

EMPLOYEE BENEFITS

1. **REASON FOR ISSUE:** To update the Department of Veterans Affairs (VA) Child Care Subsidy Program.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory VA procedures on the provision of employee benefit program information. The pages in this issuance replace the corresponding page numbers in VA Handbook 5009. Revised text is contained in [brackets]. These changes will be incorporated into the electronic version of VA Handbook 5009 that is maintained on the Office of Human Resources Management Website. Significant changes include:
 - a. Organizational realignment and name changes: Management, Planning & Analysis, Human Resources and Administration/Operations, Security, and Preparedness, is responsible for program administration and oversight of the operational component of the CCSP.
 - b. Clarification of the definition of child for VA employees to be eligible to receive child care subsidy benefits.
 - c. Clarification of the age limitation for covered children.
 - d. Increase in the annual total family income (TFI) from \$69,999 to \$89,999.
 - e. Decrease in the annual maximum subsidy from \$7,200 (\$600/month) to \$5,000 (\$416.66/month).
3. **RESPONSIBLE OFFICE:** Worklife and Benefits Service, Office of the Chief Human Capital Officer (OCHCO), Human Resources and Administration/Operations, Security, and Preparedness.
4. **RELATED DIRECTIVE:** VA Directive 5009, Employee Benefits.
5. **RESCISSIONS:** None.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

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APPENDIX A. VA CHILD CARE SUBSIDY PROGRAM BENEFIT PLAN I-A-1

PART I. VA CHILD CARE SUBSIDY PROGRAM

1. **PURPOSE.** This handbook establishes Department of Veterans Affairs (VA) procedures for the VA Child Care Subsidy Program (CCSP), which permits the use of appropriated funds, including revolving funds otherwise available for salaries, to subsidize child care costs for lower income employees.
2. **RESPONSIBILITIES.**
 - a. The Assistant Secretary for [Human Resources and Administration/Operations, Security, and Preparedness (HRA/OSP)] has overall responsibility for the VA CCSP.
 - b. The [Chief Human Capital Officer (CHCO), HRA/OSP], has responsibility for the administration of the program and issuing departmental policy.
 - c. The [Executive Director, Management, Planning & Analysis (MP&A), HRA/OSP,] is responsible for oversight of the operational component of the CCSP.
 - d. The Director, Worklife and Benefits Service (WLB), [OCHCO, HRA/OSP], shall provide oversight of the VA CCSP policy, provide advisory service to the CCSP Service on the interpretation and application of the CCSP policy, and submit the [] CCSP Data Call Report to the Office of Personnel Management (OPM) [upon request].
 - e. [The Director, CCSP Service, MP&A, HRA/OSP,] is responsible for administering day-to-day operations of the CCSP [and] tracking the utilization of child care subsidy funds [].
 - f. Field HR offices are responsible for informing and advising their employees about the CCSP and certifying the submission of completed applications to the CCSP Service via the Child Care Records Management System (CCRMS).
 - g. VA Employees shall:
 - (1) Complete the online CCSP application via the CCRMS which includes the submission of all required and supporting documents electronically;
 - (2) Report accurate information on all VA forms and any additional supporting documents in connection with their application to participate in the CCSP. Employees are responsible for reporting any changes, such as marriage, divorce, family income, child care provider, a change in appointment, or any information for which the CCSP Service will need to update the participant's file;

- (3) Pay the full amount of the monthly child care costs for which they are billed by their child care provider;
- (4) Timely submit child care provider invoices to align with the computer-generated VA Form 0730h, VA Child Care Subsidy Program Benefit Payment Request, via CCRMS for payment of CCSP benefits;
- (5) Certify and returning the VA CCSP Award Agreement and the VA CCSP Tax Implication Agreement to the CCSP Service within the required time; and
- (6) Recertify annually by [April 30] to determine their eligibility for continued participation in the VA CCSP for the period of May 1- April 30 of each year.

3. REFERENCES.

- a. Public Law 106-58, Treasury and General Government Appropriations Act, 2000, Section 643, September 29, 1999.
- b. Public Law 107-67, Treasury and General Government Appropriations Act, 2002, Section 630, November 12, 2001.
- c. 5 Code of Federal Regulations (CFR) 792, subpart B, Agency Use of Appropriated Funds for Child Care Costs for Lower Income Employees.
- d. 26 United States Code (U.S.C.) 129, Dependent Care Assistance Programs.

