child Care Workers

Child care employees should be paid a wage that reflects the importance of their work. Racial and gender discrimination have led to the child care workforce being disproportionately women and women of color. Even though their work is essential, too many are paid low wages. Low wages keep them and their families economically insecure and result in a high turnover rate among child care workers. Reduced staff turnover improves the continuity and quality of care

¹ Yoonsook Ha and Daniel P. Miller, "Child care subsidies and employment outcomes of low-income families," *Children and Youth Services Review* 59, 2015; Nicole D. Forry and Sandra L. Hofferth, "Maintaining work: The influence of child care subsidies on child care-related work disruptions," *Journal of Family Issues* 32(3), 2011; Magaly Queralt, Ann Dryden Witte, and Harriet Greisinger, "Changing policies, changing impacts: Employment and earnings of child-care subsidy recipients in the era of welfare reform," *Social Service Review* 74(4), 2000.

² Lisa A. Gennetian, Danielle A. Crosby, Aletha C. Huston, and Edward D. Lowe, "How child care assistance in welfare and employment programs can support the employment of low-income families," *The Next Generation Working Paper Series* No. 11, 2002; Nicole D. Forry, "The impact of child care subsidies on low-income single parents: An examination of child care expenditures and family finances," *Journal of Family and Economic Issues* 30(1), 2009.

³ NM Center on Law and Poverty and the Center on Law and Social Policy, *A Policy and Opportunity Profile for New Mexico's Infants and Toddlers and their Families*, at p. 8, available at [CLASP NewMexico infants brochure3.pdf](#) (February 6, 2020).

children receive. We support the Department’s proposed increase to child care provider rates and basing the rates on a \$15.00 hourly minimum wage for all child care employees.

II. Additional Changes that Would Increase Participation and Access for NM Families and Ensure Fair Wages for Child Care Workers

In addition to the strong changes the Department has proposed, we recommend the Department adopt the following modifications to its eligibility regulations and processes to increase access and prevent barriers to affordable child care for families.

1. The Department Must Eliminate Barriers to Child Care Assistance for Families who Participate in TANF

Families who participate in the TANF program should be the highest priority for access to the child care assistance program. However, those families participate at very low rates—just 7.4% of families who receive TANF also had child care assistance in FY 2020.⁴ This is in part due to the NM Human Services Department’s failure to properly implement or communicate program rights to families. For example, families are told that they cannot receive help with child care when they fail to meet a TANF program requirement. However, federal law and New Mexico law is clear that families are entitled to temporary changes in their qualified activity. We recommend that the Department modify its regulations as to temporary changes in qualifying activity to explicitly include TANF work program participation.

2. The Department Should Extend Child Care Eligibility to All Children, Regardless of Immigration Status

All children should have access to high-quality child care and education. New Mexico has made historic investments in child care assistance programs and early childhood education. New Mexico should not discriminate against children who do not qualify for federally funded child care programs due to immigration status in expending state funds. The number of children who are currently locked out of child care assistance due to immigration status is likely very low. New Mexico could stop verifying immigration status and expand eligibility without very high additional costs, in part because of the reduced administrative burden of verifying immigration status. By providing access to quality care, the state would ensure more equity in our early education system that will directly support improved educational outcomes in our K-12 education system.

3. The Department Should Require that Providers Actually Pay Their Employees at Least \$15 Per Hour

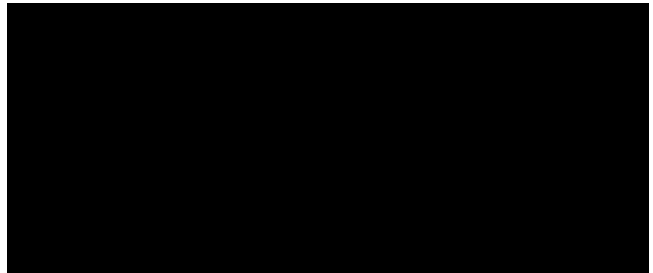
Child care employees should be paid a wage that reflects the importance of their work. Under the Department’s proposal, providers would be paid at rates that allow them to pay \$15 per hour. The Department should also require providers to actually spend that money as the Department intends.⁵ For example, with the FOCUS program, the Department pays providers

⁴ Office of Family Assistance, Department of Health and Human Services, Characteristics and Financial Circumstances of TANF Recipients, Fiscal Year 2020, available at https://www.acf.hhs.gov/sites/default/files/documents/ofa/fy2020_characteristics_data_final.pdf

⁵ The NM Legislative Finance Committee made this recommendation to the Department, noting the increased wage disparity between child care center directors and child care workers. N.M. Legis. Fin. Comm., Legislating for Results: Policy and Performance Analysis, January 2022, at p. 24.

higher rates if providers satisfy FOCUS standards. The Department ties increased rates to improved services. Similarly here, with employee wages, the Department should pay providers higher rates, high enough to cover wages of at least \$15 per hour, if providers guarantee and verify they are paying their employees at least that amount. With the FOCUS program, the Department has demonstrated it has the authority to make increased rates contingent on provider practices, and verification of employee wages would be much simpler to administer than the FOCUS program. Child care workers can rely on a guaranteed \$15 per hour only if the Department requires it.

Thank you for considering these recommendations. Please let us know if you have any questions.



From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Proposed Regulations Written Comment
Date: Wednesday, June 21, 2023 9:26:48 AM
Attachments: [2023 proposed regulation comments.pdf](#)

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

Good morning. Attached are [REDACTED]'s written comments on the proposed regulations.
Thank you!

