



DEPARTMENT OF HUMAN SERVICES  
Amendment to Chapter 17-798.2  
Hawaii Administrative Rules

December 1, 2009

SUMMARY

1. § 17-798.2-12 is amended.
2. § 17-798.2-14 is amended.

§17-798.2-12 Child care rates.

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- (b) The rates are established in Exhibit I, dated October 1, 2009, attached at the end of this chapter.

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[Eff 3/8/08; am **JAN 22 2010** ] (Auth: HRS 346-14) (Imp: §346-14; 45 C.F.R. §98.42)

§ 17-798.2-14 Method of computing child care payment.

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(b) The child care payment amount shall be determined by:

- (1) Counting the caretaker's activity hours to be engaged in for the month, as referenced in section 17-798.2-14(a)(2), comparing these activity hours with the child care hours needed, and always choosing the lesser hours; provided that:
  - (A) This is not required for child care needed for child protective services reasons as ordered by the court;
  - (B) This is not required for the Preschool Open Doors program; and
  - (C) In the case of a caretaker who is temporarily disabled in accordance with subparagraph 17-798.2-9(b)(2)(I), the activity hours shall be the same as the activity hours that the caretaker had been participating in prior to the temporary disability.
- (2) Identifying the type of child care selected and approved for each qualifying child, and using the child care rate table, Exhibit I, to select the appropriate rate for the care type that supports the hours needed for child care; provided that:
  - (A) For child protective services need is based on the number of hours of child care specified in the court order; and
  - (B) For the Preschool Open Doors program need is based on the number of hours of child care requested by a caretaker.
- (3) Comparing the child care allowance determined by subparagraphs (b)(1) and (2) and the actual child care cost, and choosing the lesser amount.

- (4) Determining the family unit's co-payment (conversely, the percentage of the DHS maximum rate allowable) based on the family unit's monthly gross income, and using the co-payment rates established in Exhibit III, dated October 1, 2009, attached at the end of this chapter.
- (5) Subtracting the family unit's co-payment from the amount determined in subparagraph (b) (3).

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[Eff 03/08/08; am **JAN 22 2010** ] (Auth: HRS  
§346-14) (Imp: HRS §346-14; 45 C.F.R. §98.20)

## CHILD CARE RATE TABLE

<b>Center-Based Infant/Toddler Care</b>	97+ Monthly Hours \$1,395	61-96 Monthly Hours \$1,243	25-60 Monthly Hours \$777	1-24 Monthly Hours \$311
<b>NAEYC Accredited* or NECPA Accredited Center-Based Care</b>	97+ Monthly Hours \$710	61-96 Monthly Hours \$632	25-60 Monthly Hours \$395	1-24 Monthly Hours \$158
<b>Licensed Center-Based** or Group Child Care Home</b>	97+ Monthly Hours \$675	61-96 Monthly Hours \$601	25-60 Monthly Hours \$376	1-24 Monthly Hours \$150
<b>Licensed Family Child Care Home Infant/Toddler Care</b>	97+ Monthly Hours \$650	61-96 Monthly Hours \$579	25-60 Monthly Hours \$362	1-24 Monthly Hours \$145
<b>Licensed Family Child Care Home**</b>	97+ Monthly Hours \$600	61-96 Monthly Hours \$534	25-60 Monthly Hours \$334	1-24 Monthly Hours \$134
<b>License-Exempt Relative and Non-Relative Infant/Toddler Care</b>	97+ Monthly Hours \$400	61-96 Monthly Hours \$356	25-60 Monthly Hours \$223	1-24 Monthly Hours \$89
<b>License-Exempt Relative, Non-Relative, and Group Care**</b>	97+ Monthly Hours \$350	61-96 Monthly Hours \$312	25-60 Monthly Hours \$195	1-24 Monthly Hours \$78
<b>Licensed Before School Care/ After School Care</b>	45+ Monthly Hours \$155	30-44 Monthly Hours \$136	15-29 Monthly Hours \$90	1-14 Monthly Hours \$43
<b>License-Exempt Before School Care/ After School Care</b>	45+ Monthly Hours \$60	30-44 Monthly Hours \$53	15-29 Monthly Hours \$35	1-14 Monthly Hours \$17

\* NAEYC refers to National Association for the Education of Young Children. NECPA refers to National Early Childhood Program Accreditation

\*\*Summer and Inter-session care rates are the same as the rates listed here.

