

Reprinted

FEB 27 1992

HOUSE FILE 2322
BY COMMITTEE ON HUMAN RESOURCES

Place On Calendar

(SUCCESSOR TO HSB 538)

Passed House, Date 3/13/92 (p. 586) Passed Senate, Date _____
Vote: Ayes 94 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to child day care and similar services concerning
2 the state day care advisory committee and statewide resource
3 and referral services.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2322

1 Section 1. Section 237A.1, subsection 14, Code Supplement
2 1991, is amended to read as follows:

3 14. "State child day care advisory committee council"
4 means the state child day care advisory committee council
5 established pursuant to sections 237A.21 and 237A.22.

6 Sec. 2. Section 237A.12, unnumbered paragraph 3, Code
7 Supplement 1991, is amended to read as follows:

8 Rules relating to fire safety shall be adopted under this
9 chapter by the state fire marshal in consultation with the
10 department. Rules relating to sanitation shall be adopted by
11 the department in consultation with the director of public
12 health. All rules shall be developed in consultation with the
13 state child day care advisory committee council. The state
14 fire marshal shall inspect the facilities.

15 Sec. 3. Section 237A.21, Code 1991, is amended to read as
16 follows:

17 237A.21 STATE CHILD DAY CARE ADVISORY COMMITTEE COUNCIL.

18 ~~1. There is established a~~ A state child day care advisory
19 ~~committee to consist~~ council is established consisting of
20 ~~eleven not more than thirty-five~~ members from urban and rural
21 areas across the state. The membership consists of three
22 ~~interested citizens, three parents of children served and one~~
23 ~~provider of preschool, one provider of for-profit day care,~~
24 ~~one provider of non-profit day care, one provider of federal~~
25 ~~head-start programs, and one provider of family day care~~
26 members are eligible for reimbursement of their actual and
27 necessary expenses while engaged in performance of their
28 official duties.

5135

29 2. Members shall be appointed by the director from a list
30 of names submitted by a nominating committee to consist of one
31 member of the state day-care-advisory-committee council
32 established pursuant to this section, one member of the
33 department's child day care unit of the department staff,
34 three consumers of child day care, and one member of a
35 professional child day care organization. Two names shall be

1 submitted for each appointment. Members shall be appointed
 2 for terms of three years but no member shall be appointed to
 3 more than two consecutive terms. The state day-care-advisory
 4 committee council shall write develop its own operational
 5 policies with which are subject to departmental approval.

6 Sec. 4. Section 237A.22, Code 1991, is amended to read as
 7 follows:

8 237A.22 DUTIES OF STATE CHILD DAY CARE ADVISORY COMMITTEE
 9 COUNCIL.

10 The state child day care advisory committee council shall
 11 do all of the following:

12 ~~1.--Consult with and make recommendations to the department~~
 13 ~~in the promulgation of rules under this chapter.~~

14 ~~2.--Recommend improvements in the licensing and~~
 15 ~~registration of facilities.~~

16 ~~3.--Advise the department on licensing policy, planning,~~
 17 ~~and priorities.~~

18 1. Consult with and make recommendations to the department
 19 concerning policy issues relating to child day care.

20 2. Advise the department concerning services relating to
 21 child day care, including but not limited to any of the
 22 following:

23 a. Resource and referral services.

24 b. Provider training.

25 c. Quality improvement.

26 d. Public-private partnerships.

27 e. Standards review and development.

28 3. Assist the department in developing an implementation
 29 plan to provide seamless service to recipients of public
 30 assistance which includes child day care services. For the
 31 purposes of this subsection, "seamless service" means
 32 coordination, where possible, of the federal and state
 33 requirements which apply to child day care.

34 4. Advise and provide technical services to the director
 35 of the department of education or the director's designee,

1 upon request, relating to prekindergarten, kindergarten, and
2 before and after school programming and facilities.

3 Sec. 5. Section 237A.26, Code 1991, is amended to read as
4 follows:

5 237A.26 STATEWIDE RESOURCE AND REFERRAL SERVICES.

6 1. The department shall administer a statewide grant
7 program for child day care resource and referral services.
8 Grants shall only be awarded to community-based nonprofit
9 incorporated agencies and public agencies. Grants shall be
10 awarded to facilitate the establishment of regional resource
11 and referral agencies throughout the state, based upon the
12 distribution of the child population in the state.

