

# Child Care Stabilization Grant Policy and Procedures

Effective: April 1, 2022

Last Updated: July 23, 2024

## 1. Program Overview

The Department of Workforce Services' (DWS) Office of Child Care's (OCC) Child Care Stabilization Grant's (CCSG) purpose is to assist child care providers facing financial burdens due to the COVID-19 pandemic. The funds aim to stabilize the child care sector and support the needs of children, parents and the child care workforce. The last day to apply for a stabilization grant was July 31, 2022.

## 2. Eligibility - An eligible child care provider or program for the Stabilization Grant follows these requirements:

### a. To qualify for a CCSG, a provider shall:

- i. Be licensed, regulated or registered no later than March 11, 2021; Effective May 1, 2022, the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act states that:

1. Child care programs licensed, regulated or registered *after* March 11, 2021 could be eligible for the Stabilization grant under CRRSA Funding.
2. Commercial preschools may be eligible to apply under CRRSA funding.

- ii. Meet state and local health and safety requirements at time of the application;

- iii. Be open and serving children at the time of the application and during the grant period;

### 1. Exceptions may be considered for the following:

- a. The program is temporarily closed for up to two weeks due to COVID-19 "close contact" exposure.
- b. The program is temporarily closed for up to two weeks due to a public health order issued by the Utah Department of Health and/or the provider's local public health agency.
- c. The program is temporarily closed up to two weeks due to the primary care provider experiencing extenuating circumstances.
- d. Program has a current approved grant application, the program regularly opens and operates during the school year, but temporarily closes for the summer month(s) and does not care for children.

- i. The program may continue to receive stabilization grant payments for administrative expenses within allowable categories. Examples of administrative expenses may include

1. Professional development and training for

- staff
    - 2. Mental health support for staff
    - 3. Facility maintenance and improvements
    - 4. Rent, utilities and insurance
    - 5. Goods and services
  - ii. If the program closes during the summer month(s) and does not have expenses in the allowable categories, the program must notify OCC at least 14 calendar days prior to the scheduled closed date.
    - 1. Email OCCStabilization@utah.gov the expected date of closure so that payments can be suspended for the month(s) the program closes.
    - 2. Failure to notify OCC in a timely manner may result in overpayment and recoupment of payment.
- iv. Maintain liability insurance with the correct coverage for the program's capacity size (see Section 4.a.).
- v. Be one of the following provider types, as listed with Utah's Department of Health and Human Services' Child Care Licensing Program:
  - 1. Child Care Center;
  - 2. Child Care Licensed Family;
  - 3. Child Care Residential Certificate;
  - 4. DWS Approved, Exempt Center;
  - 5. DWS Approved, Exempt School Age Program;
  - 6. Child Care Out of School Time Program; or
  - 7. Child Care Commercial Preschool (effective May 1, 2022)
- vi. Acknowledge, in the CCSG application, that the program has not sought nor is seeking reimbursement from other publicly funded grants for the same business expenses for which CCSG funding will be used.
  - 1. The provider must notify OCC, within 30 calendar days, if changes occur during the duration of the grant that result in expenses funded by the grant being provided by other publicly-funded grants or assistance.
  - 2. Failure to comply may result in overpayment or grant termination. The program will be required to repay CCSG funds that were reimbursed from other publicly funded grants.
    - a. An overpayment is a payment to the program which is greater than the amount the program was entitled to receive. The amount of the overpayment is the difference between the payment amount the program received and the payment amount it should have received. If the program received a payment for which it is not eligible, the total amount issued is the amount of the overpayment. OCC will seek repayment of any overpayment.
- vii. Certify and agree to at time of application:

1. Pay each employee at least the same amount in weekly wages and maintain the same benefits for the duration of the grant; and
2. Not furlough any employees or eliminate positions without cause from the date of application submission through the duration of the grant.
3. Provide relief from copayments and tuition payments for families enrolled in the child care programs, to the extent possible, and prioritize relief for families struggling to make either type of payment, targeting families earning below 85% of the state median income.
  - a. Effective 2/1/2023, providers cannot use CCSG funds for relief from copayment and tuition payments for families.

