

10-144 DEPARTMENT OF HUMAN SERVICES

DIVISION OF MATERNAL AND CHILD HEALTH

Chapter 288: PARENTING EDUCATION SCHOLARSHIP PROGRAM

~~SUMMARY: This program was developed to insure that families are not denied access to parenting education because of a lack of financial resources to purchase such services. The rule changes expanded financial eligibility from family income of 172% to 185% of the Federal poverty guidelines. It also eliminated other restrictions except: applicant must be a parent or expecting a child and must not possess private or public medical assistance which would pay for this benefit.~~

Section 1. PURPOSE AND GENERAL REQUIREMENTS OF THE PARENTING EDUCATION SCHOLARSHIP PROGRAM

~~The Parenting Education Scholarship Program, hereinafter referred to as the Program, will serve eligible parents with children of any age who wish to attend parenting classes. The classes must be approved by the Division of Maternal and Child Health. They are given by parenting educators in the community.~~

~~The intent of the Program is to ensure that families are not denied access to parenting education because of a lack of financial resources. Access to these services is important because good parenting skills can be learned and because such skills have a direct and substantial impact on the health and welfare of Maine children.~~

~~Legal authority for the Program is 22 MRSA sections 42, 1951, and 3173.~~

- ~~A. Eligibility is determined without regard to sex, race, creed, color, or national origin.~~
- ~~B. Any parent living in the State of Maine may be considered for eligibility.~~
- ~~C. The Program will comply with all applicable regulations of the Maine Department of Human Services, the Division of Maternal and Child Health and the Department of Finance and Administration in the purchase of services.~~
- ~~D. All services will be provided and authorized within the State of Maine.~~
- ~~E. Expenditures for services require prior written authorization. The Program will purchase services only from approved parenting educators.~~

~~For prior authorization providers should contact:~~

~~Parenting Education Scholarship Program
Division of Maternal and Child Health
Department of Human Services
11 State House Station
Augusta, ME 04333
287-3311~~

- F. ~~The Program will offer appropriate referrals to other Department of Human Services programs.~~
- G. ~~A record will be established and maintained for each applicant and recipient of offered services.~~
- H. ~~Definitions~~
 - 1. ~~income—"Income" is any money, goods, or services of the household received during a 12-month period. Included are any payments received as annuity, retirement or disability benefit, veteran pensions, worker compensation, unemployment benefits, benefits from any state or federal categorical assistance program, supplemental security income, social security any other governmental payments unless prohibited from consideration by law or regulation, court-ordered support payments income from pension or trust funds, and income from any other source including relatives or unrelated household members.~~
 - 2. ~~Household—"Household" means an economic unit composed of a group of individuals legally obligated for the support of each other or a group of unrelated individuals who customarily share a dwelling unit, pool income, or share expenses in common.~~
 - 3. ~~Appellant: an applicant, recipient, or provider who is determined to be ineligible to participate in the Program and who requests review of his/her circumstances.~~
 - 4. ~~Program: the Parenting Education Scholarship Program.~~
 - 5. ~~Recipient: a person (client) who is or has been receiving services through the Program.~~
 - 6. ~~Provider: person offering parenting education curriculum who has applied as or been accepted as a deliverer of services under the Program.~~
 - 7. ~~Hearing Officer: an impartial person within the Department of Human Services designated to conduct hearings and to render decisions pursuant to the regulations governing this Program. This person is impartial because he/she did not participate in making the decision under appeal, nor has he/she held any previous conference regarding the matter at issue with Program staff.~~

~~SECTION 2. CONFIDENTIALITY~~

~~All personal facts and circumstances obtained by the program staff as a result of application for services constitutes privileged communication and is held confidential. It remains the property of the Program and is not divulged without the family's consent. However, information may be disclosed in summary, statistical, and other forms which will not identify individuals.~~

- A. ~~Release to Other Agencies~~

~~With the consent of the family, the Program may release information to another agency or organization, but only to the extent that the other agency or organization demonstrates that the information is necessary for its program.~~

- ~~1. The Program must release personal information, with or without consent, if required by law; in response to investigations in connection with law enforcement fraud, or abuse; and in response to judicial order.~~

~~SECTION 3. ELIGIBILITY DETERMINATION OF CLIENTS~~

~~A. Application for Services~~

~~Any parent desiring services from the program must submit a written application on the form provided. An eligibility determination will be made which shall be shared with the family. The Program shall process referrals in an equitable and expeditious manner.~~

~~B. To be certified as eligible, applicants must reside in Maine.~~

~~C. The applicant must be the parent of one or more children, or be expecting a child.~~

~~D. Household income must equal or be less than the Division of Maternal and Child Health financial criteria for services.~~