4. DEFINITIONS.

- a. **Affidavit.** A written declaration made under oath before a Notary Public or other public officer authorized to administer oaths and affirmations that the statements in the document are true.
- b. **Adoption.** The official transfer through the court system of all the parental rights that a biological parent has to a child, along with an assumption by the adopting parent of all of the parental rights of the biological parents that are being terminated and assumed in their entirety by the adoptive parents, including the responsibility for the care and supervision of the child, its nurturing and training, its physical and emotional health, and its financial support.
- [c. **Adopted Child.** Applicable state law governs whether a child has been adopted. A child is considered adopted once the adoption decree is final. The child is also considered adopted if the adoption decree is interlocutory or provisional, and state law provides that the rights of the child generally are the same as those of an adopted child.]
- d. **Child.** For the purposes of this part, a child is someone who bears any of the following relationships to the employee, the employee's spouse, [the employee's civil union partner,] or the employee's domestic partner:

- (1) A biological child who lives with the VA employee;
 - (2) An adopted child who lives with the VA employee;
 - (3) A stepchild who lives with the VA employee;
 - (4) A foster child who lives with the VA employee;
 - (5) A child for whom a judicial determination of support has been obtained [and who lives with the VA employee;] or
 - (6) [A child who lives with the VA employee,] and, wherein, the child's primary financial support (via regular and substantial contributions) is provided by the VA employee's spouse or the VA employee's civil union and/or domestic partner.]
- e. **Child Care Provider.** An individual or entity providing child care services for which Federal employees' families are eligible. The provider must be licensed and or regulated, and the provider's services can be provided in a Federally sponsored child care center, a non-Federally sponsored child care center, or a family child care home.
- f. **Child Care Provider Invoice.** An itemized statement of fees or written account for charges or costs of child care provider services rendered during the month for which the employee is requesting payment of a CCSP Benefit payment. The invoice must include the following:
- (1) Date of invoice;
 - (2) Names and addresses of employee and provider;
 - (3) Description of services purchased;
 - (4) The amount due for the month services was provided; and
 - (5) Tax Identification number or Employer Identification Number (EIN) of provider.
- g. **Child Care Records Management System (CCRMS).** The VA automated system through which employees must submit their CCSP application and child care provider invoice(s) supporting the on-line benefit payment requests for processing and approval.
- h. **Child Care Subsidy Program (CCSP).** The program established by VA using appropriated funds, as provided for by this part, to assist lower-income employees with child care costs. The program includes such activities as determining the eligibility criteria, income threshold, subsidy amounts, application procedures, approval of participation, and the establishment of procedure for

making payments. The CCSP is not intended to support an employee's obligation to meet their child support payment responsibilities.

- i. **[Civil Union.** A legal relationship between two people that provides legal protection to the couple only at the state level. A civil union is not a marriage.]
- j. **[Couple.** A spouse, civil union partner, or unmarried parent living in the same household as the VA employee.]
- k. **Disabled Child.** A child who is unable to care for himself or herself because of a physical or mental condition as determined by a physician or licensed or certified psychologist.
- l. **Domestic Partner.** [A person of the opposite or same-sex to whom the VA employee is in a domestic partnership with.]
- m. **Domestic Partnership.** [A committed relationship between two adults of the opposite or same-sex in which the partners:
 - (1) Are each other's sole domestic partner and intend to remain so indefinitely;
 - (2) Maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment-related, financial, or similar obstacle);
 - (3) Are at least 18 years of age and mentally competent to consent to a contract;
 - (4) Share responsibility for a significant measure of each other's financial obligations;
 - (5) Are not married or joined in a civil union to anyone else;
 - (6) Are not the domestic partner of anyone else;
 - (7) Are not related in a way that would prohibit legal marriage in the United States jurisdiction in which the domestic partnership is formed;
 - (8) Are willing to certify that they understand that willful falsification of any documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification as well as constitute a criminal violation under 18 U.S.C. § 1001, and that the method for securing such certification, if required, will be determined by VA; and
 - (9) Are willing promptly to disclose, if required by VA, any dissolution or material change in the status of the domestic partnership.
- n. **Electronic Funds Transfer (EFT).** A system of transferring money from one bank account directly to another without the exchange of paper money. With

EFT, CCSP benefit payments are made by direct deposit to the bank of the employee's designated child care provider [upon completion of the VA Form 10091, Financial Services Center Vendor File Request Form].

