RULE-MAKING ORDER
EMERGENCY RULE ONLY

CR-103E (December 2017)
(Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 26, 2026
TIME: 9:24 AM

WSR 26-14-063

Agency: Department of Children, Youth, and Families (DCYF)

Effective date of rule:

Emergency Rules

☒ Immediately upon filing.

☐ Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: Modifications to WAC language are necessary to align rules with the 2025 approved state budget increasing licensed family home provider rates to the 85th percentile of the current market, and increasing Family, Friends and Neighbor provider rates to $4.50, per Engrossed Substitute Senate Bill 5167. This is the third emergency filing. The second was filed as WSR 26-06-064.

WAC 110-15-0205 Daily child care rates—Licensed or certified family home child care providers
WAC 110-15-0240 Child care subsidy rates—In-home/relative providers.

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 110-15-0205 Daily child care rates – Licensed or certified family home child care providers, 110-15-0240 Child care subsidy rates – In-home/relative providers.
Suspended:

Statutory authority for adoption: Chapter 43.216 RCW

Other authority: N/A

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

☒ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: These rule amendments are needed to comply with Engrossed Substitute Senate Bill 5167.

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	____	Amended	____	Repealed	____
Federal rules or standards:	New	____	Amended	____	Repealed	____

Recently enacted state statutes:	New	____	Amended	2	Repealed	____

The number of sections adopted at the request of a nongovernmental entity:

	New	____	Amended	____	Repealed	____

The number of sections adopted on the agency's own initiative:

	New	____	Amended	____	Repealed	____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	____	Amended	2	Repealed	____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	2	Repealed	____

Date Adopted: June 26, 2026	**Signature:**
Name: Brenda Villarreal	
Title: DCYF Rules Coordinator	

AMENDATORY SECTION (Amending WSR 23-23-084, filed 11/13/23, effective 12/14/23)

WAC 110-15-0205 Daily child care rates—Licensed or certified family home child care providers. (1) **Monthly unit.** ((~~DCYF author-izes~~)) The department will authorize care as monthly units as described in WAC 110-15-0190, the calculation of which is based on the full-day, partial-day, and half-day rates in subsection (2) of this section.

(2) Effective July 1, ((~~2023, DCYF calculates~~)) 2025, the department will calculate licensed or certified family home providers' monthly units based on the following child care subsidy rates:

		Infants (Birth - 11 mos.)	Enhanced Toddlers (12 - 17 mos.)	Toddlers (18 - 29 mos.)	Preschool (30 mos. - 6 yrs not attending kindergarten or school)	School-age (5 - 12 yrs attending kindergarten or school)
Region 1	Full-Day	((~~$49.23~~)) $60.00	((~~$49.23~~)) $60.00	((~~$47.09~~)) $60.00	((~~$40.00~~)) $51.14	((~~$36.59~~)) $60.00
	Half-Day	((~~$24.62~~)) $30.00	((~~$24.62~~)) $30.00	((~~$23.55~~)) $30.00	((~~$20.00~~)) $27.57	((~~$18.30~~)) $30.00
	Partial-Day	((~~$36.92~~)) $45.00	((~~$36.92~~)) $45.00	((~~$35.32~~)) $45.00	((~~$30.00~~)) $38.36	((~~$27.44~~)) $45.00
Spokane County	Full-Day	((~~$48.00~~)) $56.00	((~~$48.00~~)) $56.00	((~~$48.00~~)) $55.00	((~~$45.00~~)) $50.00	((~~$45.00~~)) $50.00
	Half-Day	((~~$24.00~~)) $28.00	((~~$24.00~~)) $28.00	((~~$24.00~~)) $27.50	((~~$22.50~~)) $25.00	((~~$22.50~~)) $25.00
	Partial-Day	((~~$36.00~~)) $42.00	((~~$36.00~~)) $42.00	((~~$36.00~~)) $41.25	((~~$33.75~~)) $37.50	((~~$33.75~~)) $37.50
Region 2	Full-Day	((~~$66.00~~)) $80.00	((~~$66.00~~)) $80.00	((~~$59.09~~)) $72.73	((~~$48.00~~)) $63.64	((~~$40.00~~)) $50.00
	Half-Day	((~~$33.00~~)) $40.00	((~~$33.00~~)) $40.00	((~~$29.55~~)) $36.37	((~~$24.00~~)) $31.82	((~~$20.00~~)) $25.00
	Partial-Day	((~~$49.50~~)) $60.00	((~~$49.50~~)) $60.00	((~~$44.32~~)) $54.55	((~~$36.00~~)) $47.73	((~~$30.00~~)) $37.50
Region 3	Full-Day	((~~$65.00~~)) $82.00	((~~$65.00~~)) $82.00	((~~$59.09~~)) $77.27	((~~$54.18~~)) $70.00	((~~$49.23~~)) $75.00
	Half-Day	((~~$32.50~~)) $41.00	((~~$32.50~~)) $41.00	((~~$29.55~~)) $38.64	((~~$27.09~~)) $35.00	((~~$24.62~~)) $37.50
	Partial-Day	((~~$48.75~~)) $61.50	((~~$48.75~~)) $61.50	((~~$44.32~~)) $57.95	((~~$40.64~~)) $52.50	((~~$36.92~~)) $56.25
Region 4	Full-Day	((~~$81.82~~)) $96.55	((~~$81.82~~)) $96.55	((~~$75.00~~)) $98.49	((~~$68.95~~)) $90.00	((~~$60.00~~)) $78.79
	Half-Day	((~~$40.91~~)) $48.28	((~~$40.91~~)) $48.28	((~~$37.50~~)) $49.25	((~~$34.48~~)) $45.00	((~~$30.00~~)) $39.40
	Partial-Day	((~~$61.37~~)) $72.41	((~~$61.37~~)) $72.41	((~~$56.25~~)) $73.87	((~~$51.71~~)) $67.50	((~~$45.00~~)) $59.09
Region 5	Full-Day	((~~$59.09~~)) $90.91	((~~$59.09~~)) $90.91	((~~$59.09~~)) $70.00	((~~$49.23~~)) $65.00	((~~$44.32~~)) $49.24
	Half-Day	((~~$29.55~~)) $45.46	((~~$29.55~~)) $45.46	((~~$29.55~~)) $35.00	((~~$24.62~~)) $32.50	((~~$22.16~~)) $24.62
	Partial-Day	((~~$44.32~~)) $68.18	((~~$44.32~~)) $68.18	((~~$44.32~~)) $52.50	((~~$36.92~~)) $48.75	((~~$33.24~~)) $36.93
Region 6	Full-Day	((~~$59.09~~)) $90.91	((~~$59.09~~)) $90.91	((~~$55.00~~)) $68.94	((~~$53.00~~)) $63.64	((~~$45.00~~)) $68.94
	Half-Day	((~~$29.55~~)) $45.46	((~~$29.55~~)) $45.46	((~~$27.50~~)) $34.47	((~~$26.50~~)) $31.82	((~~$22.50~~)) $34.47
	Partial-Day	((~~$44.32~~)) $68.18	((~~$44.32~~)) $68.18	((~~$41.25~~)) $51.71	((~~$39.75~~)) $47.73	((~~$33.75~~)) $51.71

