

SENATE BILL REPORT

SHB 1945

As Passed Senate - Amended, February 27, 2024

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

Committee Activity: Early Learning & K-12 Education: 2/19/24, 2/21/24 [DPA].

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

Brief Summary of Bill (As Amended by Senate)

- Requires the Department of Children, Youth, and Families to determine that income eligibility requirements for the Working Connections Child Care program are met if the applicant or consumer is eligible for or receiving basic food benefits.
- Allows children meeting age criteria for the Early Childhood Education and Assistance Program (ECEAP) and Birth to Three ECEAP to enroll in these programs if they are eligible for or receiving basic food benefits and space is available.
- Makes children eligible for or receiving basic food benefits eligible for ECEAP beginning August 1, 2030.

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.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

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

Staff: Ailey Kato (786-7434)

Background: Basic Food Benefits. 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. Currently, the gross income limit is 200 percent of the federal poverty level (FPL).

Basic Food Program includes both the federally funded Supplemental Nutrition Assistance Program and the state-funded Food Assistance Program (FAP). FAP is for legal immigrants and victims of human trafficking who are ineligible for the federal program. The rules must follow the rules of the federal program except for the provisions pertaining to immigrant status.

Working Connections Child Care. The Working Connections Child Care (WCCC) Program is a federally- and state-funded program that provides child care subsidies to families, and is administered by the Department of Children, Youth, and Families (DCYF). Families may be eligible for child care subsidies if they have a household income at or below 60 percent of the state median income (SMI).

To be eligible for WCCC, the parent or guardian must meet certain eligibility requirements including being employed, self-employed, or in approved work or education activities. Eligible families must make a copayment to the child care provider based on the family's countable income, which are established in state law.

In 2021, WCCC eligibility was expanded by phasing in higher income thresholds:

- beginning July 1, 2025, the household income threshold is expanded to at or below 75 percent of SMI; and
- beginning July 1, 2027, the household income threshold is expanded to at or below 85 percent of SMI, subject to appropriations.

Early Childhood Education and Assistance Program. This voluntary preschool program administered by DCYF serves eligible three- to five-year-old children who are not age-eligible for kindergarten. The Early Childhood Education and Assistance Program (ECEAP) must offer a comprehensive program that includes education, health, and family support services.

Eligible Child. Current law provides for ECEAP to become an entitlement in the 2026-27 school year for eligible children. Eligible child means a child who:

- has a family income at or below 110 percent of FPL;
- is eligible for special education preschool due to disability; and
- may include children who are eligible under rules adopted by DCYF if the number of such children equals not more than 10 percent of the total enrollment.

Beginning July 1, 2026, the definition of eligible child is expanded to include a child who:

- has a family with financial need;
- is experiencing homelessness;
- has participated in Early Head Start, Early Support for Infants and Toddlers or received class C developmental services, Birth to Three ECEAP, or Early Childhood Intervention and Prevention Services Program (ECLIPSE); or
- is Indian as defined in DCYF rule and is at or below 100 percent of SMI.

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

Expanded Enrollment. Effective until July 1, 2026, DCYF must adopt rules that allow the enrollment of children in ECEAP, as space is available, if the number of such children equals not more than 25 percent of total statewide enrollment, whose family income is:

- above 110 percent but less than 130 percent of FPL; or
- above 130 percent but less than 200 percent of FPL if the child meets at least one of the risk factor criterion.

Between July 1, 2026 and August 1, 2030, expanded enrollment, as space is available, includes children whose family income is above 36 percent of SMI but at or below 50 percent of SMI and the child meets at least on risk factor criterion.

Birth to Three Early Childhood Education and Assistance Program Eligibility. In 2019 DCYF was directed to develop a plan for phased implementation of a Birth to Three ECEAP pilot project for eligible children under 36 months old within resources available under the federal Preschool Development Grant. To be eligible, a child's family income must be at or below 130 percent of FPL. The pilot project must be delivered through child care providers.

Beginning July 1, 2026, DCYF must administer this program, subject to appropriations. To be eligible, a child's family income must be at or below 50 percent of SMI.

Example of Income Levels. This chart shows estimated income limits for SMI and FPL for a family of four based on 2024 data.

Family of Four	110% FPL	130% FPL	36% SMI	50% SMI	200% FPL	60% SMI	85% SMI	100% SMI
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Annual Income	\$34,320	\$40,560	\$43,344	\$59,969	\$62,400	\$71,903	\$101,531	\$119,344
Monthly Income	\$2,860	\$3,380	\$3,612	\$4,997	\$5,200	\$5,991	\$8,461	\$9,945

Summary of Amended Bill: Working Connections Child Care. Beginning November 1, 2024, when a WCCC applicant or consumer is a member of an assistance unit that is eligible or receiving basic food benefits or the state food assistance program, DCYF must determine that the household income eligibility requirements are met.

Early Childhood Education and Assistance Program. Between November 1, 2024 and August 1, 2030, a child who is a member of an assistance unit that is eligible for or is receiving basic food benefits and not already eligible for ECEAP may enroll in ECEAP as space is available.

Effective August 1, 2030, the definition of eligible child for ECEAP is expanded to include a child who is a member of an assistance unit that is eligible for or is receiving basic food benefits.

Birth to Three Early Childhood Education and Assistance Program. Beginning November 1, 2024, a child who is under 36 months of age and is a member of an assistance unit that is eligible for or is receiving basic food benefits may be eligible for Birth to Three ECEAP.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: High quality child care is good for kids and families and is necessary for the economy. This bill helps remove one of the barriers to accessing this child care. Families must prove their income eligibility multiple times for early learning and child care programs. This bill would deem families who are eligible for basic food benefits also eligible for these early learning and child care programs, which would reduce paperwork and red tape.

Persons Testifying: PRO: Representative Emily Alvarado, Prime Sponsor; Claire Lane, Anti-Hunger & Nutrition Coalition; Yvette Maganya, WBBA.

Persons Signed In To Testify But Not Testifying: PRO: Katy Warren, WA State Assn of Head Start and ECEAP; Keith Boller, Skagit Valley College Head Start/ECEAP.