--

[REDACTED]



June 20, 2023

New Mexico Early Childhood Education & Care Department
PO Drawer 5619
Santa Fe, NM 87502-5619

Re: Proposed Regulation Changes 2023

The [REDACTED] would like to commend the Early Childhood Education and Care Department (ECECD) for a consistent focus and commitment to the delivery of a high quality and equitable early childhood system. We appreciate the work and programs that promise change for New Mexico's children and the state's early childhood workforce. We recognize the impact that the proposed regulations will have on the early childhood community and appreciate the opportunity to make public comment regarding the proposed regulations.

The proposed amendment 8.9.3.15, regarding the changes to state tax laws, have raised a concern for the equitable delivery of quality child care services to all families and children in the state of New Mexico. Removing the tax paying program's ability to pass a state mandated gross receipts tax to the consumer will create barriers to quality care and will not allow those providers to invest in employee wages, increased employee benefits, enhanced food programs that should include local vendors, quality training opportunities that allow for in-person professional trainers, and so much more. The inequitable implication of this regulation will have a significant, negative and damaging impact on the very programs that ECECD has successfully been building and supporting.

[REDACTED] is asking that this regulation remain as it currently is in regulation. "8.0.3.15.E.3 Child care providers are allowed to charge child care assistance families the applicable gross receipts tax for the sum of the child care assistance benefit and [co-payment]."

[REDACTED] would also like to request the assistance and guidance of ECECD in working with the Children, Youth and Families Department in supporting rate increases for NM foster children placed in child care. The proposed regulations do not include our most vulnerable children. It is imperative that our states foster children have equal access to high quality programs in NM.

[REDACTED] has spent over three decades supporting the passionate work of early childhood owners, directors and educators. We are grateful for the amazing progress and growth that is evident in our programs since the implementation of the early education department. We know that the department will consider our feedback and that together we can continue to be the leaders of early education in our country and not always last on the list.

Thank you for your consideration.

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Please set livable reimbursement rates
Date: Wednesday, June 21, 2023 2:54:49 PM

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

Dear Early Childhood Education and Care Department,

I'm writing to say that I support the proposed reimbursement rates and urge you to adopt them.

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Child care assistance public comments
Date: Wednesday, June 21, 2023 2:57:51 PM

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

Hi,

I support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD.

Thank you for considering this request,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment; Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers.
Date: Wednesday, June 21, 2023 3:10:43 PM
Attachments: [Public Comment ECECD 6.22.23 DIANM.png](#)

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

Good afternoon,

in regards to 8.9.3 Public Comment; I hope this letter finds you well,

Respectfully,

--

[REDACTED]



[REDACTED]

[REDACTED]

Dear Secretary Groginsky,

On behalf of [REDACTED] we write to offer comments on the proposed amendments to the rule regarding Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers as authorized by Subsection (E) of Section 9-29-6 NMSA 1978. [REDACTED] is a statewide grassroots organization advancing equity, justice, well being, and opportunities by empowering and activating BIPOC, immigrant, LGBTQ+, workers, youth & women in New Mexico

[REDACTED] stands in strong support of the proposed regulations to:

- Raise the provider reimbursement rate effective Aug. 1, 2023 to reflect \$15 min wage and inflationary increase for non-personnel items;
- Maintain income eligibility up to 400 percent of the Federal Poverty Level and continue to waive copays (including a requirement for 3 month notification if/when copays are reinstated),
- Update the parent copay schedule and caps copay at 5 percent of household income, and,
- Establish a requirement that providers are not allowed to charge the gross receipts tax (GRT) to families receiving Child Care Assistance (CCA). Reimbursement rates are informed by a cost estimation model that specifically includes a reimbursement of the GRT.

[REDACTED] knocked nearly 130 thousands of doors to pass Constitutional Amendment 1. Speaking to thousands of voters about what they want, and driving countless new voters to the polls in Chaparra, Vado, South Valley, Sunland, Santa Fe, Doña Ana and more. Voters want more funding for early childhood education and our state's historic investments in early childhood programs and extensive actions to support children, families, early educators, and child care centers have gained national attention in recent years. Our economy relies on families having access to affordable child care, enabling parents to remain in the workforce or in school. Limited or unaffordable child care forces many parents to leave paid work, reduce work hours, or make other difficult financial decisions for their families. This is detrimental to the economy, as working families nationwide lose more than \$8.3 billion in annual wages due to insufficient child care access.

Additionally, early childhood educators are some of the lowest paid workers in the economy, and the low wages pervasive in the industry remain the single largest barrier to staffing classrooms and expanding child care access in the country. Multiple studies show that low pay for early childhood educators leads to high turnover and worse outcomes for students, while higher pay improves educator retention and promotes more stable relationships that help young children thrive in early education settings.

The proposed changes will support workers and our economy, make life easier for families, ensure that more children have access to safe enriching early childhood experiences, and address racial equity. For these reasons, [REDACTED] stands in strong support of the proposed regulations, recognizing that they will build on and continue the crucial investments our state has made in ensuring a strong and stable child care workforce, and affordable, accessible care for children and families.

Sincerely,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Proposed Regulations
Date: Wednesday, June 21, 2023 3:41:43 PM

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

Good afternoon,

I am pleased to see proposed changes in some of the childcare regulations. I think that it is wonderful that reimbursement rates are being increased, that the department is wanting providers to continue with the \$3.00 per hour increase for staff members, and that the department is looking at the best interest of families in waiving the gross receipt taxes and copayments.

I am however concerned that providers who may not have more than 70% of their families on state assistance will not be able to be profitable with the additional increase in the hourly wage for their teachers and also not being able to charge gross receipt taxes to help offset their tax obligations. Most providers would have to increase their Private Pay rates in order to make ends meet. This would defeat the purpose of helping our families, especially if they don't qualify for state assistance.

