



WORKFORCE SOLUTIONS of the Coastal Bend

POLICY

CATEGORY:	Workforce Programs - Childcare	No: 4.3.105.01
TITLE:	Child Care Related Funds Recovery	
SUPERSEDES:	N/A	
EFFECTIVE:	February 26, 2016	
BOARD APPROVAL:	February 25, 2016 Board of Directors' Meeting	
DATE APPROVED:	February 25, 2016	

I. PURPOSE:

To provide contracted service providers with information on the recovery of child care related funds.

II. DEFINITIONS:

Board - Coastal Bend Workforce Development Board.

Child - An individual who meets the general eligibility requirements. A child includes a person(s) born to the parents, a person(s) adopted by either or both parents, the person for whom the parents have legal responsibility granted by the court, or a person(s) provided supervision and care by the parents.

Child Care - Child care services provided by the Board to assist qualified parents who are either working or participating in educational or training activities in accordance with state and federal statutes and regulations.

Child Care Contractor - The grant recipient of the funds to implement child care services within the area.

Commission - The Texas Workforce Commission.

Fraud - a deception deliberately practiced in order to secure child care funds.

Parent - An individual responsible for the care and supervision of the child identified as the child's natural parent, adoptive parent, stepparent, or legal guardian.

Provider - A person or entity that meets the minimum qualifications as set forth by the Board for providing child care services funded through the Commission.

III. POLICY STATEMENT:

A reasonable attempt to recover child care related funds when warranted will be made. The Child Care Contractor will attempt recovery of all overpayments. The Board will not pay for overpayments.

The child care provider will repay overpayments for child care services provided the following circumstances:

- Instances involving fraud;
- Instances during which the provider did not have a Provider Agreement in compliance with policy.
- The provider exceeded the licensed capacity.
- The provider received payment from another source for the child care services provided.
- The provider did not provide the child care services.
- Authorized children have been moved from one facility to another without authorization from the child care contractor.
- Instances in which the provider transferred the Provider Agreement to another entity, facility, or location without notifying the child care contractor.
- Other instances when repayment is deemed an appropriate action.

A parent will repay overpayments for child care services in the following circumstances:

- Instances of fraud
- The parent has received child care while awaiting an appeal and the determination is affirmed by the hearing officer.
- Other instances when repayment is deemed an appropriate corrective action.

IV. PROCEDURES:

Recovery of Overpayment

Recovery of overpayment will be managed in accordance with the Commission policies and procedures in the Commission guidelines.

Should recovery of overpayment be warranted, the Child Care Contractor will use operational funds for these purposes and will allow the Board to collect and keep the recouped funds while ensuring data integrity within the Workforce Information System of Texas (TWIST) for the unit cost of child care services.

Recovery of Fraud

The Child Care Contractor shall develop procedures to ensure due diligence in reporting, fact-finding, collecting overpayments, and as appropriate, prosecution referral for cases involving suspected fraud, waste, and abuse in accordance with WD Letter 13-11, Change 1, “Requirements for Reporting, Fact-Finding, and Prosecution of Fraud, Waste, Theft, and Program Abuse Cases, and Collection of Overpayments – Update”.

V. RELATED POLICY INFORMATION:

40 TAC §809.111-117

VI. RESPONSIBILITIES:

Board staff shall ensure that all relevant staff and the Child Care Management contractor are informed of and comply with this policy.

The Child Care Management contractor shall ensure that appropriate procedures are implemented and that relevant staff receive training regarding the requirements of this policy.

VII. FORMS AND INSTRUCTIONS:

Texas Workforce Commission WD Letter 13-11, Change 1 dated 10-04-2011
Texas Workforce Commission Child Care Services Guide dated September 2015

VIII. DISTRIBUTION: Board Board Staff Contracted Staff

IX. SIGNATURES:

Reviewed by EO Officer

Date

Executive Director

Date