

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6540

66th Legislature
2020 Regular Session

Passed by the Senate February 17,
2020

Yeas 47 Nays 0

President of the Senate

Passed by the House March 5, 2020

Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6540** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6540

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Senate Ways & Means (originally sponsored by Senators Wilson, C., Wellman, Dhingra, Hasegawa, Kuderer, and Saldaña)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to working connections child care payment
2 authorizations; amending RCW 28B.50.248; reenacting and amending RCW
3 43.216.135; adding a new section to chapter 43.216 RCW; creating a
4 new section; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the federal
7 child care and development block grant act of 2014 reauthorized the
8 child care and development fund program and established a minimum
9 twelve-month eligibility period for subsidized child care in order to
10 provide families with more stability and to support the continuity of
11 care between children and providers. The legislature further finds
12 that the state's policy of authorizing twelve months of uninterrupted
13 care was affirmed by the passage of the state's early start act in
14 2015. However, some families are not able to access child care right
15 away through the working connections child care program due to
16 factors beyond their control. These barriers to care include
17 challenges with access to child care in rural areas, declining
18 numbers of providers accepting state subsidy, and the persistence of
19 child care deserts in which either no child care providers are in
20 operation or there are so few options for child care that the demand
21 outweighs available slots. Therefore, the legislature intends to

1 clarify the state's policy that all eligible children may receive at
2 least a full twelve months of working connections child care.

3 **Sec. 2.** RCW 43.216.135 and 2019 c 406 s 70 and 2019 c 369 s 4
4 are each reenacted and amended to read as follows:

5 ~~(1) ((The department shall establish and implement policies in~~
6 ~~the working connections child care program to promote stability and~~
7 ~~quality of care for children from low-income households. These~~
8 ~~policies shall focus on supporting school readiness for young~~
9 ~~learners. Policies for the expenditure of funds constituting the~~
10 ~~working connections child care program must be consistent with the~~
11 ~~outcome measures established by the department and the standards~~
12 ~~established in this section intended to promote stability, quality,~~
13 ~~and continuity of early care and education programming.~~

14 ~~(2) As recommended by Public Law 113-186, authorizations for the~~
15 ~~working connections child care subsidy shall be effective for twelve~~
16 ~~months beginning July 1, 2016, unless an earlier date is provided in~~
17 ~~the omnibus appropriations act.~~

18 ~~(3))~~ Existing child care providers serving nonschool-age
19 children and receiving state subsidy payments must complete the
20 following requirements to be eligible for a state subsidy under this
21 section:

22 (a) Enroll in the early achievers program by August 1, 2016;

23 (b) Complete level 2 activities in the early achievers program by
24 August 1, 2017; and

25 (c) Rate or request to be rated at a level 3 or higher in the
26 early achievers program by December 31, 2019. If a child care
27 provider does not rate at or request to be rated at a level 3 by
28 December 31, 2019, the provider is no longer eligible to receive
29 state subsidy. If the provider rates below a level 3 when the rating
30 is released, the provider must complete remedial activities with the
31 department, and must rate at or request to be rated at a level 3 or
32 higher no later than December 30, 2020.

33 ~~((4))~~ (2) A new child care provider serving nonschool-age
34 children and receiving state subsidy payments must complete the
35 following activities to be eligible to receive a state subsidy under
36 this section:

37 (a) Enroll in the early achievers program within thirty days of
38 receiving the initial state subsidy payment;

1 (b) Complete level 2 activities in the early achievers program
2 within twelve months of enrollment; and

3 (c) Rate or request to be rated at a level 3 or higher in the
4 early achievers program within thirty months of enrollment. If a
5 child care provider does not rate or request to be rated at a level 3
6 within thirty months from enrollment into the early achievers
7 program, the provider is no longer eligible to receive state subsidy.
8 If the provider rates below a level 3 when the rating is released,
9 the provider must complete remedial activities with the department,
10 and rate or request to be rated at a level 3 or higher within twelve
11 months of beginning remedial activities.

12 ~~((+5))~~ (3) If a child care provider does not rate or request to
13 be rated at a level 3 or higher following the remedial period, the
14 provider is no longer eligible to receive state subsidy under this
15 section. If a child care provider does not rate at a level 3 or
16 higher when the rating is released following the remedial period, the
17 provider is no longer eligible to receive state subsidy under this
18 section.

19 ~~((+6))~~ (4) If a child care provider serving nonschool-age
20 children and receiving state subsidy payments has successfully
21 completed all level 2 activities and is waiting to be rated by the
22 deadline provided in this section, the provider may continue to
23 receive a state subsidy pending the successful completion of the
24 level 3 rating activity.

25 ~~((+7))~~ (5) The department shall implement tiered reimbursement
26 for early achievers program participants in the working connections
27 child care program rating at level 3, 4, or 5.

28 ~~((+8))~~ (6) The department shall account for a child care
29 copayment collected by the provider from the family for each
30 contracted slot and establish the copayment fee by rule.