I know the importance of paying teachers what they are worth. Could the \$3.00 per hour increase possibly be fully or partially supplemented by some sort of additional grant. Just my thoughts.

I look forward to attending the public hearing tomorrow.

Thank you for your consideration and dedication to NM families.

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Cc: [REDACTED]
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Wednesday, June 21, 2023 4:38:14 PM
Attachments: [NMVC 8.9.3 Public Comment 6.22.23.pdf](#)

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

Hello,

Please see the attached public comment from [REDACTED] pertaining to the 8.9.3 NMAC proposed rule changes.

Thank you,

[REDACTED]

Sent from [Mail](#) for Windows

Board of Directors

June 22, 2023

Secretary Elizabeth Groginsky
Early Childhood Education and Care Department
1120 Paseo de Peralta
Santa Fe, New Mexico
87502

RE: 8.9.3 Public Comment; Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers.

Dear Secretary Groginsky,

On behalf of [REDACTED], we write to offer comments on the proposed amendments to the rule regarding Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers as authorized by Subsection (E) of Section 9-29-6 NMSA 1978. [REDACTED] is a nonpartisan, statewide advocacy organization working to improve the lives of New Mexico's children by advocating for public policies that lay a foundation of opportunity so all New Mexicans can prosper.

[REDACTED] stands in strong support of the proposed regulations to:

- Raise the provider reimbursement rate effective Aug. 1, 2023 to reflect \$15 min wage and inflationary increase for non-personnel items;
- Maintain income eligibility up to 400 percent of the Federal Poverty Level and continue to waive copays (including a requirement for 3 month notification if/when copays are reinstated),
- Update the parent copay schedule and caps copay at 5 percent of household income, and,
- Establish a requirement that providers are not allowed to charge the gross receipts tax (GRT) to families receiving Child Care Assistance (CCA). Reimbursement rates are informed by a cost estimation model that specifically includes a reimbursement of the GRT.

Our state's historic investments in early childhood programs and extensive actions to support children, families, early educators, and child care centers have gained national attention in recent years, and depend on reliable, sustainable, and permanent funding sources established by policymakers and (in some cases) approved by New Mexico voters. Proposed regulations support and continue the investments, which center on making child care more accessible and affordable for families and compensating the workforce in a way that is commensurate with their skills and the importance of their job for our economy.

The need for the proposed regulations is great in New Mexico. Our state's children face challenges like poverty, food insecurity, and adverse childhood experiences at higher rates than those in other states. More than 28% of children younger than 5 live in poverty (32,465 children in 2021), which is one of the highest rates in the



nation. Children of color experience these challenges at higher rates than their white peers. Given that 77% of children in our state are children of color, the proposed changes that would make child care more affordable specifically support racial equity by supporting economic security for families with children.

Our economy relies on families having access to affordable child care, enabling parents to remain in the workforce or in school. Limited or unaffordable child care forces many parents to leave paid work, reduce work hours, or make other difficult financial decisions for their families. This is detrimental to the economy, as working families nationwide lose more than \$8.3 billion in annual wages due to insufficient child care access. According to a 2021 ECECD presentation to the Legislative Finance Committee, 60% of New Mexico children had all available parents in the workforce and there were only enough licensed child care providers for 86% of children younger than 6 years with both parents working. The analysis also showed that 14 of New Mexico's 33 counties – home to about 21% of our total population – could be classified as child care deserts. According to a 2019 report from Child Care Aware, with an average cost of \$9,135 per year for center-based infant care, a family earning \$22,209 would spend 41% of their monthly income on child care alone.

Additionally, early childhood educators are some of the lowest paid workers in the economy, and the low wages pervasive in the industry remain the single largest barrier to staffing classrooms and expanding child care access in the country. According to the same Child Care Aware study mentioned above, the poverty rate for early educators in New Mexico was 27% in 2019 – more than two times higher than for workers in general. Multiple studies show that low pay for early childhood educators leads to high turnover and worse outcomes for students, while higher pay improves educator retention and promotes more stable relationships that help young children thrive in early education settings.

The proposed changes will support workers and our economy, make life easier for families, ensure that more children have access to safe enriching early childhood experiences, and address racial equity. For these reasons, [REDACTED] stands in strong support of the proposed regulations, recognizing that they will build on and continue the crucial investments our state has made in ensuring a strong and stable child care workforce, and affordable, accessible care for children and families.

Sincerely,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Wednesday, June 21, 2023 4:40:46 PM

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

I support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD.
These are important changes for early childhood education workers, families who struggle economically, and for childcare providers. Thank you.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Wednesday, June 21, 2023 4:48:44 PM

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

I support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECDCD.

--

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL]
Date: Wednesday, June 21, 2023 5:02:11 PM

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

What You Might Say: "I support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD. Thank you."

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Public Comment regarding ChildCare
Date: Wednesday, June 21, 2023 6:22:02 PM

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

Parents should get special assistance if they have children who have a Disability such as Autism.

There's a lot of us Mom's who need help with our children who are disabled and rules are so strict we can't get the help we are seeking.

It's not only unfair but it's also discrimination regarding disabled children regardless of the age and gender of the child.

[Sent from Yahoo Mail on Android](#)

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Re: 8.9.3 Public Comment
Date: Thursday, June 22, 2023 6:55:20 AM

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

I support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD.

Thank you.

