
HOUSE BILL 2124

State of Washington**68th Legislature****2024 Regular Session****By** Representatives Eslick and Senn

Prefiled 01/04/24.

1 AN ACT Relating to supporting and expanding access to child care
2 and early learning programs; amending RCW 43.216.1364 and 43.216.775;
3 and reenacting and amending RCW 43.216.136.

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

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

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

16 (2) As recommended by P.L. 113-186, authorizations for the
17 working connections child care subsidy are effective for 12 months
18 beginning July 1, 2016.

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

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

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

7 (i) In the last six months have:

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

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

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

14 (D) A parent or guardian participating in a specialty court or
15 therapeutic court or who is a listed victim in a case in a specialty
16 court or therapeutic court;

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

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

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

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

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

34 (ii) An associate degree program.

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

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

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

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

8 (6) Beginning July 1, 2024, the department must consider an
9 applicant or consumer's participation in any of the following
10 programs as an approved activity when determining eligibility for
11 working connections child care benefits:

12 (a) Early childhood education and assistance program;

13 (b) Birth to three early childhood education and assistance
14 program;

15 (c) Head start; or

16 (d) Early head start.

17 (7)(a) An applicant or consumer is eligible to receive working
18 connections child care benefits for the care of one or more eligible
19 children for the first 12 months of the applicant's or consumer's
20 enrollment in a state registered apprenticeship program under chapter
21 49.04 RCW when:

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

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

30 (iii) The household meets all other program eligibility
31 requirements.

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

36 ((+7)) (8)(a) The department must extend the homeless grace
37 period, as adopted in department rule as of January 1, 2020, from a
38 four-month grace period to a 12-month grace period.

39 (b) For the purposes of this section, "homeless" means being
40 without a fixed, regular, and adequate nighttime residence as

1 described in the federal McKinney-Vento homeless assistance act (42
2 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

3 ((8)) (9) For purposes of this section, "authorization" means a
4 transaction created by the department that allows a child care
5 provider to claim payment for care. The department may adjust an
6 authorization based on a household's eligibility status.

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

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

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

16 (b) The applicant or consumer is employed in a licensed child
17 care center or family home provider, or in an early childhood
education and assistance program or birth to three early childhood
education and assistance program, as verified in the agency's
20 electronic workforce registry; and

21 (c) The household meets all other program eligibility
22 requirements.

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

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

28 ((Beginning July 1, 2023, and subject to the availability of
29 amounts appropriated for this specific purpose, rates)) (1) Rates
30 paid under RCW ((43.216.579, 43.216.585,)) 43.216.592((, and
31 43.216.578)) must be adjusted every two years according to an
32 inflationary increase. The inflationary increase must be calculated
33 by applying the rate of the increase in the inflationary adjustment
34 index to the rates established ((in RCW 43.216.579, 43.216.585,))
35 pursuant to RCW 43.216.592((, and 43.216.578. Any)).

36 (2) Subject to the availability of amounts appropriated for this
37 specific purpose, rates paid under RCW 43.216.579, 43.216.585, and
38 43.216.578 must be adjusted every two years according to an

1 inflationary increase. The inflationary increase must be calculated
2 by applying the rate of the increase in the inflationary adjustment
3 index to the rates established pursuant to RCW 43.216.579,
4 43.216.585, and 43.216.578.

5 (3) Inflationary increases under subsection (1) of this section
6 and any funded inflationary increase under subsection (2) of this
7 section must be included in the rate used to determine inflationary
8 increases in subsequent years.

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

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