

# SENATE BILL REPORT

## SHB 1916

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 21, 2024  
Ways & Means, February 26, 2024

**Title:** An act relating to funding for the early support for infants and toddlers program.

**Brief Description:** Concerning funding for the early support for infants and toddlers program.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Senn, Couture, Leavitt, Taylor, Paul, Callan, Ramos, Cortes, Reed, Fey, Timmons, Street, Doglio, Simmons, Wylie, Reeves, Alvarado, Nance, Riccelli, Fosse, Pollet and Shavers; by request of Department of Children, Youth, and Families).

**Brief History:** Passed House: 2/12/24, 95-0.

**Committee Activity:** Early Learning & K-12 Education: 2/21/24 [DP-WM].  
Ways & Means: 2/24/24, 2/26/24 [DP].

### Brief Summary of Bill

- Changes the definition of when a child is receiving early intervention services for the purposes of Early Support for Infants and Toddlers program funding.
- Specifies that a child must receive services within the same month as the monthly count day instead of the month prior, and that the monthly count day is the last business day of the month instead of the first business day.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

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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.*

**Staff:** Ailey Kato (786-7434)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

**Staff:** Josh Hinman (786-7281)

**Background:** The Department of Children, Youth, and Families (DCYF) is the state lead agency for Part C of the federal Individuals with Disabilities Education Act (IDEA) and must administer the Early Support for Infants and Toddlers (ESIT) program. The ESIT program provides early intervention services to all eligible children with disabilities from birth to three years of age. Early intervention services include services such as occupational or physical therapy; speech-language pathology; psychological, health, vision, social work; and other services.

To be eligible, a child must have a 25 percent delay or show a 1.5 standard deviation below his or her age in one or more of the developmental areas. A child may also be eligible if he or she has a physical or mental condition that is known to cause a delay in development.

Funding for ESIT must be appropriated to DCYF based on a certain formula for children ages birth to three who are eligible for and receiving early intervention services. A child is receiving early intervention services if the child has received services within a month prior to the monthly count day. The monthly count day is the first business day of the month.

**Summary of Bill:** For the purposes of ESIT funding, a child is receiving early intervention services if the child has received services within the same month as the monthly count day instead of the month prior. The monthly count day is changed from the first business day of the month to the last business day of the month.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Early Learning & K-12 Education):** No public hearing was held.

**Persons Testifying (Early Learning & K-12 Education):** N/A

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** N/A

**Staff Summary of Public Testimony (Ways & Means):** PRO: A deep appreciation that the Committee is hearing this bill. ESIT is the starting point in the special education continuum. It is an entitlement program, which provides a number of services ranging from occupational to physical therapy, and other family resources.

In 2020, ESIT transferred from OSPI to DCYF, and with this came a statutory change that shifted the timing of the payment. As a result, providers are not reimbursed for services delivered on behalf of the state. This bill would fix this unfair and counterproductive payment system, and allow providers to be paid for the full months of services rendered.

Being a high schooler, I have encountered many children with disabilities who were unable to access the services they needed. I feel the need to testify because there are 11 million U.S. children with special needs and our government has promised to provide education so that no child is left behind. This includes education offerings that are adaptable to the needs of individual children. ESIT should be available in every preschool. The best funding solution is one that is based upon the number of disabled children so that each child in need receives assistance to allow for a more inclusive educational framework.

The CFC has found that brain development in early years is crucial and will provide a strong foundation for the future. We should invest in ESIT so as to support these children's development and thereby support our communities.

The change in this bill can be confusing. I've learned that professionals can spend a month on assessment and evaluation work without state funding. This bill makes funding more available.

**Persons Testifying (Ways & Means):** PRO: Anna Ryzhova; Shreya Damodaran; Erica Hallock, Joya Child & Family Development.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.