

1 5653-S AMH HS H2781.1

2 SSB 5653 - H COMM AMD
3 By Committee on Human Services

4
5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. The legislature finds that specialized
8 child care services and early childhood education services are needed
9 to meet the needs of homeless children younger than school age to
10 improve their physical, social, medical, and emotional state. These
11 services will prevent later educational and social failures and
12 resulting societal costs. Continuity in child care arrangements is
13 vital for children who are experiencing constant disruption in their
14 living arrangements.

15 The legislature further finds that homeless parents, in order to
16 achieve independence, need an appropriate place to provide care for
17 their children while they seek or maintain employment, attend
18 treatment, or seek permanent housing."

19 "Sec. 2. RCW 74.15.020 and 1988 c 176 s 912 are each amended to
20 read as follows:

21 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
22 otherwise clearly indicated by the context thereof, the following terms
23 shall mean:

24 (1) "Department" means the state department of social and health
25 services;

26 (2) "Secretary" means the secretary of social and health services;

1 (3) "Agency" means any person, firm, partnership, association,
2 corporation, or facility which receives children, expectant mothers, or
3 persons with developmental disabilities for control, care, or
4 maintenance outside their own homes, or which places, arranges the
5 placement of, or assists in the placement of children, expectant
6 mothers, or persons with developmental disabilities for foster care or
7 placement of children for adoption, and shall include the following
8 irrespective of whether there is compensation to the agency or to the
9 children, expectant mothers or persons with developmental disabilities
10 for services rendered:

11 (a) "Group-care facility" means an agency, other than a foster-
12 family home, which is maintained and operated for the care of a group
13 of children on a twenty-four hour basis;

14 (b) "Child-placing agency" means an agency which places a child or
15 children for temporary care, continued care, or for adoption;

16 (c) "Maternity service" means an agency which provides or arranges
17 for care or services to expectant mothers, before or during
18 confinement, or which provides care as needed to mothers and their
19 infants after confinement;

20 (d) "Day-care center" means an agency which regularly provides care
21 for a group of children for periods of less than twenty-four hours;

22 (e) "Foster-family home" means an agency which regularly provides
23 care on a twenty-four hour basis to one or more children, expectant
24 mothers, or persons with developmental disabilities in the family abode
25 of the person or persons under whose direct care and supervision the
26 child, expectant mother, or person with a developmental disability is
27 placed;

28 (f) "Crisis residential center" means an agency which is a
29 temporary protective residential facility operated to perform the

1 duties specified in chapter 13.32A RCW, in the manner provided in RCW
2 74.13.032 through 74.13.036;

3 (g) "Specialized child care" means an agency that provides all-day
4 child care for homeless children under the age of six;

5 (h) "Respite child care" means an agency that provides drop-in,
6 custodial child care for homeless children under the age of six.

7 (4) "Agency" shall not include the following:

8 (a) Persons related by blood or marriage to the child, expectant
9 mother, or persons with developmental disabilities in the following
10 degrees: Parent, grandparent, brother, sister, stepparent,
11 stepbrother, stepsister, uncle, aunt, and/or first cousin;

12 (b) Persons who are legal guardians of the child, expectant mother,
13 or persons with developmental disabilities;

14 (c) Persons who care for a neighbor's or friend's child or
15 children, with or without compensation, where the person does not
16 engage in such activity on a regular basis, or where parents on a
17 mutually cooperative basis exchange care of one another's children, or
18 persons who have the care of an exchange student in their own home;

19 (d) Nursery schools or kindergartens which are engaged primarily in
20 educational work with preschool children and in which no child is
21 enrolled on a regular basis for more than four hours per day;

22 (e) Schools, including boarding schools, which are engaged
23 primarily in education, operate on a definite school year schedule,
24 follow a stated academic curriculum, accept only school-age children
25 and do not accept custody of children;

26 (f) Seasonal camps of three months' or less duration engaged
27 primarily in recreational or educational activities;

28 (g) Hospitals licensed pursuant to chapter 70.41 RCW when
29 performing functions defined in chapter 70.41 RCW, nursing homes

1 licensed under chapter 18.51 RCW and boarding homes licensed under
2 chapter 18.20 RCW;

3 (h) Licensed physicians or lawyers;

