

# SENATE BILL REPORT

## SB 5933

---

---

As of January 18, 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:** Senators Frame, Warnick, Billig, Kauffman, Kuderer, Lias, Nobles, Trudeau, Valdez and Wilson, C.; by request of Department of Children, Youth, and Families.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/18/24.

**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.

---

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

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

**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.

---

*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.*

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:** None.

**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:** PRO: Early intervention providers develop individual plans for children birth to three to help them with their development and growth. This bill will pay these providers for services they are already providing but not getting paid for because of an accounting issue. Changing the count day from the first to the last day of the month recognizes all of the intense work that happens at the beginning of the program including evaluation, plan development, and engaging with families. Under federal law, providers have 45 days to create the plan, and providers cannot receive funding until the following month after a plan is signed. The amendatory language will address this issue and pay providers for each month of service. These providers are having workforce and retention issues, and this bill would help address these issues.

**Persons Testifying:** PRO: Senator Noel Frame, Prime Sponsor; Colleen Fuchs, Joya Child & Family Development; Janet Zamzow Bliss, Children's Therapy Center; Gloria Wang Shawber, ESIT Parent; Magan Cromar, King County Developmental Disabilities and Early Childhood Supports Division; Allison Krutsinger, Dept of Children, Youth, and Families.

**Persons Signed In To Testify But Not Testifying:** No one.