

OMB Control No: 0970-0114

Expiration date: 03/31/2027

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**Appendix 1: Lead Agency Implementation Plan  
for**

**State/Territory Pennsylvania**

**FFY 2025 – 2027**

**Version: Initial Plan**

**Plan Status: Approved as of 2024-11-09 00:37:10 GMT**

For each non-compliance, Lead Agencies must describe the following:

- **Action Steps:** List the action steps needed to correct the finding (e.g., update policy manual, legislative approval, IT system changes, etc.). For each action step list the:
  - o **Expected Completion Date:** List the expected completion date for the action step.
- **Overall Target Date for Compliance:** List date Lead Agency anticipates completing implementation, achieving full compliance with all aspects of the findings. (Note: Compliance will not be determined until the FFY 2025-2027 CCDF Plan is amended and approved).

**EQUAL ACCESS:AFFORDABILITY**

**Reason(s) for non-compliance:**

- The Lead Agency does not prohibit increases to co-payments within the 12-month eligibility period prior to graduated phase-out period, as required by 98.21(a)(3). (Plan Question 2.5.4)
- The Lead Agency does not limit all family co-payments to seven percent or less of family income, as required by 98.45(l)(3). Specifically, the lead agency is non-compliant because though co-payments for the lowest income families participating in CCDF are relatively negligible they do exceed 7% in some cases. (Plan Question 3.1.1a). Please note the Lead Agency has an approved waiver for this requirement through April 30, 2025.

**Overall Target Completion Date: 06/30/2026**

Action Step Number	Action Step Description	Target Completion Date
1	<p>Modifications will need to be made to the IT system, PELICAN-CCW, which houses information for providers and families enrolled in the subsidy program.</p> <p>Currently, the lowest rate configured in the system is \$5. The required system changes are already in process and captured through Work Order 2052.</p>	05/31/2025
2	<p>OCDEL will prepare needed policy and procedure documents to support appropriate implementation. This may include training to ELRC staff to ensure compliance with the new co-payment requirements.</p>	05/31/2025
3	<p>Increases in copay have historically been used to collect overpayment, this practice is outlined in Pennsylvania’s Subsidized Child Care. The regulations also outline that the increase may not exceed an amount greater than 5% of the family’s gross monthly income and outlines that if this temporary increase to collect overpayment is determined a hardship, the family and eligibility agency may agree to a lesser amount.</p>	06/30/2026

	<p>OCDEL has requested clarification from OCC to determine if this practice may continue. If changes to overpayment collection using copay increases is determined noncompliant, regulatory changes and system changes will be required to develop a new system for collection of overpayment.</p>	
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**EQUAL ACCESS:PROVIDER OPTIONS FOR PARENTS**

Reason(s) for non-compliance:

- The Lead Agency does not provide grants or contracts for direct services for children with disabilities, as required by 98.30(b)(1). (Plan Question 4.5.1i). Please note the Lead Agency has an approved waiver for this requirement through August 1, 2026.

Overall Target Completion Date: 10/31/2025

Action Step Number	Action Step Description	Target Completion Date
1	<p>To initiate a contracted slot program for children with disabilities, OCDEL will first develop a Program Revision Request (PRR) and submit to DHS. The PRR will detail the preliminary structure and estimated fiscal impact of the contracted slot program. If approved, DHS will submit the PRR as part of the overall DHS 2025-26 budget request to the Governor’s Budget Office (GBO) for consideration.</p> <p>GBO will review and consider department budget requests and PRRs. Clarifying questions may be asked to departments about specific initiatives and spending increases. Approved PRRs will be included in the Governor’s 2025-26 Executive Budget proposal published on the first Tuesday of February.</p>	02/28/2025
2	<p>Members of the state General Assembly are provided an opportunity to ask each department about their budget proposal and any other relevant questions about program administration.</p>	03/31/2025

	At this time, if the contracted slots program is included in the budget proposal, OCDEL staff will begin developing program guidelines, policy announcements, FAQ documents, and generally refine the proposed contracted slot program as described in the PRR.	
3	PELICAN updates are required to move contracted slots into the current systems. OCDEL will need to reexamine areas such as (but not limited to) ELRC payment and provider payment processes, system updates to identify eligible children, and logic within the system.	06/30/2025
4	Budget negotiations commence between the Administration and the General Assembly. The new fiscal year begins July 1, 2025. OCDEL staff will continue developing program documents. ELRCs will be briefed on the new contracted slot program and their role during implementation.	06/30/2025
5	If the proposed contracted slot program is included within the final enacted state budget, OCDEL will release a Request for Applications (RFA) for programs to apply for slots. Grantees will be selected based on RFA submissions. ELRCs will enter into contracted slot agreements with the selected providers.	10/31/2025

#### EQUAL ACCESS:PAYMENT PRACTICES

##### Reason(s) for non-compliance:

- The Lead Agency does not pay all provider types prospectively or alternatively does not demonstrate that it is not a generally-accepted practice for all provider types, as required by 98.45(m)(1). (Plan Question 4.4.1a). Please note the Lead Agency has an approved waiver for this requirement through August 1, 2026.
- The Lead Agency does not pay based on enrollment or alternatively does not provide justification that this is impracticable or is not a generally-accepted practice, as required by 98.45(m)(2). (Plan Question 4.4.1b). Please note the Lead Agency has an approved waiver for this requirement through August 1, 2026.

