



Mohammed Choudhury
State Superintendent of Schools

To: Members of the State Board of Education

From: Mohammed Choudhury, State Superintendent of Schools 

Date: January 24, 2023

Subject: Permission to waive COMAR 13A.14.06.03F(1) *Exemptions for Public Assistance*, COMAR 13A.14.06.04 *Child Support*, COMAR 13A.14.06.05D *Presumptive Eligibility*, COMAR 13A.14.06.07B(1)(a)(i) *Presumptive Eligibility*, COMAR 13A.14.06.10A(3)(f) *Child Support*, COMAR 13A.14.06.12A(1) *Exemptions for Public Assistance*

Purpose

The purpose of this item is to request permission to waive to COMAR 13A.14.06.03F(1) Exemptions for Public Assistance, COMAR 13A.14.06.04 Child Support, COMAR 13A.14.06.05D Presumptive Eligibility, COMAR 13A.14.06.07B(1)(a)(i) Presumptive Eligibility, COMAR 13A.14.06.10A(3)(f) Child Support, COMAR 13A.14.06.12A(1) Exemptions for Public Assistance.

Regulation Promulgation Process

Under Maryland law, a State agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, Maryland State Department of Education (MSDE) staff review and summarize the public comments. Thereafter, MSDE staff present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision(s) is(are) not a substantive change; or (3) revise the regulation and re-propose the regulation because the suggested revision(s) is(are) a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

Background/Historical Perspective

House Bill 995 of 2022 establishes a presumptive eligibility program wherein MSDE will, upon completion of a brief and abbreviated form, assume a Child Care Scholarship (CCS) program applicant family is eligible for a voucher and begin reimbursing a provider for that child immediately upon voucher receipting. The applicant would subsequently continue to submit a complete application for full review within 15 days, after which MSDE would review and render final eligibility determination. If, after that time, the applicant is still eligible, no changes would occur. If,

after that time, the applicant is ineligible, MSDE will notify the provider and will cease reimbursement. The provider will not, under this program, need to reimburse MSDE for payments issued while MSDE presumed the family to be eligible. The presumptive eligibility program takes effect on July 1, 2023.

Executive Summary

To ensure MSDE can meet its statutory deadline to implement presumptive eligibility, MSDE will embark on a pilot program in the winter and spring, in the beginning of 2023, in one jurisdiction. The pilot will allow MSDE to identify the funding necessary to sustain the program and continue to offset voucher payments MSDE makes for families who turn out to be ineligible rather than chargeback providers. MSDE will then open the full presumptive eligibility program statewide on July 1, 2023. Temporarily waiving these regulations will allow MSDE to carry out the pilot program and prepare for full scale implementation of the law. For these reasons, MSDE is asking to waive certain portions current regulations to reflect these changes.

Action

Request permission to waive: COMAR 13A.14.06.03F(1) *Exemptions for Public Assistance*, COMAR 13A.14.06.04 *Child Support*, COMAR 13A.14.06.05D *Presumptive Eligibility*, COMAR 13A.14.06.07B(1)(a)(i) *Presumptive Eligibility*, COMAR 13A.14.06.10A(3)(f) *Child Support*, COMAR 13A.14.06.12A(1) *Exemptions for Public Assistance*

Attachment: COMAR 13A.14.06 *Child Care Subsidy Program.pdf*

Title 13A STATE BOARD OF EDUCATION

Subtitle 14 CHILD AND FAMILY DAY CARE

Chapter 06 Child Care Subsidy Program

Authority: Education Article, §2-303 and Title 9.5; Family Law Article, §§5-550□5-558; Annotated Code of Maryland Agency Note: Federal Regulatory Reference □ Child Care and Development Block Grant (45 CFR Parts 98 and 99 and 42 U.S.C. 9858 et seq.)

.03 Eligibility.

F. Income.

(1) An applicant shall meet the income eligibility requirements set forth at §H of this chapter, except for the following who are exempt:

- (a) TCA customers; or
- (b) Recipients of SSI.

