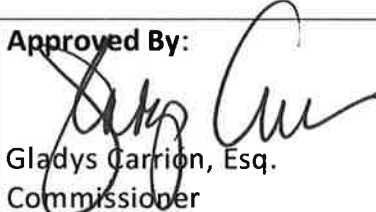


Referral of Suspected Child Care Subsidy Fraud

<p>Approved By:  Gladys Carrion, Esq. Commissioner</p>	<p>Date Issued: <u>10/14/2014</u></p>	<p>Number of Pages: 3</p>	<p>Number of Attachments: 1</p>
<p>Related Laws: N/A</p>	<p>Children's Services Divisions/Provider Agencies: Division of Early Care and Education (ECE)</p>	<p>Contact Office /Unit: Shari Gruber Executive Director Policy and Procedure Early Care and Education shari.gruber@acs.nyc.gov</p>	
<p>Supporting Regulations: 18 NYCRR § 415</p>	<p>Supporting Case Law: N/A</p>	<p>Bulletins & Directives: N/A</p>	
<p>Key Words: referral, suspected, child care subsidy, fraud, ECE, Early Care and Education</p>	<p>Related Policies: N/A</p>	<p>Supersedes: N/A</p>	
<p>Related Forms: Form ECE-009 Referral of Suspected Child Care Subsidy Fraud (attached) Form ACD 1069 Referral to Employer for Employee Income Information</p>			
<p>SUMMARY: Whenever an employee suspects a potential case of child care subsidy fraud involving a child care provider or recipient, that employee must report it promptly.</p>			
<p>SCOPE: This policy applies to Administration for Children's Services (ACS) Division of Early Care and Education (ECE) staff.</p>			

I. AUDIENCE

This policy applies to Administration for Children's Services (ACS) Division of Early Care and Education (ECE) staff.

II. POLICY

- A. If an employee suspects a potential case of child care subsidy fraud involving a child care provider or recipient, that employee must report it promptly.
- B. If an employee suspects another employee of fraud, the employee must:
 - 1. Report the information to the New York City Department of Investigations (DoI). Information about how to file a report is available through the following link: <http://www.nyc.gov/html/doi/html/report/complaint.shtml>.
 - 2. When sending information to DoI, the employee shall also send the information by email to Judy Tsang, chief of staff to the Office of the General Counsel (OGC) and ACS liaison to DoI, at judy.tsang@acs.nyc.gov, as well as to Susan Starker, director of the Employment Law Unit, at susan.starker@acs.nyc.gov.

III. REQUIRED ACTION

- A. If an employee suspects a potential case of child care subsidy fraud, the employee shall take the following actions:
 - 1. Fill out the *Referral of Suspected Child Care Subsidy Fraud* form (Form ECE-009, attached), and submit it by clicking the "SEND" button at the bottom of the form.
 - 2. Email any supporting documents (e.g., relevant ACCIS screens) to ecfraud@acs.nyc.gov. The referral will be reviewed by OGC (Judy Tsang or Katie Easley, special assistant) and ECE (Mary Kenny, ACS fraud liaison).
- B. Instances which should trigger a fraud referral
 - 1. Provider Fraud
 - a. Provider identify theft (i.e a falsified IRS 1099 form with stolen identity is used to report income)
 - b. Claims from ineligible providers
 - c. Child care provider or program fraud
 - i. When a provider submits claims for days on which the facility was not operating
 - ii. When a provider submits claims for fictitious children

- iii. When a provider provides an inaccurate facility address to prevent on-site visits
- d. Child and Adult Care Food Program (CACFP) fraud
 - i. When there are inconsistencies between a provider's attendance records and CACFP records
 - ii. When multiple providers submit claims for the same children and meals
- e. Collusion between providers and recipients
- f. When a provider seeks to enroll children above its licensed capacity or above capacity on the certificate of occupancy

2. Subsidy Applicant/Recipient Fraud

- a. Working off the books (currently or previously)
- b. Self-employed and without business records to support financial assertions
- c. Using a post office box as a mailing address without cause (e.g., high crime area)
- d. Applicant is unsure of own address
- e. Applicant has no identification to verify his or her identity or the identification is suspect
- f. Prior history of denial, case closing, or overpayments resulting from an investigation or prior fraud history
- g. Application is inconsistent with prior case history or with information provided on the application
- h. Child(ren) in the household under the age of six (6) with no birth certificate
- i. Child care provider lives in same household as the child
- j. Missing or inconsistent absent parent information
- k. Income reported as expired minimum wage
- l. Recipient identity theft
- m. When a recipient or family member submits fraudulent information regarding:
 - i. Income
 - ii. Job status or enrollment in a vocational training, education, or rehabilitation program
 - iii. Medical information or a child's special needs
- n. Recipient or family member cannot provide pay stubs for an occupation that traditionally provides pay stubs
- o. Recipient or family member submits an amended or tampered "Referral to Employer for Employee Income Information" form (Form ACD 1069)
- p. Any change in family composition other than a birth, adoption of a child, death, or divorce
- q. Transitional Child Care (TCC) applicant last received subsidized child care through Child Care in Lieu of Cash Assistance (CILOCA)
- r. CILOCA recipient has been sent a notice to recertify and requests TCC in lieu of recertifying his or her CILOCA case
- s. Applicant works more than five (5) days per week

Referral of Suspected Child Care Subsidy Fraud

To be sure we are able to investigate your referral, be sure to include as much of the following information as possible.

Date of Referral:

Referral reported by (in-person, phone, hotline etc.):

Referral Prepared By:

Contact Information:

CHILD CASE INFORMATION

ACCIS Child Case #

CACFP #

Case Status (*select one*): Active Inactive

PARENT INFORMATION

Parent/Guardian Status (Cash Assistance/Reason For Care):

Parent/Guardian Name:

Current Address:

Dates of Residency: *from* _____ *to* _____

Phone: _____ Email: _____

CHILD(REN)

Names:	Ages:

Total number of children:

