

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 559 Session of
2007

INTRODUCED BY DALLY, BASTIAN, BELFANTI, BEYER, BISHOP,
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RUBLEY, SCAVELLO, SAYLOR, SIPTROTH, STABACK, STURLA,
J. TAYLOR, WALKO AND YOUNGBLOOD, MARCH 6, 2007

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 6, 2007

AN ACT

1 Providing for a Statewide child day-care resource and referral
2 system in this Commonwealth and a State database; and
3 imposing additional responsibilities on the Department of
4 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
15 participation rate of parents with young children.

16 (2) Approximately 200,000 children are currently in care
17 through a variety of child day-care programs in this

1 Commonwealth.

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

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

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

11 (ii) existing and prospective child day-care
12 providers in their efforts to develop and maintain safe,
13 high-quality child day-care services;

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

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

20 Section 3. Definitions.

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

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

28 "Child day-care resource and referral agency." A public or
29 private nonprofit entity that performs functions related to
30 child day-care resource and referral services. The term includes

1 an association or a corporation.

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

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

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

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

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

15 "Department." The Department of Public Welfare of the
16 Commonwealth.

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

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

24 Section 5. Central child day-care database.

25 (a) Establishment.--

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

1 comprehensive, accurate and up-to-date reference base on
2 child day care in this Commonwealth.

3 (2) In accordance with the Executive Order 1988-8 and
4 any subsequent orders issued pursuant thereto, the central
5 child day-care database shall be created by utilizing applied
6 demographic analyses, creation of statistical maps and
7 graphics and census geographic reference maps, as well as any
8 other resources the department may have available.

9 (3) The department shall determine the nature and scope
10 of all centralized child day-care data to be maintained
11 pursuant to this act.

12 (4) Child day-care resource and referral agencies under
13 contract with the department shall be provided with, at least
14 annually and at no charge, information developed regarding
15 child day care in their specific geographic areas.

16 (b) Local databases.--Each child day-care resource and
17 referral agency under contract with the department shall
18 maintain a comprehensive database on child day-care supply and
19 demand in the geographic area served by the agency.

20 Section 6. Resource and referral services offered.

21 (a) General rule.--The department shall arrange for child
22 day-care resource and referral services across this Commonwealth
23 through contracts with child day-care resource and referral
24 agencies, which shall provide, at a minimum, the following
25 services:

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

30 (2) Maintenance of a regularly updated resource file

1 that demonstrates supply and demand of services.

2 (3) Maintenance of a resource and referral service for
3 child day-care users and assistance, if requested, in
4 evaluating child day-care needs and appropriateness of types
5 of child day care.

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

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

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

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

29 (8) Provision of information to low-income parents about
30 subsidized child day-care services receiving Federal and

1 State funding and referral to a local entity responsible for
2 administering the subsidized child day-care funds.

3 (9) Provision, to parents receiving public assistance,
4 of information about child day-care services that may be
5 available through the county assistance office pursuant to
6 Title IV of the Social Security Act (Public Law 74-271, 42
7 U.S.C. § 601 et seq.).

8 (b) Duplication of services to be avoided.--The child day-
9 care resource and referral agency shall avoid duplicating
10 services and shall develop procedures to streamline services for
11 low-income parents needing child day-care services.

12 Section 7. Standard operating procedures.

13 A local management agency, as a provider of child day-care
14 resource and referral services shall:

15 (1) Conduct business during hours convenient to working
16 parents, including some evening and weekend hours, if deemed
17 necessary.

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

20 (3) Advertise its services and inform all recipients of
21 services of applicable fees prior to the provision of such
22 services, as designated in this act.

23 (4) Tailor services provided for in this act to the
24 geographically defined area in which it is located.

25 (5) Seek opportunities to provide educational and
26 consumer awareness programs.

27 (6) Utilize, to the maximum extent, the most cost-
28 effective means of providing child day-care resource and
29 referral services in accordance with this act, including, but
30 not limited to, public-private partnerships, where deemed

1 appropriate, and contractual arrangements with existing
2 providers of resource and referral services.

3 (7) Maintain confidentiality of records. Information
4 contained in the records shall not be publicly disclosed in
5 such a manner so as to identify individuals. Certain
6 nonidentifying information may, however, be collected in
7 aggregate form for the purposes of data collection.

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

10 (i) The number of parents and children served.

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

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

15 (iv) The impact of the resource and referral
16 services on quality and availability of child day care in
17 its geographically defined area.

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

21 Section 8. Annual report.

22 The department shall submit an annual report to the General
23 Assembly which shall:

24 (1) Reflect the information collected by the child day-
25 care resource and referral agencies designated by the
26 department.

27 (2) Describe how the child day-care resource and
28 referral agencies further the department's goal to improve
29 the quality, availability and affordability of child day-care
30 services.

1 (3) Include any recommendations of the department for
2 improvements to the Statewide resource and referral system,
3 as well as the availability of private, corporate and
4 government funding for resource and referral services.

5 Section 9. Regulations.

6 The department shall, in the manner provided by law,
7 promulgate the rules and regulations necessary to establish
8 child day-care resource and referral services to be offered in
9 accordance with this act.

10 Section 10. Resource and referral services implementation.

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

14 Section 11. Effective date.

15 This act shall take effect in 60 days.