

# HOUSE BILL REPORT

## SHB 1945

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### As Passed Legislature

**Title:** An act relating to streamlining and enhancing program access for persons eligible for food assistance.

**Brief Description:** Streamlining and enhancing program access for persons eligible for food assistance.

**Sponsors:** House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Alvarado, Gregerson, Ryu, Ortiz-Self, Leavitt, Senn, Berry, Ramel, Slatter, Cortes, Morgan, Reed, Simmons, Ormsby, Callan, Peterson, Rule, Kloba, Macri, Street, Chopp, Doglio, Fosse, Mena, Bergquist, Goodman, Tharinger, Thai, Riccelli and Hackney).

### Brief History:

#### Committee Activity:

Human Services, Youth, & Early Learning: 1/9/24, 1/26/24 [DPS];

Appropriations: 2/2/24, 2/5/24 [DPS(HSEL)].

#### Floor Activity:

Passed House: 2/9/24, 94-3.

Senate Amended.

Passed Senate: 2/27/24, 49-0.

House Concurred.

Passed House: 3/5/24, 95-1.

Passed Legislature.

### Brief Summary of Substitute Bill

- Provides that children meeting age criteria for the Early Childhood Education and Assistance Program (ECEAP) and Birth to Three ECEAP are eligible for those programs if they are eligible for or receiving federal or state Basic Food benefits.
- Provides that the income eligibility requirements for the Working

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*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.*

Connections Child Care (WCCC) program are satisfied if the WCCC applicant or consumer is eligible for or receiving federal or state Basic Food benefits.

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## HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan, Goodman, Ortiz-Self and Taylor.

**Minority Report:** Do not pass. Signed by 1 member: Representative Walsh.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Dent.

**Staff:** Omeara Harrington (786-7136).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Human Services, Youth, & Early Learning be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stokesbary, Stonier, Tharinger and Wilcox.

**Staff:** Jordan Clarke (786-7123).

### **Background:**

#### The Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is the state's no-cost voluntary preschool program administered by the Department of Children, Youth, and Families (DCYF). Children are eligible for the ECEAP when they are between the ages of 3 and 5 and are from families with incomes at or below 110 percent of the federal poverty level (FPL).

Beginning July 1, 2026, eligibility will expand to include any child who:

- has a family with financial need;
- is experiencing homelessness;

- has participated in Early Head Start or a successor federal program, the Early Support for Infants and Toddlers (ESIT) program or received class C developmental services, the Birth to Three ECEAP, or the Early Childhood Intervention and Prevention Services (ECLIPSE) program; or
- is Indian as defined in DCYF rule and has a household income at or below 100 percent of the state median income (SMI).

"Family with financial need" means families with incomes at or below 36 percent of the SMI until the 2030-31 school year. Beginning in the 2030-31 school year, it includes families with incomes at or below 50 percent of the SMI.

The ECEAP will become an entitlement for eligible children starting in the 2026-27 school year.

Expanded Enrollment and Early Entry.

The DCYF rules allow children who do not meet standard eligibility criteria to enroll in the ECEAP, as space is available, if the family income is:

- above 110 percent of the FPL but no more than 130 percent of the FPL; or
- above 130 percent of the FPL but no more than 200 percent of the FPL if the child meets at least one specified risk factor.

Beginning July 1, 2026, expanded enrollment will be available, subject to capacity, if the family income level is above 36 percent of the SMI, but at or below 50 percent of the SMI and the child meets at least one specified risk factor.

The DCYF rules also allow children to enroll early in the ECEAP, as space is available, when the child will turn age 3 during the school year and meets other criteria.

The Birth to Three Early Childhood Education and Assistance Program.

The Birth to Three ECEAP serves children under 36 months old with a family income at or below 130 percent of the FPL. On or after July 1, 2026, to be eligible, the child must be from a household with income at or below 50 percent of the SMI.

Working Connections Child Care.

Working Connections Child Care (WCCC) is a federally and state-funded program administered by the DCYF that provides subsidies for child care while a parent is working or participating in approved work-related activities. The WCCC program is available to families who meet certain eligibility requirements and have a household income at or below 60 percent of the SMI. Beginning July 1, 2025, a family is eligible for WCCC program benefits when the household's annual income is above 60 percent and at or below 75 percent of the SMI, and beginning July 1, 2027, if funds are appropriated, when the household's annual income is up to 85 percent of the SMI. Depending on income, families may be required to pay a monthly copayment to their provider.

### Federal and State Basic Food Programs.

Washington's Basic Food Program is administered by the Department of Social and Health Services and provides food assistance to eligible low-income individuals and families.

Basic Food includes both the federally funded Supplemental Nutrition Assistance Program (SNAP) and the state-funded Food Assistance Program (FAP). The FAP is for individuals who are legal immigrants and meet all eligibility requirements for SNAP except for citizenship and immigration status.