(2) Except when TCA is received only for a child, the income requirement is met by a family that:

- (a) Receives TCA; and
- (b) Has an annual gross income not exceeding the maximum income for family size as specified in the income eligibility scale set forth at §H of this regulation.

(3) For purposes of determining parental copayments and subsidy amounts, a family's annual or annualized gross income, as defined at Regulation .02B(30) of this chapter, shall be used.

(4) Annualization of gross income shall be performed by multiplying:

- (a) Weekly income by 52;
- (b) Bi-weekly income by 26;
- (c) Twice monthly income by 24;
- (d) Monthly income by 12; or
- (e) Quarterly gross income by 4.

(5) A customer applying for CCS Program services shall provide acceptable documentation to the contractor of all current income, whether derived from employment or another source, that is received on a regular or a recurring basis by:

- (a) The customer; and
- (b) Each family member.

(6) Acceptable documentation of employment earnings received, including cash earnings, is limited to:

- (a) The most recent 4 weeks of pay stubs indicating gross income from each employer, if the stubs indicate the individual's pay frequency or schedule;

(b) A statement from each employer, signed and dated by the employer or bearing the employer's official business stamp, that indicates the:

- (i) Employer's name, address, and telephone number;
- (ii) Employer's type of business;
- (iii) Gross earnings for the most recent pay period;
- (iv) Pay frequency or schedule; and
- (v) If available, total gross earnings to date;

(c) The individual's most recent federal income tax return, if filed within the past 12 months;

(d) Payment receipts for services rendered, where the type of employment, such as but not limited to restaurant waitress, beautician, or taxicab driver, may not generate an earnings statement or a pay stub; or

(e) If none of the types of documentation listed at §F(6) of this regulation is able to be produced, a signed and dated statement from the customer attesting to current gross earnings, the frequency or schedule of those earnings, and the type of employment.

(7) The customer shall submit to the contractor the applicable income documentation described at §F(6) of this regulation:

- (a) Within 30 calendar days of applying for CCS Program services; and
- (b) After approval for CCS Program services, at least annually for the duration of those services.

(8) Special Income Calculation.

(a) Self-Employment.

(i) For income eligibility determination purposes, a flat 30% is subtracted from the annual gross taxable self-employment income amount for business-related expenses.

(ii) A salary drawn by the customer from a business owned wholly or in part by the customer shall not be applied toward calculation of the customer's gross income.

(b) Military Service Pay.

(i) Paid rental and mortgage fees shall be deducted from the allowance and only the excess amount shall be counted as gross income.

(ii) If a military spouse is absent from the home solely due to military deployment, the spouse's gross income shall be counted as a part of the family gross income.

(c) Child Support.

(i) The customer's three most recent consecutive months of support payments shall be counted as gross income.

(ii) If a customer has received child support for less than three months, an average of the payments received to date will be used to determine gross income.

(iii) Payments that are made directly to a vendor on a regular basis on behalf of the customer shall be counted as gross income.

(iv) If in-kind support is received, the customer shall apply a fair market value to the item or service and count that value as gross income.

G. To maintain eligibility for CCS Program services, a family or individual shall report to the local department within 10 days of its occurrence any change in:

- (1) Income;
- (2) Employment;
- (3) Family composition;
- (4) Marital status;
- (5) Address; and
- (6) Needed hours or days for child care services.

