

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 455 Session of
2003

INTRODUCED BY BLAUM, GEIST, THOMAS, GRUCELA, COY, BUNT, WALKO,
DeWEESE, LEDERER, HERMAN, MANN, GEORGE, STURLA, WANSACZ,
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KIRKLAND, RUBLEY, SCRIMENTI, LAUGHLIN, HARHAI, BISHOP, TIGUE,
BELFANTI, PALLONE, GOODMAN, JOSEPHS, WASHINGTON AND CIVERA,
FEBRUARY 25, 2003

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 25, 2003

AN ACT

1 Providing for a comprehensive interagency plan for child day-
2 care services and early childhood development services and
3 for the powers and duties of the Department of Public
4 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 and Early Childhood Development Act.

10 Section 2. Definitions.

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

14 "Child day care." Care in lieu of parental care given for
15 part of the 24-hour day to children under 16 years of age, away
16 from their own homes. The term does not include child day care

1 furnished in places of worship during religious services.

2 "Department." The Department of Public Welfare of the
3 Commonwealth.

4 "Early childhood development services." Services which are
5 intended to provide an environment which enhances the
6 educational, social, cultural, emotional and recreational
7 development of children from birth through eight years of age
8 but which are not intended to serve as a substitute for
9 compulsory academic programs.

10 Section 3. Annual comprehensive State plan for child day-care
11 and early childhood development services.

12 (a) Annual plan.--Through an annual State plan on child day-
13 care and early childhood development services, the department,
14 in coordination with the Department of Health and the Department
15 of Education, shall establish goals and objectives and review
16 and assess the State's child day-care and early childhood
17 development service delivery system, including State efforts to
18 assure the provision of accessible, available and affordable
19 quality child day-care and early childhood development services
20 to the general public. The plan shall be developed in relation
21 to Statewide and local needs and shall take into consideration
22 available demographic studies. It shall reflect the needs of
23 families in different social, economic and cultural
24 circumstances and the needs of children of different ages and
25 stages of development and of children with special needs.

26 (b) Preliminary plan.--No later than May 1 of each year, the
27 department shall submit to the General Assembly a preliminary
28 State plan on child day-care and early childhood development
29 services. A final State plan shall be submitted by the first
30 week of September of each year.

1 (c) Common policies and practices.--In the development and
2 implementation of an annual State plan, the department shall
3 promote common policies and practices in programs to the fullest
4 extent possible and develop mechanisms for interagency
5 collaboration to create a coordinated State child day-care and
6 early childhood development services delivery system. This
7 subsection includes simplification and coordination of the
8 application process for families needing services.

9 (d) Public hearings.--To prepare the preliminary State plan,
10 the department shall hold at least four public hearings in
11 different geographic locations in this Commonwealth to seek
12 input and recommendations from parents, early childhood
13 development professionals, child day-care providers, child
14 advocates, educators, representatives of local government,
15 health and human service organizations, health care
16 professionals, labor organizations, businesses, school officials
17 and other individuals or agencies interested in issues affecting
18 children and families.

19 (e) Contents of plans.--The preliminary and final State plan
20 shall include the following information:

21 (1) A summary of recommendations submitted to the
22 department pursuant to Statewide public hearings held in
23 preparation of the preliminary and final State plan and the
24 department's response to the recommendations.

25 (2) The amount of Federal, State and local funds
26 expended for child day-care and early childhood development
27 services and the allocation of these funds, by the type of
28 care and by administrative costs. Funding includes the Social
29 Services Block Grant Act (Public Law 97-35, 42 U.S.C. § 1397
30 et seq.); Titles I and VI of the Personal Responsibility and

1 Work Opportunity Reconciliation Act of 1996 (Public Law 104-
2 193, 110 Stat. 2105); the Head Start Act (Public Law 97-35,
3 42 U.S.C. § 9831 et seq.); the act of December 19, 1990
4 (P.L.1372, No.212), known as the Early Intervention Services
5 System Act; and other pertinent State appropriations.

6 (3) A description of child day-care and early childhood
7 development programs in this Commonwealth. This paragraph
8 includes child day-care centers, group child day-care homes,
9 family child day-care homes, school-age child day-care
10 programs, child day care for teen parents, early intervention
11 programs and Head Start programs.

