



Ohio Administrative Code

Rule 5180:6-1-09 Program responsibilities for publicly funded child care.

Effective: August 1, 2026

(A) Who is eligible to sign an agreement to provide publicly funded child care (PFCC)?

- (1) A child care program who operates a licensed child care center; a licensed type A or type B child care home; a licensed preschool program; a licensed school-age program; an approved child day camp; a certified in-home aide; or a regulated border state program is eligible to sign a provider agreement.
 - (a) A licensed preschool or school-age program is to become eligible to sign a provider agreement after complying with the background check requirements pursuant to rule 5180:2-12-09 of the Administrative Code.
 - (b) A border state program is to register in Ohio's statewide licensing system prior to signing a provider agreement.
- (2) Except as described in paragraph (A)(3) of this rule, a program who operates a licensed child care program is to be eligible to provide PFCC only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.
- (3) A program is exempt from paragraph (A)(2) of this rule if the program operates any of the following:
 - (a) A program that operates only during the summer and not for more than fifteen consecutive weeks.
 - (b) A program that operates only during school breaks.
 - (c) A program that operates only on weekday evenings, weekends, or both.
 - (d) A program that holds a provisional license issued under section 5104.03 of the Revised Code.
 - (e) A program that had its' step up to quality program rating removed by the Ohio department of children and youth (DCY) within the previous twelve months.
 - (f) A program that is the subject of a revocation action initiated by DCY, but the license has not yet been revoked.
 - (g) A licensed child care center, licensed pre-school or school-age program that provides PFCC to less than twenty-five per cent of the program's license capacity.



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(h) A program that is a type A family child care home or licensed type B family child care home.

(4) Programs with a signed provider agreement are to maintain compliance with all requirements of the Child Care and Development Block Grant Act (CCDBG) of 1990, established in section 5082 of the Omnibus Budget Reconciliation Act of 1990, 104 Stat. 1388-236 (1990), 42 U.S.C. 9858, and reauthorized and amended by the CCDBG Act of 2014, Pub. L. No. 113-186, 128 Stat. 1971 (2014) 42 U.S.C. 9858.

(B) What are the program requirements to sign an agreement for PFCC?

(1) Programs are eligible for payment after they complete the provider agreement with DCY located at https://oclqs.my.site.com/oclqs_home and have entered all required information.

(a) The provider agreement is effective on the date it is signed and submitted by the program or the date the program becomes an eligible program pursuant to paragraph (A) of this rule, whichever is later.

(b) The provider agreement as entered into with DCY may be terminated if DCY determines misuse of PFCC or the automated child care system.

(c) The provider agreement as entered into with DCY may be terminated in accordance with the terms contained in the agreement.

(d) The provider agreement is to be terminated if the eligible program fails to maintain approval as an eligible program.

(e) Programs of PFCC with a valid provider agreement are not to be considered employees of DCY but are to be considered independent contractors who are responsible for the requirements of self-employment pursuant to 5104.03 and 5104.12 of the Revised Code.

(2) DCY is to pay eligible child care programs for PFCC services provided to eligible caretakers authorized to that program.

(a) An eligible child care program who provides child care services for a caretaker who is potentially eligible for PFCC benefits shall be paid for child care services if an authorization is created by the county department of job and family services (CDJFS) pursuant to rule 5180:6-1-06 of the Administrative Code.



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(b) Payment for PFCC services are to be contingent upon the availability and appropriation of state and federal funds.

(C) How is a program to track attendance for PFCC services?

- (1) Child care programs are to utilize the automated child care system to track attendance data for caretakers who have applied or have been determined eligible for PFCC, in accordance with procedures outlined by DCY.
- (2) Child care programs or a person acting in any capacity for the program are not to use the personal identification information created by the caretaker or a caretaker's designee/sponsor to track or approve attendance in the automated child care system.
- (3) The program is to be responsible for the cost of replacement or repair of the hardware required for use of the automated child care system. Recoupment may occur through the payment adjustment process.

(D) How are school hours deducted in the automated system for school-age children being cared for by a program?

- (1) The program is to enter each school-age child's current school schedule in the automated system on or before the first day of the school year as defined in rule 5180:6-1-01 of the Administrative Code or the child's first week of attendance if authorization is after the first day of the school year. Each school schedule is to include all of the school year, but may begin earlier and/or end later.
- (2) The schedule set by the program for each school-age child is to be used to deduct the hours in which that child is in school and not at the child care program.

(E) How is a program to submit attendance data for child care services provided?

A child care program is to submit all data for the calculation of payments in accordance with instructions provided by DCY.