H. Income Eligibility Scale.

Family Size	Gross Income	Copayment Level
1	\$ 0—13,618	A
	13,619—17,022	B
	17,023—18,724	C
	18,725—20,425	D
	20,426—22,128	E
	22,129—23,830	F
	23,831—25,533	G
	25,534—29,362	H
	29,363—33,192	I
	33,193—37,193	J
2	\$ 0—17,808	A
	17,809—22,259	B
	22,260—24,485	C
	24,486—26,710	D
	26,711—28,936	E
	28,937—31,163	F
	31,164—33,389	G
	33,390—38,397	H
	38,398—43,405	I
	43,406—48,637	J
3	\$ 0—21,998	A
	21,999—27,496	B
	27,497—30,247	C
	30,248—32,995	D
	32,996—35,745	E
	35,746—38,495	F
	38,496—41,245	G
	41,246—47,431	H
	47,432—53,617	I
	53,618—60,081	J
4	\$ 0—26,188	A

	26,189—32,734	B
	32,735—36,008	C
	36,009—39,279	D
	39,280—42,554	E
	42,555—45,828	F
	45,829—49,102	G
	49,103—56,466	H
	56,467—63,830	I
	63,831—71,525	J
5	\$ 0—30,378	A
	30,379—37,971	B
	37,972—41,769	C
	41,770—45,564	D
	45,565—49,362	E
	49,363—53,160	F
	53,161—56,958	G
	56,959—65,501	H
	65,502—74,043	I
	74,044—82,969	J
6	\$ 0—34,568	A
	34,569—43,208	B
	43,209—47,530	C
	47,531—51,849	D
	51,850—56,171	E
	56,172—60,493	F
	60,494—64,814	G
	64,815—74,535	H
	74,536—84,256	I
	84,257—94,413	J
7	\$ 0—35,354	A
	35,355—44,190	B
	44,191—48,611	C
	48,612—53,027	D
	53,028—57,447	E
	57,448—61,867	F
	61,868—66,287	G
	66,288—76,229	H
	76,230—86,171	I
	86,172—96,558	J
8	\$ 0—36,139	A

	36,140—45,173	B
	45,174—49,691	C
	49,692—54,206	D
	54,207—58,724	E
	58,725—63,242	F
	63,243—67,760	G
	67,761—77,923	H
	77,924—88,086	I
	88,087—98,704	J
9	\$ 0—36,925	A
	36,926—46,155	B
	46,156—50,771	C
	50,772—55,384	D
	55,385—60,001	E
	60,002—64,617	F
	64,618—69,233	G
	69,234—79,617	H
	79,618—90,001	I
	90,002—100,850	J
10	\$ 0—37,711	A
	37,712—47,137	B
	47,138—51,851	C
	51,852—56,562	D
	56,563—61,277	E
	61,278—65,992	F
	65,993—70,707	G
	70,708—81,311	H
	81,312—91,916	I
	91,917—102,996	J

.04 Pursuit of Child Support Obligations.

A. A customer who has the care of a child eligible for child support services pursuant to COMAR 07.07.02.02B(4) shall pursue the establishment and enforcement of support obligations on behalf of the child as required by the contractor.

B. If the customer is pursuing or receiving regular child support payments for the child, the customer shall furnish documentation verifying this action to the contractor at the time of application for child care services.

C. Local Child Support Enforcement (CSE) Agency.

(1) If the customer is not pursuing or receiving regular child support payments for the child and cannot claim good cause for refusing to pursue child support pursuant to §E of this regulation, the contractor shall refer the applicant to the local CSE agency.

(2) The local CSE agency shall provide documentation of the:

- (a) Application for CSE services to the customer; and
- (b) Closing of the case by CSE to the CCS unit.

(3) The customer shall submit documentation of CSE services for each child for whom care is requested to the contractor within 60 days of applying for child care services.

(4) A customer who fails to comply with §C(3) of this regulation is not eligible for CCS services.

D. Unless excused for good cause, the customer shall cooperate with the local CSE agency in:

- (1) Identifying and locating the child's absent parent;
- (2) Establishing the child's paternity if the child is born out of wedlock; and
- (3) Obtaining support payments.