12 (4) The unduplicated number of children served and
13 assisted with Federal, State and local funds, by type of care
14 and age; funding source for the services; the average
15 duration of the child-care service; and the child capacity of
16 regulated providers.

17 (5) Income eligibility guidelines for federally funded
18 and State-funded child day-care and early childhood
19 development services, sliding fee scales and the extent to
20 which the income guidelines and fee scales are adjusted to
21 reflect the most recent available State income data.

22 (6) The State's practices regarding the monitoring of
23 child day-care and early childhood development programs to
24 ensure the health, safety and welfare of children. In
25 describing the monitoring system, the department shall
26 identify the extent of announced and unannounced inspections
27 of regulated providers, the level of compliance with State
28 standards and the staff-to-provider ratio to accomplish this
29 task. This paragraph includes recommendations on ways to
30 improve both the enforcement and monitoring of standards and

1 compliance with standards.

2 (7) The department's coordination, identification or
3 arrangement of training for providers in specific program
4 areas that are designed to improve the quality of child day-
5 care and early childhood development services. The department
6 shall identify any Federal, State, local or private funding
7 allocated for training; the objectives of the training; the
8 way in which training will be accomplished; and an evaluation
9 of the previous year's training programs.

10 (8) An analysis of any recent demonstration projects
11 related to child day care or early childhood development
12 established by the department or the Department of Health or
13 the Department of Education, using Federal or State funds,
14 along with a summary of the cost of the projects and the
15 findings and recommendations of the department.

16 (9) A summary of any recent reports, data or surveys
17 concerning the compensation of child day-care and early
18 childhood development professionals, loan forgiveness
19 programs, the State's reimbursement rates and any changes in
20 rates recommended by the department.

21 (10) A summary of the most recent available demographic
22 information related to the need for child day-care and early
23 childhood development programs in this Commonwealth.

24 (11) Efforts by the private sector and State and local
25 government to encourage employer-sponsored child day-care
26 services and policies aimed at addressing the child day-care
27 needs of working parents.

28 (12) A description of the responsibilities and programs
29 of various State departments with respect to child day-care
30 and early childhood development services and how coordination

1 between agencies is addressed. The department shall describe
2 its responsibilities and programs under various program
3 offices and related programs or services available through
4 the Department of Aging, the Department of Commerce, the
5 Department of Community Affairs, the Department of Education,
6 the Department of Health or the Department of Labor and
7 Industry.

8 (13) Standards and training for child day-care providers
9 who receive payment through Federal or State child day-care
10 or early childhood development programs. The standards and
11 training shall promote the health, safety and developmental
12 needs of children.

13 (14) Identification of gaps in child day-care and early
14 childhood development services, unmet needs, administrative
15 barriers that serve as obstacles to obtaining services and
16 recommendations on how the State can address these issues.

17 (15) Statutory and regulatory changes recommended by the
18 department to address the quality, affordability and
19 availability of child day-care and early childhood
20 development services.

21 Section 4. Contracting with providers of child day-care
22 services.

23 (a) Delivery system.--The department, in its administration
24 of Federal and State dollars allocated for subsidized child day-
25 care services, shall establish a child day-care delivery system
26 that is designed to meet the needs of eligible children and
27 families. The department, in the development of a child day-care
28 service delivery system and in its policies and procedures,
29 shall support, to the fullest extent possible, a stable, diverse
30 source of child day-care providers from which parents can choose

1 quality child day care that is affordable and accessible.

2 (b) Contracts.--The department and any entity with whom the
3 department contracts to administer public funds for child day
4 care has the right to enter into contracts with child day-care
5 providers for a specific number of slots and shall not require
6 competitive bidding for the child day-care contracts if any of
7 the following conditions exist:

8 (1) The provider primarily serves low-income families.

9 (2) The facility is located in the low-income community
10 where the children and their families reside or work.

11 (3) Transportation from the community to alternative
12 child day-care facilities would impose hardships on parents.

13 (4) The providers meet special needs of parents and
14 children. This paragraph includes children with developmental
15 disabilities and foreign language speaking populations.

16 (5) The loss of service will have an adverse impact on
17 parents in need of child day care in that community.

18 Section 5. Effective date.

19 This act shall take effect in 60 days.