

FINAL BILL REPORT

SB 5625

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Synopsis as Enacted

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

Sponsors: Senators Harper, King, McAuliffe, Litzow and Nelson.

Senate Committee on Human Services & Corrections
House Committee on Early Learning & Human Services

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 DEL, it licenses more than 7500 child care providers, who care for approximately 180,000 children. DEL also monitors licensed providers to ensure minimum licensing requirements are met.

In the 2010 legislative session, ESB 6444 directed DEL, by January 15, 2011, to develop a plan to improve child care licensing practices. On January 14, 2011, DEL released its report to the Legislature. The report outlines a ten-year plan to improve licensing. One of the items addressed in the plan is to allow non-expiring licenses for child care providers.

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. All licensed child care providers are required to reapply for licensure every three years. According to 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, the following 12 states use the non-expiring license model: Arkansas, California, Colorado, Georgia, Kansas, Maryland, North Carolina, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin.

Summary: Fully licensed child care providers are no longer required to reapply for licensure every three years. Instead, full licenses will remain valid so long as licensees submit the following items to DEL on an annual basis:

- the annual licensing fee;

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

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

DEL is required to consider whether an agency is in good standing before granting a continuation of a full license and when determining the most appropriate approach and process for monitoring visits. An agency in good standing is defined as an agency that does not have:

- complaints;
- history of noncompliance related to those complaints or pending from prior monitoring visits; or
- other information that when evaluated may result in a finding of noncompliance.

DEL is authorized to issue a probationary license to an agency that is not in good standing. Before issuing a probationary license, DEL is required to provide licensees with a written referral to the Child Care Resource and Referral Network or other appropriate resources for technical assistance. DEL, the licensee, and the technical assistance provider must meet to develop a plan to correct the areas of noncompliance identified by DEL within 30 days after the licensee accepts the referral. DEL may issue a probationary license within 15 working days after it has sent its referral if (1) the licensee has refused, in writing, to accept the referral, or (2) the licensee has failed to respond in writing to DEL's referral. DEL may issue a probationary license after 60 days if the licensee has not corrected the areas of noncompliance in consultation with the technical assistance provider.

Votes on Final Passage:

Senate	48	0	
House	94	2	(House amended)
House	96	0	(House amended)
Senate	46	0	(Senate concurred)

Effective: July 22, 2011.