E. Refusal to Cooperate.

(1) Good cause circumstances are those when:

(a) Cooperation may result in serious physical or emotional harm to the child for whom the support is sought;

(b) Cooperation may result in serious physical or emotional harm to the customer with whom the child is living, which may reduce the capacity of the customer to care adequately for the child;

(c) The child for whom support is sought was conceived as a result of incest or rape;

(d) Legal proceedings for the child's adoption are pending before a court of competent jurisdiction;

or

(e) The customer is being assisted by a public or licensed private social agency to resolve the issue of keeping or relinquishing the child for adoption, and the discussions have not extended beyond 3 months.

(2) When the contractor refers the customer to the local CSE agency, the contractor shall inform the customer in writing of the customer's right to claim good cause for refusing to cooperate with the local CSE agency.

F. Determination of Good Cause.

(1) The contractor is responsible for determining the existence of good cause.

(2) The customer shall provide the contractor with:

(a) Verified or verifiable evidence that specifies and corroborates circumstances that the customer believes is sufficient good cause for not cooperating; and

(b) Sufficient information to permit an investigation.

(3) The customer shall supply corroborative evidence within 30 days of making the claim for good cause.

(4) The contractor shall determine good cause based on:

(a) A review of the evidence submitted by the customer; and

(b) The findings of any investigation of the claim that the contractor chooses to make.

(5) The contractor may determine good cause without further investigation if the following acceptable documentation indicates that harm may result:

(a) A birth certificate or medical or law enforcement record indicating that the child was conceived as a result of incest or rape;

(b) A court document or other record indicating that legal proceedings for adoption are pending before a court of competent jurisdiction;

(c) A court, medical, criminal, child protective services, psychological, social services, or law enforcement record indicating that the putative father or absent parent might inflict physical or emotional harm on the child or the customer;

(d) A medical record indicating the emotional health history and the present emotional health status of the child or the customer;

(e) A written statement from a mental health professional indicating a diagnosis or prognosis of the emotional health of the child or the customer;

(f) A written statement from a public or licensed private social agency that the customer is being assisted by the agency to resolve the issue of keeping or relinquishing the child for adoption and the discussions have not extended beyond 3 months; or

(g) Sworn statements from individuals other than the customer with knowledge of the circumstances that provide the basis for a good cause claim.

(6) The contractor shall inform the customer in writing of the final determination.

(7) Upon making a final determination, and if the customer is receiving services from the CSE agency, the contractor shall promptly inform the local CSE agency whether or not there is good cause for refusal to cooperate.

(8) The contractor shall deny CCS services to the customer if a claim of good cause cannot be substantiated as required in this section.

(9) The contractor may not deny, delay, or terminate child care subsidy services pending determination of good cause if the customer has met the requirements of §F(2) of this regulation.

G. Review of Determination of Good Cause.

(1) The contractor shall review, at a minimum during redetermination of eligibility, all cases in which a finding of good cause was made based on a circumstance that is subject to change.

(2) If the contractor determines that the circumstance providing the basis for determination of good cause no longer exists, the contractor shall require the customer to pursue the establishment and enforcement of child support obligations.

H. A customer transitioning off of TCA who does not have a child support order or who is not receiving child support shall cooperate with the contractor and the local CSE agency to continue, establish, or re-establish child support services.

I. A customer who has the care of a child eligible for child support services and refuses to cooperate with the local CSE agency and the contractor on behalf of the child is ineligible for CCS services unless:

(1) The customer claims good cause for the refusal; and

(2) Documentation supporting good cause for the refusal is under review, or is determined to exist.

.05 Application Process.

A. A customer shall apply to the contractor for CCS Program services.

B. In order to be approved to receive CCS Program services, a customer shall submit a complete application to the contractor by fax or mail, which shall consist of:

(1) A completed, signed, and dated CCS Program services application form approved by the Division;

(2) Verification of employment earnings;

(3) If applicable, verification of training or school attendance with days and hours of the activity; and

(4) If applicable, verification of child support payments or an application to agree to pursue child support.

C. The contractor shall decide to accept or deny the application within:

(1) 30 calendar days from the date of receipt of the signed application, if all verifications are received by the 25th day following application; or

(2) 35 calendar days from the date of receipt of the signed application, if all verifications are:

(a) Received between the 25th and 30th days following application; or

(b) Not received by the contractor.