### **3. Application**

- a. Applications are available in the Care About Childcare web application (<https://careaboutchildcare.utah.gov/>) for administrators of eligible programs.
  - i. Program administrators with identified role(s) as Director or Owner can complete the Child Care Stabilization grant application.
  - ii. Grant application opened December 1, 2021.
  - iii. The application period closed July 31, 2022.
- b. Portions of the application have been pre-filled with information from the child care licensing database.
- c. To verify, and to complete the remaining required application fields, the provider must have the following information:
  - i. The number of children currently enrolled;
  - ii. Program hours and operational status;
  - iii. If the provider was a recipient of the Operations Grant;
  - iv. If the provider has an outstanding overpayment for the Operations Grant or Subsidy payments;
  - v. Estimated monthly expenses in areas where Stabilization Grant funds are allowed; and
  - vi. A plan to show how the provider will maintain sustainability of the program after the Stabilization funds are no longer available.
- d. More detailed information and assistance on completing the application is available at <https://jobs.utah.gov/covid19/covidocc.html>.

### **4. Required documents**

- a. Liability Insurance
  - i. The Department of Workforce Services shall be added as a Certificate Holder to the policy. Address: Department of Workforce Services, 140 East 300 South, Salt Lake City, Utah 84111.
    1. The Department of Workforce Services shall be notified if the provider cancels the insurance.

- ii. The insured party name and address for the certificate of insurance shall match the facility name listed on Child Care Licensing for which the provider is applying for the grant.
  - iii. Liability insurance amounts are based on provider type:
    - 1. Child Care Center: \$1 million per incident and \$3 million aggregate.
    - 2. Child Care Licensed Family (Licensed for up to 16 children): \$1 million per incident and \$2 million aggregate.
    - 3. Child Care Licensed Family (Licensed for up to 8 children) and Child Care Residential Certificate: \$500,000 per incident and \$1 million aggregate.
- b. Form W-9
- i. All required fields must be completed to ensure timely filing of the Form 1099. Specifically:
    - 1. The business name (Line 1) and address (Lines 5-6) shall match the Child Care Licensing information provided to the IRS.
    - 2. A check has been added to the appropriate box for federal tax classification.
    - 3. The Taxpayer Identification Number is included.
    - 4. The Form W-9 is signed and dated.
- c. Payroll
- i. If the provider opted in for the enhanced monthly rate amount, payroll documentation is required to verify each month the provider meets the minimum 51% requirement of staff earning at least \$15 per hour. Payroll documentation is not required at monthly reporting if the program is receiving the grant's base rate monthly amount.
  - ii. Follow Child Care Licensing policies and regulations for caregivers.
    - 1. Minor staff must be age 14 or older and designated with an "Other Staff" (E) role or age 16 or older and designated with an "Other Staff" (E) role or a "Caregiver" (C) role in the Child Care Licensing Provider Portal to be counted toward the 51% requirement.
    - 2. Stabilization funds cannot pay staff under the age of 14.
    - 3. For additional information regarding employment of minors, please reference Utah Code:  
<https://le.utah.gov/xcode/Title34/Chapter23/34-23-P2.html>
  - iii. Monthly documentation for total hours worked and hourly wage for each employee is required.
    - 1. Providers shall upload a document with the monthly reporting to clarify employment status for any staff listed on Child Care Licensing that is not on the current payroll documentation and any staff with payroll but is not listed on Child Care Licensing. For example, substitute teachers, seasonal staff or caregivers who may

- be on leave.
- 2. Providers shall combine all documents into one file format and upload one submission through the Child Care Stabilization Grant tile on Care About Childcare.
- iv. Payroll documentation may include the following documents:
  - 1. Signed timesheets;
  - 2. Spreadsheets downloaded from valid payroll provider (i.e. ADP, Gusto, etc.);
  - 3. Pay Stub- pay dates must fall in the reporting month for payroll;
  - 4. Canceled checks; or
  - 5. Venmo records with hours worked in the comment section.
- v. Payroll documentation must include the following information:
  - 1. Employee name;
  - 2. Hours worked;
  - 3. Gross and net pay;
  - 4. Pay date;
  - 5. Pay period.
- vi. Staff can only be counted at one main location for the enhanced grant payment monthly reporting. The providers designate the main location for staff, once the staff is assigned to the main location, that staff cannot be reassigned.

## 5. Funds and Allowable Expenses

Costs such as home mortgage, streaming services, utilities, vehicle, furniture, appliances, remodeling, televisions, etc. which are used for both child care and other uses such as personal or shared resources with other operations, costs attributable to the grant must be allocated using a reasonable methodology consistent with IRS regulations.