- o. **Eligible Child Care Expenses.** Fees paid to a qualifying child care provider for services rendered to care for an eligible child so that the employee can earn income from employment with VA. Qualifying services do not include; administrative fees, art fees, movie fees, field trip fees, tutoring/educational learning or study skill fees, language classes fees, clothing fees, diaper and book fees, registration fees, deposits, late payment fees, enrollment/reservation fees, safe arrival fees, non-sufficient fund fees, kindergarten tuition fees, school tuition fees, dance or piano lesson fees, transportation to and from eligible care (not provided by eligible child care provider), or returned check fees.
- p. **Employee.** For the purposes of this part, an employee means all appointive positions in the Department of Veterans Affairs (5 U.S.C. § 2105). Private contractors are not employees.

[q. **Foster Child**

(1) A child is considered a foster child when placed in the employee's home by a welfare or social service agency or other regulatory jurisdiction under an arrangement in which the employee retains a regular parent-child relationship with the child. This means that the employee exercises authority, responsibility and control over the child by caring for, supporting, disciplining and making decisions about the child's education and health care. This excludes employees who are grandparents unless they are serving as court appointed custodians or legal guardians.

(2) A child who has been placed in the employee's home by a welfare or social service agency under an agreement where the agency retains control of the child or pays for maintenance does not qualify as a foster child because there is no regular parent-child relationship.]

(3) A child living temporarily with the employee as a matter of convenience does not qualify as a foster child. For example, a child who lives with the employee only while attending school normally does not qualify as a foster child because this is considered an arrangement of convenience.

- r. **Foster Parent.** An adult who is licensed by the state, county, or regulatory jurisdiction to provide a temporary home or foster care for children whose biological or adoptive parents or legal guardians, whether male or female, are unable to care for them. For this part, the employee must be 18 years of age and approved by the regulatory authority as a licensed or certified foster parent.
- s. **Fraud.** The knowing and intentional misrepresentation, omission, deception or suppression of truth in order to receive services one is not eligible to receive.

- t. **Full-Time.** Regularly scheduled work activities that engage an employee in a 40-hour tour of duty during an administrative workweek/80 hours a pay-period, excluding overtime hours. This definition is inclusive of employees deemed to be full-time by expressed provision of law for nurses with special work schedules under 38 U.S.C. § 7456 or 7456A (72/80 Alternate Work Schedules for Nurses, and Baylor Plan Nurses).

- [u. **Grandchild.** Grandchild(ren) do not meet the eligibility criteria as an employee's child. However, a grandchild may qualify as a foster child if the requirements listed below are met:
 - (1) The child must be under the age of 13, or under the age of 18 if disabled;
 - (2) The child must currently live with the employee;
 - (3) The parent-child relationship must be with the employee who is the grandparent, not the child's biological or adoptive parent;
 - (4) The grandparent (VA employee) must be the primary source of financial support for the grandchild; and
 - (5) The grandparent (VA employee) has legal custody of the grandchild.]

- v. **Legal Guardian.** An individual, who by written court appointment, is charged with the legal responsibility for the care and management of a minor child.

- w. **Lower Income Employee.** Employees whose annual total family income falls within the lower income criteria established by VA to qualify for child care subsidy benefits.

- x. **Parent.** An individual who lives with the VA employee and is the biological, adoptive, step, or foster parent or the legal guardian of a child eligible to participate in the CCSP.

- y. **Parent-Child Relationship.** A regular parent-child relationship means that the employee is exercising parental authority, responsibility, and control over the child by caring for, supporting, disciplining, and guiding the child, including making decisions about the child's education and health care. This excludes employees who are grandparents unless they are serving as court appointed custodians or legal guardians.

- z. **Qualifying Child.** Child(ren) of an employee from birth under the age of 13 and child(ren) with disabilities under the age of 18 [who meets the definition of Child in 4(d) of this part.]

- aa. **Qualified Child Care Center.** A qualified child care center and qualified day care center are used interchangeably and are centers that:

- (1) Comply with all applicable laws and regulations of the state and town, city or village in which it is located; and
- (2) Are licensed and/or regulated to provide child care services in the state or location in which the child care center operates; and
- (3) Provide care for more than five individuals (other than individuals who reside at the child care center); and
- (4) Receive a fee, payment or grant for services for any of the individuals to whom it provides services (regardless of whether the facility is operated for a profit).

bb. Qualifying Child Care Services

- (1) Qualifying child care services are services:
 - (a) [Performed at a qualified child care center as defined in this part.]
 - (b) Performed to enable the participant and participant's spouse, civil union partner, or unmarried parent living in the same household as the VA employee to remain gainfully employed.
 - (c) Performed for the primary purpose of assuring the qualifying child's well-being and protection.
- (2) Qualifying services do not include services performed at a camp where the qualifying child stays overnight.

cc. Regular and Substantial. Actively providing financial care and support on a frequent and routine basis and in an amount, that equals at least 50 percent or more of the child's annual dependent care cost.

dd. Spouse. [The person to whom the VA employee is legally married, including a valid common-law marriage.]

