

SECOND REGULAR SESSION

HOUSE BILL NO. 2778

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HEIN.

6497H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 208.053, RSMo, and to enact in lieu thereof two new sections relating to child care reimbursement.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.053, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 208.049 and 208.053, to read as follows:

**208.049. Child care reimbursement made under section 208.046, section 208.053,
2 or 5 CSR 25-200 shall be made based on the child's enrollment status and shall not be
3 based on the child's actual attendance.**

208.053. 1. In order to more effectively transition persons receiving state-funded child care subsidy benefits under this chapter, the department of elementary and secondary education shall, subject to appropriations, by July 1, 2024, implement a program to allow recipients to receive transitional child care benefits without the requirement that such recipients first be eligible for full child care benefits.

6 (1) For purposes of this section, "full child care benefits" shall be the full benefits awarded to a recipient based on the income eligibility amount established by the department through the annual appropriations process as of August 28, 2023, to qualify for the benefits and shall not include the transitional child care benefits that are awarded to recipients whose income surpasses the eligibility level for full benefits to continue. The program shall be voluntary and shall be designed such that a recipient may begin receiving the transitional child care benefit without having first qualified for the full child care benefit or any other tier of the transitional child care benefit.

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (2) Transitional child care benefits shall be determined on a sliding scale as follows
15 for recipients with household incomes in excess of the eligibility level for full benefits:

16 (a) Eighty percent of the state base rate for recipients with household incomes greater
17 than the eligibility level for full benefits but less than or equal to one hundred fifty percent of
18 the federal poverty level;

19 (b) Sixty percent of the state base rate for recipients with household incomes greater
20 than one hundred fifty percent but less than or equal to one hundred seventy percent of the
21 federal poverty level;

22 (c) Forty percent of the state base rate for recipients with household incomes greater
23 than one hundred seventy percent but less than or equal to one hundred ninety percent of the
24 federal poverty level; and

25 (d) Twenty percent of the state base rate for recipients with household incomes
26 greater than one hundred ninety percent but less than or equal to two hundred percent of the
27 federal poverty level, but not greater than eighty-five percent of the state median income.

28 (3) As used in this section, "state base rate" shall refer to the rate established by the
29 department for provider payments that accounts for **the following:**

30 (a) Geographic area[,];

31 (b) Type of facility[,];

32 (c) Duration of care[,and] according to the following classifications:

33 a. Full time, at least five hours but less than twelve hours per day;

b. Half time, at least three hours but less than five hours per day; or

c. Part time, at least one hour but less than three hours per day;

36 (d) Enrollment status:

37 (e) Age of the child[~~, as well as~~]; and

38 (f) Any enhancements reflecting after-hours or weekend care, accreditation, or
39 licensure status, as determined by the department.

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41 **The state base rate shall be paid based on enrollment status.** Recipients shall be
42 responsible for paying the remaining sliding fee to the child care provider.

43 (4) A participating recipient shall be allowed to opt out of the program at any time,
44 but such person shall not be allowed to participate in the program a second time.

45 2. The department shall track the number of participants in the program and shall
46 issue an annual report to the general assembly by September 1, 2025, and annually on
47 September first thereafter, detailing the effectiveness of the program in encouraging recipients
48 to secure employment earning an income greater than the maximum wage eligible for the full
49 child care benefit. The report shall also detail the costs of administration and the increased
50 amount of state income tax paid as a result of the program.

51 3. The department shall pursue all necessary waivers from the federal government to
52 implement the program. If the department is unable to obtain such waivers, the department
53 shall implement the program to the degree possible without such waivers.

54 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is
55 created under the authority delegated under this section shall become effective only if it
56 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
57 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with
58 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
59 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
60 rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid
61 and void.

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