



ADMINISTRATION FOR
CHILDREN & FAMILIES

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November 22, 2024

Angie Rodgers, Director
Arizona Department of Economic Security (ADES)
1789 West Jefferson Street
Phoenix, Arizona 85007

Dear Director Rodgers:

The Office of Child Care (OCC) has completed its review of Arizona's request for transitional and legislative waiver(s) for certain eligible provisions in the 2024 CCDF Final Rule, which was submitted to OCC July 3, 2024.

This letter serves as official notification that OCC is approving your request for the CCDF requirements listed below under the authority and conditions delineated in 42 USC 9858g(c) and 45 CFR § 98.19. However, the CCDF requirements for which a temporary waiver is granted are important for improving parent choice and stable child care operations so we also note the importance of coming into compliance swiftly. Waivers are conditional and dependent on progress towards implementation (45 CFR § 98.19(b)(1)(iv)) and are not eligible for renewal or extension (45 CFR §98.19(b)(1)(ii)).

- Your request to temporarily waive the requirement at 45 CFR § 98.45(m)(1) for paying providers prospectively has been approved for the period of April 30, 2024 through August 1, 2026.
- Your request to temporarily waive the requirement at 45 CFR § 98.45(m)(2) for basing provider payments on a child's authorized enrollment has been approved for the period of April 30, 2024 through August 1, 2026.
- Your request to temporarily waive the requirement at 45 CFR § 98.16(y), § 98.16(z), § 98.30(b)(1), and § 98.50(a)(3) for some grants or contracts for direct services for infants and toddlers, children with disabilities, and children in underserved geographic areas has been approved for the period of April 30, 2024 through August 1, 2026.
- Your request to temporarily waive the requirement at 45 CFR § 98.33(a)(4)(ii) for the consumer education requirement to post full monitoring reports that include all areas of compliance and non-compliance for all providers has been approved for the period of April 30, 2024 through August 1, 2026. Please note that this approved waiver is only for the requirement to post all compliances and non-compliances and does not extend to other existing non-compliances related to posting monitoring reports, such as when the Lead Agency is not posting any reports for a provider type, information on

corrective actions taken by the State and child care provider, health and safety violations, including any fatalities and serious injuries occurring at the provider prominently displayed in reports, or a minimum of 3 years of results where available. OCC reminds the Lead Agency, this waiver approval related to consumer education does not include CCDF requirements on posting information on child care provider types.

The transitional and legislative waivers described above temporarily exempt the Lead Agency from meeting the specified CCDF requirements. Nonetheless, the Lead Agency remains subject to a preliminary notice of possible non-compliance until the Lead Agency demonstrates compliance with requirements by submitting a Plan Amendment to be approved by OCC. As a reminder, CCDF Lead Agencies must submit a Plan amendment within 60 days after making a substantial change to their Plan.

Please note that approval of waiver requests for required provisions in the 2024 Final Rule does not imply approval of any specific Lead Agency action plans included in the waiver requests. Your Regional Office will be available to discuss your plans or proposed approach for coming into compliance and to provide technical assistance to assist Lead Agencies in meeting these requirements.

We look forward to our continued partnership in the administration of your Child Care and Development Fund program and to supporting you in making progress towards full implementation. If you have any questions or need assistance, please feel free to contact Christina Warren, Regional Program Manager in our San Francisco Regional Office at (415) 437-8450 or christina.warren@acf.hhs.gov.

Sincerely,

/s/ Ruth J. Friedman

Ruth J. Friedman, Ph.D.
Director
Office of Child Care

cc: Stacy Reinstein, Interim Assistant Director
Christina Warren, Regional Program Manager, Office of Child Care, Region IX
Rebecca Shaw, Program Operations Liaison, Office of Child Care