

Temporary TWC COVID-19 Essential Worker Child Care Discussion Paper

1 Background

2 On March 27, 2020, House Resolution 748, the Coronavirus Aid, Relief, and Economic Security
3 (CARES) Act was signed into law. This law provides an increase in Child Care and Development Block
4 Grant (CCDBG) funds and authorizes states to use these funds to provide child care to COVID-19
5 Frontline Essential Workers without regard to income eligibility requirements.

6 Texas Workforce Commission's (TWC) three-member Commission (Commission) has authorized TWC
7 and Boards to implement emergency child care in response to the global pandemic of COVID-19 using
8 its current CCDBG funding. The Commission's actions included the following:

- 9 • Expanding TWC's definition of children needing protective services to include children of
10 COVID-19 Frontline Essential Workers
- 11 • Implementing a statewide modified income eligibility threshold for frontline essential workers
12 that require child care subsidies in order to work, pending approval of a federal waiver
- 13 • Implementing a supplemental distribution to Boards to fund direct care for workers deemed
14 frontline essential during the COVID-19 emergency

15 With a Workforce Development Letter ([WD 09-20, Change 1](#)), TWC instructed Boards to authorize
16 three months of care for essential workers. Some of the families receiving temporary care for TWC
17 COVID-19 Essential Workers may meet income eligibility requirements for At-Risk care. During the
18 emergency, these Essential Workers are classified as a priority population in Protective Services care.
19 However, they may not be in a priority group otherwise.

20 Issue

21 Child Care Rule §809.54(a) requires that enrolled children receive child care through the end of the
22 typical 12-month eligibility period. Additionally, §809.54(b) requires that nothing in the chapter shall be
23 interpreted in a manner as to result in a child being removed from care.

24 While the COVID-19 emergency warrants ensuring that TWC COVID-19 Essential Workers have
25 immediate access to subsidized child care, this emergency and the funding that enables such a robust
26 response are temporary. TWC's planning estimates for regular allocation for 2020 did not account for
27 these families continuing care under the At-Risk category.

28 Decision Point

29 For children of TWC COVID-19 Essential Workers, staff seeks direction on:

- 30 • waiving the following Continuity of Care provisions:
 - 31 ○ §809.54(a) – regarding a minimum 12-month eligibility period; and
 - 32 ○ §809.54(b) – regarding not removing a child from care;
- 33 • authorizing a three-month eligibility period that is not subject to automatic redetermination; and
- 34 • authorizing staff to recommend eligibility extensions based on ongoing analysis of need.