13 2. The department shall provide oversight of and annually
14 evaluate an agency which is awarded a grant to provide
15 resource and referral services to a region.

16 ~~3. The department shall provide technical assistance to~~
17 ~~child-day-care-facilities-in-meeting-their-insurance-coverage~~
18 ~~needs-at-a-reasonable-cost.~~

19 ~~4. In consultation with resource and referral agencies,~~
20 ~~the department shall provide opportunities to child-day-care~~
21 ~~facilities-for-group-purchasing-of-equipment-and-supplies.~~

22 5 3. An agency which receives a grant to provide resource
23 and referral services shall be encouraged to perform both of
24 the following functions:

25 a. Organize assistance to family and group day care homes
26 ~~in-a-three-tier-approach-which-concentrates-efforts-on-new~~
27 ~~providers,-moderately-experienced-providers,-and-highly~~
28 ~~experienced-providers-as-three-distinct-groups~~ utilizing
29 training levels based upon the homes' degrees of experience
30 and interest.

31 b. Operate in partnership with both public and private
32 interests and coordinate resource and referral services with
33 existing community services.

34 6 4. An agency, to be eligible to receive a grant to
35 provide resource and referral services, must match the grant

1 with financial resources equal to at least twenty-five percent
2 of the amount of the grant. The financial resources may
3 include a private donation, an in-kind contribution, or a
4 public funding source other than a separate state grant for
5 child care service improvement.

6 7 5. An agency, to be eligible to receive a grant to
7 provide resource and referral services, must have a board of
8 directors if the agency is an incorporated nonprofit agency or
9 must have an advisory board if the agency is a public agency,
10 to oversee the provision of resource and referral services.
11 The board shall include providers, consumers, and other
12 persons interested in the provision or delivery of child day
13 care services.

14 8 6. An agency which receives a child care resource and
15 referral grant ~~may~~ shall provide all of the following
16 services:

17 a. Assist families in selecting quality child care. The
18 agency must provide referrals to registered and licensed child
19 day care facilities, and to persons providing care,
20 supervision, or guidance of a child which is not defined as
21 child day care under section 237A.1 and may provide referrals
22 to unregistered providers.

23 b. Assist child day care providers in adopting appropriate
24 program and business practices to provide quality child care
25 services.

26 c. Provide information to the public regarding the
27 availability of child day care services in the communities
28 within the agency's region.

29 d. Actively encourage the development of new and expansion
30 of existing child day care facilities in response to
31 identified community needs.

32 e. Provide specialized services to employers, including
33 the provision of resource and referral services to employee
34 groups identified by the employer and the provision of
35 technical assistance to develop employer-supported child day

1 care programs ~~operated-on-or-near-the-work-site.~~

2 f. Refer eligible child day care facilities to the federal
3 child care food programs.

4 g. Loan toys, other equipment, and resource materials to
5 child day care facilities.

6 ~~h. Inform child day care facilities regarding technical
7 assistance available from the department in obtaining
8 insurance coverage at a reasonable cost.~~

9 ~~i. Assist the department in providing child day care
10 facilities with opportunities for group purchasing of
11 equipment and supplies.~~

12 j h. Administer funding designated within the grant to
13 provide a substitute caregiver program for registered family
14 and group day care homes to provide substitute care in a home
15 when the home provider is ill, on vacation, receiving
16 training, or is otherwise unable to provide the care.

17 7. The department may contract with an agency receiving a
18 child day care resource and referral grant to perform any of
19 the following functions relating to publicly funded services
20 providing care, supervision, or guidance of a child:

21 a. Determine an individual's eligibility for the services
22 in accordance with income requirements.

23 b. Administer a voucher, certificate, or other system for
24 reimbursing an eligible provider of the services.

25 EXPLANATION

26 This bill relates to child day care and similar services
27 concerning the state day care advisory committee and statewide
28 resource and referral services.

29 Sections 1 and 2 are coordinating amendments of internal
30 references relating to the change in the name of the
31 department of human services' state day care advisory
32 committee to the state child day care advisory council as
33 provided in section 3.

34 In addition to the name change, section 3 revises
35 provisions concerning membership. Current law providing for

1 11 members representing various service providers and citizens
2 is stricken. The bill provides that the renamed council would
3 have up to 35 members nominated by a six-member nominating
4 committee appointed by the director of human services.

