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HOUSE MEMORIAL 92

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

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A MEMORIAL

REQUESTING A TASK FORCE OF CONCERNED AND INTERESTED PARTIES TO
STUDY AND REPORT ON THE COST OF FULL COMPLIANCE WITH AND
IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES GUIDELINES AND RECOMMENDATIONS FOR ELIGIBILITY,
LEVEL OF SUBSIDY AND PARENTAL COPAYMENTS UNDER THE FEDERAL
CHILD CARE AND DEVELOPMENT FUND PROGRAM.

WHEREAS, the federal Child Care and Development Block
Grant Act of 1990 was adopted to assist families to transition
from welfare to work by providing the means for child care; and

WHEREAS, the federal Child Care and Development Block
Grant Act of 1990 was consolidated with other federal child
care programs into the child care and development fund; and

WHEREAS, the federal temporary aid for needy families
program that helps low-income families move from welfare to

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1 work also provides that thirty percent of its aid can be
2 transferred to the child care and development fund for child
3 care; and

4 WHEREAS, child care and development fund grants in New
5 Mexico are administered by the children, youth and families
6 department; and

7 WHEREAS, the goals of the child care and development fund
8 are to:

9 A. allow each state maximum flexibility in
10 developing child care programs and policies that best suit the
11 needs of children and parents;

12 B. promote parental choice to empower working
13 parents to make their own decisions on the child care that best
14 suits their family needs;

15 C. encourage states to provide consumer education
16 information to help parents make informed choices about child
17 care;

18 D. assist states to provide child care to parents
19 trying to achieve independence from public assistance; and

20 E. assist states in implementing the health,
21 safety, licensing and registration standards established in
22 state rules; and

23 WHEREAS, low-income families that have access to child
24 care subsidies are able to work and support their families; and

25 WHEREAS, children enrolled in child care programs have

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1 better educational outcomes and are better socialized; and

2 WHEREAS, United States department of health and human
3 services guidelines and recommendations are that:

4 A. family eligibility for support from the child
5 care and development fund should be at eighty-five percent of
6 state medium income adjusted for family size;

7 B. family copayments for child care should be no
8 more than ten percent of family income; and

9 C. child care provider reimbursement should be at
10 the seventy-fifth percentile of market rates; and

11 WHEREAS, the children, youth and families department is
12 not following the federal guidelines and recommendations
13 because it is:

14 A. only providing assistance to families whose
15 income is one hundred fifty percent of the federal poverty
16 level;

17 B. requiring copayments on a sliding scale that are
18 greater than ten percent; and

19 C. reimbursing child care providers at a base rate
20 below the seventy-fifth percentile of market rates, resulting
21 in fewer providers, providers making only minimum wage and a
22 higher turnover of eligible providers; and

23 WHEREAS, not only is the children, youth and families
24 department responsible for complying with and implementing the
25 federal guidelines and recommendations for eligibility,

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1 copayments and provider reimbursement under the child care and
2 development fund, but also interested and concerned with
3 compliance and implementation are the legislative finance
4 committee; the working parents association of the Olé education
5 fund, representing parents; the quality early learning
6 association, representing owners of early education centers;
7 the New Mexico early educators united, representing early
8 educators in early education centers; the partnership for
9 community action, representing parents and community members;
10 and New Mexico voices for children, an advocate for quality
11 early childhood education;

12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
13 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative
14 finance committee be requested to ask the children, youth and
15 families department, the working parents association of the Olé
16 education fund, the quality early learning association, the
17 early educators united, the partnership for community action
18 and New Mexico voices for children to join a task force
19 to study the cost of fully complying with and implementing the
20 federal guidelines and recommendations for eligibility,
21 copayments and provider reimbursement under the child care and
22 development fund; and

23 BE IT FURTHER RESOLVED that the legislative finance
24 committee report its findings to the governor and the
25 legislative health and human services committee; and

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1 BE IT FURTHER RESOLVED that copies of this memorial be
2 transmitted to the director of the legislative finance
3 committee, the secretary of children, youth and families, the
4 working parents association of the Olé education fund, the
5 quality early learning association, the early educators united,
6 the partnership for community action and New Mexico voices for
7 children.

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