

Transmittal

Oregon Eligibility Partnership



Date Issued: 3/13/2024

Transmittal #: OEP-PT-24-009

Subject/Topic: ERDC: children no longer required to meet citizenship or immigration status requirements to receive child care.

Primary Audience:

☒ Eligibility

☒ Leadership

☒ Family Coach

☐ LTSS Case Management

☒ Support

☐ Other: DPU

Effective Date: 5/1/2024

Transmittal Type: Policy

Impacted Area(s): ☒ New/Updated Policy/Rule

☐ Reference Materials

☐ Other:

☐ Policy

Clarification

☐ System(s),
specify

Reference Material(s): [414-175-0021](#) Citizenship and Noncitizen Status, [414-175-0020](#) General Eligibility Requirements, [414-175-0022](#) Age Requirements, [House Bill 3073](#).

Summary:

House Bill 3073 was passed into law during the 2021 legislative session and as a result, there were many significant changes to the Employment Related Day Care (ERDC) program. Some changes included covering non-working students in January 2023, followed by Categorical ERDC for TANF families in July 2023. **The final ERDC change from HB 3073 starts on May 1, 2024, in which citizenship and immigration status will no longer affect whether children qualify for child care benefits through the ERDC program.**

Details:

Prior to May 1, 2024, children in an ERDC benefit group must have met the citizenship or immigration status requirements outlined in OAR 414-175-0021.

Starting May 1, 2024, children no longer have to meet the citizenship or immigration status requirements to qualify for child care benefits. Though children can receive ERDC regardless of their immigration status, all other ERDC eligibility requirements still apply. To receive child care payments through the ERDC program, a child must be under age 13, or aged 13-17 and qualify for the *Special Needs Age* (SNA) or the *Special Needs Rate* (SNR).

Important! The ERDC waitlist exemptions have not changed as a result of this ERDC policy expansion. Although children are no longer required to meet citizenship and noncitizen status requirements, this is not an exemption to bypass the ERDC waitlist. If an exemption is not met, families will be placed on the waitlist.

These changes are being made to increase access to child care for children in Oregon. Children with the opportunity to participate in high quality early learning settings have higher rates of high school completion, home ownership, and higher lifetime salaries. Oregon is shifting child care policies to better support lifetime outcomes for children. You can read more about the importance of early child care programs in the following links:

- [Quality Early Education and Child Care From Birth to Kindergarten, Pediatrics - American Academy of Pediatrics](#)
- [Strengthening Early Childhood Health, Housing, Education, and Economic Well-Being Through Holistic Public Policy - Center for American Progress](#)

Verification requirements:

Children are no longer required to meet citizenship or immigration status requirements for ERDC starting May 1, 2024.

If a family is applying for a child(ren) with a qualified noncitizen status, continue to accept documentation offered by the parent or caretaker. Enter this documentation into ONE and upload the documentation to the electronic case file. However, if the parent or caretaker does not present documentation, ERDC eligibility may be approved once all other eligibility criteria have been met.

Verifying a qualified noncitizen status allows the child care to be paid with federal child care funds. It is ideal to be able to verify the child's status but based on the new Oregon law it can no longer be a requirement of the child care program. The ONE system will identify each child with the appropriate state or federal funding source based on information received. This coding is only used for program budget.

The ONE system will not generate an RFI for verification of citizenship or immigration status documentation for ERDC. Do not generate a manual RFI for citizenship or immigration status documentation.

Coding instructions:

This policy change does not impact how staff enter citizenship or immigration details in ONE. Continue to enter this information into ONE, including verification details if received by the parent or caretaker. ONE will evaluate requirements for all other programs.

Implementation Instructions:

The anticipated date for ONE to be updated with system logic is April 7, 2024. Although system updates are scheduled for this date, the policy implementation will apply to children with a benefit effective date of May 1, 2024, or later.

A mass update will be run for cases that include children who were denied for not meeting the citizenship or immigration status requirements for ERDC and have a Date of Request (DOR) within 45 days of May 1, 2024. The system will rerun eligibility under the new eligibility rules which will allow the child to be determined eligible for ERDC effective May 1, 2024, forward, as long as the parent requested child care benefits for the child and all other eligibility criteria are met. The system will generate a Request for Information (RFI) if verification is needed for other eligibility requirements, like income verification. Cases that include children who do not meet citizenship or immigration status requirements will not be included in the mass update if ERDC was not previously requested.

For ongoing cases, parents or caretakers may contact Oregon Department of Human Services (ODHS) to request child care for a child that was not previously receiving ERDC because they did not meet citizenship or immigration status requirements. Process this request as a Report a Change.

Training and Communication Plan:

- The Child Care Assistance Program (CAPP) team will host a Coffee Chat with Child Care on this topic on Tuesday, March 26, 2024. The Coffee Chat will be

recorded. Both the recording and PowerPoint will be available on the [OWL ERDC page](#).

- Talking points will be shared on the [OWL ERDC page](#)
- A one pager for families and community partners will be shared in April 2024.
- OPEN will be updated to reflect this policy in April 2024.

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Questions?

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