D. The customer is eligible from the date a signed application is received if the contractor determines that the customer is eligible for services.

E. Program Freeze.

(1) The contractor shall inform a customer that a program freeze exists and that a child care placement cannot be made immediately when the:

(a) List of available providers has been exhausted and a provider cannot be located who is either acceptable to the parent or appropriate to the child; or

(b) Funds are not available to provide the service.

(2) The contractor shall maintain a list of all eligible customers by date of application and in accordance with the service priorities established under Regulation .08A of this chapter.

F. Denial. The contractor shall deny the application if the customer:

(1) Fails to meet all applicable eligibility requirements set forth at Regulation .03 of this chapter;

(2) Was terminated from CCS Program services for failure to pay the required copayment or inability to provide proof of payment;

(3) Fails to provide the required documentation within 30 days of initiating an application;

(4) Is disqualified for CCS payment pursuant to Regulation .14M of this chapter and the disqualification period has not ended; or

(5) Fails to provide acceptable proof of identity for a child for whom CCS Program services are requested.

G. Notice. The contractor shall send a written denial notice to the customer that includes:

(1) The decision;

(2) The basis for the decision;

(3) The regulation supporting the decision; and

(4) An explanation of the customer's hearing and appeal rights.

.07 Child Care Vouchers.

A. Use of Voucher.

(1) A CCS Program voucher may be used only with:

- (a) A child care center;
- (b) A family child care home; or
- (c) An approved informal child care provider.

(2) An informal child care voucher may be used only for informal child care.

B. Voucher Issuance.

(1) A contractor shall:

(a) Issue a voucher to an eligible customer that is:

(i) Effective from the date a signed and dated application is received and all required verifications have been approved; and

(ii) Related to the schedule and duration of the applicant's activity; and

(b) Provide access to information and referral services to assist the customer in finding appropriate child care.

(2) Except for a voucher issued pursuant to Regulation .09A(3) of this chapter, or unless a voucher becomes void pursuant to §B(3) of this regulation, each voucher is valid for a maximum of 12 months from the voucher's issue date if the voucher is returned to the contractor within 60 days of its issue date.

(3) A child care voucher is void if:

- (a) It is not signed by the child care provider and the customer;
- (b) Placement is not made; or
- (c) It is not returned to the contractor within 60 days of its issue date.

(4) The contractor shall issue to a customer a notification of the expiration of a voucher at least 15 days before the expiration date to allow for application and review of the customer's eligibility for a new voucher.

(5) A new voucher may be issued if a customer moves to another local jurisdiction in Maryland and the contractor determines that the customer is still eligible for CCS Program services.

.10 Termination.

A. The contractor shall terminate CCS Program payments if the:

(1) Program is reduced because of insufficient funds or is oversubscribed;

(2) Contractor determines that the parent violates the requirements of the CCS Program; or

(3) Customer:

(a) Fails to submit a complete application as specified at Regulation .05B of this chapter;

(b) Is no longer eligible on the basis of need or of income;

(c) Fails to pay the copayment, recorded on the voucher, when it is due;

(d) Commits welfare fraud as defined in the Criminal Law Article, §§8-501—8-504, Annotated Code of Maryland, and cited in the terms of agreement of the child care subsidy voucher;

(e) Fails to provide documentation required by the contractor to re-determine eligibility;

(f) Having care of a child eligible for child support services, refuses to cooperate with the State in pursuing child support obligations unless good cause is determined to exist;

(g) Fails to report any change, as specified in Regulation .03G of this chapter, that results in the receipt of benefits for which the applicant is not eligible;

(h) Fails to verify immunizations appropriate to the child's age pursuant to Regulation .03D of this chapter for each child receiving services; or

(i) Has been disqualified pursuant to Regulation .14O of this chapter, and the disqualification period has not ended.

