

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1025 Session of
1999

INTRODUCED BY DALLY, MCGILL, BUXTON, ARMSTRONG, BUNT, HENNESSEY,
S. MILLER, WALKO, STURLA, SCRIMENTI, ORIE, ALLEN, BROWNE,
READSHAW, MAITLAND, L. I. COHEN, GEORGE, GEIST, DALEY, PIPPY,
BELARDI, TULLI, PESCI, SCHULER, CAPPABIANCA, JAMES,
FAIRCHILD, STABACK, HALUSKA, RUFFING, SEYFERT, SATHER,
MANDERINO, FREEMAN, GANNON, HERMAN, SHANER, SEMMEL, ROSS,
CORRIGAN, LAUGHLIN, E. Z. TAYLOR, PLATTS, WILLIAMS, MUNDY,
GRUCELA, MELIO, HARHART, SURRA, MCCALL, MANN, KIRKLAND,
TANGRETTI, BELFANTI, J. TAYLOR, KENNEY, DeLUCA, CIVERA,
MARSICO, RAMOS, HARHAI, STEELMAN, ADOLPH, SAYLOR, SANTONI,
BLAUM, STETLER, BATTISTO, HORSEY AND HESS, MARCH 22, 1999

REFERRED TO COMMITTEE ON AGING AND YOUTH, MARCH 22, 1999

AN ACT

1 Providing for the creation of a Statewide Child Day-Care
2 Resource and Referral System in this Commonwealth; and
3 imposing additional responsibilities upon the State Data
4 Center and the Department of Public Welfare.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Child Day-
9 Care Resource and Referral Law.

10 Section 2. Legislative findings.

11 The General Assembly finds and declares as follows:

12 (1) The demand for high quality, affordable, accessible
13 child day care has increased dramatically in the last decade
14 in correlation with a dramatic increase in the labor force

1 participation rate of parents with young children.

2 (2) Approximately 200,000 children are currently in care
3 through a variety of child day-care programs in this
4 Commonwealth.

5 (3) A comprehensive, coordinated effort is needed to
6 ensure that accurate, up-to-date child day-care information
7 is readily available and easy to access.

8 (4) Local child day-care resource and referral services
9 are beneficial to:

10 (i) working parents of all economic means by
11 enabling them to make informed choices in selecting and
12 purchasing the child day care that best meets their
13 family's unique needs;

14 (ii) existing and prospective child day-care
15 providers in their efforts to develop and maintain safe,
16 high-quality child day-care services;

17 (iii) businesses by providing a comprehensive
18 resource for them to use in responding to child day-care
19 needs of their employees; and

20 (iv) the community-at-large by contributing directly
21 to the health, safety and well-being of this
22 Commonwealth's children and their families.

23 Section 3. Definitions.

24 The following words and phrases when used in this act shall
25 have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Child day care." Care in lieu of parental care, given for
28 part of the 24-hour day to children under 16 years of age, away
29 from their own homes. The term does not include child day care
30 furnished in places of worship during religious services.

1 "Child day-care resource and referral agency." A public or
2 private nonprofit entity that performs functions related to
3 child day-care resource and referral services. The term includes
4 an association or a corporation.

5 "Child day-care resource and referral services." The term
6 includes, but is not limited to, the following:

7 (1) The provision of updated information to the parents,
8 employers and individuals in a community regarding the
9 availability, cost and quality of child day-care services in
10 a defined geographic area.

11 (2) Assistance to parents so they can make informed
12 decisions regarding appropriate, affordable child day-care
13 services for their children.

14 (3) Information to employers on programs designed to
15 meet the child day-care needs of employees.

16 (4) Provision of start-up information to potential child
17 day-care providers to increase the supply of providers.

18 Section 4. Provision of child day-care resource and referral
19 services.

20 The department shall arrange for the availability of child
21 day-care resource and referral services across this Commonwealth
22 through contractual agreements with public or private entities
23 that can fulfill the responsibilities of a child day-care
24 resource and referral agency.

25 Section 5. Establishment of central child day-care data base.

26 The department shall provide for the establishment and
27 maintenance of a central child day-care data base. The
28 department shall compile all information from child day-care
29 resource and referral agencies with which it has a contractual
30 agreement under section 4 and establish comprehensive, accurate

1 and up-to-date reference base on child day care in this
2 Commonwealth shall be created. In accordance with the Executive
3 Order 1988-8 and any subsequent orders issued pursuant thereto,
4 the central child day-care data base shall be created by
5 utilizing applied demographic analyses, creation of statistical
6 maps and graphics and census geographic reference maps, as well
7 as any other resources the department may have available. The
8 department shall determine the nature and scope of all
9 centralized child day-care data to be maintained pursuant to
10 this act. Child day-care resource and referral agencies under
11 contract with the department shall be provided at least annually
12 and at no charge with information developed regarding child day
13 care in their specific geographic areas. Each child day-care
14 resource and referral agency under contract with the department
15 shall maintain a comprehensive data base on child day-care
16 supply and demand in the geographic area served by the agency.
17 Section 6. Resource and referral services offered.

