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**SUBSTITUTE SENATE BILL 6540**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Wilson, C., Wellman, Dhingra, Hasegawa, Kuderer, and Saldaña)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to working connections child care payment  
2 authorizations; amending RCW 28B.50.248; reenacting and amending RCW  
3 43.216.135; adding a new section to chapter 43.216 RCW; and creating  
4 a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the federal  
7 child care and development block grant act of 2014 reauthorized the  
8 child care and development fund program and established a minimum  
9 twelve-month eligibility period for subsidized child care in order to  
10 provide families with more stability and to support the continuity of  
11 care between children and providers. The legislature further finds  
12 that the state's policy of authorizing twelve months of uninterrupted  
13 care was affirmed by the passage of the state's early start act in  
14 2015. However, some families are not able to access child care right  
15 away through the working connections child care program due to  
16 factors beyond their control. These barriers to care include  
17 challenges with access to child care in rural areas, declining  
18 numbers of providers accepting state subsidy, and the persistence of  
19 child care deserts in which either no child care providers are in  
20 operation or there are so few options for child care that the demand  
21 outweighs available slots. Therefore, the legislature intends to

1 clarify the state's policy that all eligible children may receive at  
2 least a full twelve months of working connections child care.

3 **Sec. 2.** RCW 43.216.135 and 2019 c 406 s 70 and 2019 c 369 s 4  
4 are each reenacted and amended to read as follows:

5 ~~(1) ((The department shall establish and implement policies in~~  
6 ~~the working connections child care program to promote stability and~~  
7 ~~quality of care for children from low-income households. These~~  
8 ~~policies shall focus on supporting school readiness for young~~  
9 ~~learners. Policies for the expenditure of funds constituting the~~  
10 ~~working connections child care program must be consistent with the~~  
11 ~~outcome measures established by the department and the standards~~  
12 ~~established in this section intended to promote stability, quality,~~  
13 ~~and continuity of early care and education programming.~~

14 ~~(2) As recommended by Public Law 113-186, authorizations for the~~  
15 ~~working connections child care subsidy shall be effective for twelve~~  
16 ~~months beginning July 1, 2016, unless an earlier date is provided in~~  
17 ~~the omnibus appropriations act.~~

18 ~~(3))~~ Existing child care providers serving nonschool-age  
19 children and receiving state subsidy payments must complete the  
20 following requirements to be eligible for a state subsidy under this  
21 section:

22 (a) Enroll in the early achievers program by August 1, 2016;

23 (b) Complete level 2 activities in the early achievers program by  
24 August 1, 2017; and

25 (c) Rate or request to be rated at a level 3 or higher in the  
26 early achievers program by December 31, 2019. If a child care  
27 provider does not rate at or request to be rated at a level 3 by  
28 December 31, 2019, the provider is no longer eligible to receive  
29 state subsidy. If the provider rates below a level 3 when the rating  
30 is released, the provider must complete remedial activities with the  
31 department, and must rate at or request to be rated at a level 3 or  
32 higher no later than December 30, 2020.

33 ~~((4))~~ (2) A new child care provider serving nonschool-age  
34 children and receiving state subsidy payments must complete the  
35 following activities to be eligible to receive a state subsidy under  
36 this section:

37 (a) Enroll in the early achievers program within thirty days of  
38 receiving the initial state subsidy payment;

1 (b) Complete level 2 activities in the early achievers program  
2 within twelve months of enrollment; and

3 (c) Rate or request to be rated at a level 3 or higher in the  
4 early achievers program within thirty months of enrollment. If a  
5 child care provider does not rate or request to be rated at a level 3  
6 within thirty months from enrollment into the early achievers  
7 program, the provider is no longer eligible to receive state subsidy.  
8 If the provider rates below a level 3 when the rating is released,  
9 the provider must complete remedial activities with the department,  
10 and rate or request to be rated at a level 3 or higher within twelve  
11 months of beginning remedial activities.

12 ~~((+5))~~ (3) If a child care provider does not rate or request to  
13 be rated at a level 3 or higher following the remedial period, the  
14 provider is no longer eligible to receive state subsidy under this  
15 section. If a child care provider does not rate at a level 3 or  
16 higher when the rating is released following the remedial period, the  
17 provider is no longer eligible to receive state subsidy under this  
18 section.

19 ~~((+6))~~ (4) If a child care provider serving nonschool-age  
20 children and receiving state subsidy payments has successfully  
21 completed all level 2 activities and is waiting to be rated by the  
22 deadline provided in this section, the provider may continue to  
23 receive a state subsidy pending the successful completion of the  
24 level 3 rating activity.

25 ~~((+7))~~ (5) The department shall implement tiered reimbursement  
26 for early achievers program participants in the working connections  
27 child care program rating at level 3, 4, or 5.

28 ~~((+8))~~ (6) The department shall account for a child care  
29 copayment collected by the provider from the family for each  
30 contracted slot and establish the copayment fee by rule.

