
HOUSE BILL 1945

State of Washington

68th Legislature

2024 Regular Session

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

Prefiled 12/14/23. Read first time 01/08/24. Referred to Committee on Human Services, Youth, & Early Learning.

1 AN ACT Relating to streamlining and enhancing program access for
2 persons eligible for food assistance; amending RCW 43.216.1368,
3 43.216.505, 43.216.578, and 43.216.578; reenacting and amending RCW
4 43.216.505; providing an effective date; and providing an expiration
5 date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 43.216.1368 and 2023 c 222 s 4 are each amended to
8 read as follows:

9 (1) It is the intent of the legislature to increase working
10 families' access to affordable, high quality child care and to
11 support the expansion of the workforce to support businesses and the
12 statewide economy.

13 (2) Beginning October 1, 2021, a family is eligible for working
14 connections child care when the household's annual income is at or
15 below 60 percent of the state median income adjusted for family size
16 and:

17 (a) The child receiving care is: (i) Less than 13 years of age;
18 or (ii) less than 19 years of age and has a verified special need
19 according to department rule or is under court supervision; and

20 (b) The household meets all other program eligibility
21 requirements.

1 (3) Beginning July 1, 2025, a family is eligible for working
2 connections child care when the household's annual income is above 60
3 percent and at or below 75 percent of the state median income
4 adjusted for family size and:

5 (a) The child receiving care is: (i) Less than 13 years of age;
6 or (ii) less than 19 years of age and has a verified special need
7 according to department rule or is under court supervision; and

8 (b) The household meets all other program eligibility
9 requirements.

10 (4) Beginning July 1, 2027, and subject to the availability of
11 amounts appropriated for this specific purpose, a family is eligible
12 for working connections child care when the household's annual income
13 is above 75 percent of the state median income and is at or below 85
14 percent of the state median income adjusted for family size and:

15 (a) The child receiving care is: (i) Less than 13 years of age;
16 or (ii) less than 19 years of age and has a verified special need
17 according to department rule or is under court supervision; and

18 (b) The household meets all other program eligibility
19 requirements.

20 (5) (a) Beginning October 1, 2021, through June 30, 2023, the
21 department must calculate a monthly copayment according to the
22 following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$115 until December 31, 2021, and \$90 beginning January 1, 2022
Above 50 percent and at or below 60 percent of the state median income	\$115

32 (b) Beginning July 1, 2023, the department must calculate a
33 monthly copayment according to the following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15

1	Above 20 percent and at or below 36 percent of the state	\$65
2	median income	
3	Above 36 percent and at or below 50 percent of the state	\$90
4	median income	
5	Above 50 percent and at or below 60 percent of the state	\$165
6	median income	

7 (c) Beginning July 1, 2025, the department must calculate a
8 maximum monthly copayment of \$215 for households with incomes above
9 60 percent and at or below 75 percent of the state median income.

10 (d) Subject to the availability of amounts appropriated for this
11 specific purpose, the department shall adopt a copayment model for
12 households with annual incomes above 75 percent of the state median
13 income and at or below 85 percent of the state median income. The
14 model must calculate a copayment for each household that is no
15 greater than seven percent of the household's countable income within
16 this income range.

17 (e) The department may adjust the copayment schedule to comply
18 with federal law.

19 (6) When an applicant or consumer is a member of an assistance
20 unit that is eligible for or receiving basic food benefits under the
21 federal supplemental nutrition assistance program or the state food
22 assistance program the department must determine that the household
23 income eligibility requirements in this section are met.

24 (7) The department must adopt rules to implement this section,
25 including an income phase-out eligibility period.

26 ((+7)) (8) This section does not apply to households eligible
27 for the working connections child care program under RCW 43.216.145
28 and 43.216.1364.

29 **Sec. 2.** RCW 43.216.505 and 2021 c 67 s 1 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout RCW 43.216.500 through 43.216.559,
33 43.216.900, and 43.216.901.

34 (1) "Advisory committee" means the advisory committee under RCW
35 43.216.520.

36 (2) "Approved programs" means those state-supported education and
37 special assistance programs which are recognized by the department as
38 meeting the minimum program rules adopted by the department to

1 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
2 43.216.901 and are designated as eligible for funding by the
3 department under RCW 43.216.530 and 43.216.540.

