

Office of Child Care
U.S. Department of Health and Human Services
Administration for Children and Families
Mary E. Switzer Building
330 C St. SW, 4th floor
Washington, DC 20201

RE: Improving Child Care Access, Affordability, and Stability in the Child Care and Development Fund [ACF–2023–0003]

Dear Secretary Becerra and Colleagues,

As pediatric clinicians, maternal, child, and family health researchers, and policy experts at PolicyLab at Children’s Hospital of Philadelphia (CHOP), we welcome this opportunity to comment on the proposed rule “[Improving Child Care Access, Affordability, and Stability in the Child Care and Development Fund.](#)” There is clear evidence demonstrating the long-term benefits that child care can have for children, including increased cognitive abilities, improved language development, better peer relationships and less conflict with caregivers. We commend the Department of Health and Human Services (HHS) for proposing to amend the Child Care and Development Fund (CCDF) regulations to improve access and affordability for families and to stabilize payment practices for providers.

PolicyLab research on accessible and quality child care

Through a social needs screening pilot initiative implemented within CHOP primary care, we learned that parents in Philadelphia lack access to child care and lack awareness of their options. Furthermore, we heard firsthand from pediatric providers that patients share stories about how subsidies are complex to navigate and that children with disabilities face particular challenges. Through our research pilot, [Community Clinical Systems Integration – Early Childhood Education Supports](#), we are creating an integrated cross-sector early childhood support system for families in Philadelphia that includes evidence-based home visiting services, pediatric primary care and quality child care. Our role includes identifying the barriers families face in accessing quality child care and helping them—especially families with children who have high needs and health concerns—enroll their children in quality child care.

Interviews with families, most recently conducted in spring 2022, revealed that a variety of considerations affect child care decision-making. These include challenges understanding eligibility requirements and navigating subsidies and application processes. Families who speak a language other than English, families with infants who seek to return to the workforce, families providing foster or kinship care to children, and families with children who have medical or behavioral complexities are among those who face the greatest barriers to finding and accessing quality child care options.

Based on [our research and policy expertise](#), we offer the following recommendations to strengthen the proposed rule.

§98.45(b)(5): We support the 7% copayment cap per family and encourage further consideration of all costs associated with child care beyond copayments.

We applaud the proposal to limit child care copayments to 7% of a CCDF-eligible family's income. We learned in our research and clinical work that in addition to copayments, families often encounter fees for applications, late pickups and overdue copayments. For instance, families in Philadelphia may encounter application fees ranging from \$25 to \$100. Late pickup fees are as stringent as \$1 for every minute that a parent is late past the allotted grace period. Some families are asked to share in the cost of art materials, field trips and other activities. We recommend that in the future, strategies to limit these expenses be considered as well.

§98.45(l)(4): We support the proposed categories for copayment waivers and encourage consideration of additional populations.

We support ACF's proposal to encourage states to waive copayments for eligible families with incomes up to 150% of the Federal Poverty Level (FPL) and eligible families with a child with a disability. In addition, we recommend consideration of other populations, including families with incomes above 150% of the FPL. Research indicates that, for families with low incomes, the cost of child care is a barrier to access [at any level](#). In many states, families with incomes above 150% of the FPL are still struggling to afford their basic needs and cannot afford copayments. Therefore, states should have the ability to waive copayments for families at a higher income threshold or even for all families, if resources allow.

States would also benefit from ACF providing flexibility to waive copayments or encouraging the development of eligibility policies for families enrolled in other programs and/or belonging to particular populations that could benefit from child care assistance. Some examples include: early educators working in child care programs, families receiving Temporary Assistance for Needy Families (TANF), families with children enrolled in Head Start or Early Head Start, families experiencing homelessness, families at risk of becoming homeless, families involved with the state child welfare agency, children in foster care and teen parents.

§98.21(f)(1): We recommend that ACF ensure accessibility for families who speak languages other than English by helping them navigate child care services.

In January 2023, we launched child care navigation services at one of CHOP's primary care centers. While we continue to develop this work, preliminary learnings have revealed the administrative challenges that families who speak languages other than English faced. In many cases, parents gave up pursuing subsidies and went on to use unlicensed care. In other cases, the child care navigator was needed to help families complete forms. Accordingly, we recommend that Lead Agencies provide the following accommodations to families who speak languages other than English to ensure their equitable access to child care.

Multilingual application materials: Lead Agencies should provide application materials in the languages commonly spoken by the diverse communities they serve. Translation is an important step, but alone is not sufficient due to varying levels of literacy. Clear and accessible language should be used in online applications and written materials in adherence with federal plain language guidelines.

Interpretation services: Lead Agencies should make interpretation services available to families who speak languages other than English during the application process. This can include providing in-person or telephone interpreters who are fluent in the languages spoken by the families.

Culturally competent staff: Lead Agencies should hire and train staff who are culturally competent and have a deep understanding of the diverse communities they serve.

More accessible processes will require additional funding. States may have to consider additional funding streams to support child care programs.

§98.21(f)(1): We commend ACF's recommendation that Lead Agencies offer online applications and suggest that ACF require these systems to be mobile-friendly.

In offering online applications, ACF must consider how users access the internet. The majority of individuals, especially those from underserved communities, rely heavily on mobile phones as their primary means of accessing the internet. Accordingly, ACF should require that online application systems are designed to be mobile-friendly interfaces that cater to the needs of a diverse population.

In conclusion, we acknowledge, as do you, that true long-term, systemic changes require congressional action and significant investment, and will not be achieved by this change in rules alone—however, these changes will provide movement in the right direction. Our comments focus on issues specific to our expertise and work in child care and are not exhaustive of the broader improvements we know would benefit children, families and providers.

Again, we appreciate ACF's efforts to address issues facing families, children, and providers in child care systems across the country and the opportunity to share comments and feedback. Thank you for your consideration of these comments for the proposed rulemaking. Please contact Emma Golub (golube@chop.edu) if you have any questions related to our comments, or if there is an opportunity to further discuss them.

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