

2025 -- H 5196

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM

Introduced By: Representatives Diaz, Shallcross Smith, Caldwell, Craven, Cruz, Slater,
Edwards, Casimiro, Donovan, and McNamara

Date Introduced: January 24, 2025

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-5.2-20 of the General Laws in Chapter 40-5.2 entitled "The Rhode
2 Island Works Program" is hereby amended to read as follows:

3 **40-5.2-20. Childcare assistance — Families or assistance units eligible.**

4 (a) The department shall provide appropriate child care to every participant who is eligible
5 for cash assistance and who requires child care in order to meet the work requirements in
6 accordance with this chapter.

7 (b) **Low-income child care.** The department shall provide child care to all other working
8 families with incomes at or below two hundred sixty-one percent (261%) of the federal poverty
9 level if, and to the extent, these other families require child care in order to work at paid
10 employment as defined in the department's rules and regulations. The department shall also provide
11 child care to families with incomes below two hundred sixty-one percent (261%) of the federal
12 poverty level if, and to the extent, these families require child care to participate on a short-term
13 basis, as defined in the department's rules and regulations, in training, apprenticeship, internship,
14 on-the-job training, work experience, work immersion, or other job-readiness/job-attachment
15 program sponsored or funded by the human resource investment council (governor's workforce
16 board) or state agencies that are part of the coordinated program system pursuant to § 42-102-11.
17 Effective from January 1, 2021, through June 30, 2022, the department shall also provide childcare
18 assistance to families with incomes below one hundred eighty percent (180%) of the federal poverty
19 level when such assistance is necessary for a member of these families to enroll or maintain

1 enrollment in a Rhode Island public institution of higher education provided that eligibility to
2 receive funding is capped when expenditures reach \$200,000 for this provision. Effective July 1,
3 2022 through December 31, 2024, the department shall also provide childcare assistance to families
4 with incomes below two hundred percent (200%) of the federal poverty level when such assistance
5 is necessary for a member of these families to enroll or maintain enrollment in a Rhode Island
6 public institution of higher education. Effective January 1, 2025, the department shall also provide
7 childcare assistance to families with incomes below two hundred sixty-one percent (261%) of the
8 federal poverty level when such assistance is necessary for a member of these families to enroll or
9 maintain enrollment in a Rhode Island public institution of higher education.

10 (c) No family/assistance unit shall be eligible for childcare assistance under this chapter if
11 the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which
12 corresponds to the amount permitted by the federal government under the state plan and set forth
13 in the administrative rulemaking process by the department. Liquid resources are defined as any
14 interest(s) in property in the form of cash or other financial instruments or accounts that are readily
15 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit
16 union, or other financial institution savings, checking, and money market accounts; certificates of
17 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments
18 or accounts. These do not include educational savings accounts, plans, or programs; retirement
19 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.
20 The department is authorized to promulgate rules and regulations to determine the ownership and
21 source of the funds in the joint account.

22 (d) As a condition of eligibility for childcare assistance under this chapter, the parent or
23 caretaker relative of the family must consent to, and must cooperate with, the department in
24 establishing paternity, and in establishing and/or enforcing child support and medical support
25 orders for any children in the family receiving appropriate child care under this section in
26 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker
27 relative is found to have good cause for refusing to comply with the requirements of this subsection.

28 (e) For purposes of this section, “appropriate child care” means child care, including infant,
29 toddler, preschool, nursery school, and school-age, that is provided by a person or organization
30 qualified, approved, and authorized to provide the care by the state agency or agencies designated
31 to make the determinations in accordance with the provisions set forth herein.

32 (f)(1) Families with incomes below one hundred percent (100%) of the applicable federal
33 poverty level guidelines shall be provided with free child care. Families with incomes greater than
34 one hundred percent (100%) and less than two hundred percent (200%) of the applicable federal

1 poverty guideline shall be required to pay for some portion of the child care they receive, according
2 to a sliding-fee scale adopted by the department in the department's rules, not to exceed seven
3 percent (7%) of income as defined in subsection (h) of this section.

4 (2) Families who are receiving childcare assistance and who become ineligible for
5 childcare assistance as a result of their incomes exceeding two hundred sixty-one percent (261%)
6 of the applicable federal poverty guidelines shall continue to be eligible for childcare assistance
7 until their incomes exceed three hundred percent (300%) of the applicable federal poverty
8 guidelines. To be eligible, the families must continue to pay for some portion of the child care they
9 receive, as indicated in a sliding-fee scale adopted in the department's rules, not to exceed seven
10 percent (7%) of income as defined in subsection (h) of this section, and in accordance with all other
11 eligibility standards.

12 (g) In determining the type of child care to be provided to a family, the department shall
13 take into account the cost of available childcare options; the suitability of the type of care available
14 for the child; and the parent's preference as to the type of child care.

15 (h) For purposes of this section, "income" for families receiving cash assistance under §
16 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in
17 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and
18 unearned income as determined by departmental regulations.

19 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast
20 the expenditures for child care in accordance with the provisions of § 35-17-1.

21 (j) In determining eligibility for childcare assistance for children of members of reserve
22 components called to active duty during a time of conflict, the department shall freeze the family
23 composition and the family income of the reserve component member as it was in the month prior
24 to the month of leaving for active duty. This shall continue until the individual is officially
25 discharged from active duty.

26 (k) ~~Effective from August 1, 2023, through July 31, 2025, the~~ The department shall provide
27 funding for child care for eligible childcare educators, and childcare staff, who work at least twenty
28 (20) hours a week in licensed childcare centers and licensed family childcare homes as defined in
29 the department's rules and regulations. Furthermore, the department shall provide funding for child
30 care for eligible staff providing early intervention services at least twenty (20) hours per week to
31 infants and toddlers with developmental delays and disabilities under Part C of the Individuals with
32 Disabilities Education Act. Eligibility ~~is limited to qualifying childcare educators and childcare~~
33 ~~staff with family incomes up to three hundred percent (300%) of the applicable federal poverty~~
34 ~~guidelines and~~ for child care assistance for these children will fall under the federal Child Care

1 [Development Funds definition of a "protected population" and would be determined on a case-by-](#)
2 [case basis by the department using federal affordability guidelines. Families determined eligible by](#)
3 [the department under this "protected population" category](#) will have no copayments. Qualifying
4 participants may select the childcare center or family childcare home for their children. The
5 department shall promulgate regulations necessary to implement this section, and will collect
6 applicant and participant data to report estimated demand for state-funded child care for eligible
7 childcare educators, ~~and~~ childcare staff [and early intervention staff](#). The report shall be due to the
8 governor and the general assembly [annually](#) by November 1, ~~2024~~.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM

1 This act would eliminate the sunset on the provision of funding for child care for eligible
2 child care educators and child care staffs, remove the family income limit, and would expand the
3 program to include staff providing early intervention services to infants and toddlers with
4 developmental delays and disabilities and would require an annual reporting of participant data to
5 the governor and general assembly by November 1.

6 This act would take effect upon passage.

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