- (1) Attendance data is to be submitted for payment after the close of the service week and no later than four weeks from the last day of the service week or four weeks from the last day of the week the authorization is provided to the automated system, whichever is later.
- (2) Only complete data (days with both an in and out time for the child receiving care) may be submitted.



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- (3) Each school-age child is to have an associated school schedule set by the program pursuant to paragraph (D) of this rule before the child's attendance may be submitted for payment.
 - (4) Changes to attendance data are to be submitted with caretaker approval.
 - (5) The program may track attendance or make changes to attendance data in the automated child care system without caretaker approval if all of the following apply:
 - (a) There has been a loss of contact with the caretaker for five consecutive calendar days from the last day of attendance.
 - (b) The program has notified the CDJFS of the loss of contact.
 - (c) The authorization to the program has been ended.
 - (d) Any new or changed attendance is limited to no more than five consecutive days.
 - (6) Once attendance has been submitted, the program has until the following Saturday to recall the submitted attendance in order to make a change to the attendance data. Any changes made are to require caretaker approval pursuant to paragraphs (E)(4) and (E)(5) of this rule prior to resubmitting the attendance.
 - (7) Payment processing will begin on the Sunday following the submission of the attendance data.
 - (8) If the attendance has not been submitted pursuant to the timeline in paragraph (E) of this rule, DCY is to automatically process any complete attendance data for payment. No new attendance data may be submitted after this date.
 - (9) DCY is not to pay for a child's attendance submitted by more than one program for the same date and time.
- (F) How does a program receive payment when a caretaker's application for PFCC has been denied?
- (1) Child care programs are to submit attendance data pursuant to paragraphs (C) and (E) of this rule when notification has been received that a caretaker's application for child care has been denied.



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(2) The program may appeal a denial notice of eligibility for payment after denial within fifteen days from the date of denial if either of the following apply:

(a) Payment was denied due to a caretaker's incomplete application.

(b) Payment was denied because the program did not have a valid provider agreement when services were provided.

(3) Attendance submitted for payment after denial is not to include absent days or professional development days.

(G) How does a program request a payment adjustment after a payment has been issued?

(1) The program is to submit a request for payment adjustment in the automated child care system within four weeks of the payment date. No new attendance may be submitted for payment adjustments.

(2) If the incorrect payment amount is because of a CDJFS data entry error, the program is to contact the CDJFS to request correction of the error before the program submits the request for payment adjustment. DCY is not to process the request for payment adjustment until the error is corrected by the CDJFS. The request for adjustment may exceed four weeks from the original payment date.

(H) What are the program's responsibilities to collect the copayment?

(1) The program is to work with the caretaker to create a written and signed agreement to collect the child's assigned weekly copayment.

(2) If an assigned weekly copayment is delinquent more than two weeks from the date established in the written copayment agreement, the program is to submit a record of the delinquent copayment to the CDJFS no later than three weeks from the date the weekly copayment was due.

(3) If a program fails to inform the CDJFS of the delinquent copayment, the caretaker is to be responsible for any delinquent copayments reported by the program for up to the previous three weeks from the date the CDJFS was notified.

(4) The program cannot require the family to pay the weekly copayment when only absent days and/or professional development days are reported, with no hours of attendance at the child care program during that week.

(I) What is the process for requesting a payment enhancement when a program is making ongoing accommodations to care for a child with special needs?



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- (1) A child care program may submit a request for payment enhancement when ongoing accommodations must be made to care for a child who meets the definition of special needs as defined in rule 5180:6-1-01 of the Administrative Code, and when those accommodations result in an additional expense to the program.
 - (a) To request this payment rate, the program is to submit a completed DCY 01231 "Request for Payment Rate for Special Needs Child Care" to DCY.
 - (b) The program is to obtain and maintain the Ohio Promise Program Designation found at: <https://childrenandyouth.ohio.gov/for-providers/resources/ohio-promise>.
 - (c) DCY will notify the program of the effective date of the change in payment rate, or if the request is denied.
 - (d) An approved payment enhancement is to be in effect for twelve months for a child authorized to receive PFCC at the approved program.
 - (2) If state and/or federal funds are not available for the purchase of PFCC services, DCY is to reserve the right to deny all requests.
 - (3) The granting of this payment rate by DCY is not to be construed as constituting precedence for the granting of any other payment changes or the subsequent renewal of a rate. All requests are to be considered on an individual basis.
- (J) When are programs to contact their CDJFS regarding changes to school schedules or attendance?
- (1) A program is to contact their CDJFS if a preschool-age child becomes school-age eligible in the fall, and is not planning to attend elementary school.
 - (2) A program is to contact their CDJFS when a school-age child changes schools.
 - (3) A program is to contact their CDJFS when a child stops attending a program that is authorized to provide PFCC services for the child.