An assistance unit is considered eligible for Basic Food when all members of the assistance unit receive, or are authorized to receive, payments or services from certain programs, or the assistance unit's income is at or below 200 percent of FPL. An assistance unit includes persons living in the same home who regularly buy food or prepare meals together.

### Head Start Eligibility for Families Eligible for or Receiving SNAP Benefits.

In 2022, the federal government issued guidance regarding eligibility for the Head Start and Early Head Start programs, which are federally funded programs that are similar to ECEAP and Birth to Three ECEAP. The guidance stated that children from families that are eligible for or participating in the SNAP program are categorically eligible for Head Start and Early Head Start. This means that, for SNAP-eligible families, no additional proof of income or other eligibility factors is necessary to enroll in Head Start or Early Head Start.

### **Summary of Substitute Bill:**

Beginning November 1, 2024, a child who meets age requirements for the ECEAP or the Birth to Three ECEAP is eligible for the program if they are a member of an assistance unit that is eligible for or receiving Basic Food benefits under either the federal SNAP program or the state FAP program. Until August 1, 2030, a child who is eligible for the ECEAP program only because they are eligible for or receiving Basic Food benefits, and who is not otherwise eligible, may enroll in the program under the expanded eligibility provisions, subject to available capacity in the program. After that date, a child who is eligible for or receiving Basic Food benefits is categorically eligible for, and entitled to, an ECEAP slot.

For purposes of eligibility for the WCCC program, beginning November 1, 2024, household income eligibility requirements are satisfied if the applicant or consumer is a member of an assistance unit that is eligible for or receiving Basic Food benefits under either the federal SNAP program or the state FAP program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains multiple effective dates. Please see the bill.

**Staff Summary of Public Testimony (Human Services, Youth, & Early Learning):**

(In support) High quality child care and early learning is good for children and families, and is necessary for the economy. Because it is so essential, there should not be barriers in the way for families who need it. The majority of families on Basic Food are eligible for these early learning programs, but have to document income for both, which creates unnecessary burdens. This bill signals clearly for families what programs they are eligible for, cuts red tape, and improves program access. In the short term it does expand access, but in the long term it will mostly streamline access as the federal government did for SNAP recipients. Every child deserves to have the same start as other kids get and parents should have peace of mind to send children to child care.

Families with young children are the most likely to be food insecure, and this bill centers the experiences of those families. Process is a huge barrier to access for early learning programs for families that need more support than a prepaid classroom, including those experiencing homelessness, trauma, child protective services, and those in need of mental health supports that ECEAP offers. It is hard to qualify for ECEAP and child care, and because of this, many families that would benefit from a high impact intervention like ECEAP do not get it. Families are asked to repeat their stories over and over and produce the same documentation to multiple agencies to get the help that they are eligible for. There is an access verification system at the DSHS and Basic Food eligibility can be verified easily. The change in this bill will make for better partnerships and will make the safety net more seamless and smarter. This is simple, efficient, and good government, and will lead to more families getting the care they need. It will also lead to parity in eligibility among early learning programs. This policy has been extremely helpful in the Head Start system.

(Opposed) None.

#### **Staff Summary of Public Testimony (Appropriations):**

(In support) Quality early learning is good for children and families and is essential to maintain a strong economy. It is so important that there should not be barriers in the way for families who need it. This bill would streamline the process for families applying for these early learning programs. Under the bill, a child would be eligible for Early Childhood Education and Assistance Program (ECEAP) or Early ECEAP based on their eligibility for benefits. This mirrors the change that was made at the federal level for eligibility for Head Start. Most families on Basic Food are eligible for these early learning programs, but must document income which can create unnecessary burdens and barriers. With this bill, families will know what programs they are eligible for and will be able to apply more easily by cutting out unnecessary red tape. The bill was amended in the policy committee to remove the fiscal impact of the bill until fiscal year 2031, and makes families receiving basic food benefits eligible, but not entitled, to ECEAP until 2031.

(Opposed) None.

**Persons Testifying (Human Services, Youth, & Early Learning):** Representative Emily

Alvarado, prime sponsor; Joel Ryan; Claire Lane, Anti-Hunger & Nutrition Coalition; Juan Madrigal, Opportunity Council Early Learning and Family Services; Katrina Peters, Save the Children Action Network; and Kathryn Sharpe, Save the Children Action Network.

**Persons Testifying (Appropriations):** Melissa Johnson, Washington State Association of Head Start and Early Childhood Education and Assistance Program.

**Persons Signed In To Testify But Not Testifying (Human Services, Youth, & Early Learning):** None.

**Persons Signed In To Testify But Not Testifying (Appropriations):** None.