18 The department shall arrange for child day-care resource and
19 referral services across this Commonwealth through contracts
20 with child day-care resource and referral agencies, which shall
21 provide, at a minimum, the following services:

22 (1) Identification of all State-approved child day-care
23 providers in their specific geographic area and a profile of
24 each provider to indicate the types of services they provide
25 and the costs of such services.

26 (2) Maintenance of a regularly updated resource file
27 that demonstrates supply and demand of services.

28 (3) Maintenance of a resource and referral service for
29 child day-care users and assistance, if requested, in
30 evaluating child day-care needs and appropriateness of types

1 of child day care.

2 (4) Establishment of a public education program to
3 inform consumers and provide referral counseling about child
4 day-care options, including information on types of child day
5 care, availability, cost and standards, through such means as
6 printed materials, telephone contacts, education sessions or
7 workshops and resource libraries.

8 (5) Provision of information and technical assistance to
9 providers and prospective providers, as requested. Types of
10 information to be made available shall include, but not be
11 limited to, information regarding career opportunities in the
12 field, continuing education, training opportunities,
13 accreditation programs, regulatory requirements, food
14 programs and demographic information to determine the
15 existence of markets for services and to help stimulate the
16 supply of child day-care services needed in the area.

17 (6) Serve as a resource to employers who are trying to
18 meet the child day-care needs of their employees.

19 (7) Collection and maintenance of data, as may be useful
20 in State and local planning efforts, on the number and usage
21 of different child day-care providers, the type, availability
22 and cost of child day care in a particular geographic area
23 and demographic information to determine whether the supply
24 meets the demand for child day-care services in a given area.

25 (8) Provision of information to low-income parents about
26 subsidized child day-care services receiving Federal and
27 State funding and referral to a local entity responsible for
28 administering the subsidized child day-care funds. The child
29 day-care resource and referral agency shall also provide to
30 parents receiving public assistance information about child

1 day-care services that may be available through the county
2 assistance office pursuant to Title IV of the Social Security
3 Act (Public Law 74-271, 42 U.S.C. § 601 et seq.). The child
4 day-care resource and referral agency shall avoid duplicating
5 services and shall develop procedures to streamline services
6 for low-income parents needing child day-care services.

7 Section 7. Standard operating procedures.

8 Local management agencies, as providers of child day-care
9 resource and referral services shall:

10 (1) Conduct business during hours convenient to working
11 parents, including some evening and weekend hours, if deemed
12 necessary.

13 (2) Have the authority to establish a reasonable range
14 of fees for services, with the approval of the department.

15 (3) Advertise their services. All recipients of services
16 shall be informed of applicable fees prior to the provision
17 of such services, as designated in this act.

18 (4) Tailor services provided for in this act to the
19 geographically defined area in which they are located.

20 (5) Seek opportunities to provide educational and
21 consumer awareness programs.

22 (6) Utilize, to the maximum extent, the most cost-
23 effective means of providing child day-care resource and
24 referral services in accordance with this act, including, but
25 not limited to, public-private partnerships, where deemed
26 appropriate, and contractual arrangements with existing
27 providers of resource and referral services.

28 (7) Maintain confidentiality of records. Information
29 contained in the records shall not be publicly disclosed in
30 such a manner so as to identify individuals. Certain

nonidentifying information may, however, be collected in aggregate form for the purposes of data collection.

(8) Report to the department on a regular basis information regarding:

(i) The number of parents and children served.

(ii) The extent of assistance given to providers, parents, businesses and others.

(iii) Fees charged for resource and referral services provided for in this act.

(iv) The impact of the resource and referral services on quality and availability of child day care in their particular geographically defined area.

(v) Any recommendations that may contribute to the improvement of the provision of child day-care resource and referral services.

Section 8. Annual report.

The department shall submit an annual report to the General Assembly which shall reflect the information collected by the child day-care resource and referral agencies designated by the department. The report shall describe how the child day-care resource and referral agencies further the department's goal to improve the quality, availability and affordability of child day-care services. This report shall also include any recommendations of the department for improvements to the Statewide resource and referral system, as well as the availability of private, corporate and government funding for resource and referral services.

Section 9. Regulations.

The department shall, in the manner provided by law, promulgate the rules and regulations necessary to establish

1 child day-care resource and referral services to be offered in
2 accordance with this act.

3 Section 10. Resource and referral services implementation.

4 The department shall establish a three-year implementation
5 schedule for phasing in child day-care resource and referral
6 services throughout this Commonwealth.

7 Section 11. Effective date.

8 This act shall take effect in 60 days.