Overall Target Completion Date: 07/31/2026

Action Step Number	Action Step Description	Target Completion Date
1	<p>Establish and document business and policy requirements to comply with paying providers based on enrollment and prospectively. A business planning estimate (BPE) must be provided by the technical solutions vendor to ascertain the anticipated time and cost to make the necessary system changes. The Health and Human Services Delivery Center (HHSDC) for IT, in coordination with OCDEL, will complete and obtain executive level approvals before proceeding further.</p>	01/31/2025
2	<p>OCDEL would identify requirements in a series of up to three phases: systems requirements, general systems design, and detailed systems design. When all requirements are documented, reviewed, and approved, the technical solutions vendor will develop and test the system modifications. During this phase, OCDEL will work with the business planning vendor to define system test cases. Finalized test cases are required to proceed with user acceptance testing to be conducted by OCDEL staff and business partners. Go-live validations will conclude the process. Also, during this period, OCDEL's Bureau of Policy/Professional Development and Bureau of Early Learning Resource Center Operations will develop policy announcements and policy communications to notify providers/ELRCs of the respective changes, develop training materials, and generate other needed documents to facilitate the changes to PELICAN-CCW.</p> <p>The duration of each phase of the systems development lifecycle is dependent upon the extent and complexity of the changes. OCDEL expects these changes will be extensive and will require up to 25 months from start to finish. In addition, the intricacies of the current payment structure and system design around state fiscal year will necessitate the go-live implementation be timed to occur immediately prior to the start of the new state fiscal year. The state fiscal year is July 1 through June 30 with the anticipated go-live</p>	07/31/2026

	<p>target for these modifications projected to be in July 2026.</p> <p>DHS/OCDEL may also need to review the subsidized child care regulations to determine the extent to which revisions are required to comply with CCDF Final Rule.</p> <p>If required, regulatory changes occur in two phases. An agency first develops a proposed regulation package and submits to the Office of Attorney General for approval from a form and legality perspective. Once approved, the proposed regulation is published for public comment and review. The Independent Regulatory Review Commission (IRRC) and the standing committees in the State House and Senate may also provide comment. DHS/OCDEL will then review submitted comments and revise the regulation package as necessary. The time required to review and address comments depends on the complexity of the issue and can range anywhere from several weeks up to two years. The second phase begins when the final-form regulation is delivered to the standing committees of the House and Senate and IRRC. The final-form regulation will detail responses to all comments received to the proposed regulation as well as any changes that were made. IRRC will schedule a meeting to either approve or disapprove the regulation based on the information detailed in the final-form regulation package. If approved, and after a final review by the Attorney General for form and legality, the final-form regulation is published with the full force and effect of law.</p>	
3	<p>In concurrence with paying providers prospectively, reimbursements based on enrollment will require significant modifications to PELICAN-CCW. OCDEL will need to reexamine areas such as (but not limited to) ELRC payment reconciliation processes, system updates to the provider invoicing functionality, and logic within the system dedicated to attendance tracking by providers. It is imperative that when providers are paid prospectively, the amounts issued by ELRCs are accurate and in accordance with child</p>	07/31/2026

	<p>enrollment schedules recorded in PELICAN-CCW. OCDEL requires sufficient time to work with the IT vendor to develop business requirements, design system changes and build schedules, conduct rigorous test cases, and train ELRCs. The required PELICAN-CCW updates will occur in conjunction with the updates for prospective payment under § 98.45(m)(1) and follow the same projected timeline.</p> <p>DHS/OCDEL requires time to adjust PELICAN-CCW and ensure payments for child care services are accurate, timely, and consistent with best practices in the open market.</p>	
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**HEALTH AND SAFETY:POSTING INSPECTION REPORTS**

Reason(s) for non-compliance:

- The Lead Agency does not post full monitoring and inspection reports that include all areas of compliance and non-compliance for all licensed centers, licensed family child care providers, or out-of-school programs, as required by 98.33(a)(4). (Plan Question 5.5.4a(ii)). Please note the Lead Agency has an approved waiver for portions of this requirement through June 30, 2025.

Overall Target Completion Date: 02/28/2025

Action Step Number	Action Step Description	Target Completion Date
1	OCDEL identified requirements in three phases: systems requirements, general systems design, and detailed systems design.	09/30/2024
2	Once all requirements are documented, reviewed, and approved, the technical solutions vendor will develop and test the system modifications. During this phase, OCDEL will work with the business planning vendor to define system test cases. Finalized test cases are required to proceed with user acceptance testing to be conducted by	02/28/2025

	OCDEL staff and business partners. Go-live validations will conclude the process.	
3	Certification Managers and Supervisors will be advised of the change happening in COMPASS (consumer ed website) to display all regulations, not just areas of non-compliance. Providers will be notified of this change through the Early Ed News-PA's provider electronic newsletter.	02/28/2025

