

HOUSE BILL REPORT

HB 2082

As Reported by House Committee On:
Children, Youth & Families

Title: An act relating to child care access.

Brief Description: Assessing child care access.

Sponsors: Representatives Klippert, Sutherland and Graham.

Brief History:

Committee Activity:

Children, Youth & Families: 1/31/22, 2/2/22 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Children, Youth, and Families (DCYF) to conduct competitive procurements as necessary to conduct a statewide assessment of child care access for families of children with development delay or disabilities.
- Requires the DCYF to partner with the Office of the Developmental Disabilities Ombuds and the Office of the Superintendent of Public Instruction to review the statewide assessment and make recommendations to increase the availability, affordability, and accessibility of child care for families of children with development delay or disabilities.

HOUSE COMMITTEE ON CHILDREN, YOUTH & FAMILIES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Senn, Chair; Harris-Talley, Vice Chair; Rule, Vice Chair; Dent, Ranking Minority Member; Callan, Goodman, Klippert, Ortiz-Self and Wicks.

Minority Report: Without recommendation. Signed by 4 members: Representatives

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Chase, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick and Young.

Staff: Lena Langer (786-7192).

Background:

Department of Commerce and Child Care.

The Child Care Collaborative Task Force (Task Force) was created by the Legislature in 2018 to develop policy recommendations to incentivize employer-supported child care and improve child care access and affordability for employees. The Department of Commerce administers the Task Force. The Task Force was directed to develop a child care estimate model to determine the full costs providers would incur when providing high-quality child care. The Task Force began developing the model but was unable to collect financial information from providers as originally planned due to the COVID-19 pandemic.

Child Care Desert.

According to the Task Force's Child Care Industry Assessment and Facilities Needs Assessment (Assessment) published July 1, 2020, across the state, the capacity of providers located within a 20-minute drive time can only meet 37 percent of the potential demand of nearby families. In total, the Assessment estimates that 118,000 families with 161,000 children from birth to age 5 live in areas considered child care deserts.

In 2021 the Legislature directed the Department of Children, Youth, and Families (DCYF) to establish a grant program to expand child care in child care deserts. Grants must be used for one-time costs associated with the opening of a child care site, including program costs, for providers who are newly licensed or are in the process of becoming licensed. The DCYF must use the child care industry insights dashboard from the Assessment as a tool to identify areas in which additional investments are needed in order to expand existing child care capacity to meet family demand and reduce child care deserts.

Office of the Developmental Disabilities Ombuds.

In 2016 the Legislature created the Office of the Developmental Disabilities Ombuds (DD Ombuds) as a private independent office with the duty to monitor the services provided to people with developmental disabilities, investigate complaints, and issue reports and recommendations to the Legislature.

Summary of Substitute Bill:

Statewide Assessment of Child Care Access.

The DCYF must conduct competitive procurements as necessary to conduct a statewide assessment of child care access for families of children with development delay or disabilities (Statewide Assessment), in order to better understand the availability,

affordability, and accessibility of child care that meets the needs of those families.

The Statewide Assessment must be conducted in consultation with the Office of the Superintendent of Public Instruction (OSPI) and statewide organizations representing the interests of children and families with lived experiences of this issue.

The Statewide Assessment of child care access, at a minimum, must:

- identify cities, counties, areas within cities or counties, and other regions of the state, including school district boundaries, with the highest need related to child care availability, accessibility, and affordability for children with developmental delay or disabilities, by category of disability;
- identify the statewide need related to child care availability, accessibility, and affordability for families of children with developmental delay or disabilities, by category of disability;
- describe the capacity of the current child care providers in meeting the demand of families of children with developmental delay or disabilities, by category of disability; and
- include survey results from families with children across the state with developmental delay or disabilities describing their child care needs and the availability, affordability, and accessibility of those child care needs.

Review and Recommendations.

The DCYF must partner with the DD Ombuds and the OSPI to review the Statewide Assessment and make recommendations. The recommendations must include:

- recommendations for assisting families with children across the state with developmental delay or disabilities in accessing child care;
- recommendations for creating a child care liaison housed within an organization outside state government, such as a statewide organization representing the interests of children and adults with intellectual and developmental disabilities or the statewide child care resource and referral network; and
- a discussion of methods used by other states to assist families in accessing child care for children with developmental delay or disabilities.

The Statewide Assessment and recommendations from the DCYF, the DD Ombuds, and the OSPI must be submitted to the Legislature and the Governor by June 30, 2023.

The section requiring the Statewide Assessment expires December 30, 2023.

Substitute Bill Compared to Original Bill:

Instead of requiring the DCYF to conduct competitive procurements to select a private entity to conduct a statewide assessment of child care deserts with a focus on families of children with intellectual and developmental disabilities, the DCYF must conduct competitive procurements as necessary to conduct a statewide assessment of child care

access for families of children with development delay or disabilities. The Statewide Assessment must be conducted in consultation with the OSPI, in addition to statewide organizations representing the interests of children and with families with lived experiences of these issues.

Reference to school district boundaries is added in the requirement to identify locales with the highest need related to child care availability, accessibility, and affordability, and such locales with the highest need must be identified by category of disability. The Statewide Assessment must identify the statewide need related to child care availability, accessibility and affordability, and describe the capacity of the current child care providers in meeting the demand of families of children with developmental delay or disabilities, by category of disability.

The DCYF must partner with the OSPI, in addition to the DD Ombuds, to review the Statewide Assessment and make recommendations.

The date by which the Statewide Assessment and recommendations must be submitted to the Legislature and the Governor is changed from October 1, 2022, to June 30, 2023.

The section expires on December 30, 2023, instead of June 30, 2023.

Appropriation: None.

Fiscal Note: Requested on January 28, 2022.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) It is very difficult to find child care for children with disabilities. This bill looks to describe the capacity to meet the need of child care for children with extra needs or accommodations. Child care providers struggle to meet the needs and provide care for children with disabilities. This bill will help to increase availability, affordability, and accessibility of child care for families with children with disabilities. Accessible child care is an issue for the working class in general, and child care deserts directly affect Washington families, particularly those with children with disabilities. Creating a liaison is a step in the right direction to create access and bridge the gap for families and providing proper child care. This bill is long overdue. Children are often refused care because child care providers do not offer the required accommodations. The assessment required in the bill should examine why the accommodations are not happening and whether the state needs to do more to support compliance with the Americans with Disabilities Act.

(Opposed) None.

(Other) A lot has been done over the past few years to identify and analyze child care deserts in the state. The population of families with children with disabilities has been left out of this analysis, and there is support to have the direction in the bill. There are two suggested improvements to the bill. First, the bill should focus on an assessment of the needs of this population to prevent duplicating other efforts and reports. Second, the timeline in the bill is insufficient to conduct the level of analysis that is required. It is recommended that the submission deadline of a report be changed to June 30, 2023.

Persons Testifying: (In support) Representative Brad Klippert, prime sponsor; Heather Young; Colleen Condon, Lilac City Early Learning Center; Diana Stadden, The Arc of Washington State; Cristina Mateo, Washington Build Back Black Alliance; Stuart Jacobson, Parents for Safe Child Care; and Ramona Hattendorf, The Arc of King County.

(Other) Allison Krutsinger, Department of Children, Youth, and Families.

Persons Signed In To Testify But Not Testifying: None.