- a. Allocating Costs: costs that benefit two or more child care centers/locations may be allocated if the costs are distributed using a method that reasonably approximates the benefit received at the center or location. The allocation method must be documented, indicating any analysis performed and describing how the method approximates the benefit received at the locations and must be applied consistently.
- b. Eligible child care providers may use the funds on key operating expenses.
  - i. Goods and services: Any material goods or services necessary for operating a childcare program to facilitate play, learning, meals, diapering, toileting, safe sleep and transportation. Examples of goods and services include:
    - 1. Food and nutrition- food, snacks, beverages, dishes, bottles, bibs, cups, silverware and supplies for meal times.
    - 2. Learning- books, workbooks, arts and crafts materials.
    - 3. Sleeping- cribs, crib mattresses, sheets, cots, pillows, blankets and materials for napping and sleeping.

4. Play- toys and games for inside and outside play.
  5. Diapering and toileting- diapers, wipes, toilet paper and toilet training supplies.
  6. Transportation - Providers may claim expenses for items a-f or g.
    - a. Car insurance
    - b. Transportation or transportation costs for staff to travel to and from work and/or child care related activities
    - c. Transportation for children to and from child care facility and/or child care related activities
    - d. Purchase of snow tires or other safety related equipment maintenance
    - e. Maintenance
    - f. Fuel
    - g. Standard mileage rate
      - i. This rate is intended to account for fixed and variable costs of operating an automobile.
  7. Licensing- fees and expenses related to maintaining a license.
  8. Other- tax preparer, accountant, or professional financial expert consultation.
- ii. Rent, utilities and insurance: Rent (including rent under a lease agreement) or payment on any mortgage obligation, utilities, facility maintenance or improvements, or insurance. Examples of rent, utilities and insurance includes:
1. Late fees or charges related to late payment of rent, utilities or insurance expenses.
  2. Gas, electric, garbage, internet, phone, water or sewer payment(s).
  3. Homeowners or general liability insurance.
  4. Minor improvements such as installing ramps or railings, automatic doors or upgrading playground equipment.
- iii. Mental health services: providers may use these funds to support the mental health of children and employees. The mental health services' main goal must be to alleviate or prevent a mental health disability or disorder. They do not include expenses for general wellness such as gym membership, spa service or a vacation. Examples of mental health services may include:
1. Infant and early childhood mental health consultation with mental health providers.
  2. Mental health training for children, parents and/or employees.
  3. Employee assistance programs.
  4. Mental health support services for providers and/or employees.
  5. Purchase of mental health apps for providers and/or employees.
  6. Toys to spark conversations with children about emotions and stress.

- iv. Personnel costs: Expenses related to hiring, compensating, training and retaining staff. Salaries, fringe benefits, health, dental and vision insurance; paid sick or family leave and retirement contributions. Personnel costs related to payroll must be based on records that accurately reflect the work performed. Generally, this means a timesheet documenting the hours worked for a period of time with the hourly wage. Personnel costs must be reasonable and consistent with that paid for similar work within the occupation. Examples of personnel costs may include:
  - 1. Tuition coverage for child care costs for children of staff members.
    - a. Effective 2/1/2023 Providers cannot use CCSG funds for relief from copayment and tuition payments for families.
  - 2. Educational advancement or tuition reimbursement for staff education.
  - 3. Bonuses for child care staff.
  - 4. Vaccine-related costs such as paid time off to get vaccinated and transportation to appointments.
  - 5. Personnel costs can pay for staff wages who are listed on CCL with qualified role(s) of caregiver, owner, director, director designee, business administrator and/or other. The following restrictions apply:
    - a. Personnel costs to pay staff not listed on CCL, volunteers, household members or board members or is not an allowable expense.
    - b. Personnel costs to pay minors under the age of 14 is not an allowable expense.
      - i. Effective March 1, 2023, to qualify for allowable expenditures including personnel costs under the Stabilization Grant, providers must certify that minor employees age 14 or older are designated with an “Other Staff” (E) role and minor employees age 16 or older are designated with an “Other Staff” (E) role or a “Caregiver” (C) role in the Child Care Licensing Provider Portal to ensure compliance with CCL rules and regulations.
- v. Equipment and supplies: to support safety protocols, technological upgrades or programs in response to the COVID-19 public health emergency. Providers shall keep invoices/receipts for payments made and provide an explanation for supplies and equipment costs in response to COVID-19. Examples of equipment and supplies may include:
  - 1. Accounting or payroll software.
  - 2. Computers, smartphones or tablets.
  - 3. Business software and upgrades.
  - 4. Indoor and outdoor equipment.

