

SENATE BILL REPORT

ESHB 2191

As of February 20, 2014

Title: An act relating to compliance with inspections of child care facilities.

Brief Description: Concerning compliance with inspections of child care facilities.

Sponsors: House Committee on Early Learning & Human Services (originally sponsored by Representatives Scott, Shea, Taylor, Short and Overstreet).

Brief History: Passed House: 2/11/14, 98-0.

Committee Activity: Human Services & Corrections: 2/20/14.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Joan Miller (786-7784)

Background: The Department of Early Learning (DEL) licenses child care family homes and child care centers. Licensing activities include trainings, first aid and CPR training, criminal background checks, and health and safety checks. The stated purpose of licensing requirements is to promote the health and safety of children attending child care programs.

Family home child care providers offer care in the home where they live. Family home providers can care for up to 12 children through age 12. Prior to becoming licensed, a family home provider must comply with locally established city ordinances and make a request to the local fire department to seek assistance in planning evaluations and emergency procedures. If the local fire department does not provide this service, the child care family home licensee must provide documentation that the request was made. Family home providers receive licensing monitoring visits every 18 months. Only areas of the home that are used for child care are licensed. Areas of the home that are not used for the purposes of child care are considered unlicensed and are not subject to licensing inspections. Family home providers, however, are asked to declare that they are in compliance with DEL requirements for furnaces, guns and weapons, smoke detectors, and medication storage in all unlicensed spaces. DEL's stated purpose for this declaration is to help ensure the safety of children receiving care in the home.

Child care centers offer care in commercial, privately owned, school- or faith-based spaces. Child care center providers serve children ages one month through 12 years of age. Prior to becoming licensed, a child care center must obtain a Certificate of Occupancy through the

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.

city or county building department, register the business, and receive a Certificate of Compliance from the director of fire protection. Child care centers receive licensing monitoring visits annually.

Summary of Bill: Prior to requiring any alterations to a child care facility due to inconsistencies with the state building code, DEL must consult with a city or county official and receive written verification that the alteration is required. The consultation is limited to licensed child care space. While waiting for the consultation and written verification, DEL may not modify, suspend, or revoke a license unless there is imminent danger to children or staff.

Child care facility means a family day care home, school-age care, and child day care center.

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: We all want day cares to be safe, loving, caring, and nurturing environments. Being consistent with state building codes and regulations helps achieve that goal. The number one complaint I heard from people in the homes was the out-of-control regulations on family home providers. Sometimes DEL would require a provider to go above and beyond the state building code and would hold the threat of revoking a license to get a provider to comply. This is a simple bill that will make a lot of people very happy. It will also provide and sustain jobs, particularly for women.

Persons Testifying: PRO: Representative Scott, prime sponsor.