[**ee. Stepchild.** In general, the child (biological or adopted) of an employee's domestic partnership is the employee's stepchild. However, the child of the employee's spouse through a previous marriage, domestic partnership or civil union is not your stepchild when the relationship is terminated. NOTE: for purposes of the CCSP, an employee's stepchild remains a stepchild and an eligible child after divorce from, or the death of the natural or adopted parent, provided that the stepchild continues to live with the employee in a regular parent-child relationship. If the stepchild stops living with the employee in a regular parent-child relationship, the child no longer meets the eligibility criteria for the CCSP.]

ff. Total Family Income (TFI). The combined annual family income of both child's

parents/guardians ([] [couple,] or domestic partner) listed on their Internal Revenue Service (IRS) tax forms as Adjusted Gross Income. For purposes of this part TFI also includes the combined family income in the household of unmarried parents living in the same household.

5. CHILD CARE PROVIDERS.

- a. Child care providers must be licensed and/or regulated to provide child care services in the state or location in which they operate.
 - b. Coverage applies to child care providers in the United States and in overseas locations.
 - c. Some foreign countries and localities have their own set of regulations for child care. If a country or locality requires that child care be regulated, local licensure or proxy for licensure may be accepted.
 - d. Employees may choose among accredited and non-accredited licensed and or regulated child care providers to ensure the widest possible choices in child care providers.
 - e. It is the responsibility of the employee to ensure a child care provider is willing to accept payment of their child care subsidy benefit via EFT. If the child care provider refuses to accept payment via EFT, no subsidy benefit payment can be otherwise made (i.e., paper check) to the designated child care provider or the employee.
 - f. The following requirements apply to child care subsidy applicants and participants who utilize regulated child care providers:
 - (1) The child care provider regulatory documentation must be issued by the state's child care regulatory authority;
 - (2) A copy of established state legislation that governs facilities in that area must be provided with the application for subsidy benefits;
 - (3) The documentation must clearly reflect that the child care provider is in compliance with the provisions of the regulations of the state, or where applicable, by local authorities where the child care service is delivered; and
 - (4) The documentation must be up to date and not expired.
- NOTE: A signed statement provided by the child care provider or VA employee that the child care provider meets all of the state regulatory requirements to provide child care services will not be accepted as regulatory documentation.
- g. To receive payments electronically, the provider must complete [VA Form 10091, FSC Vendor File Request Form]. Employees are responsible for providing the

[VA Form 10091, FSC Vendor File Request Form], to the child care provider to complete. The child care provider is responsible for [faxing, emailing or mailing the VA Form 10091] to the VA CCSP Service.

- h. Child care subsidy benefit payments are made directly to the employee's designated child care provider via EFT. No payments will be made directly to the employee.

6. ELIGIBILITY.

- a. **Employees.** Full-time VA employees are eligible to participate if:

- (1) Their TFI does not exceed the income threshold provided on the VA CCSP in Appendix A of this part; and
- (2) They are employed at VA a minimum of 60 calendar days before the employee is eligible to participate in the program. Applications will be accepted 15 calendar days prior to the eligibility date; and
- (3) Their qualifying child is enrolled in the care of a licensed and/or regulated child care provider. Child care providers must be licensed and/or regulated to provide child care services in the state or location in which they operate.

- b. **Exclusions**

- (1) Employees in part-time and intermittent appointments are not eligible to participate in the VA CCSP.
- [(2) Contractors hired by VA are not eligible to participate.]
- (3) VA employees whose TFI exceeds the income threshold established by VA are not eligible to participate in the program. No exceptions will be made to this policy.
- (4) A subsidy cannot be awarded by more than one Federal agency. When more than one parent works for the Federal government, only one parent may receive the subsidy.
- (5) The benefits from the VA CCSP will be reduced by the amount of other state or local child care subsidies received by the participant [and/or received by the child from the non-custodial/custodial parent.] Employees are responsible for determining whether acceptance of the VA child care subsidy benefit affects their eligibility for child care subsidies from any other source.