- vi. Personal protective equipment (PPE): cleaning and other health and safety practices. Uses of funds under this category are not limited to those designed specifically in response to the COVID-19 public health emergency and may include equipment, supplies, services and training that support meeting state and local health and safety guidelines. Examples of PPE may include:
  - 1. Sanitizing and disinfecting materials.
  - 2. Face masks, face shields, disposable gloves and hand sanitizers.
  - 3. Changes made to your facility to address COVID-19 such as air filtration systems and plexiglass dividers.
  - 4. Training for provider(s) and employees on proper cleaning and disinfection protocols.
- c. The Child Care Stabilization Grant is considered income and is taxable. Grant recipients will receive an IRS Tax Form 1099. Different types of business expenses have different tax implications. Licensed Family providers may charge a percentage of expenses attributable to the business. Licensed Family providers will need to follow the IRS Publication 587 and utilize the “Time-Space percentage formula” when using funds for allowable expenses.
- d. Providers are encouraged to consult with a tax expert or accountant about their business expenses and how the grant will affect their taxes.

## **6. Allowable Expenses Time Frame**

- a. Providers shall spend the grant funding within 60 days of payment issued. Exceptions may be granted for extenuating circumstances.
  - i. Unused funds must be returned or recouped to DWS if not spent within 60 days from the date of the payment issued.
  - ii. All requests for exceptions must be emailed in advance to OCC Stabilization Grant.
- b. Past expenses
  - i. Providers can use funds to pay prior program expenses incurred after December 1, 2021 to the date of application. These expenses shall be reported during the first monthly report. All expenses and receipts need to be dated December 1, 2021 - November 30, 2024.
  - ii. Expenses cannot have been funded by a prior Child Care Development Fund program or reimbursed by another state or federal fund source.

## **7. Grant Amount**

- a. Grant amount will be based on the licensed capacity of a provider. Licensing capacity is pulled from the Department of Health and Human Services’ Child Care Licensing Program. The licensed capacity will be multiplied by the base rate of \$350 per slot, with the following exceptions:
  - i. If the program is open less than 21 hours per week, the base rate will be reduced by 50%.



- ii. If the provider pays, or will pay, a minimum of \$15 per hour for at least 51% of their staff, an additional \$50 per licensed capacity slot is available as an enhanced rate for a total of \$400 per slot.
    - 1. The provider has 60 days from receiving the enhanced payment to pay the majority (51% or higher) of staff a minimum wage of \$15 per hour to qualify for the enhanced rate.
  - iii. If the provider's license capacity is less than 8, the minimum payment will be based upon a licensed capacity of 8.
  - iv. Effective July 1, 2022, the grant award will not be adjusted for changes in licensed or approved capacity.
  - v. Effective July 1, 2022, providers are not able to opt in the enhanced rate or reinstate it if they stop receiving it during the grant period.
  - vi. Between December 1, 2021 and April 30, 2022, the base rate was \$250 per slot and the enhanced rate was \$300 per slot.
- b. Future amounts awarded through this grant may be reduced by DWS based on the expenses identified on the provider monthly report or for any other reason DWS deems necessary including, but not limited to:
    - i. Full time grant amount authorized for part time hours;
    - ii. Provider requests payment reduction;
    - iii. Underspending monthly grant payment; and
    - iv. Overpayment collection.
  - c. All Stabilization Grant funds are considered income by the IRS. Wages to the provider and staff are taxable.
  - d. Providers are encouraged to consult with an accountant or tax expert to fully understand the tax implications of this funding.
  - e. Future grant awards are dependent upon the availability of funds.

## **8. Contact Information**

- a. Correspondence from the Stabilization grant team will be sent to the email address listed for the provider in Child Care Licensing and Care About Childcare.
- b. Providers shall contact the assigned licensing consultant to update agency contact information in the Child Care Licensing system.

