
HOUSE BILL 2100

State of Washington

64th Legislature

2015 Regular Session

By Representatives Kagi, Walsh, and Santos

Read first time 02/12/15. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to health and safety requirements for child care
2 programs that serve school-age children; amending RCW 43.215.360; and
3 reenacting and amending RCW 43.215.200.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.215.200 and 2011 c 359 s 2 and 2011 c 253 s 3 are
6 each reenacted and amended to read as follows:

7 It shall be the director's duty with regard to licensing:

8 (1) In consultation and with the advice and assistance of persons
9 representative of the various type agencies to be licensed, to
10 designate categories of child care facilities for which separate or
11 different requirements shall be developed as may be appropriate
12 whether because of variations in the ages and other characteristics
13 of the children served, variations in the purposes and services
14 offered or size or structure of the agencies to be licensed, or
15 because of any other factor relevant thereto;

16 (2) In consultation with the state fire marshal's office, the
17 director shall use an interagency process to address health and
18 safety requirements for child care programs that serve school-age
19 children and are operated in buildings that contain public or private
20 schools that safely serve children during times in which school is in
21 session. These requirements shall impose no additional requirements

1 than the health and safety standards established by the department of
2 health for primary and secondary schools pursuant to their authority
3 in RCW 43.20.050;

4 (3) In consultation and with the advice and assistance of parents
5 or guardians, and persons representative of the various type agencies
6 to be licensed, to adopt and publish minimum requirements for
7 licensing applicable to each of the various categories of agencies to
8 be licensed under this chapter;

9 (4) In consultation with law enforcement personnel, the director
10 shall investigate the conviction record or pending charges of each
11 agency and its staff seeking licensure or relicensure, and other
12 persons having unsupervised access to children in care;

13 (5) To satisfy the shared background check requirements provided
14 for in RCW 43.215.215 and 43.20A.710, the department of early
15 learning and the department of social and health services shall share
16 federal fingerprint-based background check results as permitted under
17 the law. The purpose of this provision is to allow both departments
18 to fulfill their joint background check responsibility of checking
19 any individual who may have unsupervised access to vulnerable adults,
20 children, or juveniles. Neither department may share the federal
21 background check results with any other state agency or person;

22 (6) To issue, revoke, or deny licenses to agencies pursuant to
23 this chapter. Licenses shall specify the category of care that an
24 agency is authorized to render and the ages and number of children to
25 be served;

26 (7) To prescribe the procedures and the form and contents of
27 reports necessary for the administration of this chapter and to
28 require regular reports from each licensee;

29 (8) To inspect agencies periodically to determine whether or not
30 there is compliance with this chapter and the requirements adopted
31 under this chapter;

32 (9) To review requirements adopted under this chapter at least
33 every two years and to adopt appropriate changes after consultation
34 with affected groups for child day care requirements; and

35 (10) To consult with public and private agencies in order to help
36 them improve their methods and facilities for the care and early
37 learning of children.

38 **Sec. 2.** RCW 43.215.360 and 2007 c 299 s 1 are each amended to
39 read as follows:

1 (1)(a) Minimum licensing requirements under this chapter shall
2 include a prohibition on the use of window blinds or other window
3 coverings with pull cords or inner cords capable of forming a loop
4 and posing a risk of strangulation to young children. Window blinds
5 and other coverings that have been manufactured or properly
6 retrofitted in a manner that eliminates the formation of loops posing
7 a risk of strangulation are not prohibited under this section.

8 (b) The requirements in (a) of this subsection shall not apply to
9 child care programs that serve school-age children and are operated
10 in buildings that contain public or private schools that safely serve
11 children during times in which school is in session.

12 (2) When developing and periodically reviewing minimum licensing
13 requirements related to safety of the premises, the director shall
14 consult and give serious consideration to publications of the United
15 States consumer product safety commission.

16 (3) The department may provide information as available regarding
17 reduced cost or no-cost options for retrofitting or replacing unsafe
18 window blinds and window coverings.

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