7. PARTICIPATION DETERMINATIONS.

- a. **General**

- (1) Approval to participate in the VA CCSP does not constitute a financial arrangement with the employee or the employee's child care provider(s). [Child care subsidy benefit distribution is made after services are rendered by the daycare provider and/or facilities.] Employees are responsible for the payment of their total child care costs.
- (2) The employee's ([] [couple], domestic partner, or unmarried parent living in the same household, if applicable) TFI will be used to determine the percentage of total child care costs VA will pay. Waivers will not be approved to reduce the TFI for any reason.
- (3) VA may change the maximum monthly subsidy amount and/or the percentage of total child care costs paid by VA at any time. VA will provide at least 30 days advance notification to employees prior to increasing the monthly subsidy amounts and/or percentages and at least 60 days advance notification prior to implementing changes in eligibility criteria that may have a negative impact on their personal finances.

b. Eligibility Determinations

- (1) The CCSP Service will receive employee applications for enrollment and will evaluate applications to determine employee eligibility using the criteria provided on the [CCSP website](#). An individual must be employed by VA for a minimum of 60 continuous days before they are eligible to participate in the CCSP.
- (2) If the employee is eligible to participate in the program, the CCSP Service takes the required steps to facilitate appropriate payments, including notifying employees if their application has been approved.
- (3) If the application is incomplete, employees will be notified that they have ten calendar days to submit the missing/incomplete forms and/or supporting documents into the CCRMS. If forms and/or supporting documents are not received within the ten-day timeframe, the package will be denied on failure to submit complete supporting documents.

c. Reconsideration of Denials. If an application is denied, the applicant may request, in writing, that the CCSP Service review the application again. Upon receipt of a request for review, the CCSP Service will review the decision and respond to the employee within 30 calendar days of receipt of the written request. If the CCSP Service upholds the original denial of the application, the employee may submit a written request for reconsideration to the [CHCO]. The decision of the [CHCO] is final and there are no administrative rights for further review or appeal.

d. Employee Participation. Participation in the CCSP shall be in effect from the time the employee is notified in writing that they have been approved to participate in the program until one of the following occurs:

- (1) The qualifying child(ren) is no longer enrolled in the program [with the licensed child care facility or certified child care provider that is listed on the application;]
- (2) The employee is no longer employed by VA;
- (3) The employee no longer qualifies as a lower income employee;
- (4) [The qualifying child(ren) reaches age 13 or if disabled, reaches the age of 18;]
- (5) [The qualifying child(ren) ceases to meet the definition of Child in Definitions 4(d) of this part;]
- (6) [The employee changed their name; position or position location;]
- (7) [The employee is going on planned or unplanned Family Medical Leave Act (FMLA) /Leave Without Pay (LWOP); exceptions as noted in 8a(5)(a) and (b)]
- (8) [The employee receives subsidy from any other source (state, city, etc.);]
- (9) The employee does not submit an invoice to the CCSP Service for two consecutive months; and/or
- (10) The VA no longer administers the CCSP.

8. PAYMENTS.

a. Payments

- (1) Employees are responsible for ensuring the information provided on the CCRMS online benefit payment request form matches information on invoices before submission for payment to the CCSP Service. Benefit payment requests must be submitted through the CCRMS not later than the [15th of each month] of each month following the month for which a benefit payment is requested. For example, [if payment is requested for June, the invoice must be received no later than the 15th of July of the same year.] Invoices that are not received within this timeframe will not be paid. Exceptions to this timeframe will not be approved for any reason [except for employees on approved FMLA or on military duty.] Invoices will not be mailed by HR offices, participants or child care providers. Faxed or email submissions will not be accepted unless they have been requested by the CCSP office.
- (2) Payments will be made to child care providers by EFT through [VA Form 10091, FSC Vendor File Request Form] for vendor payments based on information provided in the invoices. The child care provider can enroll into EFT by using the [VA Form 10091, FSC Vendor File Request Form]. If the child care provider does not enroll into EFT no payments for child care

services will be paid or transferred to another daycare for payment of benefits.

