

2SHB 2124 - S COMM AMD

By Committee on Early Learning & K-12 Education

ADOPTED 02/28/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.216.136 and 2023 c 294 s 1 and 2023 c 222 s 3
4 are each reenacted and amended to read as follows:

5 (1) The department shall establish and implement policies in the
6 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 P.L. 113-186, authorizations for the
15 working connections child care subsidy are effective for 12 months
16 beginning July 1, 2016.

17 (a) A household's 12-month authorization begins on the date that
18 child care is expected to begin.

19 (b) If a newly eligible household does not begin care within 12
20 months of being determined eligible by the department, the household
21 must reapply in order to qualify for subsidy.

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

25 (i) In the last six months have:

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

28 (B) Received child welfare services as defined and used by
29 chapter 74.13 RCW;

30 (C) Received services through a family assessment response as
31 defined and used by chapter 26.44 RCW; or

1 (D) A parent or guardian participating in a specialty court or
2 therapeutic court or who is a listed victim in a case in a specialty
3 court or therapeutic court;

4 (ii) Have been referred for child care as part of the family's
5 case management as defined by RCW 74.13.020 or as part of the
6 specialty court or therapeutic court's proceedings; and

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

8 (b) Families who are eligible for working connections child care
9 pursuant to this subsection do not have to keep receiving services or
10 keep participating in a specialty court or therapeutic court
11 identified in this subsection to maintain 12-month authorization.

12 (4)(a) Beginning July 1, 2021, and subject to the availability of
13 amounts appropriated for this specific purpose, the department may
14 not require an applicant or consumer to meet work requirements as a
15 condition of receiving working connections child care benefits when
16 the applicant or consumer is in a state registered apprenticeship
17 program or is a full-time student of a community, technical, or
18 tribal college and is enrolled in:

19 (i) A vocational education program that leads to a degree or
20 certificate in a specific occupation; or

21 (ii) An associate degree program.

22 (b) An applicant or consumer is a full-time student for the
23 purposes of this subsection if the applicant or consumer meets the
24 college's definition of a full-time student.

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

28 (d) Subject to the availability of amounts appropriated for this
29 specific purpose, the department may extend the provisions of this
30 subsection (4) to full-time students who are enrolled in a bachelor's
31 degree program or applied baccalaureate degree program.

32 (5) The department may not consider the immigration status of an
33 applicant or consumer's child when determining eligibility for
34 working connections child care benefits.

35 (6) The department must consider an applicant or consumer's
36 participation in the birth to three early childhood education and
37 assistance program or the early head start program as an approved
38 activity when determining eligibility for working connections child
39 care benefits.

1 ~~(7)~~(a) An applicant or consumer is eligible to receive working
2 connections child care benefits for the care of one or more eligible
3 children for the first 12 months of the applicant's or consumer's
4 enrollment in a state registered apprenticeship program under chapter
5 49.04 RCW when:

6 (i) The applicant or consumer's household annual income adjusted
7 for family size does not exceed 75 percent of the state median income
8 at the time of application, or, beginning July 1, 2027, does not
9 exceed 85 percent of the state median income if funds are
10 appropriated for the purpose of RCW 43.216.1368(4);

11 (ii) The child receiving care is: (A) Less than 13 years of age;
12 or (B) less than 19 years of age and either has a verified special
13 need according to department rule or is under court supervision; and

14 (iii) The household meets all other program eligibility
15 requirements.

16 (b) The department must adopt a copayment model for benefits
17 granted under this subsection, which must align with any copayment
18 identified or adopted for households with the same income level under
19 RCW 43.216.1368.

20 ~~((7))~~ (8)(a) The department must extend the homeless grace
21 period, as adopted in department rule as of January 1, 2020, from a
22 four-month grace period to a 12-month grace period.

23 (b) For the purposes of this section, "homeless" means being
24 without a fixed, regular, and adequate nighttime residence as
25 described in the federal McKinney-Vento homeless assistance act (42
26 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

27 ~~((8))~~ (9) For purposes of this section, "authorization" means a
28 transaction created by the department that allows a child care
29 provider to claim payment for care. The department may adjust an
30 authorization based on a household's eligibility status.

