

FINAL BILL REPORT

2ESSB 5157

C 29 L 13 E 2
Synopsis as Enacted

Brief Description: Regulating child care subsidies. (REVISED FOR SECOND ENGROSSED: Concerning child care subsidy fraud.)

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Schoesler, Hill and Fain).

Senate Committee on Human Services & Corrections
House Committee on Early Learning & Human Services

Background: Most persons providing child care must be licensed by the Department of Early Learning (DEL). The following are exempt from licensing:

- any blood relative;
- a stepfather, stepmother, stepbrother, or stepsister;
- an adoptive parent or their natural or legally adopted children, and other relatives of the adoptive parents;
- spouses of the persons previously mentioned;
- legal guardians of the child;
- persons who care for a neighbor or friend's child where the person provides care for periods of less than 24 hours and does not conduct such activity on an ongoing basis;
- parents who, on a mutually cooperative basis, exchange care of one another's children;
- nursery schools or kindergartens engaged primarily in educational work with preschool children where no child is enrolled for more than 4 hours per day;
- schools that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school age children, and do not accept custody of children;
- seasonal camps of 3 months or less engaged primarily in recreational or educational activities;
- facilities providing care for periods of less than 24 hours when a parent or legal guardian remains on the premises to participate in non-employment activities or employment up to 2 hours per day when the facility also operates a licensed child care program at the same facility in another location or at another facility;
- an agency operated by local, state, federal or tribal government;
- an agency operated on a federal military reservation; or
- an agency that offers early learning and support services.

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.

The Working Connections Child Care (WCCC) provides state-subsidized child care to eligible persons. It is not a condition of eligibility that the recipient assist the Department of Social and Health Services (DSHS) in collecting child support or otherwise seek child support services from DSHS.

Summary: DEL must refer all incidents of suspected child care subsidy fraud to the DSHS Office of Fraud and Accountability for appropriate investigation and action. "Fraud" means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or herself or some other person. Nothing in these provisions prevent DEL and DSHS from establishing and collecting overpayments consistent with federal regulations or seeking other remedies that may be legally available.

Votes on Final Passage:

Senate 49 0

Second Special Session

Senate 48 0

House 89 0

Effective: September 28, 2013