
HOUSE BILL 1906

State of Washington

54th Legislature

1995 Regular Session

By Representatives Lambert and Cooke

Read first time 02/14/95. Referred to Committee on Children & Family Services.

1 AN ACT Relating to child care licensing; and amending RCW
2 74.15.020.

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

4 **Sec. 1.** RCW 74.15.020 and 1994 c 273 s 21 are each amended to read
5 as follows:

6 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
7 otherwise clearly indicated by the context thereof, the following terms
8 shall mean:

9 (1) "Department" means the state department of social and health
10 services;

11 (2) "Secretary" means the secretary of social and health services;

12 (3) "Agency" means any person, firm, partnership, association,
13 corporation, or facility which receives children, expectant mothers, or
14 persons with developmental disabilities for control, care, or
15 maintenance outside their own homes, or which places, arranges the
16 placement of, or assists in the placement of children, expectant
17 mothers, or persons with developmental disabilities for foster care or
18 placement of children for adoption, and shall include the following
19 irrespective of whether there is compensation to the agency or to the

1 children, expectant mothers or persons with developmental disabilities
2 for services rendered:

3 (a) "Group-care facility" means an agency, other than a foster-
4 family home, which is maintained and operated for the care of a group
5 of children on a twenty-four hour basis;

6 (b) "Child-placing agency" means an agency which places a child or
7 children for temporary care, continued care, or for adoption;

8 (c) "Maternity service" means an agency which provides or arranges
9 for care or services to expectant mothers, before or during
10 confinement, or which provides care as needed to mothers and their
11 infants after confinement;

12 (d) "Child day-care center" means an agency which regularly
13 provides care for a group of children for periods of less than twenty-
14 four hours;

15 (e) "Family day-care provider" means a (~~licensed~~) child day-care
16 provider who regularly provides child day care for not more than twelve
17 children in the provider's home in the family living quarters;

18 (f) "Foster-family home" means an agency which regularly provides
19 care on a twenty-four hour basis to one or more children, expectant
20 mothers, or persons with developmental disabilities in the family abode
21 of the person or persons under whose direct care and supervision the
22 child, expectant mother, or person with a developmental disability is
23 placed;

24 (g) "Crisis residential center" means an agency which is a
25 temporary protective residential facility operated to perform the
26 duties specified in chapter 13.32A RCW, in the manner provided in RCW
27 74.13.032 through 74.13.036.

28 (4) "Agency" shall not include the following:

29 (a) ~~Persons related ((by blood or marriage to the child, expectant~~
30 ~~mother, or persons with developmental disabilities in the following~~
31 ~~degrees:— Parent, — grandparent, — brother, — sister, — stepparent,~~
32 ~~stepbrother, — stepsister, — uncle, — aunt, — and/or first cousin))~~ to the
33 child, expectant mother, or person with developmental disability in the
34 following ways:

35 (i) Any blood relative, including those of half-blood, and
36 including first cousins, nephews or nieces, and persons of preceding
37 generations as denoted by prefixes of grand, great, or great-great;

38 (ii) Stepfather, stepmother, stepbrother, and stepsister;

1 (iii) A person who legally adopts a child or the child's parent as
2 well as the natural and other legally adopted children of such persons,
3 and other relatives of the adoptive parents in accordance with state
4 law;

5 (iv) Spouses of any persons named in (i), (ii), or (iii) of this
6 subsection (4)(a), even after the marriage is terminated; or

7 (v) "Extended family members," as defined by the law or custom of
8 the Indian child's tribe or, in the absence of such law or custom, a
9 person who has reached the age of eighteen and who is the Indian
10 child's grandparent, aunt or uncle, brother or sister, brother-in-law
11 or sister-in-law, niece or nephew, first or second cousin, or
12 stepparent who provides care in the family abode on a twenty-four-hour
13 basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

14 (b) Persons who are legal guardians of the child, expectant mother,
15 or persons with developmental disabilities;

16 (c) Persons who care for a neighbor's or friend's child or
17 children, with or without compensation, (~~where the person does not~~
18 ~~engage in such activity on a regular basis,~~) or where parents on a
19 mutually cooperative basis exchange care of one another's children, or
20 persons who have the care of an exchange student in their own home;

21 (d) A person, partnership, corporation, or other entity that
22 provides placement or similar services to exchange students or
23 international student exchange visitors;

24 (e) Nursery schools or kindergartens which are engaged primarily in
25 educational work with preschool children and in which no child is
26 enrolled on a regular basis for more than four hours per day;

27 (f) Schools, including boarding schools, which are engaged
28 primarily in education, operate on a definite school year schedule,
29 follow a stated academic curriculum, accept only school-age children
30 and do not accept custody of children;

31 (g) Seasonal camps of three months' or less duration engaged
32 primarily in recreational or educational activities;

33 (h) Hospitals licensed pursuant to chapter 70.41 RCW when
34 performing functions defined in chapter 70.41 RCW, nursing homes
35 licensed under chapter 18.51 RCW and boarding homes licensed under
36 chapter 18.20 RCW;

37 (i) Licensed physicians or lawyers;

1 (j) Facilities providing care to children for periods of less than
2 twenty-four hours whose parents remain on the premises to participate
3 in activities other than employment;

4 (k) Facilities approved and certified under chapter 71A.22 RCW;

5 (l) Any agency having been in operation in this state ten years
6 prior to June 8, 1967, and not seeking or accepting moneys or
7 assistance from any state or federal agency, and is supported in part
8 by an endowment or trust fund;

9 (m) Persons who have a child in their home for purposes of
10 adoption, if the child was placed in such home by a licensed child-
11 placing agency, an authorized public or tribal agency or court or if a
12 replacement report has been filed under chapter 26.33 RCW and the
13 placement has been approved by the court;

14 (n) An agency operated by any unit of local, state, or federal
15 government or an agency, located within the boundaries of a federally
16 recognized Indian reservation, licensed by the Indian tribe;

17 (o) An agency located on a federal military reservation, except
18 where the military authorities request that such agency be subject to
19 the licensing requirements of this chapter.

20 (5) "Requirement" means any rule, regulation, or standard of care
21 to be maintained by an agency.

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