

Dual Licensing Pilot Program

Early Learning Presentation

July 1, 2020

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Washington State Department of
CHILDREN, YOUTH & FAMILIES

Overview

- Review the current regulations surrounding dual licensing
- Summary of national practice
- Liability considerations
- House Bill 2619 § 7 (chapter 343, laws of 2020)
- Pilot Methodology
- Input Session



Washington Policy and Practice

WAC 110-300-0425 (Child Care)

(7) A licensee must have department approval to hold dual licenses (for example: An early learning program license and another care giving license, certification, or similar authorization).

WAC 110-148-1330 (Foster Care)

(1) In rare situations and at our discretion, we may allow a family to be licensed for foster care and another type of in-home family care. The LD Administrator may grant approval if it appears to be in the best interest of a child.



Washington Policy and Practice

WAC 110-148-1330 (Foster Care)

(2) If you have more than one in-home family license:

(a) It must be clear that the health and safety of children is not compromised;
and

(b) The total number of children allowed in your home **will not be higher than CA's maximum capacity**. All licensing agencies must be in agreement.



Capacity: Foster Care

WAC 110-148-1385

- (1) We will identify the maximum number, age range, and gender of children that may be placed with you. We will base this on your skills, the number of care providers, the physical accommodations in your home, and the needs of the children placed in your home.
- (2) The maximum number of children in a licensed foster home is:
 - (a) Six children in a home licensed with two caregivers. This includes your own children under the age of eighteen, and children in foster or respite care;
 - (b) Four children, in a home licensed with one caregiver. This includes your own children under the age of eighteen, and children in foster or respite care;
 - (c) If you already have the maximum number of your own children as specified in (a) or (b) in this subsection, you may be licensed for one foster child at our discretion if you meet the other licensing requirements.



Capacity: Foster Care

WAC 110-148-1385

- (3) If you reach maximum capacity during licensure because you give birth or adopt, your licensor will determine your home's suitability for one additional child.
- (4) At any one time you may care for not more than:
- (a) Two children less than two years of age or who are nonambulatory, including your own children;
or
 - (b) Four children with intellectual and developmental disabilities as defined in RCW **71A.10.020** ; or
 - (c) Three medically fragile foster children who need semi-skilled maintenance or supportive services.
You must have the qualified training and experience to provide proper care.
- (5) You may have placement of a teen parent and their child. Both the teen parent and their child do not have to be in the custody of the department or a CPA, however, they will count towards your maximum capacity.

National Practice



- All states allow dual licensure ONLY through a waiver/exception process
- All states require compliance with both sets of regulations
- ✓ **Maryland** and **Florida** = Must be licensed for one year in one or the other AND in good standing.
- ✓ **Florida** = Limits how many children (along with age) in care at one time.
- ✓ **Missouri** = Will not allow children under seven be placed in a home with a child care license. Safety plan required
- ✓ **Minnesota** and **Indiana** = Must provide and follow a safety plan
- ✓ **Montana** = Few restrictions and approved by the Regional Administrator and Quality Assurance Division



Legal Liability

Concerns raised from AAG

- ✓ All children would need to be counted in the capacity (e.g., much like child care provider's own children must be counted)
- ✓ Liability concerns when some of the needs (on either side) affect the other. Examples:
 - 10-yr-old foster care child has mental health issues. How might his/her issues affect child care children? What special safety steps might need to be taken?
 - What if a child care child was abused at home, then comes in and acts out against an already fragile foster child?
- ✓ How to protect the safety of all the children in care?



Why Pilot Dual License

WAC currently allows for dual licenses:

- ✓ Infrequently; primarily due to the capacity restrictions.
- ✓ There has been recent discussion about allowing for dual licenses more often.

Identified as a need by 1624 reps:

- ✓ Placements are often declined by foster parents due to lack of childcare providers in their area.
- ✓ Could allow more children to remain in their communities.
- ✓ Non-safety exemption could increase the ability for kinship caregivers to get licensed, if they already have an in-home childcare license.

Identified as a need by Child Care reps: **[Needed]**



HB 2619 § 7 (chapter 343, laws of 2020)

- July 1, 2020 – June 30, 2022
- Pilot a combined foster care and child care license
- DCYF *may* waive, adapt, or adopt licensing rules
- Consult with stakeholders throughout project
- July 1, 2021, “brief status report” due
- November 1, 2022, Recommend to make permanent (or not)
- Law expires November 1, 2023



Pilot Structure



Context

- Oversight Committee
- High level decision making

Input

- Focus Groups
- Detailed process mapping and recommendatio

Process

- Pilot Participants
- Data gathering
- Analysis
- Reporting

Product

- Oversight Committee
- Final Recommendations





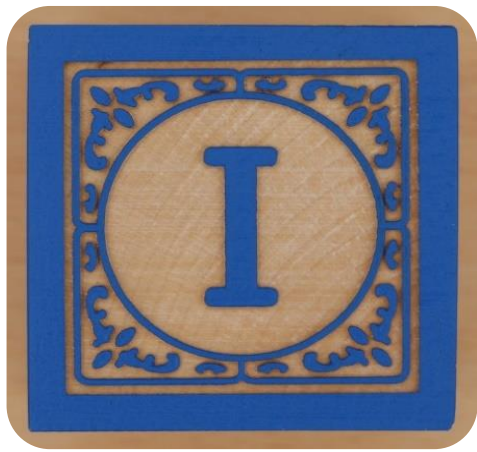
Context = Oversight Committee

Every other month starting in July

What are the effects of dual licensing on rural and urban access to child care for foster children?

