

# FINAL BILL REPORT

## SHB 2169

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C 509 L 05

Synopsis as Enacted

**Brief Description:** Creating a pilot project authorizing small counties to regulate day care.

**Sponsors:** By House Committee on Children & Family Services (originally sponsored by Representatives Walsh, Grant, Buri, Cox and Haler).

**House Committee on Children & Family Services**  
**Senate Committee on Human Services & Corrections**

### **Background:**

The Department of Social and Health Services (DSHS) is required to license agencies providing care for children outside of their homes as identified by state law. The purpose of this licensing requirement is to assure the users of those agencies, their parents, the community at large, and the agencies themselves that adequate minimum standards are maintained by all agencies caring for children in order to safeguard the health, safety, and well-being of those children receiving care.

Among the agencies identified in state law as subject to licensing by the DSHS are family daycare providers, which are defined as child daycare providers who regularly provide child daycare for not more than 12 children in the provider's home in the family living quarters.

### **Summary:**

Notwithstanding the requirement that the DSHS license agencies providing care for children outside of their homes, counties with a population of 3,000 or less may adopt and enforce ordinances and regulations for family daycare providers as a 12-month pilot project. Before a county may regulate family daycare providers, it must adopt ordinances and regulations that address, at a minimum, the following:

- the size, safety, cleanliness, and general adequacy of the premises;
- the plan of operation;
- the character, suitability, and competence of a family daycare provider and other persons associated with a family daycare provider directly responsible for the care of children served;
- the number of qualified persons required to render care;
- the provision of necessary care, including food, clothing, supervision, and discipline;
- the physical, mental, and social well-being of children served;
- educational and recreational opportunities for children served; and
- the maintenance of records pertaining to children served.

The county must notify the DSHS in writing 60 days prior to adoption of the family daycare regulations. The transfer of jurisdiction must occur when the county has notified the DSHS in

writing of the effective date of the regulations, and is limited to a period of 12 months from the effective date of the regulations. Regulation by counties of family daycare providers are to be administered and enforced by those counties. The DSHS may not regulate these activities nor bear any civil liability for the 12-month pilot period. Upon request, the DSHS must provide technical assistance to any county that is in the process of adopting family daycare regulations, and after the regulations become effective.

Any county regulating family daycare providers pursuant to the bill is required to report to the Governor and the appropriate committees of the Legislature concerning the outcome of the pilot project upon expiration of the 12-month pilot period. The report must include the adopted ordinances and regulations and a description of how those ordinances and regulations address the specific areas of regulation identified in the bill.

**Votes on Final Passage:**

House	89	7	
Senate	46	2	(Senate amended)
House			(House refused to concur)
Senate	47	1	(Senate amended)
House	96	1	(House concurred)

**Effective:** May 17, 2005