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 8:03:55 AM

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

As a community-based social worker, I strongly support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD. I have seen first-hand that the lack of affordable and available child care is often a barrier for a family to improve their financial and housing security. The proposed changes would increase access for the many families that need it the most.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

[REDACTED]


[REDACTED]


From: [REDACTED]
To: [ECECD-ECS-PublicComment](#); ECECD-PublicComment@ECECD.nm.us
Subject: [EXTERNAL] [REDACTED] Public Comment
Date: Thursday, June 22, 2023 8:09:38 AM
Attachments: [REDACTED] [public comment.docx](#)

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



[REDACTED]

[REDACTED] 

[REDACTED] 


6/19/2023

To whom it may concern,

Please allow me to introduce myself, my name is [REDACTED], I am a private provider of 7 childcare centers in [REDACTED] New Mexico. I started my first [REDACTED] licensed for 50 children to now proudly growing to 7 centers servicing over 500 New Mexico children. I have been an advocate for not only the children in our childcare centers but in our community. I appreciate secretary Groginsky and Governor Lujan Grisham and the other legislators for all they have done for ECECD all the changes that are being made to help New Mexico families and childcare in general these changes have not gone unnoticed by me or the families I serve.

Without sounding ungrateful for all the positive changes, I would like to address the GRT regulations that are being proposed on page 13 of new state regulations 8.9.3.15 (E) (3) childcare providers are NOT allowed to charge childcare assistance families the applicable gross receipt tax. This proposal will ONLY specifically affect private centers such as myself. 501 C3, nonprofit, and PED will not be required to pay the taxes on the money they receive. While I will have to utilize the increase to not only cover the extra 3.00 per employee CPP increase but also cost of living increase that we have been feeling for several years. I have always been an advocate to my families and I have split the cost of those taxes having them pay half and I pay half with the understanding that these families qualify for the program so they must fall in a lower income status.

I went and spoke to some of our local legislators to try and explain what this means as so many of them are unaware of what this new regulation would intel. It is not equitable. I understand proposing to not have families pay the taxes simply because that makes it unequitable for them in that they may chose a nonprofit to attend over my center that currently charges them taxes, at a discounted rate, but charges them non the less. So, purposing to increase so that they may have an equitable choice. However, now if they chose my center and I am no longer allowed to charge them for the taxes that I am required to pay that equality no longer makes sense.



After coming together with other providers in our community it was determined that with the approved budget of 25% would not cover all that owners will be required to pay. We would not be rewarded for working hard to get our 5-star accreditation and going above and beyond the requirements but rather I would be gaining zero percent since I already discount the tax rates after figuring my numbers the increase would be 0%.

I would have to believe with all the positive changes that the legislators just did not understand the inequality that is being purposed with this change. As a private New Mexico business owner who has put back so much into our community I will hope this makes sense from my point of view.

I have always tried to work with families to provide high quality care. When the state of New Mexico implemented the P-5 program, which are families that are in the system, often lower income families with minimal needs. These families are at risk of their children going into foster care. A program was designed to prevent that from happening and allowing CYFD to directly work with the families to correct minor lack in parenting skills. We provide so many resources to those families. I would not charge them even though I knew I would have to pay those taxes. I have always tried to go through all the changes and just be happy that the ECECD has fought for childcare and New Mexicans. I am a New Mexican as well one who has made each change to better our community. While you fight for New Mexicans please also fight for all New Mexicans.


Thank you for your time,

Sincerely,


[REDACTED]


From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] [REDACTED] Public Comment
Date: Thursday, June 22, 2023 8:17:21 AM
Attachments: [Renee Hutchens public comment.docx](#)

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



[REDACTED]

[REDACTED] 

[REDACTED] 


6/19/2023

To whom it may concern,

Please allow me to introduce myself, my name is [REDACTED], I am a private provider of 7 childcare centers in [REDACTED] New Mexico. I started my first [REDACTED] licensed for 50 children to now proudly growing to 7 centers servicing over 500 New Mexico children. I have been an advocate for not only the children in our childcare centers but in our community. I appreciate secretary Groginsky and Governor Lujan Grisham and the other legislators for all they have done for ECECD all the changes that are being made to help New Mexico families and childcare in general these changes have not gone unnoticed by me or the families I serve.

Without sounding ungrateful for all the positive changes, I would like to address the GRT regulations that are being proposed on page 13 of new state regulations 8.9.3.15 (E) (3) childcare providers are NOT allowed to charge childcare assistance families the applicable gross receipt tax. This proposal will ONLY specifically affect private centers such as myself. 501 C3, nonprofit, and PED will not be required to pay the taxes on the money they receive. While I will have to utilize the increase to not only cover the extra 3.00 per employee CPP increase but also cost of living increase that we have been feeling for several years. I have always been an advocate to my families and I have split the cost of those taxes having them pay half and I pay half with the understanding that these families qualify for the program so they must fall in a lower income status.

I went and spoke to some of our local legislators to try and explain what this means as so many of them are unaware of what this new regulation would intel. It is not equitable. I understand proposing to not have families pay the taxes simply because that makes it unequitable for them in that they may chose a nonprofit to attend over my center that currently charges them taxes, at a discounted rate, but charges them non the less. So, purposing to increase so that they may have an equitable choice. However, now if they chose my center and I am no longer allowed to charge them for the taxes that I am required to pay that equality no longer makes sense.



After coming together with other providers in our community it was determined that with the approved budget of 25% would not cover all that owners will be required to pay. We would not be rewarded for working hard to get our 5-star accreditation and going above and beyond the requirements but rather I would be gaining zero percent since I already discount the tax rates after figuring my numbers the increase would be 0%.

I would have to believe with all the positive changes that the legislators just did not understand the inequality that is being purposed with this change. As a private New Mexico business owner who has put back so much into our community I will hope this makes sense from my point of view.

