
HOUSE BILL 2798

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Chandler, Hochstatter, Ballard, Horn, Paris and
Forner

Read first time 01/28/92. Referred to Committee on Human Services.

1 AN ACT Relating to child care; and amending RCW 74.15.020.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 74.15.020 and 1991 c 128 s 14 are each amended to read
4 as follows:

5 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
6 otherwise clearly indicated by the context thereof, the following terms
7 shall mean:

8 (1) "Department" means the state department of social and health
9 services;

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

11 (3) "Agency" means any person, firm, partnership, association,
12 corporation, or facility which receives children, expectant mothers, or
13 persons with developmental disabilities for control, care, or
14 maintenance outside their own homes, or which places, arranges the

1 placement of, or assists in the placement of children, expectant
2 mothers, or persons with developmental disabilities for foster care or
3 placement of children for adoption, and shall include the following
4 irrespective of whether there is compensation to the agency or to the
5 children, expectant mothers or persons with developmental disabilities
6 for services rendered:

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

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

12 (c) "Maternity service" means an agency which provides or arranges
13 for care or services to expectant mothers, before or during
14 confinement, or which provides care as needed to mothers and their
15 infants after confinement;

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

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

24 (f) "Crisis residential center" means an agency which is a
25 temporary protective residential facility operated to perform the
26 duties specified in chapter 13.32A RCW, in the manner provided in RCW
27 74.13.032 through 74.13.036.

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

29 (a) Persons related by blood or marriage to the child, expectant
30 mother, or persons with developmental disabilities in the following

1 degrees: Parent, grandparent, brother, sister, stepparent,
2 stepbrother, stepsister, uncle, aunt, and/or first cousin;

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

5 (c) Persons who care for a neighbor's or friend's child or
6 children, with or without compensation, (~~where the person does not~~
7 ~~engage in such activity on a regular basis, or where~~) parents who on
8 a mutually cooperative basis exchange care of one another's children,
9 (~~or~~) persons who have the care of an exchange student in their own
10 home, or persons who do not solicit for child care service, receive no
11 public funds, and care for fewer than five children;

12 (d) A person, partnership, corporation, or other entity that
13 provides placement or similar services to exchange students or
14 international student exchange visitors;

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

18 (f) Schools, including boarding schools, which are engaged
19 primarily in education, operate on a definite school year schedule,
20 follow a stated academic curriculum, accept only school-age children
21 and do not accept custody of children;

22 (g) Seasonal camps of three months' or less duration engaged
23 primarily in recreational or educational activities;

24 (h) Hospitals licensed pursuant to chapter 70.41 RCW when
25 performing functions defined in chapter 70.41 RCW, nursing homes
26 licensed under chapter 18.51 RCW and boarding homes licensed under
27 chapter 18.20 RCW;

28 (i) Licensed physicians or lawyers;

1 (j) Facilities providing care to children for periods of less than
2 twenty-four hours whose parents remain on the premises to participate
3 in activities other than employment;

4 (k) Facilities approved and certified under chapter 71A.22 RCW;

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

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

14 (n) An agency operated by any unit of local, state, or federal
15 government or an agency, located within the boundaries of a federally
16 recognized Indian reservation, licensed by the Indian tribe;

17 (o) An agency located on a federal military reservation, except
18 where the military authorities request that such agency be subject to
19 the licensing requirements of this chapter.

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