31 **Sec. 2.** RCW 43.216.1364 and 2023 c 222 s 2 are each amended to
32 read as follows:

33 (1) Beginning October 1, 2023, a family is eligible for working
34 connections child care when the household's annual income is at or
35 below 85 percent of the state median income adjusted for family size
36 and:

37 (a) The child receiving care is: (i) Less than 13 years of age;
38 or (ii) less than 19 years of age and has a verified special need
39 according to department rule or is under court supervision;

1 (b) The applicant or consumer is employed (~~in a licensed child~~
2 ~~care center or family home provider~~), as verified in the agency's
3 electronic workforce registry, in a:

4 (i) Licensed or certified child care center or family home
5 provider;

6 (ii) Early childhood education and assistance program or birth to
7 three early childhood education and assistance program; or

8 (iii) Head start or early head start program or a successor
9 federal program; and

10 (c) The household meets all other program eligibility
11 requirements.

12 (2) The department must waive the copayment to the extent
13 allowable under federal law; otherwise, a maximum of \$15 for any
14 applicant or consumer that meets the requirements under this section.

15 **Sec. 3.** RCW 43.216.775 and 2021 c 199 s 106 are each amended to
16 read as follows:

17 (~~Beginning July 1, 2023, and subject to the availability of~~
18 ~~amounts appropriated for this specific purpose, rates~~) (1) Rates
19 paid under RCW ((43.216.579, 43.216.585,)) 43.216.592 ((, and
20 43.216.578)) must be adjusted every two years according to an
21 inflationary increase. The inflationary increase must be calculated
22 by applying the rate of the increase in the inflationary adjustment
23 index to the rates established ((in RCW 43.216.579, 43.216.585,))
24 pursuant to RCW 43.216.592 ((, and 43.216.578. Any)).

25 (2) Subject to the availability of amounts appropriated for this
26 specific purpose, rates paid under RCW 43.216.579, 43.216.585, and
27 43.216.578 must be adjusted every two years according to an
28 inflationary increase. The inflationary increase must be calculated
29 by applying the rate of the increase in the inflationary adjustment
30 index to the rates established pursuant to RCW 43.216.579,
31 43.216.585, and 43.216.578.

32 (3) Inflationary increases under subsection (1) of this section
33 and any funded inflationary increase under subsection (2) of this
34 section must be included in the rate used to determine inflationary
35 increases in subsequent years.

36 (4) For the purposes of this section, "inflationary adjustment
37 index" means the implicit price deflator averaged for each fiscal
38 year, using the official current base rate, compiled by the bureau of
39 economic analysis, United States department of commerce.

1 **Sec. 4.** RCW 43.216.--- and 2024 c ... (HB 2111) s 4 are each
2 amended to read as follows:

3 (1)(a) Subject to the availability of amounts appropriated for
4 this specific purpose, the department may not require an applicant or
5 consumer to meet work requirements as a condition of receiving
6 working connections child care benefits when the applicant or
7 consumer is in a state registered apprenticeship program or is a
8 full-time student of a community, technical, or tribal college and is
9 enrolled in:

10 (i) A vocational education program that leads to a degree or
11 certificate in a specific occupation; or

12 (ii) An associate degree program.

13 (b) An applicant or consumer is a full-time student for the
14 purposes of this subsection if the applicant or consumer meets the
15 college's definition of a full-time student.

16 (~~(2)~~) (c) Subject to the availability of amounts appropriated
17 for this specific purpose, the department may extend the provisions
18 of this subsection to full-time students who are enrolled in a
19 bachelor's degree program or applied baccalaureate degree program.

20 (2) The department must consider an applicant or consumer's
21 participation in the birth to three early childhood education and
22 assistance program or the early head start program as an approved
23 activity when determining eligibility for working connections child
24 care benefits.

25 NEW SECTION. **Sec. 5.** This act takes effect November 1, 2024.

26 NEW SECTION. **Sec. 6.** (1) Section 4 of this act is null and void
27 if chapter . . . (House Bill No. 2111), Laws of 2024 is not enacted
28 by November 1, 2024.

29 (2) Section 1 of this act is null and void if section 4 of this
30 act takes effect.

31 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
32 this act, referencing this act by bill or chapter number, is not
33 provided by June 30, 2024, in the omnibus appropriations act, this
34 act is null and void."

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1 On page 1, line 2 of the title, after "programs;" strike the
2 remainder of the title and insert "amending RCW 43.216.1364,
3 43.216.775, and 43.216.---; reenacting and amending RCW 43.216.136;
4 creating new sections; and providing an effective date."

EFFECT: Aligns the provisions in this bill with HB 2111, which relates to clarifying requirements for subsidized child care, contingent upon the enactment of both bills.

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