
SUBSTITUTE HOUSE BILL 1614

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Human Services (originally sponsored by Representatives H. Myers, Hargrove, Beck, Peery, Anderson, Riley, Leonard, Winsley, Brekke, Miller, Cooper, Grant, Cole, G. Fisher, Belcher, Ogden, Nelson, Phillips, Franklin, Pruitt, Morris, Wineberry, Prentice, Inslee, Rust, Ludwig, Heavey, Fraser, Jacobsen, Bray, Dellwo, Jones, R. King, Basich, R. Johnson, Holland, Kremen, Scott, Rasmussen and O'Brien).

Read first time February 21, 1991.

1 AN ACT Relating to child care services for homeless families
2 including families that are homeless due to domestic violence; amending
3 RCW 74.15.020; adding new sections to chapter 74.15 RCW; creating a new
4 section; making an appropriation; providing an effective date; and
5 declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that specialized
8 child care services and early childhood education services are needed
9 to meet the needs of homeless children younger than school age to
10 improve their physical, social, medical, and emotional state. These
11 services will prevent later educational and social failures and
12 resulting societal costs. Continuity in child care arrangements is
13 vital for children who are experiencing constant disruption in their
14 living arrangements.

1 The legislature further finds that homeless parents, in order to
2 achieve independence, need an appropriate place to provide care for
3 their children while they seek or maintain employment, attend
4 treatment, or seek permanent housing.

5 **Sec. 2.** RCW 74.15.020 and 1988 c 176 s 912 are each amended to
6 read as follows:

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

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

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

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

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

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

28 (c) "Maternity service" means an agency which provides or arranges
29 for care or services to expectant mothers, before or during

1 confinement, or which provides care as needed to mothers and their
2 infants after confinement;

3 (d) "Day-care center" means an agency which regularly provides care
4 for a group of children for periods of less than twenty-four hours;

5 (e) "Foster-family home" means an agency which regularly provides
6 care on a twenty-four hour basis to one or more children, expectant
7 mothers, or persons with developmental disabilities in the family abode
8 of the person or persons under whose direct care and supervision the
9 child, expectant mother, or person with a developmental disability is
10 placed;

11 (f) "Crisis residential center" means an agency which is a
12 temporary protective residential facility operated to perform the
13 duties specified in chapter 13.32A RCW, in the manner provided in RCW
14 74.13.032 through 74.13.036;

15 (g) "Specialized child care" means an agency that provides all-day
16 child care for homeless children under the age of six;

17 (h) "Respite child care" means an agency that provides drop-in,
18 custodial child care for homeless children under the age of six.

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

20 (a) Persons related by blood or marriage to the child, expectant
21 mother, or persons with developmental disabilities in the following
22 degrees: Parent, grandparent, brother, sister, stepparent,
23 stepbrother, stepsister, uncle, aunt, and/or first cousin;

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

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

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

4 (e) Schools, including boarding schools, which are engaged
5 primarily in education, operate on a definite school year schedule,
6 follow a stated academic curriculum, accept only school-age children
7 and do not accept custody of children;

8 (f) Seasonal camps of three months' or less duration engaged
9 primarily in recreational or educational activities;

10 (g) Hospitals licensed pursuant to chapter 70.41 RCW when
11 performing functions defined in chapter 70.41 RCW, nursing homes
12 licensed under chapter 18.51 RCW and boarding homes licensed under
13 chapter 18.20 RCW;

14 (h) Licensed physicians or lawyers;

15 (i) Facilities providing care to children for periods of less than
16 twenty-four hours whose parents remain on the premises to participate
17 in activities other than employment;

18 (j) Facilities approved and certified under chapter 71A.22 RCW;

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

23 (l) Persons who have a child in their home for purposes of
24 adoption, if the child was placed in such home by a licensed child-
25 placing agency, an authorized public or tribal agency or court or if a
26 preplacement report has been filed under chapter 26.33 RCW and the
27 placement has been approved by the court;

28 (m) An agency operated by any unit of local, state, or federal
29 government or an agency, located within the boundaries of a federally
30 recognized Indian reservation, licensed by the Indian tribe;

1 (n) An agency located on a federal military reservation, except
2 where the military authorities request that such agency be subject to
3 the licensing requirements of this chapter.

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

6 (6) "Homeless" means:

7 (a) An individual or family that lacks a fixed, regular, and
8 adequate nighttime residence; or

9 (b) An individual or family that has a primary nighttime residence
10 that is:

11 (i) A supervised publicly or privately operated shelter designed to
12 provide temporary living accommodations, including, but not limited to,
13 welfare hotels, domestic violence shelters, congregate shelters, and
14 transitional housing for the mentally ill;

15 (ii) An institution that provides a temporary residence for
16 individuals intended to be institutionalized; or

17 (iii) A public or private place not designed for, or ordinarily
18 used as, regular sleeping accommodations for human beings.

19 "Homeless" does not include any individual imprisoned or otherwise
20 detained under federal or state law.

21 NEW SECTION. Sec. 3. A new section is added to chapter 74.15 RCW
22 to read as follows:

23 (1) The department shall, within the funds appropriated for this
24 purpose, contract with eligible providers for specialized child care
25 and respite child care for children of homeless parents. The total
26 allocation to providers within a county shall be:

27 (a) No less than twenty-five thousand dollars per fiscal year in
28 any county that had at least one hundred children under the age of six

1 served in emergency shelters the preceding year as reported by the
2 department of community development; or

3 (b) No more than ten thousand dollars per fiscal year in any county
4 that had less than one hundred children under the age of six served in
5 emergency shelters the preceding year as reported by the department of
6 community development.

7 (2) Child care services provided by emergency shelters are subject
8 to department of community development rules on applicant eligibility
9 criteria.

10 (3) Local funds used for child care services for the homeless that
11 are supplemented by funds provided under this section shall continue to
12 be used for services for homeless children.

13 (4) The department shall require that specialized child care and
14 respite child care providers coordinate with early childhood education
15 programs funded through the department of community development.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.15 RCW
17 to read as follows:

18 (1) Specialized child care shall be provided by child care centers
19 that specialize in serving homeless children or by the purchase of
20 existing slots in community child care centers or family day care
21 homes. Specialized child care shall be developmentally appropriate for
22 the children served and may include low staff-to-child ratios,
23 counseling, parent support services, health care, transportation,
24 specially trained staff, and appropriate curricula.

25 (2) Where the provision of specialized child care is not practical,
26 such as in communities with small shelter populations or for families
27 housed in hotels or motels under "voucher" programs as provided in this
28 chapter, respite child care may be provided by licensed child care
29 providers.

1 NEW SECTION. **Sec. 5.** The sum of two million six hundred
2 thousand dollars, or as much thereof as may be necessary, is
3 appropriated from the general fund to the department of social and
4 health services for the biennium ending June 30, 1993, to carry out the
5 purposes of this act.

6 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and this act
9 shall take effect July 1, 1991.