

**199.886 Participation by employer and employee -- Contract -- Payment for costs of service.**

- (1) If an employer wishes to provide child-care assistance to an employee as a benefit of employment and participate in this program, the employer may enter into an agreement with its employee and a child-care provider using the standardized contract provided by the cabinet.
- (2) To participate in the program, an employer shall do the following:
  - (a) Obtain the standardized contract created by the cabinet and enter into it with the employee and child-care provider;
  - (b) Submit the proposed contract to the cabinet;
  - (c) Submit any additional information as deemed necessary by the cabinet pursuant to KRS 199.884; and
  - (d) Make contributions to the employee's eligible child-care costs directly to the child-care provider or through a third-party vendor in accordance with the amount and frequency agreed to in the final contract.
- (3) To participate in the program, an employee shall complete the standardized contract with the employer and the child-care provider and provide any additional information as deemed necessary by the cabinet pursuant to KRS 199.884.
- (4) In the event that the agreement includes costs of service not covered by the employer's contribution and the state match, the employee shall make payments to the child-care provider according to the amount and frequency determined by the final contract. If another member of the employee's household or family becomes a party to an agreement in accordance with KRS 199.881 to 199.888, the employer contribution and state match of that agreement may be utilized to pay for costs of service not covered by the employer contribution and state match of the preceding agreement, provided that it does not result in overpayment to the provider.

**Effective:** April 8, 2022

**History:** Created 2022 Ky. Acts ch. 184, sec. 6, effective April 8, 2022.