5 Section 4 amends the duties of the renamed council.
6 Current law which provides for consultation concerning
7 adoption of rules, recommending improvements in registration
8 and licensing of facilities, and advising the department
9 concerning licensing policy, planning, and priorities, is
10 stricken and rewritten.

11 Section 5 amends provisions concerning the statewide child
12 day care resource and referral services. Current law is
13 stricken which requires the department, with the involvement
14 of grantees, to provide technical assistance relating to
15 facilities meeting insurance needs and to provide
16 opportunities for group purchasing of equipment and supplies.
17 An optional provision concerning grantees providing training
18 and coordinating services is made mandatory. The training
19 provision is revised to focus on the providers' experience and
20 interest and replaces the focus on three experience levels
21 contained in current law.

22 Section 5 also mandates that a resource and referral
23 grantee provide the enumerated services. Under current law,
24 the services are optional. A requirement involving substitute
25 caregivers is amended to apply when a caregiver is not present
26 in the family or group day care home. A new subsection is
27 included providing the department with authority to contract
28 with grantees to perform various functions relating to
29 publicly funded services providing care, supervision, or
30 guidance of a child.

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HOUSE FILE 2322

H-5179

1 Amend House File 2322 as follows:
2 1. Page 2, by inserting after line 5 the
3 following:
4 "3. The membership of the council shall be
5 appointed in a manner so as to provide equitable
6 representation of persons with an interest in child
7 day care and shall include all of the following:
8 a. Two parents of a child served by a family or
9 group day care home.
10 b. Two parents of a child served by a licensed
11 center.
12 c. Two not-for-profit child day care providers.
13 d. Two for profit child day care providers.
14 e. Two family day care home providers.
15 f. Two group day care home providers.
16 g. One child day care resource and referral
17 service grantee.
18 h. One nongovernmental child advocacy group
19 representative.
20 i. One designee of the department of human
21 services or the Iowa department of public health.
22 j. One designee of the department of education.
23 k. One head start program provider.
24 l. One legislator from the majority party to serve
25 as an ex officio, nonvoting member.
26 m. One legislator from the minority party to serve
27 as an ex officio, nonvoting member."

By BARTZ of Worth

H-5179 FILED MARCH 3, 1992

adopted as amended 3/13 (p. 586)

HOUSE FILE 2322

H-5183

1 Amend the amendment, H-5179, to House File 2322 as
2 follows:
3 1. Page 1, by striking lines 24 through 27 and
4 inserting the following:
5 "1. Two legislators appointed in a manner so that
6 both major political parties are represented."

By BARTZ of Worth

H-5183 FILED MARCH 3, 1992

adopted 3/13 (p. 586)

HOUSE FILE 2322

H-5185

1 Amend House File 2322 as follows:
2 1. Page 1, line 28, by inserting after the word
3 "duties." the following: "The membership of the
4 council shall include the following:
5 a. A registered family day care home provider from
6 a county with a population of less than twenty-two
7 thousand.
8 b. An unregistered family day care home provider."

By HANSON of Delaware

H-5185 FILED MARCH 3, 1992

w/d 3/13 (p. 585)

HOUSE FILE 2322

H-5186

1 Amend the amendment, H-5179, to House File 2322 as
2 follows:
3 1. By striking lines 2 through 27 and inserting
4 the following:
5 "1. Page 1, line 28, by inserting after the word
6 "duties." the following: "The membership of the
7 council shall include the following:
8 a. A registered family day care home provider from
9 a county with a population of less than twenty-two
10 thousand.
11 b. An unregistered family day care home
12 provider."

By HANSON of Delaware

H-5186 FILED MARCH 3, 1992

w/d 3/13 (p.586)

HOUSE FILE 2322

H-5272

1 Amend House File 2322 as follows:
2 1. Page 1, line 21, by inserting after the word
3 "state." the following: "The membership shall
4 include, but is not limited to, all of the following
5 persons or representatives with an interest in child
6 day care: a licensed center, a registered family day
7 care home from a county with a population of less than
8 twenty-two thousand, an unregistered family day care
9 home, a parent of a child in child day care,
10 appropriate governmental agencies, and other members
11 as deemed necessary by the director."

