

10A NCAC 10 .1007 REQUIREMENTS FOR DETERMINATION AND REDETERMINATION OF ELIGIBILITY

(a) The Local Purchasing Agency shall determine initial eligibility, in accordance with Sections .0900 and .1000 of this Chapter, and shall redetermine eligibility every 12 months thereafter.

(b) If the Local Purchasing Agency determines that a recipient is eligible, the recipient shall remain eligible for the 12 month eligibility period unless:

- (1) the recipient ceases to be employed, in training leading to employment, or in an educational program, as described in 10A NCAC 10 .0905, for more than 90 days;
- (2) the recipient changes residency to outside the State;
- (3) the recipient's income exceeds 85 percent of the State Median Income; or
- (4) the Local Purchasing Agency or the Division issues the recipient a sanction for fraudulent misrepresentation in accordance with 10A NCAC 10 .0308.

(c) If the Local Purchasing Agency, upon redetermination, determines that the family exceeds the State's income eligibility limits, the family shall continue to receive subsidized child care services for 12 months if their income is at or below the federal income limit of 85 percent of the State Median Income.

(d) Annual federal income limits shall be determined in accordance with the U.S. Federal Poverty Guidelines issued by the U.S. Department of Health and Human Services, incorporated by reference including subsequent amendments and editions. A copy of these guidelines are available free of charge at <http://aspe.hhs.gov/poverty/index.cfm>.

*History Note: Authority G.S. 143B-153; 45 CFR 98.21(a)(1); 45 CFR 98.21(b)(1);
Eff. July 1, 1983;
Amended Eff. June 1, 2016; April 1, 2001;
Readopted Eff. March 1, 2019.*