B. Notification of Termination.

(1) Except for parents and providers who do not return the signed voucher to the contractor within 60 days, the contractor shall send a written notice to the parent and the provider at least 5 calendar days before termination of child care services or reduction of child care benefits that specifies the:

- (a) Action to be taken;
- (b) Reason for the action;
- (c) Regulatory basis for the action; and
- (d) Parent's hearing and appeal rights.

(2) If a voucher is written for less than 5 calendar days, the notification period does not apply.

.12 Copayments.

A. Parental Copayments.

(1) An individual or family who uses CCS Program services shall contribute financially to the cost of those services, except for the following, who are exempt:

- (a) TCA applicants or recipients pursuant to Regulation .08A(1) of this chapter;
- (b) SSI recipients; or
- (c) A CCS customer for a voucher issued for a voluntary closure period as defined in Regulation .02B of this chapter.

(2) Except for additional vouchers issued for voluntary closure days, parental copayments are paid to a provider based on the provider's payment schedule and shall include a minimum copayment, as listed on the child care voucher and in accordance with Regulation .11A(2) of this chapter.

(3) Except as exempted under §A of this regulation, parental copayments are assessed for three or fewer children who are receiving child care subsidy services. Copayments are assessed for services provided to an eligible child as follows:

- (a) The youngest child in care is assessed the highest copayment;
- (b) The second child in care, who is the next oldest, is assessed a lower copayment;
- (c) The third child in care, who is the next oldest in age to the second child, is assessed the same copayment amount as the second child; and
- (d) No copayment is assessed for the fourth child and subsequent children.

(4) Parental copayments are determined on the basis of family size and income as set forth in Regulation .03H of this chapter.

B. Regional Weekly Copayment Tables.

(1) These regional weekly copayment tables are based on three units of service per day. For the two-unit and one-unit regional weekly copayments, multiply the figures in §B(2) and (3) of this regulation by 2/3 and 1/3 respectively.

(2) Copayments for a Child 24 Months Old and Older in Family Child Care or Center Care.

(a) Copayments Amounts for First (Youngest) Child in Care.

Copayment Level	Region U	Region V	Region W	Region X	Region Y	Region Z	Region BC
A	\$4.56	\$4.03	\$5.60	\$7.22	\$5.54	\$4.12	\$5.15
B	7.29	6.45	8.95	11.55	8.77	6.59	8.24
C	11.85	10.49	14.55	18.77	14.31	10.71	13.40
D	17.32	15.33	21.26	27.44	21.00	15.65	19.58
E	22.79	20.17	27.98	36.10	27.69	20.59	25.76
F	29.18	25.82	35.81	46.21	35.31	26.36	32.98
G	35.56	31.47	43.64	56.32	43.15	32.12	40.19
H	41.03	36.31	50.36	64.99	49.85	37.06	46.37
I	43.77	38.73	53.54	69.32	53.08	39.54	49.46
J	45.59	40.34	55.61	72.21	55.38	41.18	51.52

(b) Copayments Amounts for Second and Third Children in Care.

Copayment Level	Region U	Region V	Region W	Region X	Region Y	Region Z	Region BC
A	\$2.74	\$2.42	\$3.36	\$4.33	\$3.23	\$2.47	\$3.09
B	5.47	4.84	6.71	8.66	6.69	4.94	6.18
C	9.12	8.07	11.19	14.44	11.08	8.24	10.30
D	12.76	11.30	15.67	20.22	15.46	11.53	14.43
E	18.24	16.14	22.38	28.88	22.15	16.47	20.61
F	22.79	20.17	27.98	36.10	27.69	20.59	25.79
G	28.27	25.01	34.69	44.77	34.15	25.53	31.94
H	31.91	28.24	39.17	50.54	38.77	28.83	36.07
I	34.65	30.66	42.52	54.88	42.00	31.30	39.16
J	36.47	32.27	44.76	57.76	44.31	32.95	41.22

(c) A copayment is not assessed for subsequent children in a family who are:

- (i) The oldest children in the family pursuant to §A(3) of this regulation; and
- (ii) Receiving CCS Program services.