4 (i) Facilities providing care to children for periods of less than
5 twenty-four hours whose parents remain on the premises to participate
6 in activities other than employment;

7 (j) Facilities approved and certified under chapter 71A.22 RCW;

8 (k) Any agency having been in operation in this state ten years
9 prior to June 8, 1967, and not seeking or accepting moneys or
10 assistance from any state or federal agency, and is supported in part
11 by an endowment or trust fund;

12 (l) Persons who have a child in their home for purposes of
13 adoption, if the child was placed in such home by a licensed child-
14 placing agency, an authorized public or tribal agency or court or if a
15 preplacement report has been filed under chapter 26.33 RCW and the
16 placement has been approved by the court;

17 (m) An agency operated by any unit of local, state, or federal
18 government or an agency, located within the boundaries of a federally
19 recognized Indian reservation, licensed by the Indian tribe;

20 (n) An agency located on a federal military reservation, except
21 where the military authorities request that such agency be subject to
22 the licensing requirements of this chapter.

23 (5) "Requirement" means any rule, regulation or standard of care to
24 be maintained by an agency.

25 (6) "Homeless" means:

26 (a) An individual or family that lacks a fixed, regular, and
27 adequate nighttime residence; or

28 (b) An individual or family that has a primary nighttime residence
29 that is:

1 (i) A supervised publicly or privately operated shelter designed to
2 provide temporary living accommodations, including, but not limited to,
3 welfare hotels, domestic violence shelters, congregate shelters, and
4 transitional housing for the mentally ill;

5 (ii) An institution that provides a temporary residence for
6 individuals intended to be institutionalized; or

7 (iii) A public or private place not designed for, or ordinarily
8 used as, regular sleeping accommodations for human beings.

9 "Homeless" does not include any individual imprisoned or otherwise
10 detained under federal or state law."

11 "NEW SECTION. Sec. 3. A new section is added to chapter 74.15 RCW
12 to read as follows:

13 (1) The department shall, within the funds appropriated for this
14 purpose, contract with eligible providers for specialized child care
15 and respite child care for children of homeless parents. The total
16 allocation to providers within a county shall be:

17 (a) No less than twenty-five thousand dollars per fiscal year in
18 any county that had at least one hundred children under the age of six
19 served in emergency shelters the preceding year as reported by the
20 department of community development; or

21 (b) No more than ten thousand dollars per fiscal year in any county
22 that had less than one hundred children under the age of six served in
23 emergency shelters the preceding year as reported by the department of
24 community development.

25 (2) Child care services provided by emergency shelters are subject
26 to department of community development rules on applicant eligibility
27 criteria.

1 (3) Local funds used for child care services for the homeless that
2 are supplemented by funds provided under this section shall continue to
3 be used for services for homeless children.

4 (4) The department shall require that specialized child care and
5 respite child care providers coordinate with early childhood education
6 programs funded through the department of community development."

7 "NEW SECTION. **Sec. 4.** A new section is added to chapter 74.15 RCW
8 to read as follows:

9 (1) Specialized child care shall be provided by child care centers
10 that specialize in serving homeless children or by the purchase of
11 existing slots in community child care centers or family day care
12 homes. Specialized child care shall be developmentally appropriate for
13 the children served and may include low staff-to-child ratios,
14 counseling, parent support services, health care, transportation,
15 specially trained staff, and appropriate curricula.

16 (2) Where the provision of specialized child care is not practical,
17 such as in communities with small shelter populations or for families
18 housed in hotels or motels under "voucher" programs as provided in this
19 chapter, respite child care may be provided by licensed child care
20 providers."

21 "NEW SECTION. **Sec. 5.** The sum of two million six hundred
22 thousand dollars, or as much thereof as may be necessary, is
23 appropriated from the general fund to the department of social and
24 health services for the biennium ending June 30, 1993, to carry out the
25 purposes of this act."

26 "NEW SECTION. **Sec. 6.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take
2 effect July 1, 1991."

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6 On page 1, line 2 of the title, after "violence;" strike the
7 remainder of the title and insert "amending RCW 74.15.020; adding new
8 sections to chapter 74.15 RCW; creating a new section; making an
9 appropriation; providing an effective date; and declaring an
10 emergency."