STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER NO. 20-18
CORONAVIRUS — NETWORK OF CHILD CARE PROVIDERS

WHEREAS, a state of emergency was declared in Nebraska on March 13, 2020, to control the spread of the coronavirus known as COVID-19;

WHEREAS, the coronavirus has led to the temporary closure of numerous Nebraska child care providers, including approximately 16% of all child care subsidy providers, and caused layoffs and job loss among child care staff as well as workers in other industries;

WHEREAS, working Nebraska families need to have a robust network of child care providers available not only during the coronavirus emergency but also as Nebraska recovers from this emergency; and

WHEREAS, temporarily suspending certain regulatory requirements could make it easier for child care subsidy providers to remain open or reopen and could create employment opportunities for unemployed child care workers and other individuals..

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this waiver of specific state statutes and regulations regarding the Child Care Subsidy Program which are hindering the ability to provide temporary child care access to Nebraskans.

Pursuant to this declaration, I hereby order and direct the following:

1. The provisions of Title 392 Nebraska Administrative Code § 3-010.01 regarding in-home care for subsidy families are temporarily suspended solely to permit families who are eligible to participate in the child care subsidy program to obtain in-home child care when other child care options are unavailable; and

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2. The provisions of 392 Nebraska Administrative Code § 4-003.01A, which bar subsidy providers from billing the Nebraska Department of Health and Human Services (DHHS) when children are absent from their care, are temporarily suspended solely to permit an open, staffed, and licensed child care provider to be paid when an eligible child is not receiving care from the provider because the child's parent or legal caretaker, due to the COVID-19 emergency, either chooses to keep the child home or is unable to utilize care; and

3. DHHS shall establish and publish guidance for providing or receiving child care in a child's home and payment for children absent from care; and

4. This Executive Order shall become effective immediately and shall remain in effect until 30 days after the lifting of the COVID-19 state of emergency.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 15th day of April, 2020.

Pete Ricketts, Governor
State of Nebraska

Attest:

Robert B. Evnen,
Secretary of State
State of Nebraska