**COMPREHENSIVE BACKGROUND CHECK:5 YEAR RENEWAL**

Reason(s) for non-compliance:

- The Lead Agency's in-state criminal background checks do not use fingerprints therefore the Lead Agency does not conduct all background checks every 5 years, as required by 98.43(d)(2)(ii). (Plan Question 5.7.17)

Overall Target Completion Date: 05/31/2025

Action Step Number	Action Step Description	Target Completion Date
1	<p>The repository for Pennsylvania criminal history checks was created and is maintained in accordance with Pennsylvania's Criminal History Information Act contained in Chapter 91 of Title 18, Crimes Code. This Act also directs the Pennsylvania State Police (PSP) to disseminate criminal history data to criminal justice agencies, non-criminal justice agencies and individuals on request.</p> <p>OCDEL will revisit conversations related to converting the state criminal background checks to a fingerprint based review with the PSP and the Office of Children, Youth and Families. OCDEL is the only office with a federal requirement to use fingerprint based checks for in-state background checks. The PSP name-based check accesses fingerprint records from the FBI database.</p>	05/31/2025

**COMPREHENSIVE BACKGROUND CHECK:BACKGROUND CHECK PROCESSES**

Reason(s) for non-compliance:

- The Lead Agency or other state agency is not the entity conducting all required background checks and does not ensure the privacy of all the background check results, as required by 98.43(a)(1)(i) and 98.43(e)(2). (Plan Question 5.7.10)

Overall Target Completion Date: 01/31/2026

Action Step Number	Action Step Description	Target Completion Date
1	The Pennsylvania Child Protective Services Law (CPSL§ 6344 b-c ) requires employers to maintain a record of all background check results. Amendments to the CPSL must be explored to determine if Pennsylvania may remove this requirement with the introduction of the Consolidated Eligibility Letter (CEL). OCDEL is engaged in conversations with key offices related to potential amendments to the CPSL to allow the state to become compliant with the requirement at 98.43(a)(1)(i) and 98.43(e)(2).	01/31/2026

**COMPREHENSIVE BACKGROUND CHECK:IN-STATE**

Reason(s) for non-compliance:

- The Lead Agency in-state criminal history background checks do not use fingerprints for child care staff members (including prospective staff members), as required by 98.43(b)(3)(i), 98.42(b)(2)(i)(B), and 98.43(a). (Plan Questions 5.7.1a and 5.7.1b)
- The Lead Agency in-state criminal history background checks do not use fingerprints for individuals age 18 or older who reside in a family child care home, as required by 98.43(b)(3)(i), 98.42(b)(2)(i)(B), and 98.43(a). (Plan Question 5.7.1c)

Overall Target Completion Date: 05/31/2025

Action Step Number	Action Step Description	Target Completion Date
1	<p>OCDEL is not responsible for the implementation of in-state criminal background checks. The repository for Pennsylvania criminal history checks was created and is maintained in accordance with Pennsylvania's Criminal History Information Act contained in Chapter 91 of Title 18, Crimes Code. This Act also directs the Pennsylvania State Police (PSP) to disseminate criminal history data to criminal justice agencies, non-criminal justice agencies and individuals on request.</p> <p>OCDEL will revisit conversations related to converting the state criminal background checks to a fingerprint based review with the PSP and the Office of Children, Youth and Families. OCDEL is the only office with a federal requirement to use fingerprint based checks for in-state background checks. The PSP name-based check accesses fingerprint records from the FBI database.</p>	05/31/2025

**COMPREHENSIVE BACKGROUND CHECK:PRE-SERVICE CHECK REQUIREMENTS (PROVISIONAL HIRE)**

Reason(s) for non-compliance:

- The Lead Agency does not require a qualifying result from an FBI criminal background check or in-state criminal background check with fingerprints before a prospective staff member begins work, as required by 98.43(d)(4). (Plan Questions 5.7.12a and 5.7.12b)

Overall Target Completion Date: 05/31/2025

Action Step Number	Action Step Description	Target Completion Date
1	One of the requirements for hiring on a provisional basis in a certified child care facility in Pennsylvania is for the prospective staff member to have either their FBI Criminal History Clearance; or PSP Criminal History Clearance	05/31/2025

prior to starting provisional employment. The FBI Criminal History Clearance is a fingerprint-based check, the PSP Criminal History Clearance is a name-based clearance. In addition to other provisional hire requirements, the FBI Criminal History Clearance; or PSP Criminal History Clearance must be obtained and no older than 60 months prior to provisional hire.

OCDEL is not responsible for the implementation of in-state criminal background checks. The repository for Pennsylvania criminal history checks was created and is maintained in accordance with Pennsylvania's Criminal History Information Act contained in Chapter 91 of Title 18, Crimes Code. This Act also directs the Pennsylvania State Police (PSP) to disseminate criminal history data to criminal justice agencies, non-criminal justice agencies and individuals on request. OCDEL will revisit conversations related to converting the state criminal background checks to a fingerprint based review with the PSP and the Office of Children, Youth and Families. OCDEL is the only office with a federal requirement to use fingerprint based checks for in-state background checks. The PSP name-based check accesses fingerprint records from the FBI database.