## **9. Billings and Payments**

- a. Programs will receive fixed monthly payments. The number of monthly payments will depend on when a program submits their application and the months of the year that the program is open and serving children. Monthly reporting and additional supporting documentation shall be submitted by the deadline indicated by your monthly report reviewer to avoid suspension or delay in payments.
- b. Stabilization Grant funds for newly approved grants will be issued as a check mailed out the Wednesday after the application has been approved. Provider should receive the check within 10 business days, depending on mail schedules.
- c. Ongoing monthly payments will be mailed the first Wednesday of each month,

with the exception of holidays, which will be mailed on the next business day.

## **10. Monthly Reporting**

- a. A provider receiving a grant shall complete monthly reporting by the fifth of each month showing:
  - i. Enrollment, and
  - ii. Verified grant expenditures.
- b. Monthly reports are available as early as the first Thursday after payment is issued and will be processed based on submission date.
- c. Provider access monthly reporting through the Child Care Stabilization Grant tile on Care About Childcare.
- d. Monthly reports shall be submitted by the 5th of the month regardless of whether grant funding has been issued.
- e. Required information for each monthly report:
  - i. Enter the enrollment numbers for the designated month.
  - ii. Enter the monthly grant expenditure amounts utilized from the Stabilization Grant for the designated month within the allowable categories.
  - iii. To continue receiving the enhanced rate, documentation is required to verify that 51% of all employees (not including volunteers, board members or household members) currently earn a minimum regular wage of \$15 per hour. Bonus and overtime work does not count toward the 51% calculation.
  - iv. Providers have the option of opting out of the enhanced rate during the monthly reporting.
    1. Providers may have an overpayment if they do not submit verification of compliance with terms and conditions of the enhanced payment for the month the enhanced rate was received.
    2. Providers who opted out but unintentionally opted in during the monthly reporting must upload a document, signed and dated within three calendar days to indicate the opt in was made in error.
  - v. Programs that are not currently receiving the enhanced rate have the option of opting in to the enhanced payment at the monthly reporting.
    1. The last day to opt in for enhanced rate is July 31, 2022. Any requests to opt in after this date will be denied. If an enhanced rate ends by choice or not meeting the minimum criteria after this date, it cannot be reinstated.
    2. The provider needs to submit payroll documentation to verify that 51% of all staff are currently earning a minimum of \$15 per hour to qualify for the enhanced rate when opting in within their monthly report.
    3. Providers who opted in but unintentionally opted out on their monthly report will be given one (1) opportunity to upload a

statement within three (3) calendar days to indicate the opt out was made in error and opt in when submitting the next monthly report or the opt out will be permanent.

f. Monthly Report Due Date

- i. The first monthly report is due 60 days after the grant application is approved. Ongoing monthly reports are due the 5th of each month.
- ii. Monthly reports are available as early as the first Thursday after payment is issued.
- iii. Payment will be suspended if the monthly report is not received by the 5th of the month.

1. If provider submitted monthly report, but missing required documentation

- a. Provider will be notified of missing information
- b. Provider have seven (7) calendar days from the date of request to provide additional documentation
  - i. If documentation is received after the 7th day but before the Monthly Report due date (5th of the month), the enhanced rate will not be removed.
    - Example: The April 2024 Monthly Report is submitted on May 1, 2024 (due June 5, 2024). Additional documentation is requested May 13, 2024 and due May 20, 2024. If the provider misses the 7-day deadline, the provider still has until June 5, 2024, the original monthly report due date, to provide requested additional documentation.
  - ii. If documentation is not received by the 7th day or by the Monthly Report due date (5th of the month), the enhanced rate will be removed.
- c. Failure to submit monthly reporting
  - i. Stabilization grant payment remains suspended
  - ii. Close grant application if the provider fails to submit three consecutive monthly reports and payments have been suspended for two (2) months.

- iv. Exceptions may be allowed with prior approval from DWS

g. Monthly Report Changes

- i. Providers are not able to edit the monthly report in the actual application once the report has been submitted, however they may report corrections to their monthly report. Providers may email [occstabilization@utah.gov](mailto:occstabilization@utah.gov) to request corrections to the monthly report and receive the Monthly Report Correction document with a due date of 14 calendar days.
- ii. The changes or edits are limited to one time per monthly report.

