

SENATE BILL REPORT

SHB 1756

As of March 21, 2011

Title: An act relating to authorizing implementation of a nonexpiring license for early learning providers.

Brief Description: Authorizing implementation of a nonexpiring license for early learning providers.

Sponsors: House Committee on Early Learning & Human Services (originally sponsored by Representatives Roberts, Walsh, Haler, Green, Kagi, Jinkins, Darneille, Orwall, Upthegrove and Kenney).

Brief History: Passed House: 3/02/11, 92-5.

Committee Activity: Human Services & Corrections: 3/15/11.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: The Department of Early Learning (DEL) is charged with licensing early learning providers in Washington. (Child care is included in the definition of early learning.) According to DEL, it licenses more than 7500 child care providers, who care for approximately 180,000 children. DEL also monitors licensed providers to ensure minimum licensing requirements are met.

In the 2010 legislative session, ESB 6444 directed DEL, by January 15, 2011, to develop a plan to improve child care licensing practices. On January 14, 2011, DEL released its report to the Legislature. The report outlines a ten-year plan to improve licensing. One of the items addressed in the plan is to allow non-expiring licenses for child care providers.

Currently, child care providers are issued an initial license for a six-month period until the licensee can demonstrate that they meet specific requirements. Four initial licenses can be issued within a two-year period. All licensed child care providers are required to reapply for licensure every three years. According to DEL, "relicensing is a time-consuming process that involves much paperwork for both the licensor and provider, and culminates in a relicensing visit that can last several hours."

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.

According to a 2008 survey administered by the National Association for Regulatory Administration and the National Child Care Information and Technical Assistance Center, the following 12 states use the non-expiring license model: Arkansas, California, Colorado, Georgia, Kansas, Maryland, North Carolina, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin.

Summary of Bill: Fully licensed child care providers are no longer required to reapply for licensure through the Department of Early Learning (DEL) every three years. The license renewal process does not apply to nonexpiring licenses. Instead full licenses will remain valid so long as licensees submit the following items on an annual basis:

- annual licensing fee;
- declaration to DEL indicating the intent to either continue or cease operating a licensed child care program;
- declaration of compliance with all licensing rules; and
- background check applications, according to DEL's established schedule.

If the licensee fails to submit the items above, the license expires and the licensee must submit a new application for licensure.

DEL must establish timeframes for monitoring visits to nonexpiring licensees, and must consider whether an agency is in good standing when determining its monitoring approach.

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: PRO: The focus of this bill is on streamlining the process while still protecting children. The goal is to allow both DEL and the providers to spend less time pushing paper. The purpose of the bill is to save time and money, and there is some concern that the amendments by the House have diluted this purpose somewhat.

Persons Testifying: PRO: Representative Roberts, prime sponsor; Lonnie Johns-Brown, SEIU 925 and AFT; Agda Burchard, Washington Association for the Education of Young Children.