**Board of Early Education and Care Motion 2022-10**

**Approval of Proposed Amendments to Financial Assistance for Subsidized Care Regulations and Authorization to File the Proposed Amended Regulation with the Secretary of the Commonwealth for Publication**

Pursuant to G.L. c. 15D, § 3, the Board of Early Education and Care (“Board”) shall set policies and establish regulations related to early education and care programs and services. In order to increase the availability of continued subsidized care during the review and Informal Hearing process that follows the termination of care or denial of care at reauthorization, and streamline the review and hearing process for families, the Department of Early Education and Care (“Department”) recommends that the Board approve the following proposed amendments to the regulations governing early education and care financial assistance appeals:

* Amend 606 C.M.R. § 10.10(3) to enhance notice requirements so that families are better notified of their right to appeal and that, if they do appeal, care will be extended during the appeal process.
* Strike the language of 606 C.M.R. § 10.10(4) (Continuation of Care) and 606 C.M.R. § 10.10(5) (Continuation of Subsidized Child Care Services) and replace these regulations with consolidated language that permits continuation of child care subsidies pending appeal when a Parent is denied care at reauthorization, or when care is terminated, and outlines the Parent’s responsibilities in order to maintain care pending the outcome of the appeals process.
* Amend 606 C.M.R. § 10.11(7) and (8) to establish more clear timeframes to adjudicate appeals during the request for review and Informal Hearing process to allow families to obtain decisions in a more efficient and timely manner and to require prioritization of decisions for appeals of cases where care was denied at initial authorization.
* Amend 606 C.M.R. § 10.11(8) to allow Informal Hearings via to take place via a virtual platform to increase accessibility and reduce the need for travel for those who do not wish to do so.

From August 2, 2022 through September 2, 2022, EEC solicited Public Comment on the proposed amendments to the Subsidized Care regulations. EEC received no Public Comment on the proposed amendments thereto. Therefore, no changes have been recommended to the draft amendments to the regulations as approved by the Board at its June 21, 2022, Board meeting.

In order to be adopted, the proposed amended regulations must be filed with the Secretary of the Commonwealth and published in the *Massachusetts Register*. Therefore, EEC recommends that the Board authorize the Commissioner of Early Education and Care to file the proposed amended regulations governing Financial Assistance for Subsidized Care, 606 C.M.R 10.10 and 10.11, with the Secretary of the Commonwealth for publication in the *Massachusetts Register*.

**MOVED:**

* that the Board of Early Education and Care, in accordance with G.L. c. 15D, § 3(f), having solicited Public Comment as required by G.L. c. 30A, and having received none, hereby approves 606 CMR 10.00 and 10.11, the proposed amended regulations governing Financial Assistance for Subsidized Care.
* that the Board also authorizes the Commissioner of Early Education and Care to file the proposed amended regulations with Secretary of the Commonwealth for publication in the *Massachusetts Register* as 606 CMR 10.00 and 11.00, in accordance with G.L. c. 30A.