(3) The monthly unit for family home providers in all regions and for all ages will include a partial-day rate that is 75 percent of the full-day rate when:

(a) Providers provide child care services for a child during a morning session and an afternoon session. A morning session begins at any time after 12:00 a.m. and ends before 12:00 p.m. An afternoon session begins at any time after 12:00 p.m. and ends before 12:00 a.m.;

(b) The child is absent from care in order to attend school or preschool; and

(c) Family home providers are not entitled to payment at the full-day rate.

(4) Monthly units for school age children will be adjusted for the months of July and August based on the consumers' approved activities and the children's schedules for care during the summer.

(5) School age children will be authorized for 22 full days in July and August when:

(a) They are authorized for a full-time, full-time partial-day, monthly unit; or

(b) They are authorized for a part-time, part-time partial-day, monthly unit;

(c) Are scheduled for child care with a single provider at least 110 hours per month; and

(d) The consumer participates in an approved activity at least 110 hours per month.

(6) Monthly units will be prorated for partial months of authorization.

(7) The monthly unit amount is averaged over all months of authorized care. Supplemental payments will not be made for calendar months with more than the average number of care days.

(8) Supplemental authorization for payment may be requested by consumers for unexpected hours of care needed for allowable activities or changes in their schedules.

(9) WAC 110-300-0005 and 110-300-0355 allow providers to care for children from birth up to and including the end of their eligibility period after their 13th birthday.

(10) Providers must obtain a child-specific and time-limited exception from ((~~DCYF~~)) the department to provide care for children outside the age listed on their licenses.

(11) For providers who are granted an exception to care for a child who is 13 years of age or older at application or reapplication:

(a) The payment rate is the same as subsection (1) of this section and the five through 12 year age range column is used for comparison; and

(b) The child must meet the special needs requirement as described in WAC 110-15-0220.

(12) ((~~DCYF pays~~)) The department will pay family home child care providers at the licensed home rate regardless of their relation to the children (with the exception listed in subsection (13) of this section).

(13) ((~~DCYF~~)) The department cannot pay family home child care providers to provide care for children in their care if the provider is:

(a) The child's biological, adoptive or step-parent;

(b) The child's guardian or the guardian's spouse or live-in partner; or

(c) Another adult acting in loco parentis or that adult's spouse or live-in partner.

AMENDATORY SECTION (Amending WSR 23-23-084, filed 11/13/23, effective 12/14/23)

WAC 110-15-0240 Child care subsidy rates—In-home/relative providers. (1) **Base rate.** When consumers employ in-home/relative providers, ((~~DCYF pays $3.85~~)) The department will pay $4.50 per hour per child. ((~~Beginning July 1, 2024, the maximum child care subsidy rate is $4.00 per hour per child.~~))

(2) ((~~DCYF~~)) The department may pay above the maximum hourly rate for children who have special needs pursuant to WAC 110-15-0235.

(3) ((~~DCYF makes~~)) The department will make the WCCC payment directly to consumers' eligible providers.

(4) When applicable, ((~~DCYF pays~~)) the department will pay the employer's share of the following:

(a) Social Security and medicare taxes (FICA) up to the wage limit;

(b) Federal Unemployment Taxes (FUTA); and

(c) State unemployment taxes (SUTA).

(5) For in-home/relative providers who receive less than the wage base limit per family in a calendar year, ((~~DCYF refunds~~)) the department will refund all withheld taxes to them.