I have always tried to work with families to provide high quality care. When the state of New Mexico implemented the P-5 program, which are families that are in the system, often lower income families with minimal needs. These families are at risk of their children going into foster care. A program was designed to prevent that from happening and allowing CYFD to directly work with the families to correct minor lack in parenting skills. We provide so many resources to those families. I would not charge them even though I knew I would have to pay those taxes. I have always tried to go through all the changes and just be happy that the ECECD has fought for childcare and New Mexicans. I am a New Mexican as well one who has made each change to better our community. While you fight for New Mexicans please also fight for all New Mexicans.

Thank you for your time,

Sincerely,

[Redacted Signature]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL]
Date: Thursday, June 22, 2023 8:46:25 AM

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

To whom it may concern:

I support the rule changes regarding child care assistance programs regarding reimbursement rates as recommended by the Dear Early Childhood Education and Care Department.

Thank you.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] RE: 8.9.3 Public Comment
Date: Thursday, June 22, 2023 9:07:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[ECECD Rulemaking Proposed Changes Letter, Childcare providers.pdf](#)

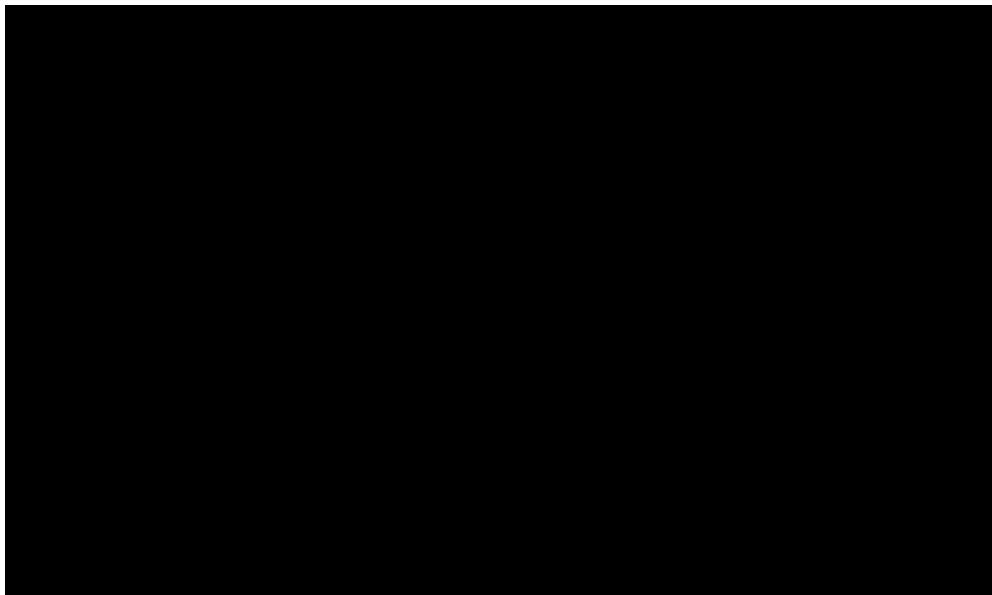
CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

To whom it may concern,

Attached are comments on the proposed rule from the [REDACTED] submitted yesterday. I wanted to make sure they were submitted, so sending again.

Thank you,

[REDACTED]



Sent: Wednesday, June 21, 2023 5:37 PM
To: ECECD-ECS-PublicComment@ECECD.NM.Gov
Subject: 8.9.3 Public Comment


To whom it may concern,

Attached are comments on the proposed rule from the New Mexico Chamber of Commerce.

Thank you.

Best,








June 21, 2023

Attn: New Mexico Early Childhood Education and Care Department

To whom it may concern,

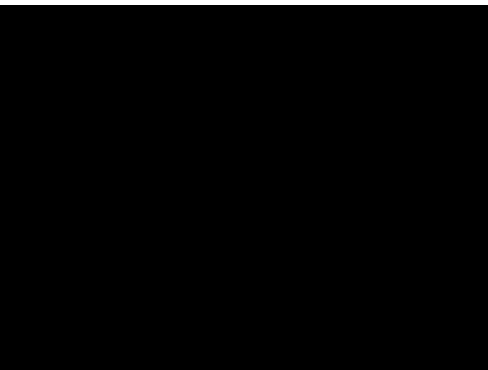
Thank you for the opportunity to provide written feedback on the proposed rule changes to 8.9.3 NMAC, Child Care Assistance Requirements for Child Care Assistance Programs for Clients and Child Care Providers.

 shares the goal of supporting expanded access to high-quality early childhood care and education programs as one of the best ways to invest in the next generation and to provide better opportunities for New Mexicans.  supports new policies and funding for early childhood that preserves and strengthens New Mexico's mixed delivery system of high-quality private and public services.

 is specifically concerned with the changes proposed in 8.9.3.15, Provider Requirements. Currently, non-profit childcare providers are exempt from paying gross receipts tax (GRT) for their services. We believe the cost of care model should treat public and private providers equally. The changes within the proposed rule would require private providers to subtract gross receipts tax from the copayment received by the state to pay back to the state, consequently lowering the revenue to support the costs of services provided by these providers. We believe this approach will erode the availability of private sector providers overtime. Having private sector providers within the market is important as the state focuses on expanding services and scaling to meet the needs of providing statewide high-quality care. Through investors and other means, private sector providers have more access to capital to invest in infrastructure, which helps with expansion and improving care.

Furthermore, we believe changing tax policy through regulation sets a bad precedent for state agencies to continue to attempt tax policy changes through this avenue in the future. We believe tax policy changes need to be proposed and approved by the Legislature and the Executive branch. Within the last legislative session, House Bill 137 was heard by the House Taxation and Revenue Committee. The bill would have created a new GRT deduction for the sale of childcare assistance through either a licensed childcare assistance program or a for-profit prekindergarten provider who has a contract or grant with the Early Childhood Education and Care Department. The proposed tax policy change needs to be addressed through legislative changes, instead of rule changes to level the playing field with non-profit providers.