4 (3) "Comprehensive" means an assistance program that focuses on
5 the needs of the child and includes education, health, and family
6 support services.

7 (4) "Eligible child" means a three to five-year old child who is
8 not age-eligible for kindergarten, is not a participant in a federal
9 or state program providing comprehensive services, and who:

10 (a) Has a family income at or below one hundred ten percent of
11 the federal poverty level, as published annually by the federal
12 department of health and human services;

13 (b) Is eligible for special education due to disability under RCW
14 28A.155.020; (~~(e)~~)

15 (c) Is a member of an assistance unit that is eligible for or is
16 receiving basic food benefits under the federal supplemental
17 nutrition assistance program or the state food assistance program; or

18 (d) Meets criteria under rules adopted by the department if the
19 number of such children equals not more than ten percent of the total
20 enrollment in the early childhood program. Preference for enrollment
21 in this group shall be given to children from families with the
22 lowest income, children in foster care, or to eligible children from
23 families with multiple needs.

24 (5) "Family support services" means providing opportunities for
25 parents to:

26 (a) Actively participate in their child's early childhood
27 program;

28 (b) Increase their knowledge of child development and parenting
29 skills;

30 (c) Further their education and training;

31 (d) Increase their ability to use needed services in the
32 community;

33 (e) Increase their self-reliance.

34 (6) "Homeless" means a child without a fixed, regular, and
35 adequate nighttime residence as described in the federal McKinney-
36 Vento homeless assistance act (Title 42 U.S.C., chapter 119,
37 subchapter VI, part B) as it existed on January 1, 2021.

38 **Sec. 3.** RCW 43.216.505 and 2021 c 199 s 204 are each reenacted
39 and amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout RCW 43.216.500 through 43.216.559,
3 43.216.900, and 43.216.901.

4 (1) "Advisory committee" means the advisory committee under RCW
5 43.216.520.

6 (2) "Approved programs" means those state-supported education and
7 special assistance programs which are recognized by the department as
8 meeting the minimum program rules adopted by the department to
9 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
10 43.216.901 and are designated as eligible for funding by the
11 department under RCW 43.216.530 and 43.216.540.

12 (3) "Comprehensive" means an assistance program that focuses on
13 the needs of the child and includes education, health, and family
14 support services.

15 (4) "Eligible child" means a three to five-year old child who is
16 not age-eligible for kindergarten, is not a participant in a federal
17 or state program providing comprehensive services, and who:

18 (a) Has a family with financial need;

19 (b) Is experiencing homelessness;

20 (c) Has participated in early head start or a successor federal
21 program providing comprehensive services for children from birth
22 through two years of age, the early support for infants and toddlers
23 program or received class C developmental services, the birth to
24 three early childhood education and assistance program, or the early
25 childhood intervention and prevention services program;

26 (d) Is eligible for special education due to disability under RCW
27 28A.155.020;

28 (e) Is a member of an assistance unit that is eligible for or is
29 receiving basic food benefits under the federal supplemental
30 nutrition assistance program or the state food assistance program;

31 (f) Is Indian as defined in rule by the department after
32 consultation and agreement with Washington state's federally
33 recognized tribes pursuant to RCW 43.216.5052 and is at or below 100
34 percent of the state median income adjusted for family size; or

35 (~~(f)~~) (g) Meets criteria under rules adopted by the department
36 if the number of such children equals not more than ten percent of
37 the total enrollment in the early childhood program. Preference for
38 enrollment in this group shall be given to children from families
39 with the lowest income, children in foster care, or to eligible
40 children from families with multiple needs.

1 (5) "Experiencing homelessness" means a child without a fixed,
2 regular, and adequate nighttime residence as described in the federal
3 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
4 subchapter VI, part B) as it existed on January 1, 2021.

5 (6) "Family support services" means providing opportunities for
6 parents to:

7 (a) Actively participate in their child's early childhood
8 program;

9 (b) Increase their knowledge of child development and parenting
10 skills;

11 (c) Further their education and training;

12 (d) Increase their ability to use needed services in the
13 community;

14 (e) Increase their self-reliance; and

15 (f) Connect with culturally competent, disability positive
16 therapists and supports where appropriate.