31 ~~((+9)(a) The department shall establish and implement policies in  
32 the working connections child care program to allow eligibility for  
33 families with children who:~~

34 ~~(i) In the last six months have:~~

35 ~~(A) Received child protective services as defined and used by  
36 chapters 26.44 and 74.13 RCW;~~

37 ~~(B) Received child welfare services as defined and used by  
38 chapter 74.13 RCW; or~~

39 ~~(C) Received services through a family assessment response as  
40 defined and used by chapter 26.44 RCW;~~

1 ~~(ii) Have been referred for child care as part of the family's~~  
2 ~~case management as defined by RCW 74.13.020; and~~

3 ~~(iii) Are residing with a biological parent or guardian.~~

4 ~~(b) Children who are eligible for working connections child care~~  
5 ~~pursuant to this subsection do not have to keep receiving services~~  
6 ~~identified in this subsection to maintain twelve-month authorization.~~  
7 ~~The department of social and health services' involvement with the~~  
8 ~~family referred for working connections child care ends when the~~  
9 ~~family's child protective services, child welfare services, or family~~  
10 ~~assessment response case is closed.~~

11 ~~(10)(a) Beginning August 1, 2020, the department may not require~~  
12 ~~an applicant or consumer to meet work requirements as a condition of~~  
13 ~~receiving working connections child care benefits when the applicant~~  
14 ~~or consumer is:~~

15 ~~(i) A single parent;~~

16 ~~(ii) A full-time student of a community, technical, or tribal~~  
17 ~~college; and~~

18 ~~(iii) Pursuing vocational education that leads to a degree or~~  
19 ~~certificate in a specific occupation, not to result in a bachelor's~~  
20 ~~or advanced degree.~~

21 ~~(b) An applicant or consumer is a full-time student for the~~  
22 ~~purposes of this subsection if he or she meets the college's~~  
23 ~~definition of a full-time student. The student must maintain passing~~  
24 ~~grades and be in good standing pursuant to college attendance~~  
25 ~~requirements.~~

26 ~~(c) Nothing in this subsection is intended to change how~~  
27 ~~applicants or consumers are prioritized when applicants or consumers~~  
28 ~~are placed on a wait list for working connections child care~~  
29 ~~benefits.))~~

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.216  
31 RCW to read as follows:

32 (1) The department shall establish and implement policies in the  
33 working connections child care program to promote stability and  
34 quality of care for children from low-income households. These  
35 policies shall focus on supporting school readiness for young  
36 learners. Policies for the expenditure of funds constituting the  
37 working connections child care program must be consistent with the  
38 outcome measures established by the department and the standards

1 established in this section intended to promote stability, quality,  
2 and continuity of early care and education programming.

3 (2) As recommended by P.L. 113-186, authorizations for the  
4 working connections child care subsidy are effective for twelve  
5 months.

6 (a) A household's twelve-month authorization must begin on the  
7 date that child care is expected to begin.

8 (b) If a newly eligible household does not begin care within  
9 twelve months of being determined eligible by the department, the  
10 household must reapply in order to qualify for subsidy.

11 (3)(a) The department shall establish and implement policies in  
12 the working connections child care program to allow eligibility for  
13 families with children who:

14 (i) In the last six months have:

15 (A) Received child protective services as defined and used by  
16 chapters 26.44 and 74.13 RCW;

17 (B) Received child welfare services as defined and used by  
18 chapter 74.13 RCW; or

19 (C) Received services through a family assessment response as  
20 defined and used by chapter 26.44 RCW;

21 (ii) Have been referred for child care as part of the family's  
22 case management as defined by RCW 74.13.020; and

23 (iii) Are residing with a biological parent or guardian.

24 (b) Families who are eligible for working connections child care  
25 pursuant to this subsection do not have to keep receiving services  
26 identified in this subsection to maintain twelve-month authorization.

27 (4)(a) Beginning August 1, 2020, the department may not require  
28 an applicant or consumer to meet work requirements as a condition of  
29 receiving working connections child care benefits when the applicant  
30 or consumer is:

31 (i) A single parent;

32 (ii) A full-time student of a community, technical, or tribal  
33 college; and

34 (iii) Pursuing vocational education that leads to a degree or  
35 certificate in a specific occupation, not to result in a bachelor's  
36 or advanced degree.

37 (b) An applicant or consumer is a full-time student for the  
38 purposes of this subsection if he or she meets the college's  
39 definition of a full-time student. The student must maintain passing

1 grades and be in good standing pursuant to college attendance  
2 requirements.

3 (c) Nothing in this subsection is intended to change how  
4 applicants or consumers are prioritized when applicants or consumers  
5 are placed on a wait list for working connections child care  
6 benefits.

7 (5) For purposes of this section, "authorization" means a  
8 transaction created by the department that allows a child care  
9 provider to claim payment for care. The department may adjust an  
10 authorization based on a household's eligibility status.

11 **Sec. 4.** RCW 28B.50.248 and 2019 c 406 s 71 are each amended to  
12 read as follows:

13 Nothing in RCW 43.216.135 or section 3 of this act requires a  
14 community or technical college to expand any of its existing child  
15 care facilities. Any additional child care services provided by a  
16 community or technical college as a result of RCW 43.216.135 or  
17 section 3 of this act must be provided within existing resources and  
18 existing facilities.

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