

SB 404-FN - AS AMENDED BY THE HOUSE

02/15/2024 0566s  
04/05/2024 1344s  
2May2024... 1571h

2024 SESSION

24-2970  
05/08

SENATE BILL

***404-FN***

AN ACT

relative to expanding child care professionals' eligibility for the child care scholarship program.

SPONSORS:

Sen. Whitley, Dist 15; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Sen. Altschiller, Dist 24; Sen. Watters, Dist 4; Sen. Fenton, Dist 10; Sen. Chandley, Dist 11; Sen. Prentiss, Dist 5; Sen. D'Allesandro, Dist 20; Sen. Bradley, Dist 3; Rep. McMahon, Rock. 17; Rep. D. Paige, Carr. 1; Rep. Simpson, Rock. 33; Rep. Wallner, Merr. 19

COMMITTEE:

Health and Human Services

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AMENDED ANALYSIS

This bill establishes a child care assistance program for the child care workforce and makes an appropriation to the department of health and human services for this purpose.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT relative to expanding child care professionals' eligibility for the child care scholarship program.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 New Subdivision; Department of Health and Human Services; Child Care Assistance Program for Child Care Workforce. Amend RSA 167 by inserting after section 97 the following new subdivision:

## Child Care Assistance Program for Child Care Workforce

167:98 Child Care Assistance Program for Child Care Workforce.

I. The department of health and human services, division of economic stability, shall develop and implement a child care assistance program for the child care workforce. The department shall adopt rules under RSA 541-A relative to implementation and administration of the program.

II. For purposes of the assistance program, child care centers that have participating, eligible staff shall, with the consent of the individual staff person, provide information to the department as requested regarding recruitment and retention impacts of the program.

III. The department shall use the information provided in accordance with paragraph II to make the determination as to whether the child care assistance program delivers the intended value as a recruitment and retention strategy for child care providers. This requirement shall not be construed as authorization to report personally identifiable information of the program participants.

IV. Households with at least one verified New Hampshire child care professional employed at a qualified child care center, may automatically be eligible for the child care assistance program, provided the following provisions are met:

(a) Each child in the household meets the same eligibility requirements of the current federal Child Care Scholarship program, specifically that each child shall be:

(1) A resident of New Hampshire;

(2) A U.S. citizen or qualified immigrant; and

(3) Thirteen years of age or under at the time of application or recertification; or through 17 years of age for children with disabilities who are enrolled before the age of 13.

(4) Any other federal eligibility criteria.

(b) Each eligible child resides with a verified New Hampshire child care professional. A verified New Hampshire child care professional means an individual who:

(1) Is a resident of New Hampshire;

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1                   (2) Is employed by a certified child care center and works a minimum of 25 hours per  
2 week; and

3                   (3) Whose employment and eligibility are verified by the certified child care center at  
4 which the child care professional is employed.

5                   (c) A certified child care center is a New Hampshire based, licensed child care center,  
6 licensed home child care center, or licensed-exempt center, that is registered and enrolled to accept  
7 child care scholarships with the state of New Hampshire.

8                   (1) A family shall not be eligible if care is provided by a provider not licensed  
9 according to child-care center licensure rules; or registered and enrolled according to requirements  
10 for registered child care providers in the child care assistance program.

11                   (2) A family shall not be eligible if care is provided in a home child care by: a parent  
12 or stepparent; a legal guardian; or a person living in the same residence as the child in need of care.

13                   (d) A household that meets the requirements outlined in paragraph IV shall have  
14 eligibility determined for the federally-funded child care scholarship program under existing  
15 eligibility rules and be denied for being over income as a pre-requisite to consideration for the child  
16 care assistance program. If the household does not meet the eligibility income level requirements, it  
17 shall be deemed eligible for the assistance program and shall have all earned and unearned income  
18 excluded from the eligibility determination.

19                   (e) Households eligible for the assistance program qualify for the child care scholarship  
20 benefit available according to the most current market rate survey for family size, child age, type of  
21 program and service level subject to the same cost share as families eligible for the child care  
22 scholarship program.

23                   (f) Upon implementation, the department of health and human services shall develop  
24 and engage child care providers and/or staff on verification process for program eligibility and  
25 develop a public awareness campaign to support broad access.

26                   V. On or before March 1, 2025, the department shall provide a detailed report of the  
27 assistance program to the house health and human services oversight committee and senate health  
28 and human services committee of the general court. The report shall include data on utilization,  
29 including the number of individuals seeking services of paragraph I, the number of individuals  
30 provided services as part of the program, the total cost of the services provided, and other relevant  
31 information necessary to assess the effectiveness and cost of the program.

32                   2 Department of Health and Human Services; Waiver Request. The department of health and  
33 human services shall submit any waiver or request required by the United States Department of  
34 Health and Human Services, Office of Child Care to use New Hampshire's Child Care and  
35 Development Fund (CCDF) funds for the purpose of administering the child care assistance program  
36 established in section 1 of this act.

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1       3 Appropriation. The sum of \$250,000 for the biennium ending June 30, 2025, is hereby  
2 appropriated to the department of health and human services for the purpose of information system  
3 enhancements to implement this assistance program. The sum of \$2,300,000 for the fiscal year  
4 ending June 30, 2025 is hereby appropriated to the department of health and human services for the  
5 administration, management, and benefit issuance of the child care assistance program for the child  
6 care workforce. Funds appropriated shall be nonlapsing and the department shall have the  
7 authority to transfer any remainder amounts in the child care workforce fund.

8       4 Effective Date. This act shall take effect July 1, 2024.

**SB 404-FN- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2024-1571h)

AN ACT                    relative to expanding child care professionals' eligibility for the child care scholarship program.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures	\$0	\$2.66 million - \$3.16 million	\$2.3 million - \$2.8 million	\$2.3 million - \$2.8 million
Funding Source(s)	General Fund			
Appropriations	\$0	\$2.55 million	\$0	\$0
Funding Source(s)	General Fund			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ See Below
- Does this bill authorize new positions to implement this bill? ☒ No

**METHODOLOGY:**

This bill directs the Department of Health and Human Services to create a child care assistance program for the child care workforce. In response to an earlier iteration of the bill, the Department projected that between 361 and 434 children would be eligible for the program. Assuming all eligible children will enroll in licensed child care facilities, the Department expects the average cost per eligible family (after family cost sharing requirements) to be \$122.08 per week. Yearly costs are therefore expected to range from \$2.3 million to \$2.8 million. In addition, the Department assumes changes will need to be made to the New HEIGHTS eligibility system, at a one-time cost of \$330,000.

The bill contains nonlapsing appropriations of \$250,000 and \$2,300,000 in FY 2025. As written, the bill does not contain language authorizing the governor to draw a warrant for the funds appropriated. Absent this language, the source of funds (though assumed to be general funds) is unclear, and there is no mechanism for the appropriation to be implemented.

**AGENCIES CONTACTED:**

Department of Health and Human Services