

## **CHAPTER 75-02-01.3 CHILD CARE ASSISTANCE**

### **Section**

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**SECTION 1:** Section 75-02-01.3-06 is amended as follows:

#### **75-02-01.3-06. Payments to providers - Child care certificate.**

1. ~~Unless a provider otherwise elects in a signed and dated writing, all~~All payments of child care assistance must be made to a provider.
2. No payment may be made except on presentation of a claim in a form and manner required by the department for periods during which all caretakers in the child care assistance unit were engaged in an allowable activity.
3. No payment to a provider may be made at a rate in excess of that charged by the provider for services to individuals who do not receive child care assistance. The provider may request for an exception if the provider is providing quality child care services to children in vulnerable populations as determined by the department. Exceptions will be reviewed by the department on a case-by-case basis. The department may deny an exemption request or revoke an exception granted under this subsection. The decision to deny or revoke an exception is not an appealable decision.
4. The department shall issue to the eligible caretaker a child care certificate.

**History:** Effective April 1, 2010; amended effective April 1, 2014; October 1, 2016; October 1, 2018; October 1, 2022.

**General Authority:** NDCC 50-33-02

**Law Implemented:** NDCC 50-06-06.1, 50-09-02, 50-33