

Summary of Amendments to Engrossed Second Substitute House Bill 1213 (E2SHB 1213) as adopted on the House Floor on March 9, 2021:

- Adds the Department of Veterans Affairs military spouse liaison to ELAC
- Changes implementation of the Working Connections Child Care copayment schedule to “by” a certain date, instead of “beginning” on certain dates
- Directs DCYF to work with the Office of Superintendent of Public Instruction and providers in implementation of the two complex needs funds

Summary of Amendments to Engrossed Second Substitute Senate Bill 5237 (E2SSB 5237) as adopted on the Senate Floor on March 6, 2021:

- Moves the start date for Working Connections Child Care eligibility to increase to 60% of State Median Income from July 1, 2023 to July 1, 2021
- Increases the child care reimbursement rate for Working Connections Child Care to the 85th percentile of market rate beginning on July 1, 2021
- Increases ECEAP rates by 10 percent in the 2021-22 school year instead of phasing in a 9 percent increase over time
- Exempts work requirements for certain student parents participating in Working Connections Child Care beginning on July 1, 2021
- Changes implementation of certain policies from “by” to “beginning” certain dates. This is the direct opposite of the House amendment
- Adds an emergency clause for sections beginning July 1, 2021
- Directs DCYF to work with the Office of Superintendent of Public Instruction and providers in implementation of the two complex needs funds
- Changes the list of allowable uses for the Fair Start for Kids Account funds to a spending goals and strategies section. Adds supporting youth development programs as an allowable use of funds
- Directs ELAC to convene a temporary licensing subcommittee to provide feedback and recommendations by December 1, 2022 on improvements to the licensing process; strategies to increase the number of providers; the development of model policies; and incentives and financial supports to help prospective providers navigate the licensing process
- Requires DCYF to enter into negotiated rule making with interested parties before adopting requirements that affect child care center licensees
- Modifies collective bargaining language to better reflect current practices
- Adds the Fair Start for Kids Account to the list of related funds, which includes the Fund in the four-year balanced budget requirements

Summary of Amendments to Second Substitute House Bill 1213 (2SHB 1213) as adopted in the House Appropriations Committee on February 17, 2021:

- Adds a “null and void” clause which means items have to be funded in the state budget to be implemented
- Adds allowable expenditures from the Fair Start for Kids Account, including to support collective bargained provisions for family child care providers as well as one-time start-up grants for providers who commit to providing ECEAP or Working Connections Child Care
- Changes entitlement date for Indian children from 2030-31 to 2026-27 (aligning with the general entitlement date)
- Clarifies that the union representative on the Early Learning Advisory Council be from the union representing the largest number of providers.
- Removes the requirement that DCYF provide or contract to provide reflective supervision and professional development for Early Achievement coaches.
- Other technical changes

Summary of Significant Changes in Substitute House Bill 1213 (SHB 1213) from the original bill heard in the House Children, Youth and Families Committee on January 21, 2021:

- A number of investments have been changed to “subject to appropriation” (these are reflected in the chart below)
- Adds more allowable expenditures for the Fair Start Account, including using for health care coverage, adds increasing provider compensation, options to incentivize business engagement, and allow for a look at regulatory relief
- Changes are made to the configuration and charge of the Early Learning Advisory Council
- The requirement for a tuition payment for ECEAP as income eligibility increases is removed
- Pushes out the timing for an infant care rate enhancement by one year to July 1, 2022 and makes the incentive only apply to infants between the ages of birth and 11 months (removing the incentive for toddlers).
- Pushes out ECEAP entitlement to the 2026-27 school year

Summary of Significant Changes in Substitute Senate Bill 5237 (SSB 5237) from the original bill heard in Senate Early Learning and K-12 Committee on January 22, 2021:

- A number of investments have been changed to “subject to appropriation” (these are reflected in the chart below)
- Outdoor nature-based providers are added as an allowable provider in addition to licensed child care centers, family child care homes, etc.
- Provides more specification for allowable use of funds for health care coverage and adds increasing provider compensation
- Changes are made to the configuration and charge of the Early Learning Advisory Council
- The co-payment structure for Working Connections Child Care is revised, with the addition of a new tier
- The requirement for a tuition payment for ECEAP as income eligibility increases is removed
- The proposed ECEAP rate increase for the 2023-24 school year is lowered from 10% to 9%
- Pushes out the timing for an infant care rate enhancement by one year to July 1, 2022 and also makes the incentive only apply to infants between the ages of birth and 11 months (removing the incentive for toddlers).
- Pushes out ECEAP entitlement to the 2026-27 school year.

Significant Differences between the Senate and House bills as amended in policy committees:

- As evidenced in the charts below, the House bill makes fewer investments subject to appropriation.
- The House and Senate take differing approaches to Working Connections Co-payment levels.
- The ECEAP reimbursement rate is higher in the House bill.
- The House version includes more allowable investments for funds deposited into the Fair Start Act.
- The House version includes one less representative from the developmental disabilities community for the Early Learning Advisory Council (ELAC), so the House bills calls for 44 members on ELAC while the Senate bill calls for 45 members.
- The House defines eligible child for ECEAP as being at least three years of age by the start of the school-year and defines entitlement as voluntary enrollment.
- The Senate bill requires DCYF to collaborate with OSPI in administration of the complex needs fund. The House bill does not have that requirement.
- The Senate bill includes outdoor nature-based providers in their definition of allowable providers. The House bill does not.

The funding of policies always comes down to the budget process. These charts summarize the aspects of the bills that are deemed subject to appropriation and those that are not:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1213 (E2SHB 1213)

Not deemed subject to appropriation	Deemed Subject to Appropriation
Increasing Working Connections Child Care up to 75% of SMI	Inflationary adjustments
Working Connections Child Care co-pays	Working Connections Child Care income eligibility increase to 75%-100% of State Median Income
Timeline for Working Connections Child Care rate increase	Waiving of Working Connections Child Care work requirements for students pursuing a bachelors or applied baccalaureate degree
Waiving of Working Connections co-pays for full-time students in a specific occupation, an associates degree program or registered apprenticeship	Professional Development
ECEAP rate increases	Equity Grants
Dual language support funding	Supports for businesses
Infant Care Incentives	Play and Learn Groups
Trauma-Informed Care supports	Prenatal to three services, including home visiting
Complex Needs Fund	Early ECEAP
Nonstandard reimbursement rate model	Early Therapeutic and Preventive Services
Infant Early Childhood Mental Health Consultation	

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5237 (E2SSB 5237)

Not deemed subject to appropriation	Deemed Subject to Appropriation
Increasing Working Connections Child Care up to 75% of SMI	Inflationary adjustments
Working Connections Child Care co-pays	Working Connections Child Care income eligibility increase to 75%-100% of State Median Income
Timeline for Working Connections Child Care rate increase	Waiving of all Working Connections Child Care work requirements

Dual language support funding	Equity Grants
Infant Care Incentives	Supports for businesses
Trauma-Informed Care supports	Infant Early Childhood Mental Health Consultation
ECEAP rate increases	Play and Learn Groups
	Prenatal to three services, including home visiting
	Early ECEAP
	Early Therapeutic and Preventive Services
	Nonstandard reimbursement rate model
	Professional Development