(3) Copayments for a Child Younger than 24 Months Old in Family Child Care or Center Care.

(a) Copayments Amounts for First (Youngest) Child in Care.

Copayment Level	Region U	Region V	Region W	Region X	Region Y	Region Z	Region BC
A	\$5.82	\$4.88	\$7.62	\$9.05	\$7.17	\$4.53	\$6.84
B	9.31	7.81	12.20	14.48	11.47	7.25	10.95
C	15.13	12.70	19.82	23.53	18.63	11.79	17.80
D	22.12	18.56	28.97	34.39	27.23	17.23	26.01

E	29.10	24.42	38.12	45.25	35.83	22.67	33.69
F	37.25	31.25	48.79	57.92	45.86	29.01	42.46
G	45.40	38.09	59.46	70.59	55.89	35.36	51.46
H	52.38	43.95	68.61	81.45	64.49	40.80	59.08
I	55.87	46.88	73.18	86.88	68.79	43.52	62.77
J	58.20	48.83	76.23	90.46	71.66	45.34	65.31

(b) Copayments Amounts for Second and Third Children in Care.

Copayment Level	Region U	Region V	Region W	Region X	Region Y	Region Z	Region BC
A	\$3.49	\$2.93	\$4.57	\$5.43	\$4.30	\$2.72	\$4.11
B	6.98	5.86	9.15	10.86	8.60	5.44	8.21
C	11.64	9.77	15.25	18.10	14.33	9.07	13.69
D	16.30	13.67	21.35	25.34	20.06	12.69	19.17
E	23.28	19.53	30.49	36.20	28.66	18.13	27.38
F	29.10	24.42	38.12	25.25	35.83	22.67	33.69
G	36.09	30.28	47.26	56.11	44.43	28.11	41.31
H	40.74	34.18	53.36	63.35	50.16	31.73	46.38
I	44.23	37.11	57.94	68.78	54.46	34.46	50.08
J	46.56	39.07	60.99	72.40	57.33	36.27	52.62

(c) A copayment is not assessed for subsequent children in a family who are:

- (i) The oldest children in the family pursuant to §A(3) of this regulation; and
- (ii) Receiving CCS Program services.

C. A family using informal care shall pay a copayment amount which is equal to the amount produced by multiplying the appropriate percentage from the following table by the informal care weekly rate in the jurisdiction where the child resides:

(1) Copayments Amounts for First (Youngest) Child in Care.

Copayment Level	Copayment Percentage
A	5%
B	8%
C	13%
D	19%
E	25%
F	32%
G	39%
H	45%
I	48%

J	50%
---	-----

(2) Copayments Amounts for Second and Third Children in Care.

Copayment Level	Copayment Percentage
A	3%
B	6%
C	10%
D	14%
E	20%
F	25%
G	31%
H	35%
I	38%
J	40%

(3) A copayment is not assessed for subsequent children in a family who are:

- (a) The oldest children in the family pursuant to §A(3) of this regulation; and
- (b) Receiving CCS Program services.

D. Determination of Weekly Copayments.

(1) In Regulation .03H of this chapter, the contractor shall find the family size and income to identify the corresponding copayment level letter, and:

(a) Refer to the weekly copayment tables for regulated care listed under §B of this regulation to locate the appropriate regional weekly copayment for the:

- (i) Youngest child in the family in care; and
- (ii) Second and third oldest children in the family in care; and

(b) Determine the weekly copayment for informal child care by multiplying the appropriate regional weekly copayment percentage by the appropriate weekly informal rate, which may not exceed the rates listed in §C of this regulation by the appropriate weekly informal rate, which may not exceed the rates listed in Regulation .11D of this chapter.

(2) For any family size greater than ten, the weekly copayment is the same as for a family of ten.