**Section 50.1210 Intentional Program Violations and Fraud**

a) Child care providers whose employees are covered by a collective bargaining agreement with DHS shall refer to the relevant agreement, rather than the procedure outlined in this Section.

b) An intentional program violation occurs when:

1) Parents or other relatives knowingly provide false or misleading statements, or engage in misrepresentation, concealment, or withholding of relevant facts or information; or

2) Parents or other relatives or child care providers knowingly fail to comply with the requirements of the Child Care Assistance Program as stated in 45 CFR 98.20 and 98.21 and 89 Ill. Adm. Code 50.110, 50.210, and 50.230.

c) An intentional program violation may include, but is not limited to:

1) Providing false employment information, including concealing employment or neglecting to report change in employment or job loss;

2) Providing false information regarding wages or other income;

3) Misrepresenting or failing to disclose household membership;

4) Falsifying eligibility documentation or information;

5) Claiming child care assistance for care provided by an ineligible provider;

6) Claiming child care assistance for care provided by an eligible provider without the authority to do so;

7) Misrepresenting the amount of child care needed or used;

8) Falsifying sign-in/sign-out records;

9) Inaccurate reporting of child care provider licensing status;

10) Failure to disclose child care provider relationship to the children or the location at which care is provided;

11) Billing for days of care that were not provided;

12) Failure to comply with required Health and Safety training requirements as stated in 45 CFR 98.41 and 89 Ill. Adm. Code 50.830;

13) Failure to comply with licensing or monitoring requirements as stated in 89 Ill. Adm. Code 406, 407 and 408; or

14) Failure to establish and comply with a repayment plan for an improper payment.

d) For the purposes of this Part, fraud is defined as an offense committed by any person or persons who scheme to deceive, falsify, conceal, create, or cover up material facts to receive child care benefits or to financially gain or profit from the Child Care Assistance Program. The offense must be committed willfully and knowingly. Examples of fraud include, but are not limited to:

1) Manufacturing paystubs, income information, school registration, grades, or educational schedules;

2) Creating fictitious children;

3) Creating fictitious child care settings; or

4) Creating and participating in a conspiracy/scheme with other parents or other relatives and/or child care providers to defraud the State for financial gain.

(Source: Added at 47 Ill. Reg. 110, effective December 20, 2022)