## **11. Quality Control Reviews and Audit Requirements**

- a. DWS conducts review of Stabilization grants to ensure the accuracy, quality, terms, conditions, and specification of the grant are met.
- b. Providers are not required to submit verification of program expenses with the monthly reports, i.e. receipts. However, providers are required to keep all documentation for auditing and monitoring purposes for a period of six years.
- c. Audit documentation may include:
  - i. Child care records and supporting documentation relating to program application.
  - ii. Expenditure records and supporting documentation related to costs incurred and how grant funds were spent in allowable categories.  
Expenditure records may include:
    1. Rent, mortgage or space cost receipts;
    2. Utility statements;
    3. Payroll records;
    4. Original receipts, invoices and/or documentation for purchases of goods, services and supplies;
    5. Documentation of benefits provided to staff such as tuition reimbursement for staff education.
- d. Providers found to have violated terms of the grant requirements, the application process or certification will receive written notice and have an opportunity to correct any non-compliance.
  - i. Failure to make the required corrections or indication that a provider provided false or misleading information to DWS with regards to funding requirements may be subject to one of the following:
    1. Overpayment penalties up to 75% of the monthly grant amount until the amount is recouped in full;
    2. Future monthly payments discontinued; or
    3. Referral to adjudication or collections for potential repayment.
- e. If a program is selected for an audit, the provider will receive an email notification with further instructions and point of contact for the process from the Audit Team.
- f. Failure to comply with the DWS audit process may result in payments being withheld or grant closure.

## **12. Overpayments**

- a. The provider may have an overpayment if any of the following occurs:
  - i. Underutilization of funds
    1. Underutilization is the grant amount that was not spent within the timeframe.
    2. OCC will request information for underutilization to better understand the provider's needs.

3. If the provider confirms the program is not able to spend the grant amount approved, OCC will adjust future payments to match current reported program expenditures. If projected program expenditure changes and the provider is able to utilize the original award amount in the future, the provider may submit a written request with explanation to be considered by the OCC manager.
4. Providers who submit spending reports with expenses totaling less than the funded amount are expected to RETURN the unspent funds to the Department. Exceptions may be allowed with prior approval from DWS.
  - a. This applies to the amount above the threshold of underutilization.
  - b. A determination is made that there is an overpayment
    - i. The provider is notified of the overpayment, including an explanation, overpayment amount and recoupment details.
    - ii. The provider is informed that they may request a review of the overpayment and instructions to file a review request.
  - c. Returning unspent funds
    - i. Staff adjust the grant amount up to 75% until the overpayment is recouped in full. If the grant is closed, the provider will receive an invoice with payment instructions.
    - ii. Providers have the option to set up a payment plan if unable to pay the debt in full by emailing OCC.
- ii. Misuse of funds
  1. Providers are responsible for understanding allowable expenses as outlined in grant application agreements.
  2. The misuse of stabilization funds will result in overpayment and possible grant closure. Examples of misuse of funds include:
    - a. Providers found to inadvertently spend funds on non allowable expenditures;
    - b. Providers not able to account for allowable expenses with receipt support, invoice, and/or documentation;
    - c. Providers suspected of intentional program violations.
- iii. Missing enhanced rate documentation
  1. Providers who opted in for the enhanced grant rate agreed to pay the majority of staff (51% or higher) a minimum wage of \$15 per hour within 60 days of receiving the enhanced rate.
  2. Providers who do not comply with the enhanced rate shall return the enhanced rate portion of the grant. Examples of noncompliance include:

- a. Enhanced rate approved, but the provider did not comply with terms of paying 51% of staff a minimum of \$15 per hour within 60 days of grant approval;
    - b. Enhanced rate approved when the provider is a sole proprietor and has no employees; or
    - c. Provider did not submit monthly reporting to verify payroll for ALL employees, to comply with enhanced rate terms.
  - iv. Missing or incorrect Liability Insurance
    - 1. Liability insurance with DWS as certificate holder and required limits are required at time of application and duration of grant.
    - 2. Provider is expected to return grant funds if any of the following occurs.
      - a. Insurance coverage start date after grant approved.
      - b. Insurance does not meet the required limits for the provider type.
      - c. Insurance expired, canceled or terminated and the provider failed to upload proof of insurance coverage within 14 calendar days after insurance ended.
  - v. Other Errors
    - 1. Errors made in determining eligibility or amount of grant funding due to the following will result in overpayment to DWS.
      - a. Eligibility criteria were incorrectly applied or information entered incorrectly on the grant application. An example is Child Care Licensing initial regulation date was recorded incorrectly.
      - b. Program licensing type changed and licensing type does not qualify for Stabilization grant.
      - c. Incorrect computation of funding amount. Examples include:
        - i. Provider is part-time but received funding for a full-time program.
        - ii. Program temporarily closed but did not notify the Stabilization Grant team in a timely manner, as defined in section 2 - Eligibility.
- b. Overpayment Notices
  - i. Providers shall comply with overpayment notices issued by the DWS.
  - ii. Providers cannot use other state or federal funds for overpayment of the Stabilization grant.
- c. Overpayment Procedure
  - i. If a provider is found to have an overpayment from the Stabilization Grant, OCC will reduce the monthly grant payment up to 75% each month until the total overpayment is recouped in full. Exceptions could be:
    - 1. The overpayment is due to program underutilization of funds, in