**All Rates include an estimate of travel time.**

Department of Human Services  
Benefit, Employment and Support Services Division  
October 1, 2009

EXHIBIT I

**Child Care  
Gross Income Eligibility Limits and Sliding Fee Scale**

Family Size	Income Eligibility Limit	0-50% FPL	50%-70% FPL	70%-100% FPL	100%-110% FPL	110%-125% FPL	125%-150% FPL	150%-160% FPL	160%-175% FPL	175%-200% FPL	200% FPL – elig. limit
		(100% of DHS max. rate allowed)  0% family co-pay	(90% of DHS max. rate allowed)  10% family co-pay	(80% of DHS max. rate allowed)  20% family co-pay	(70% of DHS max. rate allowed)  30% family co-pay	(60% of DHS max. rate allowed)  40% family co-pay	(50% of DHS max. rate allowed)  50% family co-pay	(40% of DHS max. rate allowed)  60% family co-pay	(30% of DHS max. rate allowed)  70% family co-pay	(20% of DHS max. rate allowed)  80% family co-pay	(10% of DHS max. rate allowed)  90% family co-pay
1	2431	446	669	892	981	1115	1338	1427	1561	1784	2431
2	3179	599	898	1197	1317	1496	1796	1915	2095	2394	3179
3	3927	751	1127	1502	1652	1878	2253	2403	2629	3004	3927
4	4675	904	1355	1807	1988	2259	2711	2891	3162	3614	4675
5	5423	1056	1584	2112	2323	2640	3168	3379	3696	4224	5423
6	6171	1209	1813	2417	2659	3021	3626	3867	4230	4834	6171
7	6312	1361	2042	2722	2994	3403	4083	4355	4764	5444	6312
8	6452	1514	2270	3027	3330	3784	4541	4843	5297	6054	6452
9	6592	1666	2499	3332	3665	4165	4998	5331	5831	6592	-
10	6732	1819	2728	3637	4001	4546	5456	5819	6365	6732	-
11	6873	1971	2957	3942	4336	4928	5913	6307	6873	-	-
12	7013	2124	3185	4247	4672	5309	6371	6795	7013	-	-
13	7153	2276	3414	4552	5007	5690	6828	7153	-	-	-
14	7293	2429	3643	4857	5343	6071	7286	7293	-	-	-
15	7434	2581	3872	5162	5678	6453	7434	-	-	-	-
For each add'l, add	140	152	229	305	335	382	140	-	-	-	-

**Instructions:**

1. Gross Income (GI) eligibility limit is at 85% of State Median Income (SMI).
2. Compare GI with Income Eligibility Limit to determine income eligibility.
3. If GI is less than or equal to the Income Eligibility Limit, find the largest reimbursement rate for which the income limit is greater than or equal to GI.

**Note:**

The percentage of the DHS maximum rate allowed yields the actual payment amount that the department will issue to the family per child. A family unit's co-payment is conversely related to the percentage of the department's maximum rate allowed.

Department of Human Services  
Benefit, Employment and Support Services Division  
October 1, 2009

DEPARTMENT OF HUMAN SERVICES

The amendments to Chapters 17-798.2, Hawaii Administrative Rules, on the Summary Page dated December 1, 2009, were adopted on December 1, 2009, following a public hearing held on November 23, 2009, after public notice was given in the Honolulu Star-Bulletin, Hawaii Tribune-Herald, West Hawaii Today, The Maui News and The Garden Island on October 23, 2009.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.



LILLIAN B. KOLLER, Director  
Department of Human Services

APPROVED AS TO FORM:



Deputy Attorney General

APPROVED:



LINDA LINGLE  
Governor  
State of Hawaii

Date:

Filed

10 JAN 13 AM 18

LIEUTENANT GOVERNOR'S  
OFFICE