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HOUSE BILL 2895

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Gombosky, O'Brien, Kastama, Cody, Sullivan, Morris, Costa, Wood and Conway

Read first time 01/21/98. Referred to Committee on Children & Family Services.

1 AN ACT Relating to background checks of exempt child care  
2 providers; amending RCW 74.12.340; and creating a new section.

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

4 **Sec. 1.** RCW 74.12.340 and 1973 1st ex.s. c 154 s 111 are each  
5 amended to read as follows:

6 (1) The department is authorized to promulgate rules and  
7 regulations governing the provision of day care as a part of child  
8 welfare services when the secretary determines that a need exists for  
9 such day care and that it is in the best interests of the child, the  
10 parents, or the custodial parent and in determining the need for such  
11 day care priority shall be given to geographical areas having the  
12 greatest need for such care and to members of low income groups in the  
13 population(~~(: PROVIDED, That)~~). Where the family is financially able  
14 to pay part or all of the costs of such care, fees shall be imposed and  
15 paid according to the financial ability of the family.

16 (2) The department shall investigate the conviction record, pending  
17 charges, and dependency record information, pursuant to chapter 43.43  
18 RCW, of all providers who are authorized for payment for in-home or  
19 relative child care services and who are exempt from licensure under

1 RCW 74.15.030. The department shall make available to the public, on  
2 request, the conviction record, pending charges, and dependency record  
3 information of such exempt providers and their employees. This  
4 information shall be made available through state-wide child care  
5 resource and referral organizations.

6 (3) The department, its employees, and officials shall be immune  
7 from liability for release of information regarding the information  
8 released pursuant to subsection (2) of this section.

9 (4) Investigation and release of information pursuant to subsection  
10 (2) of this section shall not establish an employment relationship  
11 between the department and the provider.

12 NEW SECTION. Sec. 2. If any part of this act is found to be in  
13 conflict with federal requirements that are a prescribed condition to  
14 the allocation of federal funds to the state, the conflicting part of  
15 this act is inoperative solely to the extent of the conflict and with  
16 respect to the agencies directly affected, and this finding does not  
17 affect the operation of the remainder of this act in its application to  
18 the agencies concerned. Rules adopted under this act must meet federal  
19 requirements that are a necessary condition to the receipt of federal  
20 funds by the state.

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