which case payment may be suspended to \$1.00 until the program reaches the threshold of 5% of the grant amount.

2. A negotiated amount between the program and OCC.
- ii. If the grant application is closed, an invoice will be emailed to the provider with instructions to make payment.
  1. Failure to comply with an overpayment notice may result in discontinuation of future eligibility for grant funds, recoupment of payments already made, and/or referral to DWS Internal Audit for additional action.
- iii. Provider will be notified by email that includes:
  1. Reason for overpayment and recoupment information.
  2. Instructions to request a Program Review if the provider disagrees with the overpayment notification.
  3. If the grant is closed, the provider will receive an invoice with payment instructions.
- iv. If a program review is requested, the program specialist or program manager will conduct the review request. If additional information from the provider is needed, program specialist/manager may request the provider submit it within 14 calendar days.
  1. Program Review Approved
    - a. If the provider submits valid evidence and supporting documentation, the matter may be resolved at this level with no further review.
    - b. Provider will be notified of the outcome:
      - i. Review complete: supporting documentation accepted and the overpayment is resolved.
    - c. Staff will adjust the overpayment to reflect the amount reduced.
  2. Program Review Upheld
    - a. Program concludes that the original overpayment is correct and issues a decision.
    - b. Review complete and overpayment decisions are upheld
    - c. Provider will be notified of the outcome
    - d. Provider has 14 calendar days of the date of the notice to request a Division Review.

### 13. Review of Child Care Stabilization Grant Decisions

- a. A provider may request a program review if the provider disagrees with a decision.
  - i. A program review must be requested within 14 calendar days of the date of the notice from DWS or the decision stands. Failure to request a review within 14 calendar days will result in denial of the request.
  - ii. A program review request shall include:

1. Owner name;
  2. Child care program name;
  3. Stabilization grant application ID;
  4. Reason for the program review request; and
  5. Supporting documentation and evidence to support the request.
- iii. A provider will be notified of missing information and be allowed an additional ten calendar days to correct errors or submit missing information.
    1. Failure to resubmit a complete request by the required deadline, including a ten day extension, will result in denial of the review.
  - iv. The CCSG program will review the request within 14 calendar days of receiving the complete request.
- b. A provider may request a division review if the provider disagrees with the program review.
- i. A division review request must be received within 14 calendar days of the program review decision notice from OCC or the program review decision will stand. Failure to request a division review within 14 calendar days will result in denial of the request.
  - ii. Information to be submitted with a division review shall include:
    1. Owner name;
    2. Child care program name;
    3. Stabilization grant application ID;
    4. Reason for the division review request; and
    5. Supporting documentation and evidence to support the request
  - iii. A provider will be notified of missing information and be allowed an additional ten calendar days to correct errors or submit missing information.
    1. Failure to resubmit a complete request by the required deadline, including a ten calendar day extension, will result in denial of the review.
  - iv. OCC will review the request within 14 calendar days of receiving the information listed above.
  - v. If the provider disagrees with the division review decision, the provider may request a Department Review.
- c. Department Review
- i. A request for a Department Review must be received within 30 days of the date of Division Review or the decision stands.
  - ii. Department Review may be requested by submitting a written letter, contacting DWS by email, mail or fax.
    1. Mailing address to request review  
 Department of Workforce Services  
 Fair Hearing Unit  
 PO Box 1432455



Salt Lake City, Utah 84114-3245

2. Email to request review

[OCCStabilization@utah.gov](mailto:OCCStabilization@utah.gov)

Subject Line: Stabilization Grant Department Review

3. Fax to request review

(801) 526-9242