



Department Of Human Services

PROGRAM AREA: Economic Security	EFFECTIVE DATE: 9/11/06 REVISION DATE: 10/31/12
TITLE: Legally Exempt Qualified Child Care Providers	AUTHORIZING SIGNATURE: 

Purpose: To assure that legally exempt providers are eligible to receive CCCAP monies per Colorado State Rules and Regulations 3.900.

Policy: A fiscal agreement for child care services shall not be issued or re-newed if the provider or qualified adult who resides with the provider has been convicted of:

- Child Abuse
- A crime of violence
- Any felony offense involving unlawful sexual behavior
- Any felony found by the court to include an act of domestic violence
- Any felony involving physical assault, battery, or a drug-related offense with the five years preceding the date of the fingerprint-based criminal history check
- Any offense in any state, the elements of which are substantially similar to these mentioned
- Has a pattern of misdemeanor convictions occurring within the ten years preceding submission of the application
- Has been determined to be insane or mentally incompetent by a court of competent jurisdiction

Procedures:

All exempt family child care home providers and any adults eighteen years of age or older, (known as a qualified adult), who reside in the home of the provider or reside in the home where care is being provided, shall be subject to the fingerprint-based criminal history records check along with a review of the state administered database for child abuse and neglect.

The Garfield County Department of Human Services shall abide by the following when a person (applicant provider) indicates an interest or a parent identifies a applicant provider to provide legally exempt family child care:

1. The County DHS shall provide the fiscal agreement paperwork to interested person.
2. The interested person returns fiscal agreement paperwork to the County DHS.
3. The County DHS shall open the applicant provider, and add household members, in the Trails system.
4. The County DHS shall evaluate any match information received from the Trails system.
5. The County DHS shall provide background check paperwork to the applicant provider when the Trails system check shows no criminal background or charges of child abuse or neglect.
6. The applicant provider shall be responsible for obtaining finger prints from local law enforcement agency and returning required fees and completed background check forms to:

**Division of Child Care
1st Floor Exempt Provider, 1575 Sherman St.
Denver, CO 80203.**

7. The Division of Child Care will notify the County DHS that the fees and forms have been received and are being processed on the CHATS Fiscal Agreement Summary window under the Criminal Background Check drop down screen; the County DHS shall then open a child care authorization with the notification date as the effective date of payment to the provider.

8. Results of background check investigation will be made available to the County DHS through the CHATS system. The County DHS may continue authorizations and the fiscal agreement with the exempt provider as long as the provider or other qualified adult is not ineligible due to the circumstances charges as listed. If circumstances or charges are found, the County shall close the fiscal agreement and all authorizations with the provider and document the closure in the notes screen under the provider's record in the CHATS system.