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An act to amend Sections 1596.66 and 1596.67 of, and to add Section 1596.671 to, the Health and Safety Code, relating to childcare.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1596.66 of the Health and Safety Code is amended to read:

1596.66. (a) Each license-exempt ~~child care~~ childcare provider, as defined pursuant to Section 1596.60, who is compensated, in whole or in part, with funds provided pursuant to the Alternative Payment Program, Article 3 (commencing with Section 8220) of Chapter 2 of Part 6 of the Education Code or pursuant to the federal Child Care and Development Block Grant Program, except a provider who is, by marriage, blood, or court decree, the grandparent, aunt, or uncle of the child in care, shall be registered pursuant to Sections 1596.603 and 1596.605 in order to be eligible to receive this compensation. Registration under this chapter shall be required for providers who receive funds under Section 9858 and following of Title 42 of the United States Code only to the extent permitted by that law and the regulations adopted pursuant thereto. Registration under this chapter shall be required for providers who receive funds under the federal Child Care and Development Block Grant Program only to the extent permitted by that program and the regulations adopted pursuant thereto.

(b) For the purposes of registration of the providers identified in subdivision (a), the following procedures shall apply:

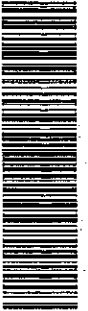
(1) Notwithstanding subdivision (a) of Section 1596.603, the provider shall submit the fingerprints and ~~trustline~~ Trustline application to the local ~~child care~~ childcare resource and referral agency established pursuant to Article 2 (commencing with Section 8210) of Chapter 2 of Part 6 of the Education Code. The local ~~child care~~ childcare resource and referral agency shall transmit the fingerprints and completed ~~trustline~~ Trustline applications to the department and address any local problems that occur in the registration system. If a fee is charged by the local ~~child care~~ childcare resource and referral agency that takes a provider's fingerprints, the provider shall be reimbursed for this charge by the State Department of Education, through the local ~~child care~~ childcare resource and referral agency, from federal Child Care and Development Block Grant funds to the extent that those funds are available.

(2) The department shall adhere to the requirements of Sections 1596.603, 1596.605, 1596.606, and 1596.607 and shall notify the California Child Care Resource and Referral Network of any action it takes pursuant to Sections 1596.605, 1596.606, and 1596.607.

(3) The California Child Care Resource and Referral Network shall notify the applicable local ~~child care~~ childcare resource and referral agencies, alternative payment programs, and county welfare departments of the status of the ~~trustline~~ Trustline applicants and registered ~~trustline~~ Trustline ~~child care~~ childcare providers. The network shall maintain a toll-free telephone line to provide information to the local resource and referral agencies, the alternative payment programs, and the ~~child care~~ childcare recipients of the status of providers.

(c) This section shall become operative only if funds appropriated for the purposes of this article from Item 6110-196-890 of Section 2 of the Budget Act of 1991 are incorporated into and approved as part of the state plan that is required pursuant to Section 658(E)(a) of the federal Child Care Block Grant Act of 1990 (Sec. 5082, P.L. 101-508).

SEC. 2. Section 1596.67 of the Health and Safety Code is amended to read:



1596.67. (a) To the extent permitted by federal law, each ~~child care~~ childcare provider, as defined by Section 1596.60, who receives compensation, in whole or in part, under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient, except a provider who is, by marriage, blood, or court decree, the grandparent, aunt, or uncle of the child in care, shall be registered pursuant to Sections 1596.603 and 1596.605 in order to be eligible to receive this compensation. Active ~~trustline~~ Trustline registration is required for providers who receive compensation under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient only to the extent permitted by that law and the regulations adopted pursuant thereto. This section applies only to a license-exempt ~~child care~~ childcare provider, as defined by Section 1596.60, who registers for payment under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient after the implementation of the ~~trustline~~ Trustline registration system in those programs. A provider, as defined by Section 1596.60, who was exempted from ~~trustline~~ Trustline registration because the provider was not compensated, in whole or in part, with funds provided under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient shall be registered, at no cost to the provider, pursuant to Sections 1596.603 and 1596.605 when either of the following occur:

(1) The provider begins to provide ~~child care~~ childcare to an eligible family for which ~~he or she~~ the provider has not provided care.

(2) The provider begins to provide ~~child care~~ childcare to an eligible family subsequent to a lapse in providing care that is compensated under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient.

(b) Payment provided pursuant to subdivision (a) shall cease if the provider has a criminal conviction for which the department has not granted a criminal record exemption pursuant to subdivision (f) of Section 1596.871.

(c) Subdivision (a) shall not be implemented unless funding for ~~trustline~~ Trustline registration is appropriated to the department for this purpose in the annual Budget Act or in other legislation. The department shall enter into a contract with the California Child Care Resource and Referral Network to administer the ~~trustline~~ Trustline as it relates to providers who are compensated under Stage 1 of the CalWORKs Child Care Program pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, for providing ~~child care~~ childcare for a recipient or former recipient.

SEC. 3. Section 1596.671 is added to the Health and Safety Code, immediately following Section 1596.67, to read:

1596.671. (a) To the extent required by federal law, each license-exempt childcare provider, as defined in Section 1596.60, who receives compensation, in whole or in part, under the Emergency Child Care Bridge Program for Foster Children



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established pursuant to Section 11461.6 of the Welfare and Institutions Code, shall be registered pursuant to Sections 1596.603 and 1596.605. Registration shall be at no cost to the provider, and payment of the cost shall be consistent with county policies and procedures for payment of the cost for childcare providers who receive compensation under Stage 1 of the CalWORKs Child Care Program and who register with Trustline pursuant to Section 1596.67.

(b) Payment provided to a license-exempt childcare provider pursuant to Section 11461.6 of the Welfare and Institutions Code shall cease if the provider has a criminal conviction for which the department has not granted a criminal record exemption pursuant to subdivision (f) of Section 1596.871.

(c) Subdivision (a) shall not be implemented unless funding for Trustline registration is appropriated to the department for this purpose in the annual Budget Act or in other legislation.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____
General Subject: Childcare: Trustline registration.

Existing law generally prohibits a person, firm, partnership, association, or corporation from operating, establishing, managing, conducting, or maintaining a child daycare facility in this state without a current valid license. Existing law requires the State Department of Social Services to establish and continuously update a Trustline registry of persons who provide childcare, supervision, or in-home educational or counseling services and who are not required to be licensed. Under existing law, a provider who is registered pursuant to these provisions is known as a Trustline provider. Existing law generally requires a license-exempt childcare provider receiving subsidized payments for childcare services under the CalWORKs program to be registered as a Trustline provider.

Existing law establishes the Emergency Child Care Bridge Program for Foster Children, under which county welfare departments may distribute vouchers, or payment, for childcare services for an eligible child who is placed with an approved resource family, a licensed or certified foster family, or an approved relative or nonrelative extended family member, or who is the child of a young parent involved in the child welfare system. Existing law requires counties that choose to participate, to determine eligibility for the bridge program and provide monthly payment either directly to the family or to the childcare provider or provide a monthly voucher for childcare, in an amount that is commensurate with the regional market rate, for up to 6 months following the child's initial placement.

This bill would require, to the extent required by federal law, a child care provider who receives compensation, in whole or in part, under the bridge program to be registered as a Trustline provider, at no cost to the provider. The bill would require compensation under the bridge program to cease if the provider has a criminal conviction for which the department has not granted a criminal conviction exemption pursuant to specified provisions. These provisions would be implemented only if funding for Trustline registration is appropriated to the department for this purpose in the annual Budget Act or another statute. The bill also would make technical, nonsubstantive changes to related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

