

67:47:01:29. Department to maintain waiting list. If the department does not have sufficient funding to add an applicant eligible for child care assistance to the program, the department shall place the eligible applicant on a waiting list. An applicant must meet all eligibility requirements in order to be placed on the waiting list. If a waiting list is developed, the department shall assign a level of priority. The first level of priority status consists of:

- (1) TANF recipients;
- (2) Applicants with children who have special needs;
- (3) Applicants who meet the definition of homeless; and
- (4) Applicants with children who will be receiving or need to receive protective services.

The second level of priority status consists of applicants whose monthly gross income remains below 209 percent of the federal poverty level.

Within the first level of priority, eligibility is prioritized by the date the completed application is received. Within the second level of priority, eligibility is prioritized by income in ascending order from the lowest to the highest of the federal poverty level and by the date of application. A change in an applicant's circumstances may warrant a change in an applicant's level of priority on the waiting list. If an applicant on the waiting list no longer meets eligibility requirements, the applicant shall be removed from the waiting list.

Source: 37 SDR 236, effective June 28, 2011; 44 SDR 42, effective September 11, 2017; 45 SDR 159, effective July 1, 2019.

General Authority: SDCL 28-1-61(1)(11).

Law Implemented: SDCL 28-1-60.