~~E. Financial criteria for services for the Division of maternal and Child Health are based on 185% of the U.S. Department of Agriculture's national poverty guidelines, adjusted for family size. The figures are reviewed and published annually by DMCH.~~

~~F. Program staff may consider current monthly income when reasonable grounds exist to believe, that this is a more accurate reflection of the family's true financial status.~~

~~G. Program staff accept self declaration, but in unusual or extenuating circumstances, the right to request income verification is reserved.~~

~~H. The parent must not possess private insurance or medical assistance benefits which will provide coverage for parenting education.~~

~~SECTION 4. ELIGIBILITY DETERMINATION OF PROVIDERS~~

~~A. Parent Educators must submit a resume or curriculum vitae and an outline of the curriculum being used.~~

~~B. Educators must possess at least one (1) of the following qualifications for reimbursement~~

~~(1) certified PET instructor; or~~

~~(2) certified American Red Cross parenting instructor; or~~

~~(3) certified DMCH Parent Educator; or~~

- (4) ~~STEP leader; or~~
 - (5) ~~acceptable professional training: child development specialist, nutritionists, childbirth educator, early childhood specialist, health educator, home economics teacher, physician, registered nurse, psychologist, or social worker.~~
- C. ~~The curriculum of the parenting educator can be a combination of various theories and commercially standardized courses but must include the following goals:~~
- (1) ~~to increase parents' knowledge and understanding of normal growth and development of children; and~~
 - (2) ~~to promote healthy lifestyles by presentation of basic health and medical needs of children; and~~
 - (3) ~~to affect the appropriate shaping of children's behavior including the assumption of appropriate responsibility by the child (ren); and~~
 - (4) ~~to increase parents' awareness of available community resources.~~
- D. ~~Examples of standardized courses that will be approved are:~~
- (1) ~~Systematic Training for Effective Parenting (STEP or TEEN STEP)~~
 - (2) ~~Parent Effectiveness Training~~
 - (3) ~~Parenting One to Six—American Red Cross~~
- E. ~~A parenting educator will not be reimbursed without prior approval of both his/her eligibility and the eligibility of the client.~~
- F. ~~Continuing Education Requirement~~

~~Submission of evidence of one (1) Continuing Education Unit (ten (10) contact Hours) per year is necessary to renew eligibility. Renewal is to be made by submitting certification of CEU to:~~

~~Parenting Education Scholarship Program
Division of Maternal and Child Health
11 State House Station
Augusta, ME 04333~~

~~by December 31, of each calendar year. This will be retained in each provider's file. Compliance with this requirement is the parenting educator's responsibility. A letter of termination citing lack of compliance with this requirement will be mailed to the provider's last known address within thirty days after the due date. The continuing education may relate to any aspect of parenting child health or development, or adult education theory.~~

~~SECTION 5. SERVICES OFFERED BY THE PROGRAM~~

- ~~A. The Program will provide reimbursement to enable eligible parents to participate in DMCH approved parenting education;~~
- ~~B. Reimbursement will be made, subject to availability of funds, at the rate of \$35 (thirty-five dollars) per single parent and \$45 (forty five dollars) per couple per course of study.~~
- ~~C. A course of study must be not less than three sessions.~~
- ~~D. Clients and providers must be approved by DMCH prior to reimbursement.~~
- ~~E. Providers must submit evidence of class attendance by client(s) to the Division of Maternal and Child Health.~~

~~SECTION 6. CLOSURE OF CLIENT FILE~~

- ~~A. Program staff may close a client file at any time when it is determined that the family is ineligible under Section 3-A-I.~~
- ~~B. A client file may be closed if there is inadequate information to determine eligibility for one month after a request for supplemental or missing information from the family.~~
- ~~C. Before closure of a client file there must be:
 - ~~(1) written notification of closure decision, offering opportunity to participate in the decision, mailed to last known address; and~~
 - ~~(2) written notification of appeal rights; and~~
 - ~~(3) documentation of reasons for closure in client file.~~~~

~~SECTION 7. INELIGIBLE PROGRAMS~~

- ~~A. The following are not eligible for reimbursement and/or participation in the Program:
 - ~~(1) Providers of DMCH services that include parent education as a DMCH funded service in their program.~~
 - ~~(2) Providers who receive reimbursement for the provision of parenting education to this population from another source. The Parenting Education Program is the payor of last resort.~~~~

~~SECTION 8. PROGRAM APPEALS PROCESS~~

~~An applicant for the Program who is dissatisfied with any decision concerning the furnishing or denial of enumerated services may request a review and redetermination of that decision by the supervisory staff. Whenever possible the Program will attempt to resolve conflicts informally. The appeals process is designed to secure and protect the interests of the client, of the provider, and of the State agency and to insure equitable treatment of all involved.~~

