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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HUMAN SERVICES -- CHILD CARE ASSISTANCE PROGRAM
COPAYMENTS

Introduced By: Representatives Diaz, Kazarian, Shallcross Smith, Donovan, Cruz,
Giraldo, Slater, Tanzi, and Casimiro

Date Introduced: January 30, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Findings of fact.
- 2 The general assembly hereby finds as follows:
- 3 (1) Access to affordable, high-quality child care is essential to the economic stability of
- 4 Rhode Island’s working families and the health and development of young children.
- 5 (2) The federal Child Care and Development Block Grant Act (“CCDBG”) requires states
- 6 to establish sliding fee scales for family copayments that account for family income and size and
- 7 that ensure copayments are affordable and not a barrier to accessing care.
- 8 (3) Federal regulations finalized in 2024 prohibit family copayments in excess of seven
- 9 percent (7%) of family income and encourage states to eliminate or significantly reduce
- 10 copayments for families with low incomes, particularly those under one hundred fifty percent
- 11 (150%) of the federal poverty level.
- 12 (4) Rhode Island law currently requires a sliding fee scale for child care assistance and,
- 13 pursuant to the Child Care and Development Fund (CCDF) final rule, caps family copayments are
- 14 capped at seven percent (7%) of family income.
- 15 (5) Data from December 2024 demonstrate that a majority of families receiving assistance
- 16 under the Child Care Assistance Program are not charged a copayment, and that modest statutory
- 17 changes could further reduce financial barriers while maintaining program sustainability.
- 18 (6) It is therefore the intent of the General Assembly to codify an affordable sliding fee

1 scale in statute, expand eligibility for zero copayments, and reduce copayment amounts for working
2 families, consistent with federal law and best practices.

3 SECTION 2. Title 40 of the General Laws entitled "HUMAN SERVICES" is hereby
4 amended by adding thereto the following chapter:

5 CHAPTER 6.7

6 CHILD CARE ASSISTANCE PROGRAM COPAYMENTS

7 **40-6.7-1. Child care assistance program -- Family copayments.**

8 (a) The department of human services ("DHS"), as the lead agency for the child care
9 assistance program ("CCAP"), shall establish and administer family copayments pursuant to a
10 sliding fee scale set forth in this section.

11 (b) Family copayments under the CCAP shall:

12 (1) Be based on family income and family size;

13 (2) Not be based on the cost of care or the amount of subsidy payment;

14 (3) Be affordable and not constitute a barrier to participation; and

15 (4) Not exceed seven percent (7%) of a family's annual income, regardless of the number
16 of children in care.

17 (c) Except as otherwise provided in subsection (d) of this section, family copayments shall
18 be assessed according to the following sliding fee scale, expressed as a percentage of annual family
19 income:

20 Table 1: Child Care Assistance Program Family Copayment Schedule

<u>Income Level as % of</u>	<u>Copayment as %</u>
<u>Federal Poverty Level ("FPL")</u>	<u>of Family Income</u>
<u>At or below 125% FPL</u>	<u>0%</u>
<u>Above 125% FPL and at or below 150% FPL</u>	<u>2%</u>
<u>Above 150% FPL and at or below 200% FPL</u>	<u>4%</u>
<u>Above 200% FPL and at or below 300% FPL</u>	<u>6%</u>

27 (d) DHS may waive family copayments, in whole or in part, for families who meet one or
28 more of the following criteria, consistent with federal law and regulations:

29 (1) Families with children in foster care or kinship care, or otherwise receiving or in need
30 of protective services;

31 (2) Families experiencing homelessness;

32 (3) Families with children who have a disability, as defined by federal regulation;

33 (4) Families enrolled in Head Start or Early Head Start programs; or

34 (5) Any other category authorized under federal Child Care and Development Fund rules.

1 (e) DHS is authorized to establish by regulation additional categories of copayments for
2 families with incomes above three hundred percent (300%) of the federal poverty level; provided
3 that, no copayment exceeds the cap set forth in subsection (b)(4) of this section.

4 (f) DHS shall periodically review the sliding fee scale to ensure compliance with federal
5 requirements and the affordability of child care for Rhode Island families, and shall report any
6 recommended statutory changes to the general assembly.

7 **40-6.7-2. Severability.**

8 If any provision of this chapter or its application is held invalid, such invalidity shall not
9 affect the other provisions or applications of the chapter which can be given effect without the
10 invalid provision or application.

11 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1
- This act would codify child care copayments in law, expand zero copays to families under
- 2
- 125% FPL, lower costs for working families, and cap most copayments at 6% while preserving a
- 3
- 7% statutory maximum.
- 4
- This act would take effect upon passage.

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