

# DRAFT

## SUMMARY

Expands recipients eligible for subsidized employment-related child care and types of activities that may be eligible for subsidies.

Directs Early Learning Council to develop and implement optional training opportunities for providers of child care, providers of employment-related child care and exempt family child care providers.

Becomes operative January 1, 2018.

Appropriates moneys from General Fund to Department of Human Services for employment-related child care subsidies.

Declares emergency, effective July 1, 2017.

## A BILL FOR AN ACT

Relating to child care; creating new provisions; amending ORS 329A.500; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 329A.500 is amended to read:

329A.500. (1) The Department of Human Services, in consultation with the Early Learning Division and the Office of Child Care, shall adopt rules for the operation of subsidy programs for employment-related child care administered by the department. At a minimum, and taking into account the availability of funds, the rules must provide the following:

(a) Subsidy recipients may be entitled to receive the subsidy for at least one year, regardless of changes in employment. Rules adopted by the department may provide for termination of subsidy eligibility for reasons other than changes in employment during the one-year period. Exit eligibility and copays must be structured to mitigate the financial impact of reduced subsidy support due to increased income.

(b) Subsidy recipients who are enrolled in coursework, as defined by the department by rule, may be entitled to receive the subsidy to enable the subsidy recipient to attend and participate in the coursework provided all other eligibility requirements are met. **For purposes of this paragraph, “coursework” includes, in addition to hours spent in class, hours spent engaging in homework and study time, meetings with professors or teachers, exam preparation, student work groups and on-campus activities.**

(c) Persons who are self-employed may qualify for subsidy programs provided all other eligibility requirements are met.

**(d) Persons who are looking for work may qualify for subsidy programs for a maximum of three months provided all other eligibility requirements are met.**

[(d)] (e) Subsidy recipients who voluntarily choose child care providers that meet minimum standards established under the tiered quality rating and improvement system implemented under ORS 329A.261 may qualify for lower copayments. A fair representation of the subsidy recipients who qualify for lower copayments must be persons with children who are from underserved racial, ethnic or minority populations. In addition, child care providers that meet specified minimum standards established under the tiered quality rating and improvement system may receive an enhanced reimbursement under the subsidy programs.

[(e)] (f) Subsidy recipients must report a change of child care provider to the department during the period a subsidy is being received.

(2) The department shall work to meet federal recommendations for income eligibility and market access in regard to employment-related child care administered by the department.

**(3) The department shall regularly review the amount of copays paid by subsidy recipients under this section and adjust, as necessary, the amount of future copays to no more than 10 percent of the total amount of the subsidy received by each subsidy recipient. This sub-**

1 section does not entitle subsidy recipients to reimbursement for  
2 amounts of copays that exceed 10 percent of the total amount of the  
3 subsidy received by the subsidy recipient and are paid by the recipient  
4 before the adjustment that is made in accordance with this subsection.

5 **SECTION 2.** (1) The Early Learning Council shall develop and im-  
6 plement optional training opportunities for providers of child care,  
7 providers of employment-related child care and exempt family child  
8 care providers that include but are not limited to training on:

9 (a) Basic health and safety;

10 (b) Early childhood development;

11 (c) Child mental health;

12 (d) Child nutrition; and

13 (e) Planning and engaging children in nurturing activities.

14 (2) The Department of Human Services, the Office of Child Care,  
15 the Early Learning Council and the Early Learning Division shall  
16 collaborate to:

17 (a) Provide enhanced reimbursement to child care providers de-  
18 scribed in subsection (1) of this section who have participated in the  
19 training opportunities implemented under this section; and

20 (b) Incentivize parents to select child care providers who have par-  
21 ticipated in such training opportunities.

22 (3) The training provided pursuant to this section must be in addi-  
23 tion to, and may not replace, the child care provider training program  
24 established under ORS 329A.490.

25 **SECTION 3.** In addition to and not in lieu of any other appropri-  
26 ation, there is appropriated to the Department of Human Services, for  
27 the biennium beginning July 1, 2017, out of the General Fund, the  
28 amount of \$\_\_\_\_\_ for employment-related child care, which may be  
29 expended for expansion and enhancement of subsidy programs under  
30 ORS 329A.500.

31 **SECTION 4.** Section 2 of this 2017 Act and the amendments to ORS

1 **329A.500 by section 1 of this 2017 Act become operative on January 1,**  
2 **2018.**

3 **SECTION 5. This 2017 Act being necessary for the immediate pres-**  
4 **ervation of the public peace, health and safety, an emergency is de-**  
5 **clared to exist, and this 2017 Act takes effect July 1, 2017.**

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