What are the effects of dual licensing on the rate of placement for children in foster care to families with immediate child care needs?





Input = Focus Groups

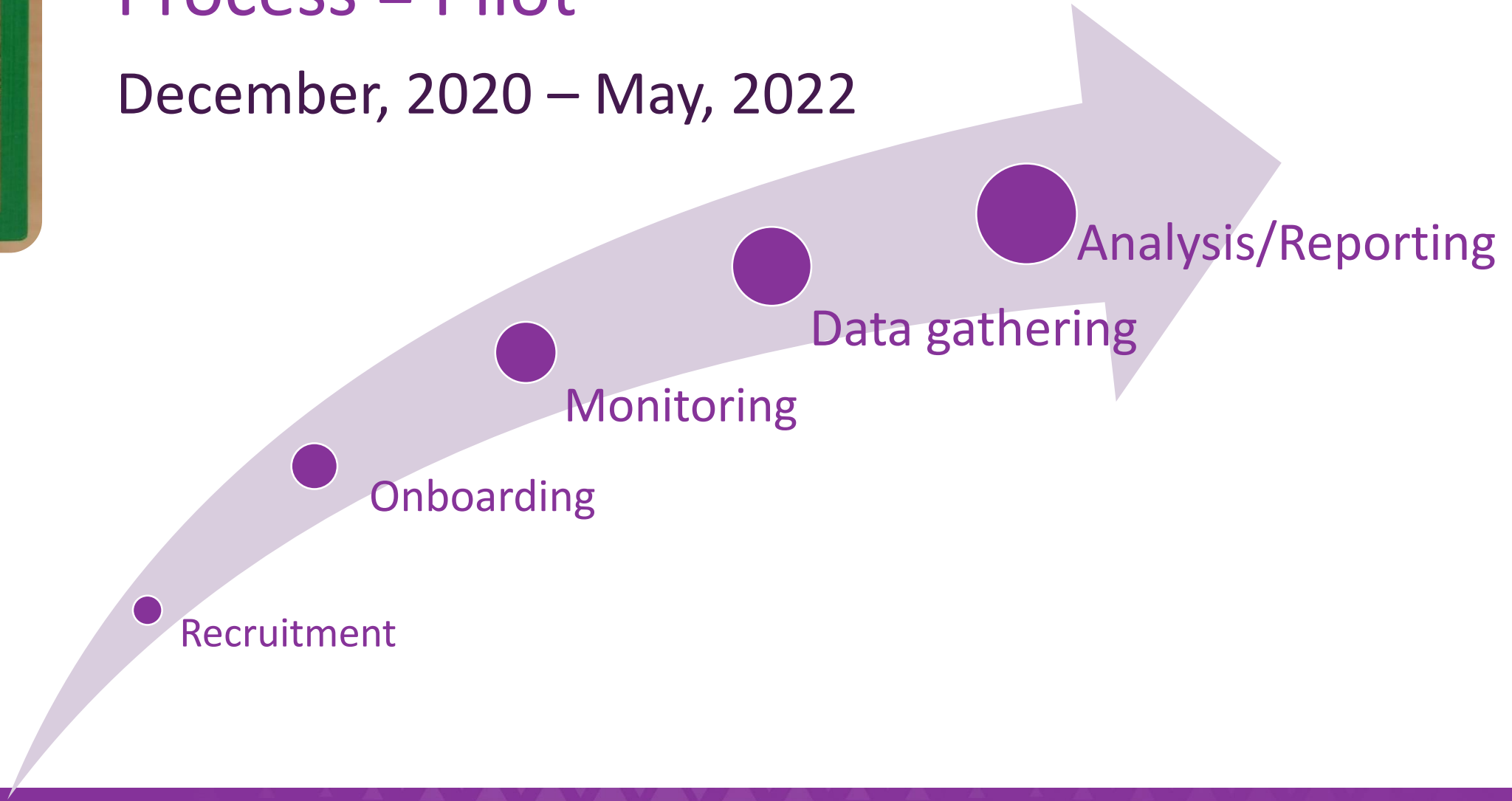
Weekly - July & August

Focus Group	Guiding Question
Policy	What are the outcomes surrounding pilot rules needed for a dual license?
Financial	What are the financial implications of dual licensing (provider and DCYF)?
Oversight: Operations	What oversight guidelines are needed for dually licensed providers?
Oversight: Management	What oversight guidelines are needed for licensors and assessors?



Process = Pilot

December, 2020 – May, 2022





Product = Reporting/Recommendations

May, 2022 – June, 2022



Timeline

Context

June, 2020 – July 2020

- General decisions regarding high level design and research questions

Input

August, 2020 – November, 2020

- Rules, processes and protocols developed

Process

December, 2020 – May, 2022

- Recruitment, onboarding, data gathering (oversight and questionnaires)

Product

May, 2022 – June, 2022

- Analysis, recommendations and reporting



Discussion Questions

How can this
group
help/collaborate?

- Pilot oversight?
- Process development?
- Recruitment?
- Communication?