Sincerely,



From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 9:37:45 AM

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

To Whom It May Concern:

I am writing to urge there to be considerations for funding towards increasing availability of licensed and registered childcare providers in Santa Fe County. While funding to pay for providers is needed and an important aspect of access to childcare, there is also a significant deficit in availability of childcare, leaving families scrambling to find care when they need it most. Childcare availability has been declining in Santa Fe since at least 2010, and the pandemic worsened this shortage of childcare. Childcare for infants and children under the age of 2 is at an especially critical shortage. So, despite the increased access to funds to pay for care for those under the 400% poverty rate, there is insufficient childcare availability in which to utilize these funds and it is critical to allocate funding to increase the availability of licensed and registered care providers.

Sincerely,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 9:48:07 AM

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

My name is [REDACTED] and I am a pastor in Albuquerque at a church which also hosts a preschool and child care center. One third of the families at our preschool receive Child Care Assistance from ECECD. This allows them to work, knowing their children are cared for in a high-quality, caring environment.

I support the changes to the Child Care Assistance program, including the increase in the reimbursement rate, maintaining eligibility at up to 400% of the Federal Poverty level, and not allowing child care centers to charge CCA families for gross receipt tax reimbursement.

High quality, affordable child care is a necessity for families in New Mexico. These changes will ensure such care is available for hard-working, low income families in our state.

Thank you,

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Proposed regulation changes public comment
Date: Thursday, June 22, 2023 9:58:10 AM

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

Thank you my name is a [REDACTED]
[REDACTED]. I am a private provider in Farmington just celebrating 23 years and I am also a Farmington municipal school board member. This gives me the unique opportunity to see firsthand how these two entities operate early childhood programs with the same standards and contracts, however, two very different and distinct access to money to operate these programs.

I am here to convey my grave concern regarding the proposed change to regulation 8.9.3.15 E (3). By adding the word NOT to this sentence ECECD is creating an unbalanced system of care.

I would like to talk to you today about equity, plain and simple, equitable care for the children and families to receive a high-quality education and equitable opportunity for licensed centers to provide that high-quality care. This inequity regards my concern with the GRT regulations being proposed. As a private provider, I have built a high-quality system with the monies that are given to me from two sources, childcare assistance, and private families and as we all know, private families truly cannot afford to pay the full true cost of care, I am truly grateful to secretary Groginsky , Governor Lujan Grisham, and our legislators for taking early childhood, and making it a priority, I truly appreciate the cost model. My concern is that we are building an inequitable childcare reimbursement rate if we allow the regulation change to be

adopted...private providers paying the gross receipts, tax on behalf of the family receiving the services. This past legislative session, a budget was approved to increase child care assistance rates from 20 to 25%. That is what legislators approved, however, I am here to tell you that wrapping the CPP into the child care systems rate And the gross receipts tax regulation change will make that increase to 1.1%. That doesn't even begin to cover the increase in rent by 8%, utilities have increased 14% the cost of food has increased 20%. A 1.1% increase is not equitable to inflation.

Equity within the community provider realm. Private providers vs nonprofit providers. By forcing my tax-paying business model to pay the GRT on behalf of my families ECECD is building winners and losers. Non profits will be receiving 8% more than me. Families deserve high quality care at any program taking CCA and getting paid the same rate.

I have personally worked on this GRT issue for the past 13 years. It does not make sense that businesses are paying GRT on state monies

they receive that is funded by state monies. Senator sharer relayed this concern during the May LFC meeting and Representative Montoya relayed his concern that he does not believe ECECD can legally mandate this change through regulation. What does the Secretary of Taxation and Revenue say? What does Attorney General Raul Torrez state as his opinion as the highest legal representative of the state?

New Mexico is a leader in EC and providers are doing great things with our partnerships. But that is based on a business model of families being held responsible for their own GRT. The proposed subsidy increases are amazing but only if a private center is truly allowed to have access to all of those dollars.

Thank you for your time and consideration,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 10:46:06 AM

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

Good Morning,

I wanted to start by thanking all of you for your continued dedication to the Early Childhood field.

I have been in the industry for 19 years and have seen the great strides NM has made not only for the children but the employees and providers as well.

I have read over the proposed changes and am thankful for many of the proposals, that being said, as a small business owner the ones that are concerning to me are the continuation of the CPP monies without the grant and the GRT taxes.

Since opening my center in 2019, I have noticed that the state talks a lot about "equality" this applies to the care we provide to our children and families as well as how we operate with our staff.

This is a great concept! I too agree with equality for all but, when it comes to the GRT it is not "equitable".

The raise in subsidy rates is a great blessing to many of us but, not all centers are non-profit so, we are liable for paying the GRT rates others will not. So, getting the same rates and losing roughly 8% for some and not all is not "equitable."

Also, when it comes to the centers awarded the NM PreK grants, another great program, Headstarts, and schools that house NM PreK that have the same requirements we as private owners do, do not pay GRT either so again, that is another "non-Equitable" way the GRT taxes affect us.

Many of us would at least get some relief when it came to GRT by passing it on to the parents, with this new proposal we are now obligated to pay it all.

I am all for paying my teachers as much as I can especially since I too was in a classroom once and know just how demanding childcare can be but, continuing the CPP monies may not be feasible if we are obligated to pay the GRT taxes.

I hope this helps you to understand the situation that this puts For Profit businesses in.

Thank you for your time,

[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] "8.9.3 Public Comment"
Date: Thursday, June 22, 2023 10:49:41 AM

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

June 22, 2023

Secretary Elizabeth Groginsky
Early Childhood Care and Education Department
1120 Paseo de Peralta
Santa Fe, New Mexico
87502

RE: 8.9.3 Public Comment; Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers.