31 ~~((+9)(a) The department shall establish and implement policies in
32 the working connections child care program to allow eligibility for
33 families with children who:~~

34 ~~(i) In the last six months have:~~

35 ~~(A) Received child protective services as defined and used by
36 chapters 26.44 and 74.13 RCW;~~

37 ~~(B) Received child welfare services as defined and used by
38 chapter 74.13 RCW; or~~

39 ~~(C) Received services through a family assessment response as
40 defined and used by chapter 26.44 RCW;~~

1 ~~(ii) Have been referred for child care as part of the family's~~
2 ~~case management as defined by RCW 74.13.020; and~~

3 ~~(iii) Are residing with a biological parent or guardian.~~

4 ~~(b) Children who are eligible for working connections child care~~
5 ~~pursuant to this subsection do not have to keep receiving services~~
6 ~~identified in this subsection to maintain twelve-month authorization.~~
7 ~~The department of social and health services' involvement with the~~
8 ~~family referred for working connections child care ends when the~~
9 ~~family's child protective services, child welfare services, or family~~
10 ~~assessment response case is closed.~~

11 ~~(10)(a) Beginning August 1, 2020, the department may not require~~
12 ~~an applicant or consumer to meet work requirements as a condition of~~
13 ~~receiving working connections child care benefits when the applicant~~
14 ~~or consumer is:~~

15 ~~(i) A single parent;~~

16 ~~(ii) A full-time student of a community, technical, or tribal~~
17 ~~college; and~~

18 ~~(iii) Pursuing vocational education that leads to a degree or~~
19 ~~certificate in a specific occupation, not to result in a bachelor's~~
20 ~~or advanced degree.~~

21 ~~(b) An applicant or consumer is a full-time student for the~~
22 ~~purposes of this subsection if he or she meets the college's~~
23 ~~definition of a full-time student. The student must maintain passing~~
24 ~~grades and be in good standing pursuant to college attendance~~
25 ~~requirements.~~

26 ~~(c) Nothing in this subsection is intended to change how~~
27 ~~applicants or consumers are prioritized when applicants or consumers~~
28 ~~are placed on a wait list for working connections child care~~
29 ~~benefits.))~~

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.216
31 RCW to read as follows:

32 (1) The department shall establish and implement policies in the
33 working connections child care program to promote stability and
34 quality of care for children from low-income households. These
35 policies shall focus on supporting school readiness for young
36 learners. Policies for the expenditure of funds constituting the
37 working connections child care program must be consistent with the
38 outcome measures established by the department and the standards

1 established in this section intended to promote stability, quality,
2 and continuity of early care and education programming.

3 (2) As recommended by P.L. 113-186, authorizations for the
4 working connections child care subsidy are effective for twelve
5 months.

6 (a) A household's twelve-month authorization must begin on the
7 date that child care is expected to begin.

8 (b) If a newly eligible household does not begin care within
9 twelve months of being determined eligible by the department, the
10 household must reapply in order to qualify for subsidy.

11 (3)(a) The department shall establish and implement policies in
12 the working connections child care program to allow eligibility for
13 families with children who:

14 (i) In the last six months have:

15 (A) Received child protective services as defined and used by
16 chapters 26.44 and 74.13 RCW;

17 (B) Received child welfare services as defined and used by
18 chapter 74.13 RCW; or

19 (C) Received services through a family assessment response as
20 defined and used by chapter 26.44 RCW;

21 (ii) Have been referred for child care as part of the family's
22 case management as defined by RCW 74.13.020; and

23 (iii) Are residing with a biological parent or guardian.

24 (b) Families who are eligible for working connections child care
25 pursuant to this subsection do not have to keep receiving services
26 identified in this subsection to maintain twelve-month authorization.

27 (4)(a) Beginning August 1, 2020, the department may not require
28 an applicant or consumer to meet work requirements as a condition of
29 receiving working connections child care benefits when the applicant
30 or consumer is:

31 (i) A single parent;

32 (ii) A full-time student of a community, technical, or tribal
33 college; and

34 (iii) Pursuing vocational education that leads to a degree or
35 certificate in a specific occupation, not to result in a bachelor's
36 or advanced degree.

37 (b) An applicant or consumer is a full-time student for the
38 purposes of this subsection if he or she meets the college's
39 definition of a full-time student. The student must maintain passing

1 grades and be in good standing pursuant to college attendance
2 requirements.

3 (c) Nothing in this subsection is intended to change how
4 applicants or consumers are prioritized when applicants or consumers
5 are placed on a wait list for working connections child care
6 benefits.

7 (5) For purposes of this section, "authorization" means a
8 transaction created by the department that allows a child care
9 provider to claim payment for care. The department may adjust an
10 authorization based on a household's eligibility status.

11 **Sec. 4.** RCW 28B.50.248 and 2019 c 406 s 71 are each amended to
12 read as follows:

13 Nothing in RCW 43.216.135 or section 3 of this act requires a
14 community or technical college to expand any of its existing child
15 care facilities. Any additional child care services provided by a
16 community or technical college as a result of RCW 43.216.135 or
17 section 3 of this act must be provided within existing resources and
18 existing facilities.

19 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2021.

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