

SENATE BILL REPORT

SHB 1756

As Reported by Senate Committee On:
Human Services & Corrections, March 24, 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, 3/24/11 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter, Carrell, Harper and McAuliffe.

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.

Once a license has been issued, DEL may issue a probationary license for a licensee who is temporarily unable to comply with a rule or if the licensee has been the subject of multiple complaints or concerns about the licensee's noncompliance.

The probationary license may be issued if the licensee's noncompliance does not present an immediate threat to the health and well-being of the children but could pose a threat if conditions are allowed to continue. The probationary license is also contingent upon the development of a licensee's plan, approved by DEL, to correct an area of noncompliance

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.

within the probationary period. A probationary license may be issued for up to six months and may, at DEL's discretion, be extended for six months. An existing license is invalidated when a probationary license is issued.

Summary of Bill (Recommended Amendments): Before it can issue a probationary license, DEL must refer the licensee to a child care resource and referral network or other appropriate resource for technical assistance. This referral must be in writing. DEL may issue the probationary license if, within 15 days of the referral, the licensee refuses DEL's referral for technical assistance or the licensee has not responded to the written referral.

If the licensee accepts DEL's referral for technical assistance, DEL, the licensee, and the technical assistance provider must meet within 30 days of the licensee's acceptance. The licensee, DEL, and the technical assistance provider must develop a plan to correct the areas of noncompliance identified by DEL. If the licensee has not corrected the areas of noncompliance identified in the plans within 60 days, DEL may issue a probationary license.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): Adds language requiring DEL to refer a licensee to a child care resource and referral network or other appropriate resource for technical assistance before issuing a probationary license. DEL can issue a probationary license if within 15 days the licensee has either refused to accept the technical assistance or has not responded to the written referral sent by DEL. If the licensee accepts the referral for technical assistance, after 30 days, DEL and the provider in consultation with the technical assistance provider are to develop a plan to correct the areas of deficiency. If, after 60 days, the licensee has not corrected the deficient areas identified in the plan, DEL may issue a probationary license.

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 on Substitute House Bill: 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.