Dear Secretary Groginsky,

I am writing to offer comments on the proposed amendments to the rule regarding Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers as authorized by Subsection (E) of Section 9-29-6 NMSA 1978.

As a grandparent, I am in strong support of the proposed regulations to:

- Raise the provider reimbursement rate effective Aug. 1, 2023 to reflect \$15 min wage and inflationary increase for non-personnel items;
- Maintain income eligibility up to 400 percent of the Federal Poverty Level and continue to waive copays (including a requirement for 3 month notification if/when copays are reinstated),
- Update the parent copay schedule and caps copay at 5 percent of household income, and,
- Establish a requirement that providers are not allowed to charge the gross receipts tax (GRT) to families receiving Child Care Assistance (CCA). Reimbursement rates are informed by a cost estimation model that specifically includes a reimbursement of the GRT.

Our state's historic investments in early childhood programs and extensive actions to support children, families, early educators, and child care centers have gained national attention in recent years, and depend on reliable, sustainable, and permanent funding sources established by policymakers and (in some cases) approved by New Mexico voters. Proposed regulations support and continue the investments, which center on making child care more accessible and affordable for families and compensating the workforce in a way that is commensurate with their skills and the importance of their job for our economy.

The need for the proposed regulations is great in New Mexico. Our state's children face challenges like poverty, food insecurity, and adverse childhood experiences at higher rates than those in other states. More than 28% of children younger than 5 live in poverty (32,465 children in 2021), which is one of the highest rates in the nation. Children of color experience these challenges at higher rates than their white peers. Given that 77% of children in our state are children of color, the proposed

changes that would make child care more affordable specifically support racial equity by supporting economic security for families with children.

Our economy relies on families having access to affordable child care, enabling parents to remain in the workforce or in school. Limited or unaffordable child care forces many parents to leave paid work, reduce work hours, or make other difficult financial decisions for their families. This is detrimental to the economy, as working families nationwide lose more than \$8.3 billion in annual wages due to insufficient child care access. According to a 2021 ECECD presentation to the Legislative Finance Committee, 60% of New Mexico children had all available parents in the workforce and there were only enough licensed child care providers for 86% of children younger than 6 years with both parents working. The analysis also showed that 14 of New Mexico's 33 counties – home to about 21% of our total population – could be classified as child care deserts. According to a 2019 report from Child Care Aware, with an average cost of \$9,135 per year for center-based infant care, a family earning \$22,209 would spend 41% of their monthly income on child care alone.

Additionally, early childhood educators are some of the lowest paid workers in the economy, and the low wages pervasive in the industry remain the single largest barrier to staffing classrooms and expanding child care access in the country. According to the same Child Care Aware study mentioned above, the poverty rate for early educators in New Mexico was 27% in 2019 – more than two times higher than for workers in general. Multiple studies show that low pay for early childhood educators leads to high turnover and worse outcomes for students, while higher pay improves educator retention and promotes more stable relationships that help young children thrive in early education settings.

The proposed changes will support workers and our economy, make life easier for families, ensure that more children have access to safe enriching early childhood experiences, and address racial equity. For these reasons, I am in strong support of the proposed regulations, recognizing that they will build on and continue the crucial investments our state has made in ensuring a strong and stable child care workforce, and affordable, accessible care for children and families.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] Support for rule changes
Date: Thursday, June 22, 2023 10:53:37 AM

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

To whom it may concern:

We support the rule changes regarding child care assistance programs regarding reimbursement rates as set forth by the ECECD.

In gratitude,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Caution: This email is both proprietary and confidential, and not intended for transmission to (or receipt by) any unauthorized person(s). If you believe that you have received this email in error, do not read any attachments. Instead, kindly reply to the sender stating that you have received the message in error. Then destroy it and any attachments. Thank you.

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 10:55:37 AM
Attachments: [REDACTED]


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

Good morning,

Please see our comments attached.

Sincerely,

[REDACTED]



Secretary Elizabeth Groginsky
New Mexico Early Childhood Education and Care Department
submitted electronically

June 20, 2023

Dear Secretary Groginsky,

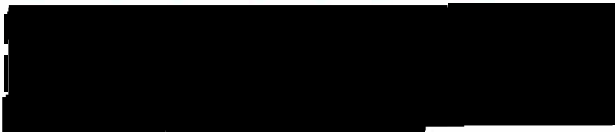
We are writing to express support for the Early Childhood Education and Care Department's proposed regulation changes and share some thoughts on the Department's continuing work to support providers. [REDACTED] represents over 5,000 parents, early educators, and home- and center-based providers throughout the state.

[REDACTED] strongly supports free high-quality early childhood education for every parent. We believe the steps the Department has taken towards free, universal child care and education are significant, including its proposed regulation to relieve parents of the cost of gross receipts tax on their child care services. As you know, these gross receipts charges can be quite significant, leading some parents who receive state child care assistance to believe that the free child care they were expecting is actually cost-prohibitive based on the gross receipts charges alone. We believe this regulation change will benefit tens of thousands of parents and facilitate the continued growth in New Mexico's child care enrollment.

Additionally, we support the Department's regulations to continue requiring \$0 co-pays and, should the Department be forced to return to charging co-pays, either by the federal government or by legislative budget committees, we support capping co-pays at no more than 5% of household income. We also support the Department's updated schedule of potential co-payments for greater transparency if, at a later date, the Department is forced by external forces to end \$0 co-pays.

Lastly, we support the proposed regulations that will allow New Mexico to continue to have one of the highest income-eligibilities in the country, at 400% FPL, for child care assistance. As we have said, we strongly support the Department's policies that move the State towards universal, free high-quality child care for all families.