- (3) Employees are responsible for the payment of the full amount of their child care bill but will receive credit towards future bills each time a subsidy payment is received by the child care provider. Participation in the CCSP does not constitute an agreement between VA and an employee's child care provider.
- (4) In overseas situations where child care costs are paid in foreign currency, and with approval by the Office of Personnel Management (OPM), VA may choose to pay the subsidy directly to the employee. However, prior to issuing payment, VA will verify the child care provider service arrangement identified on the employee's application during the period covered by the subsidy award.
- (5) VA will pay child care subsidies for eligible employees during extended periods of LWOP (30 or more consecutive days) only in the following instances:
 - (a) When serving as a Reservist and member of the National Guard using LWOP to perform military service; and
 - (b) When invoking their entitlement to FMLA leave under the provisions of 5 CFR 630.1203(a).
- b. **Automatic Withdrawal from the Program.** If an employee does not submit an invoice for payment to the CCSP Service for [four] consecutive months, the employee will be automatically withdrawn from the program. The CCSP Service will issue a letter to the employee within [ten] business days after the deadline submission of the [fourth] consecutive month for which no invoice has been received stating that the employee has been withdrawn from the program. Employees who are automatically withdrawn from the program must reapply.

9. MISUSE OF SUBSIDIES.

- a. Employees who misuse child care subsidies will be subject to appropriate administrative action, including discipline and disqualification for future VA child care subsidy benefits. Depending on the severity of the abuse, disciplinary penalties could range from a letter of admonishment to removal from Federal service.
- b. Instances of fraud or possible fraud will be referred to the VA Office of Inspector General for investigation.

10. ANNUAL RECERTIFICATION REQUIREMENTS. Participants in the VA CCSP must recertify by April 30th each year. Failure to do so will result in removal from the program. Employees removed from the program due to failure to recertify by April

30th will be notified by the CCSP Service and must reapply by submitting a complete initial application. Employees will not be reinstated retroactively. Documentation requirements for recertification packages are contained in paragraph 12c of this part. No exceptions will be made for this requirement.

11. TAX IMPLICATIONS. There are tax implications for employees receiving child care subsidy greater than \$5,000 per year and/or a combination of Dependent Care Flexible Spending Account and Child Care Subsidy Benefits greater than \$5,000 per year. The benefits received under this plan (up to the amounts set forth above) may be excluded from gross income if an employee's child meets the IRS definition of a dependent. If the child does not meet the IRS' definition, the employee may still receive the subsidy, but the subsidy will be treated as taxable income.

- a. If employee applies for both the CCSP and Dependent Care Flexible Spending Account (DCFSA) during the same calendar year, part or all the CCSP benefits received will be treated as taxable income.

12. FORMS AND APPLICATION PACKAGES.

- a. **Forms.** Child care subsidy forms/automated application can be accessed at: <http://vaww.va.gov/OHRM/ccsp/Application.asp> and the VA Child Care Subsidy Program Website that outlines the procedures can be accessed at: <http://vaww.va.gov/OHRM/ccsp/Application.asp>.
- b. **Initial Applications.** The following online forms and supporting documents must be submitted online using the CCRMS. No paper or faxed applications will be accepted by the CCSP Service. Application packages will not be processed until all required documents are provided:
 - (1) VA Form 0730a, VA Child Care Subsidy Employee Application Form;
 - (2) VA Form 0730b, Child Care Provider Information (for the Child Care Subsidy Program);
 - (3) Copy of provider(s) license and schedule of fees;
 - (4) Copy of most recent SF-50, Notification of Personnel Action;
 - (5) Copy of W-2 forms for the previous year for applicant and [] couple, domestic partner, and/or unmarried parent living in the same household;
 - (6) Copy of last two Leave and Earning (L&E) Statements. New employees may provide a copy of their Appointment Letter in lieu of the L&E Statements in their application package. Employees who provide a copy of their Appointment Letter must provide copies of their last two L&E Statements to the CCSP Service as soon as the L&E Statements are available;

- (7) Signed and dated copy of most recent Federal income tax return or notarized affidavit of unemployment if [] [couple], domestic partner, or unmarried parent who resides in home was unemployed during the taxable year. If married filing separately, include signed and dated copy of [], [couple's,] or domestic partner's Federal income tax return;
- (8) Copy of birth certificate with a raised seal or a certified copy for each child. HR offices will validate that the birth certificate(s) contains a raised seal or is certified and will photocopy for inclusion in initial application packages. Employees should be instructed to contact their local or state office of vital records to obtain a certified copy of their child(ren)'s birth certificate if the employee does not have an original or certified copy;
- (9) Copy of Marriage License, Domestic Partner Registration, or Civil Union Registration with a raised seal. HR offices will validate that documents contain a raised seal or is certified by governing state or local jurisdictions, and photocopy for inclusion in the application package; and
- (10) Copy of Medical Certification of disabled child who is between 13 and 18 years of age.

