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**SUBSTITUTE HOUSE BILL 1756**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** House Early Learning & Human Services (originally sponsored by Representatives Roberts, Walsh, Haler, Green, Kagi, Jenkins, Darneille, Orwall, Upthegrove, and Kenney)

READ FIRST TIME 02/17/11.

1       AN ACT Relating to authorizing implementation of a nonexpiring  
2 license for early learning providers; and amending RCW 43.215.260 and  
3 43.215.270.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       **Sec. 1.** RCW 43.215.260 and 2006 c 265 s 307 are each amended to  
6 read as follows:

7       (1) Each agency shall make application for a license or (~~renewal~~  
8 ~~of~~) the continuation of a full license to the department on forms  
9 prescribed by the department. Upon receipt of such application, the  
10 department shall either grant or deny a license or continuation of a  
11 full license within ninety days. A license or continuation shall be  
12 granted if the agency meets the minimum requirements set forth in this  
13 chapter and the departmental requirements consistent with (~~the~~  
14 ~~{this}~~) this chapter, except that an initial license may be issued as  
15 provided in RCW 43.215.280. Full licenses provided for in this chapter  
16 shall (~~be issued for a period of three years~~) continue to remain  
17 valid so long as the licensee meets the requirements for a nonexpiring  
18 license in subsection (2) of this section. The licensee, however,  
19 shall advise the director of any material change in circumstances which

1 might constitute grounds for reclassification of license as to  
2 category. The license issued under this chapter is not transferable  
3 and applies only to the licensee and the location stated in the  
4 application. For licensed family day care homes having an acceptable  
5 history of child care, the license may remain in effect for two weeks  
6 after a move.

7 (2) In order to qualify for a nonexpiring full license, a licensee  
8 must meet the following requirements on an annual basis as established  
9 from the date of initial licensure:

10 (a) Submit the annual licensing fee;

11 (b) Submit a declaration to the department indicating the  
12 licensee's intent to continue operating a licensed child care program,  
13 or the intent to cease operation on a date certain;

14 (c) Submit a declaration of compliance with all licensing rules;  
15 and

16 (d) Submit background check applications on the schedule  
17 established by the department.

18 (3) A licensee who fails to meet the requirements in subsection (2)  
19 of this section for continuation of a full license will cause the  
20 license to expire and must submit a new application for licensure under  
21 this chapter.

22 (4) The department shall establish time frames for monitoring  
23 visits of nonexpiring licensees not less than every eighteen months for  
24 family day care providers and not less than every twelve months for  
25 child day care centers and school-age programs. It is not the intent  
26 of the legislature to limit more frequent monitoring as determined by  
27 the department. For the purpose of this section, an agency is  
28 considered to be in good standing if in the intervening period between  
29 monitoring visits that agency does not have any of the following:  
30 Valid complaints, a history of noncompliance related to those valid  
31 complaints or pending from prior monitoring visits, or other  
32 information that when evaluated would result in a finding of  
33 noncompliance with this section. The department shall consider whether  
34 an agency is in good standing when determining the most appropriate  
35 approach and process for monitoring visits, for the purposes of  
36 administrative efficiency while protecting children consistent with  
37 this chapter.

1       **Sec. 2.** RCW 43.215.270 and 2006 c 265 s 308 are each amended to  
2 read as follows:

3       (1) If a licensee desires to apply for a renewal of its license, a  
4 request for a renewal shall be filed ninety days before the expiration  
5 date of the license. If the department has failed to act at the time  
6 of the expiration date of the license, the license shall continue in  
7 effect until such time as the department acts.

8       (2) License renewal under this section does not apply to  
9 nonexpiring licenses described in RCW 43.215.260.

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