



North Carolina Department of Health and Human Services

**DIVISION OF CHILD DEVELOPMENT**

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Beverly Eaves Perdue, Governor

Lanier M. Cansler, Secretary

Deborah J. Cassidy, Director

July 8, 2011

**MEMORANDUM**

**TO:** Interested Parties

**FROM:** Dedra Alston  
Rule-Making Coordinator

**RE:** Proposed Changes to the Subsidized Child Care Rules  
10A NCAC 10 .0102, .0203, .0308-.0313; .0401, .0402, .0506, .0603, .0703, .0803, and .0910

The NC Social Services Commission proposes to amend rules to ensure that they are necessary to support the state's Subsidized Child Care Program. Rules determined to be outdated are proposed to be repealed. They are Rules .0401, .0402, .0603 and .0703.

There was a work group consisting of the Division of Child Development and Early Education staff, local agency staff and community partners that made recommendations to move responsibility for issuance of sanctions from the state to the county level. The rules did not include a clear appeals process, so language outlining that process is proposed in Rules .0311 through .0313.

Also proposed are amendments to the existing rules to ensure the health and safety of children by clarifying rules governing denial or termination of funding to facilities subject to administrative action under G.S. 110-85, *et seq.* These amendments can be found in Rules .0308, .0309, .0310, .0506, and .0803. The amendment to Rule .0102 is to add the definition of "owner" so that it corresponds with the Child Care Commission's rules to ensure that sanctioned owners of facilities are not able to reincorporate to avoid imposition of sanctions for fraud. Amendments in Rules .0203 and .0910 are also proposed to comply with the transfer of authority to regulate certified developmental facilities from the Division of Mental Health to the Division of Child Development and Early Education.

A public hearing will be held on August 9, beginning at 10:00 a.m. at the Division of Social Services, Albemarle Building, 325 Salisbury Street, Conference Room 819-E, Raleigh, NC. A copy of the proposed rules as published in the July 1st, NC Register is attached and will also be available on the Division's website at [www.ncchildcare.net](http://www.ncchildcare.net) under the "What's New" tab.

The Social Services Commission encourages and welcomes feedback from you. This is an opportunity for the public to provide input on the proposed rules. It will be helpful for the Commission to hear your concerns or support for these changes as the rules are finalized. Written comments may be submitted through August 30, 2011, to Dedra Alston, Rule-making Coordinator, NC Division of Child Development and Early Education, 2201 Mail Service Center, Raleigh, NC 27699-2201 or by email to [Dedra.Alston@dhhs.nc.gov](mailto:Dedra.Alston@dhhs.nc.gov). Please feel free to visit the Division of Child Development and Early Education's website at [www.ncchildcare.net](http://www.ncchildcare.net) as a source of information about child care and for any updates.

/dla

Attachment