NOTE: Where it is illegal under state law to photocopy birth certificates from that state, HR offices will enter the following statement in the Comments area on VA Form 0730d in lieu of the requirement to provide a copy of the birth certificate. The HR Specialist will sign and date the document and clearly print or type their name directly underneath their signature.

I certify that I have seen the birth certificate for (child's name), the child of (employee's name). The child's date of birth as indicated on the birth certificate is _____ and the child's gender is . I attest that the birth certificate has a raised seal. It is illegal to photocopy birth certificates from the state of (state).

- c. **Annual Recertification.** Employees must submit the following in their annual recertification package:
 - (1) Copy of the most recent Federal income tax return(s) and /or tax transcript(s), these returns must have either a hard or digital signature, tax id numbers etc. are not valid signatures; the form must be dated; joint filers require both signatures;
 - (2) Copy of last two L&E Statements;
 - (3) Copy of most recent SF-50, Notification of Personnel Action;
 - (4) Copy of provider's state child care license or regulated documentation (only if the license or regulated documentation currently on file has expired); and

- (5) Copy of updated Medical Certification for child between the ages of 13 and 18 with disability.
- d. **Change in Child Care Provider.** Employees must submit the online version of VA Form 0730i, Change in Child Care Provider Form in the CCRMS to the CCSP Service for each child when changing child care providers. The following information also must be uploaded via CCRMS:
- (1) VA Form 0730i, Change in Child Care Provider Form (completed by the new child care provider for each child);
 - (2) Copy of the new provider's state child care license or regulated documentation; and
 - (3) Copy of the schedule of fees from the new child care provider for each child.
- e. **Life Cycle Events/Change in Family Status.** It is the responsibility of employees who have been approved to participate in the CCSP to notify the CCSP Service of the occurrence of certain events that result in a change in the employee's family status either during or after enrollment in the CCSP. Such events may reflect a change in the employee's eligibility for participation in the program. The following life cycle events are considered a change in family status for child care subsidy benefit purposes:
- (1) Marriage, including a valid common law marriage, Domestic Partner Registration, or Civil Union Registration (in accordance with applicable state law);
 - (2) Birth of a child (the child must live with the employee in a parent-child relationship) for which an additional subsidy benefit is requested;
 - (3) The legal adoption of a child under the age of 13 or the acquisition of a foster child and for which an additional subsidy benefit is requested. The child must meet the age limit requirements and live with the employee in a parent-child relationship;
 - (4) Child no longer meets age limit criteria;
 - (5) [Child no longer meets definition of Child in Definitions 4(d) of this part;]
 - (6) Issuance or termination of a court order granting a final divorce, interlocutory/provisional divorce, or limited divorce;
 - (7) Issuance of a court decree of annulment; or
 - (8) The death of spouse, domestic partner, including a declaration by a court that the employee's missing spouse or individuals that are in a domestic partnership is presumed dead;

(9) [The unemployment of a married spouse, including a valid common law marriage or a domestic partner with domestic partner registration or civil union registration (in accordance with applicable state law); must provide valid certification of unemployment in July, January, and April of each year to maintain subsidy benefits.]

f. **Withdrawals.** Employees may withdraw from the program at any time by submitting a termination request through CCRMS to the CCSP Service. Employees who request withdrawal must submit a complete application package to again participate in the program.

g. **Steps for Completing and Submitting Initial Application Packages**

(1) The employee will use the online automated CCRMS for submission of all application packages through the employee's local HR office using their VA Network Identification. If the employee does not have a VA Network Identification, the employee will use the Social Security Number slot to create an application in the system and contact their local HR office for assistance with entering information into the system on the employee's behalf.

(2) The local servicing HR office will review all applications submitted through the CCRMS pending verification process.

h. **Returned VA CCSP Application Packages.** CCSP application packages that are submitted directly to the CCSP Service without the use of the CCRMS will be returned to the employee with instructions to submit the package through the [CCRMS.]

