

HOUSE BILL REPORT

HB 1756

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to authorizing implementation of a nonexpiring license for early learning providers.

Brief Description: Authorizing implementation of a nonexpiring license for early learning providers.

Sponsors: Representatives Roberts, Walsh, Haler, Green, Kagi, Jinkins, Darneille, Orwall, Upthegrove and Kenney.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/10/11, 2/17/11 [DPS].

Brief Summary of Substitute Bill

- Allows fully licensed providers to sustain a license by meeting ongoing licensing requirements.
- Removes the requirement for licensed providers to renew every three years.
- Defines when an agency is in good standing.
- Requires the Department of Early Learning to consider whether an agency is in good standing when determining its approach and process for monitoring visits.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Kagi, Chair; Roberts, Vice Chair; Walsh, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Dickerson, Goodman, Johnson and Orwall.

Minority Report: Do not pass. Signed by 1 member: Representative Overstreet.

Staff: Megan Palchak (786-7120).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Department of Early Learning (DEL) is charged with licensing early learning providers in Washington. (Child care is included in the definition of early learning.) According to the DEL, the DEL licenses more than 7,500 child care providers, who care for approximately 180,000 children. The DEL also monitors licensed providers to ensure minimum licensing requirements are met.

In 2010 Engrossed Substitute Senate Bill 6444 directed the DEL to develop a plan to improve child care licensing practices by January 15, 2011. On January 14, 2011, the DEL released its report to the Legislature. The report outlines a 10-year plan to improve licensing. The first item addressed in the plan is allowing nonexpiring licenses.

Currently, child care providers are issued an initial license for a six-month period until the licensee can demonstrate that they meet specific requirements. Four initial licenses can be issued within a two-year period. Currently, all licensed child care providers are required to reapply for licensure every three years. According to the DEL, "relicensing is a time-consuming process that involves much paperwork for both the licensor and provider, and culminates in a relicensing visit that can last several hours."

According to a 2008 survey administered by the National Association for Regulatory Administration and National Child Care Information and Technical Assistance Center, 12 states utilize the nonexpiring license model. These states include Arkansas, California, Colorado, Georgia, Kansas, Maryland, North Carolina, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin.

Summary of Substitute Bill:

Fully licensed child care providers are no longer required to reapply for licensure through the Department of Early Learning (DEL) every three years. The license renewal process does not apply to nonexpiring licenses. Instead full licenses will remain valid so long as licensees submit the following items on an annual basis:

- annual licensing fee;
- declaration to the DEL indicating the intent to either continue or cease operating a licensed child care program;
- declaration of compliance with all licensing rules; and
- background check applications (according to the DEL's established schedule).

If the licensee fails to submit the items above, the license will expire and the licensee must submit a new application for licensure.

The DEL is required to establish timeframes for monitoring visits to nonexpiring licensees, and must consider whether an agency is in good standing when determining its monitoring approach.

Substitute Bill Compared to Original Bill:

The substitute bill adds the following provisions to the original bill:

- requires the DEL to establish timeframes for monitoring visits to nonexpiring licensees;
- defines an agency in good standing as one that does not have:
 1. valid complaints;
 2. history of noncompliance related to those valid complaints or pending from prior monitoring visits; or
 3. other information that when evaluated would result in a finding of noncompliance;
- requires the DEL to consider whether an agency is in good standing when determining the most appropriate approach and process for monitoring visits; and
- clarifies that the license renewal process does not apply to nonexpiring licenses.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 17, 2011.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Allowing a nonexpiring license will reduce hours and paperwork for agency staff and for licensed providers. This allows hours and dollars to be reinvested into other things, and will ultimately improve the overall health and safety of children. One of the things the agency may reinvest in is improved monitoring. The total cost savings estimated by the DEL totals approximately 0.5 Full Time Equivalent.

(Opposed) None.

Persons Testifying: Representative Roberts, prime sponsor; Kristen Holabird, Service Employees International Union 925; Kathy Yasi; Amy Blondin, Department of Early Learning; Donna Christensen, YMCAs of Washington; and Karen Tvedt, Washington Association for the Education of Young Children.

Persons Signed In To Testify But Not Testifying: None.