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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1881 Session of  
2005

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INTRODUCED BY SANTONI, BLAUM, DeWEESE, MANN, CALTAGIRONE,  
GOODMAN, FRANKEL, HENNESSEY, HALUSKA, BELARDI, LEACH,  
KILLION, COHEN, PETRARCA, KOTIK, GEORGE, TIGUE, KIRKLAND,  
SHANER, FABRIZIO, BIANCUCCI, DONATUCCI, DALEY, GRUCELA,  
MUNDY, BOYD, MANDERINO, YOUNGBLOOD, FREEMAN, LaGROTTA,  
CRAHALLA, JAMES, JOSEPHS AND STURLA, JULY 6, 2005

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JULY 6, 2005

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AN ACT

1 Providing for a Statewide Child Day-Care Resource and Referral  
2 System; and imposing additional responsibilities upon the  
3 Department of Public Welfare.

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

6 Section 1. Short title.

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

9 Section 2. Legislative findings.

10 The General Assembly finds and declares as follows:

11 (1) The demand for high quality, affordable, accessible  
12 child day care has increased dramatically in the last decade  
13 in correlation with a dramatic increase in the labor force  
14 participation rate of parents with young children.

15 (2) According to the United States Census, in the decade  
16 from 1990 to 2000, the rate of families in which all parents

1 in the household work rose to 62%, a 10% increase over the  
2 decade. In this Commonwealth, about two-thirds of mothers  
3 with children under the age of six are in the work force,  
4 compared to 25% in 1970.

5 (3) There are more than 884,000 children under the age  
6 of six living in this Commonwealth, and a majority of these  
7 children spend on average 27 hours a week in some form of  
8 child day care.

9 (4) As of January 2001, close to 300,000 children were  
10 served in regulated child care settings in this Commonwealth.

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

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

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

20 (ii) existing and prospective child day-care  
21 providers in their efforts to develop and maintain safe,  
22 high-quality child day-care services;

23 (iii) businesses by providing them with information  
24 to use in responding to child day-care needs of their  
25 employees; and

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

### 29 Section 3. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

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

7 "Child day-care resource and referral agency." A public or  
8 private nonprofit entity that performs functions related to  
9 child day-care resource and referral services. The term includes  
10 an association or a corporation.

11 "Child day-care resource and referral services." The term  
12 includes the following:

13 (1) The provision of updated information to the parents,  
14 employers and individuals in a community regarding the  
15 availability, cost and quality of child day-care services in  
16 a defined geographic area.

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

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

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

24 "Department." The Department of Public Welfare of the  
25 Commonwealth.

26 Section 4. Resource and referral services.

27 The department shall arrange for child day-care resource and  
28 referral services across this Commonwealth through contracts  
29 with public or private entities that can fulfill the  
30 responsibility of a child day-care resource and referral agency,

1 which shall provide, at a minimum, the following services:

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

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

8 (3) Maintenance of a resource and referral service for  
9 child day-care users and assistance, if requested, in  
10 evaluating child day-care needs and appropriateness of types  
11 of child day care.

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

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

27 (6) Provision of information to employers who are trying  
28 to meet the child day-care needs of their employees.

29 (7) Collection and maintenance of data, as may be useful  
30 in State and local planning efforts, on the number and usage

1 of different child day-care providers, the type, availability  
2 and cost of child day care in a particular geographic area  
3 and demographic information to determine whether the supply  
4 meets the demand for child day-care services in a given area.

5 (8) Provision of information to low-income parents about  
6 child day-care services for which they may be eligible and  
7 referral to a local entity responsible for administering  
8 Federal and State child day care funds. The child day-care  
9 resource and referral agency shall also provide to parents  
10 receiving public assistance information about child day-care  
11 services for which they may be eligible, and how they can  
12 access those funds. The child day-care resource and referral  
13 agency shall avoid duplicating services and shall develop  
14 procedures to streamline services for all low-income parents  
15 needing child day-care services.

16 Section 5. Standard operating procedures.

17 Child day-care resource and referral agencies shall:

18 (1) Conduct business during hours convenient to working  
19 parents, including some evening and weekend hours, if deemed  
20 necessary.

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

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

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

28 (5) Seek opportunities to provide educational and  
29 consumer awareness programs.

30 (6) Utilize, to the maximum extent, the most cost-

1 effective means of providing child day-care resource and  
2 referral services in accordance with this act, including, but  
3 not limited to, public-private partnerships, where deemed  
4 appropriate, and contractual arrangements with existing  
5 providers of resource and referral services.

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

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

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

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

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

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

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

#### 24 Section 6. Annual report.

25 The department shall submit an annual report to the General  
26 Assembly which shall reflect the information collected by the  
27 child day-care resource and referral agencies designated by the  
28 department. The report shall describe how the child day-care  
29 resource and referral agencies further the department's goal to  
30 improve the quality, availability and affordability of child

1 day-care services. This report shall also include any  
2 recommendations of the department for improvements to the  
3 Statewide resource and referral system, as well as the  
4 availability of private, corporate and government funding for  
5 resource and referral services.

6 Section 7. Regulations.

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

11 Section 8. Resource and referral services implementation.

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

15 Section 20. Effective date.

16 This act shall take effect July 1, 2005.