13. DOCUMENTATION/PROOF OF RELATIONSHIP. In applying for participation in the VA CCSP, employees are required to submit one of the following documents from each applicable category:

a. **Couple and Domestic Partnership**

(1) Certified copy of state marriage license/certificate (includes those issued in other countries) an English translation may be requested if necessary;

(2) Certified copy of partnership affidavit (as defined and/or required by governing state or local jurisdiction);

(3) Certified copy of state or municipal domestic partnership certificate/registration;

(4) Certified copy of domestic partner agreement (may be used by unmarried couples, whether of the opposite or same sex); or

(5) Certified copy of state civil union license/certificate.

b. Child

- (1) Certified copy of Birth Certificate of child for which child care subsidy benefits are requested;
- (2) Certified copy of Adoption Decree or Legal Custody Decree if custody occurred before the adoption. This should include a statement showing dates the child resided with the employee prior to issuance of the final adoption decree; or
- (3) Certified copy of Legal Custody Decree of child for which employee is applying for benefits and the employee is not the child's biological or adoptive parent. This should include a statement reflecting that the child for whom the child care subsidy benefit will be made currently resides with the employee.

c. Termination/Dissolution of Relationship. Employees must submit one of the following documents to support the termination or dissolution of a relationship of a [] [couple,] [], or domestic partnership:

- (1) Copy of Affidavit of Termination of Domestic Partnership (as defined and/or required by state or local jurisdiction);
- (2) Copy of Final Divorce Decree;
- (3) Copy of Decree of Annulment; or
- (4) Certified copy of Death Certificate.

d. Medical Certification of Child's Disability

- (1) The child's doctor must complete a medical certificate for the CCSP Service to make a determination of disability for participation in the program up until the child turns age 18. The certificate must state that a physical or mental disability existed before the child's 18th birthday, and that the disability can be expected to continue for more than one year.
- (2) The medical certificate must reflect the following:
 - (a) The child's name and birth date;
 - (b) The nature of the disability;
 - (c) The period of time the disability has existed and the date the impairment began;
 - (d) The probable future course and duration of the disability including an estimate of the expected date of full or partial recovery;

- (e) The special supervisory, physical assistance, or custodial care requirements of the child;
 - (f) Any treatments, rehabilitation programs, educational training or occupational accommodations that would result in the child becoming self-supporting; and
 - (g) The doctor's name, signature, office address, and telephone number.
- (3) At the time of annual recertification, employees must resubmit updated medical certification for a child with a disability. Failure of the employee to renew the medical certification for a disabled child will result in a change in the child's eligibility status for participation in the CCSP up until age 18.
- (4) It is the responsibility of the employee to submit timely documents regarding the disability status of their child for continued participation in the VA CCSP up until age 18. If the employee submits a medical certificate for a child after a previous certificate has expired, there will be no retroactive payment of child care subsidy benefits for the period between the expiration date of the previous certificate and the date of submission and approval of the updated medical certificate.

14. CHILD CARE RECORDS MANAGEMENT SYSTEM [(CCRMS)]

- a. The CCRMS provides a mechanism for VA employees to apply for the CCSP using an online form to reduce the time for processing applications and increase the security of information provided by employees. The CCRMS application function is available to all VA employees and allows them to scan and upload all required supporting documentation with the submission of their application for participation in the VA CCSP.
- b. The CCRMS User Manual is available to all employees and HR Specialists to assist with operational aspects of the system.
- c. The CCRMS application contains personal identifiable information. The application system protects all sensitive information by incorporating the following security controls:
 - (1) Access to data is role based and authorized by the [Director, CCSP Service;]
 - (2) Account login [will] allow access to only VA employees with an active VA Network Identification; and
 - (3) The CCRMS data [will] be encrypted while in transit and at rest. All scanned and uploaded paper documents [will] be encrypted and stored in the data base.

APPENDIX A. VA CHILD CARE SUBSIDY PROGRAM BENEFIT PLAN

VA Child Care Subsidy Program Benefit Plan	
Employee's Total Family Income*	Percentage of Total Child Care Costs VA Will Pay**
More than \$89,999	0
\$80,000 – \$89,999	25
\$60,000 – \$79,999	30
\$50,000 – \$59,999	35
\$35,000 – \$49,999	40
Under 34,999	45

*Refers to total adjusted gross income on IRS Tax Forms.

**This program includes a benefit cap of [\$5,000.00] per year. [This is a decrease from \$7,200.00.] The maximum subsidy per month [will change from \$600.00 to \$416.66 a month to eliminate VA employees from facing end of year tax implication from using the program.] Participant's benefits under this plan will be reduced by the amount of other state or local care subsidies received by the employee [or the other parent on behalf of the child to reduce the cost of daycare.] Employees are responsible for determining whether acceptance of the VA CCSP benefit affects their eligibility for child care subsidies from other sources.