

SENATE BILL REPORT

SB 5131

As Reported By Senate Committee On:
Human Services & Corrections, February 5, 1999

Title: An act relating to liability insurance for licensed day-care and family day-care providers.

Brief Description: Requiring insurance for day-care and family day-care providers.

Sponsors: Senators Kohl-Welles, Long, Hargrove, Winsley, Brown, Patterson, Thibaudeau, Prentice and Costa.

Brief History:

Committee Activity: Human Services & Corrections: 2/2/99, 2/5/99 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Patterson and Sheahan.

Staff: Joan K. Mell (786-7447)

Background: Historically, parents have been surprised to discover that their child's day care did not have insurance coverage for injuries to their child at day care. Day-care providers have in the past had difficulty obtaining affordable day-care coverage. Past legislation addressed the access to coverage question by compelling liability carriers to write coverage specific to day cares. Currently, most day-care centers have coverage, but coverage is not a prerequisite to obtaining a license.

Summary of Bill: Licensed child day-care centers and family day-care providers are required to have day-care insurance as defined by the insurance statutes. Policy limits are a minimum of \$100,000 per occurrence. Family day-care providers can opt out of the coverage requirement by maintaining a file of affidavits or declarations disclosing to parents the day care's lack of insurance coverage. The requirements of the statute are not to be used for argument purposes in personal injury cases.

Appropriation: None.

Fiscal Note: Requested on January 24, 1999.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Children have died in day care and the state has paid damages. Providers have not had coverage.

Testimony Against: None.

Testified: PRO: Stu Jacobson, Michelle Hunt, Washington Parents; Majken Keira, WA Women United; Dawn Larsen, Olympia Child Care Center.