

SENATE BILL REPORT

SHB 1256

As Reported By Senate Committee On:
Human Services & Corrections, March 29, 2007
Ways & Means, April 2, 2007

Title: An act relating to preventing serious injury and strangulation from window blind cords or other significant safety hazards in child care settings.

Brief Description: Preventing serious injury and strangulation from window blind cords or other significant safety hazards in child care settings.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Dickerson, Kagi, Hunter, O'Brien and Ericks).

Brief History: Passed House: 2/21/07, 95-1.

Committee Activity: Human Services & Corrections: 3/29/07 [DP, w/oRec].
Ways & Means: 4/02/07 [DPA, w/oRec].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Marr and McAuliffe.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Kevin Black (786-7747)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Roach, Rockefeller and Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Paula Moore (786-7449)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: The Department of Early Learning (DEL) is responsible for establishing the minimum child care licensing requirements related to the safety of child care premises. Licensed child care providers must maintain the building, equipment, and premises in a safe manner that protects children from injury hazard.

The United States Consumer Product Safety Commission (CPSC) publishes reports on consumer products that present unreasonable risks of serious injury or death. It has issued a recall for the repair of horizontal window blinds to eliminate risk of strangulation by young children. Window blinds sold since November 2000 do not present this risk.

Jaelyn Frank is a child who was killed by strangulation in December 2005 after being caught in the cords of a window blind in a residential day care home.

Summary of Substitute Bill: The DEL must establish minimum licensing requirements for child day care centers prohibiting the use of window blinds with pull cords or inner cords capable of posing a risk of strangulation for young children. The DEL Director is required to consult and give serious consideration to the CPSC's most wanted list in developing licensing requirements.

Within funding appropriated for this purpose, the DEL must provide grants to licensed facilities for the costs of replacement for window fittings that cannot be retrofitted to comply with licensing requirements.

The act must be cited as the "Jaelyn Frank Act."

EFFECT OF CHANGES MADE BY RECOMMENDED STRIKING AMENDMENT(S) AS PASSED COMMITTEE (Ways & Means): The following changes are made:

- removes the requirement for the DEL to provide small grants to child care facilities for the cost of replacing window coverings not retrofitted; and
- makes a technical correction to the name of publications from the consumer product safety commission.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony (Human Services & Corrections): PRO: Since 2000, there have been 69 deaths of children due to window cords, which does not include injuries and other incidents that arise from their use. Use of these cords should be part of the DEL's review of safe surroundings in child care centers. Retrofit kits are provided free. This should not be changed into a study bill.

Persons Testifying (Human Services & Corrections): PRO: Representative Dickerson, prime sponsor.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.