[REDACTED] also strongly supports the increased reimbursement rates that the Department is paying to providers, who have historically been paid far less than the cost of the education they provide young children. We recognize the the rate increase is designed, in part, to cover the cost of a \$15 minimum wage for all child care workers, which is a critical move towards ensuring all child care workers are paid a living wage. We welcome the Department's efforts to pay for the true cost of care, including the costs for employees' paid sick days and the cost of parents' gross receipts taxes,



which are accounted for in the reimbursement rates. That is why we are concerned by teachers' stories of being illegally denied paid sick days, which they have earned under New Mexico's Healthy Workplaces Act, by some providers, and we recognize that some providers will choose not to pay the \$15 minimum wage. While [REDACTED] supports continuing to increase reimbursement rates for all providers, we recommend that increases be coupled with increased enforcement of worker protections and that centers that receive funding for pay increases be contractually required to pay them. The Department should not hesitate to take steps that eliminate the culture of scarcity that has endured among some child care center owners.

[REDACTED] supports every provider's freedom to choose what kind of child care center they want to run, non-profit or for-profit. We believe that non-profit providers offer great value to the communities they serve especially since each non-profit is accountable to a board of directors, and information about their finances and board membership is readily available to the public. While we support continuing to increase child care reimbursement rates, we do not support paying for-profit providers more than non-profits since center owners freely choose the kind of child center they want to run with the associated advantages and disadvantages that non-profits and for-profits offer. Paying for-profit providers more than non-profits would likely attract more national for-profit chains to enter New Mexico, increasing the market share of providers whose purpose is to profit from New Mexico's young children and export those profits out of state. We worry that paying for-profit providers more than non-profits will have the unintended consequence of putting our New Mexico-owned centers, both for-profit and non-profit, at a competitive disadvantage to large, out-of-state, private-equity-funded chains that do not serve the interests of New Mexico's families.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [ECECD-ECS-PublicComment](#)
Subject: [EXTERNAL] 8.9.3 Public Comment
Date: Thursday, June 22, 2023 11:01:27 AM

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

June 22, 2023

Secretary Elizabeth Groginsky
Early Childhood Care and Education Department
1120 Paseo de Peralta
Santa Fe, New Mexico
87502

RE: 8.9.3 Public Comment; Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers.

Dear Secretary Groginsky,

I am writing to offer comments on the proposed amendments to the rule regarding Social Services Child Care Assistance Requirements For Child Care Assistance Programs For Client And Child Care Providers as authorized by Subsection (E) of Section 9-29-6 NMSA 1978.

As a former NM teacher and as a grandparent, I am in strong support of the proposed regulations to:

- Raise the provider reimbursement rate effective Aug. 1, 2023 to reflect \$15 min wage and inflationary increase for non-personnel items;
- Maintain income eligibility up to 400 percent of the Federal Poverty Level and continue to waive copays (including a requirement for 3 month notification if/when copays are reinstated),
- Update the parent copay schedule and caps copay at 5 percent of household income, and,
- Establish a requirement that providers are not allowed to charge the gross receipts tax (GRT) to families receiving Child Care Assistance (CCA). Reimbursement rates are informed by a cost estimation model that specifically includes a reimbursement of the GRT.

Our state's historic investments in early childhood programs and extensive actions to support children, families, early educators, and child care centers have gained national attention in recent years, and depend on reliable, sustainable, and permanent funding sources established by policymakers and (in some cases) approved by New Mexico voters. Proposed regulations support and continue the investments, which center on making child care more accessible and affordable for families and compensating the workforce in a way that is commensurate with their skills and the

importance of their job for our economy.

The need for the proposed regulations is great in New Mexico. Our state's children face challenges like poverty, food insecurity, and adverse childhood experiences at higher rates than those in other states. More than 28% of children younger than 5 live in poverty (32,465 children in 2021), which is one of the highest rates in the nation. Children of color experience these challenges at higher rates than their white peers. Given that 77% of children in our state are children of color, the proposed changes that would make child care more affordable specifically support racial equity by supporting economic security for families with children.

Our economy relies on families having access to affordable child care, enabling parents to remain in the workforce or in school. Limited or unaffordable child care forces many parents to leave paid work, reduce work hours, or make other difficult financial decisions for their families. This is detrimental to the economy, as working families nationwide lose more than \$8.3 billion in annual wages due to insufficient child care access. According to a 2021 ECECD presentation to the Legislative Finance Committee, 60% of New Mexico children had all available parents in the workforce and there were only enough licensed child care providers for 86% of children younger than 6 years with both parents working. The analysis also showed that 14 of New Mexico's 33 counties – home to about 21% of our total population – could be classified as child care deserts. According to a 2019 report from Child Care Aware, with an average cost of \$9,135 per year for center-based infant care, a family earning \$22,209 would spend 41% of their monthly income on child care alone.

Additionally, early childhood educators are some of the lowest paid workers in the economy, and the low wages pervasive in the industry remain the single largest barrier to staffing classrooms and expanding child care access in the country. According to the same Child Care Aware study mentioned above, the poverty rate for early educators in New Mexico was 27% in 2019 – more than two times higher than for workers in general. Multiple studies show that low pay for early childhood educators leads to high turnover and worse outcomes for students, while higher pay improves educator retention and promotes more stable relationships that help young children thrive in early education settings.

The proposed changes will support workers and our economy, make life easier for families, ensure that more children have access to safe enriching early childhood experiences, and address racial equity. For these reasons, I am in strong support of the proposed regulations, recognizing that they will build on and continue the crucial investments our state has made in ensuring a strong and stable child care workforce, and affordable, accessible care for children and families.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.