~~A. Notification of Fair Hearing Rights:~~

- ~~1. Ineligible at time of application: a person found ineligible for either provider or client status at time of application or after receipt of appropriate information shall receive written notice of ineligibility at the time the action is taken. The notice will include information on hearing rights.~~
- ~~2. Ineligible for further benefits under the Program: a person found ineligible for further payments either as a provider or as a client shall receive written notification of such decision. The notice to discontinue, terminate, suspend, or reduce service shall contain at a minimum:~~
 - ~~(a) the action the agency proposes to take~~
 - ~~(b) the effective date of the action~~
 - ~~(c) the reason(s) for the action~~
 - ~~(d) reference to the specific rules or regulations supporting the action~~
 - ~~(e) explanation of the individual's right to request a hearing on the matter~~
 - ~~(f) circumstances under which services would continue if a hearing were requested.~~

~~B. Informal Conference~~

- ~~1. An individual must request an informal conference orally or in writing within ten (10) days of receipt of notice of agency action. The state agency staff person who signed the letter of notice must be contacted. The request must describe the complaint.~~
- ~~2. An informal conference shall be scheduled no later than fourteen (14) calendar days from the date requested to provide the opportunity to review the circumstances informally and to present concerns to the State Agency Program Director or designee.~~
- ~~3. The individual may present any questions he/she has and/or introduce new or different information which might affect the individual's participation in the Program in an informal setting.~~
- ~~4. A written report of the findings shall be issued within fourteen (14) calendar days of the informal conference.~~

5. ~~If the individual is not satisfied with the results of the informal conferences formal hearing may still be requested. This request must be filed within sixty (60) calendar days from the date of the initial notice of the adverse action.~~
6. ~~The Program will not provide disputed services that had not begun at the time of the request for informal conference nor will services be provided that were begun without proper authorization.~~

C. ~~Formal Fair Hearing~~

1. ~~The appellant has up to thirty (30) days to request a Fair Hearing from the date the Program gives final notice of adverse action.~~
2. ~~If no request for Fair Hearing is made within thirty (30) calendar days of notice of informal conference that decision is considered final.~~
3. ~~The date an appellant presents an oral or written request for opportunity to present the case to a higher authority is the date of the hearing request.~~
4. ~~The request for opportunity to present a grievance may be to agency staff, Program Director, or the commissioner of the Department of Human Services.~~
5. ~~The request for a Fair Hearing must describe the complaint and note the results of an informal conference, if one was held.~~
6. ~~Once a Fair Hearing has been requested, the State Agency must complete a Fair Hearing Report Form, SWSSU-097, and forward it to the Office of Special Services.~~
7. ~~The Program may not deny or dismiss a request for a Fair Hearing unless
 - (a) ~~the request is not received within the time limits set by the Department; or~~
 - (b) ~~the request is withdrawn in writing by the individual or his/her representative; or~~
 - (c) ~~the individual or representative is adjudged by the Hearing Officer to be in default for failure to appear at the hearing without good cause.~~~~
8. ~~The Fair Hearing will be conducted by an impartial hearing officer.~~
9. ~~The request for a hearing will be acknowledged in writing by the Department within five (5) working days of its receipt.~~
10. ~~The appellant will have at least ten (10) working days notice of the date, time, and place of the scheduled formal Fair Hearing. Notice will include an explanation of the hearing procedure and appellant's right to representation. Appellant is responsible for his/her own legal fees, if any,~~

11. ~~Prompt and definitive administrative action will be taken no later than 60 (sixty) calendar days from the date of the initial request for Fair Hearing, except where appellant requests a delay in the hearing process. A Fair Hearing cannot be delayed or canceled because of a possible adjustment under consideration unless appellant submits such a request in writing.~~
12. ~~The Fair Hearing shall be conducted and a recommended decision shall be issued in accordance with Maine's Administrative Procedures Act 5 MRSA sections 9051-9064.~~
13. ~~The Fair Hearing decision shall be considered final by the agency pending the outcome of further appeal procedures.~~
14. ~~If appellant is dissatisfied with the decision of the Fair Hearing Officer, he must file a petition for review in an appropriate Superior Court within thirty (30) days of receipt of the decision. Rule 80C of the Maine Rules of Civil Procedure.~~

~~STATUTORY AUTHORITY: 22 MRSA sections 42, 1951, and 3173.~~

~~EFFECTIVE DATE: April 22, 1987~~

~~AMENDED: October 19, 1988~~

~~EFFECTIVE DATE (ELECTRONIC CONVERSION): May 5, 1996~~