17 (7) "Family with financial need" means families with incomes at
18 or below 36 percent of the state median income adjusted for family
19 size until the 2030-31 school year. Beginning in the 2030-31 school
20 year, "family with financial need" means families with incomes at or
21 below 50 percent of the state median income adjusted for family size.

22 **Sec. 4.** RCW 43.216.578 and 2019 c 408 s 8 are each amended to
23 read as follows:

24 (1) Within resources available under the federal preschool
25 development grant birth to five grant award received in December
26 2018, the department shall develop a plan for phased implementation
27 of a birth to three early childhood education and assistance program
28 pilot project for eligible children under thirty-six months old.
29 Funds to implement the pilot project may include a combination of
30 federal, state, or private sources.

31 (2) The department may adopt rules to implement the pilot project
32 and may waive or adapt early childhood education and assistance
33 program requirements when necessary to allow for the operation of the
34 birth to three early childhood education and assistance program. The
35 department shall consider early head start rules and regulations when
36 developing the provider and family eligibility requirements and
37 program requirements. Any deviations from early head start standards,
38 rules, or regulations must be identified and explained by the
39 department in its annual report under subsection (6) of this section.

1 (3) (a) Upon securing adequate funds to begin implementation, the
2 pilot project programs must be delivered through child care centers
3 and family home providers who meet minimum licensing standards and
4 are enrolled in the early achievers program.

5 (b) The department must determine minimum early achievers ratings
6 scores for programs participating in the pilot project.

7 (4) When selecting pilot project locations for service delivery,
8 the department may allow each pilot project location to have up to
9 three classrooms per location. When selecting and approving pilot
10 project locations, the department shall attempt to select a
11 combination of rural, urban, and suburban locations. The department
12 shall prioritize locations with programs currently operating early
13 head start, head start, or the early childhood education and
14 assistance program.

15 (5) To be eligible for the birth to three early childhood
16 education and assistance program, a (~~child's family income must be~~
17 ~~at or below one hundred thirty percent of the federal poverty level~~
18 ~~and the child must be under thirty-six months old~~) child must be
19 under 36 months old and either:

20 (a) From a family with a household income at or below 130 percent
21 of the federal poverty level; or

22 (b) A member of an assistance unit that is eligible for or is
23 receiving basic food benefits under the federal supplemental
24 nutrition assistance program or the state food assistance program.

25 (6) Beginning November 1, 2020, and each November 1st thereafter
26 during pilot project activity, the department shall submit an annual
27 report to the governor and legislature that includes a status update
28 that describes the planning work completed, the status of funds
29 secured, and any implementation activities of the pilot project.
30 Implementation activity reports must include a description of the
31 participating programs and number of children and families served.

32 **Sec. 5.** RCW 43.216.578 and 2021 c 199 s 403 are each amended to
33 read as follows:

34 (1) Subject to the availability of amounts appropriated for this
35 specific purpose, the department shall administer a birth to three
36 early childhood education and assistance program for eligible
37 children under thirty-six months old. Funds to implement the program
38 may include a combination of federal, state, or private sources.

1 (2) The department may adopt rules to implement the program and
2 may waive or adapt early childhood education and assistance program
3 requirements when necessary to allow for the operation of the birth
4 to three early childhood education and assistance program. The
5 department shall consider early head start rules and regulations when
6 developing the provider and family eligibility requirements and
7 program requirements.

8 (3) (a) The birth to three early childhood education and
9 assistance program must be delivered through child care centers and
10 family home providers who meet minimum licensing standards and are
11 enrolled in the early achievers program.

12 (b) The department must determine minimum early achievers ratings
13 scores for participating contractors.

14 (4) To be eligible for the birth to three early childhood
15 education and assistance program, a ~~((child's family income must be~~
16 ~~at or below 50 percent of the state median income and the child must~~
17 ~~be under thirty-six months old))~~ child must be under 36 months old
18 and either:

19 (a) From a family with a household income at or below 50 percent
20 of the state median income; or

21 (b) A member of an assistance unit that is eligible for or is
22 receiving basic food benefits under the federal supplemental
23 nutrition assistance program or the state food assistance program.

24 NEW SECTION. Sec. 6. Sections 2 and 4 of this act expire July
25 1, 2026.

26 NEW SECTION. Sec. 7. Sections 3 and 5 of this act take effect
27 July 1, 2026.

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