

**California Department of Social Services  
2022 Proposed Trailer Bill**

**Title: Notice to Providers**

**Section 10233.5 of the Welfare and Institutions Code is amended to read:**

(a) Commencing July 1, 2020, alternative payment programs shall provide notice to a child care provider of a change in reimbursement amounts for child care services, a change in the hours of care, rates, or schedules, an increase or decrease in parent fees, or a termination of services, including, but not limited to, a family's change in provider. For purposes of this section, the notice shall occur either electronically, if requested by the child care provider, or via the United States Postal Service. The alternative payment program shall provide the notice, as well as the effective date of any change described above, on the same day a notice of action is issued to a family.

(b) The notification shall not be deemed a violation of the parent's confidentiality but as a method to ensure the proper administration of subsidy funds.

**(c) This section shall become inoperative on June 1, 2023, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement Section 10276, as added by the act that added this subdivision, whichever date is later, and, as of January 1 of the following year, is repealed.**

**Section 10276 is added to the Welfare and Institutions Code to read:**

**(a) Child care and development programs shall provide notice to a child care provider of a change in reimbursement amounts for child care services, a change in the hours of care, rates, or schedules, an increase or decrease in parent fees, a termination of services, including, but not limited to, a family's change in provider, or any changes to the family's eligibility status that may impact payment. For purposes of this section, the notice shall occur either electronically, if requested by the child care provider, or via the United States Postal Service. The program shall send the notice, as well as the effective date of any change described above, no later than the day the program becomes aware that such a change will occur.**

**(b) The notification shall not be deemed a violation of the parent's confidentiality but as a method to ensure the proper administration of subsidy funds.**

(c)(1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section by all-county letter or similar directive until regulations are adopted.

(2) The department shall adopt emergency regulations implementing this section no later than July 1, 2026. The department may readopt any emergency regulation authorized by this section that is the same as, or substantially equivalent to, any emergency regulation previously adopted pursuant to this section. The initial adoption of regulations pursuant to this section and one readoption of emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. Initial emergency regulations and one readoption of emergency regulations authorized by this section shall be exempt from review by the Office of Administrative Law. The initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State, and each shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.

(d) This section shall become operative on June 1, 2023, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.