By NEUHAUSER of Johnson

H-5272 FILED MARCH 12, 1992

adopted 3/13 (p.585)

Sen. Hmn. Res 3/17, No Pass 3/25

HOUSE FILE 2322
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 538)

(As Amended and Passed by the House March 13, 1992)

Passed House, Date 3/13/92 (p. 586) Passed Senate, Date 3/30/92 (p. 1078)
Vote: Ayes 94 Nays 0 Vote: Ayes 49 Nays 0
Approved April 16, 1992 (p. 1470)

A BILL FOR

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2 the state day care advisory committee and statewide resource
3 and referral services.

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House Amendments _____

1 Section 1. Section 237A.1, subsection 14, Code Supplement
2 1991, is amended to read as follows:

3 14. "State child day care advisory committee council"
4 means the state child day care advisory committee council
5 established pursuant to sections 237A.21 and 237A.22.

6 Sec. 2. Section 237A.12, unnumbered paragraph 3, Code
7 Supplement 1991, is amended to read as follows:

8 Rules relating to fire safety shall be adopted under this
9 chapter by the state fire marshal in consultation with the
10 department. Rules relating to sanitation shall be adopted by
11 the department in consultation with the director of public
12 health. All rules shall be developed in consultation with the
13 state child day care advisory committee council. The state
14 fire marshal shall inspect the facilities.

15 Sec. 3. Section 237A.21, Code 1991, is amended to read as
16 follows:

17 237A.21 STATE CHILD DAY CARE ADVISORY COMMITTEE COUNCIL.

18 ~~1. There is established a~~ A state child day care advisory
19 ~~committee to consist~~ council is established consisting of
20 ~~eleven not more than thirty-five~~ members from urban and rural
21 areas across the state. The membership shall include, but is
22 not limited to, all of the following persons or
23 representatives with an interest in child day care: a
24 licensed center, a registered family day care home from a
25 county with a population of less than twenty-two thousand, an
26 unregistered family day care home, a parent of a child in
27 child day care, appropriate governmental agencies, and other
28 members as deemed necessary by the director. The membership
29 ~~consists of three interested citizens, three parents of~~
30 ~~children served and one provider of preschool, one provider of~~
31 ~~for-profit day care, one provider of nonprofit day care, one~~
32 ~~provider of federal head start programs, and one provider of~~
33 family day care members are eligible for reimbursement of
34 their actual and necessary expenses while engaged in
35 performance of their official duties.

1 2. Members shall be appointed by the director from a list
2 of names submitted by a nominating committee to consist of one
3 member of the state day-care-advisory-committee council
4 established pursuant to this section, one member of the
5 department's child day care unit-of-the-department staff,
6 three consumers of child day care, and one member of a
7 professional child day care organization. Two names shall be
8 submitted for each appointment. Members shall be appointed
9 for terms of three years but no member shall be appointed to
10 more than two consecutive terms. The state day-care-advisory
11 committee council shall write develop its own operational
12 policies with which are subject to departmental approval.

13 3. The membership of the council shall be appointed in a
14 manner so as to provide equitable representation of persons
15 with an interest in child day care and shall include all of
16 the following:

17 a. Two parents of a child served by a family or group day
18 care home.

19 b. Two parents of a child served by a licensed center.

20 c. Two not-for-profit child day care providers.

21 d. Two for profit child day care providers.

22 e. Two family day care home providers.

23 f. Two group day care home providers.

24 g. One child day care resource and referral service
25 grantee.

26 h. One nongovernmental child advocacy group
27 representative.

28 i. One designee of the department of human services or the
29 Iowa department of public health.

30 j. One designee of the department of education.

31 k. One head start program provider.

32 l. Two legislators appointed in a manner so that both
33 major political parties are represented.

34 Sec. 4. Section 237A.22, Code 1991, is amended to read as
35 follows:

1 237A.22 DUTIES OF STATE CHILD DAY CARE ADVISORY COMMITTEE
2 COUNCIL.

3 The state child day care advisory committee council shall
4 do all of the following:

5 ~~1:--Consult with and make recommendations to the department~~
6 ~~in the promulgation of rules under this chapter.~~

7 ~~2:--Recommend improvements in the licensing and~~
8 ~~registration of facilities.~~

9 ~~3:--Advise the department on licensing policy, planning,~~
10 ~~and priorities.~~

11 1. Consult with and make recommendations to the department
12 concerning policy issues relating to child day care.

13 2. Advise the department concerning services relating to
14 child day care, including but not limited to any of the
15 following:

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17 b. Provider training.

18 c. Quality improvement.

19 d. Public-private partnerships.

20 e. Standards review and development.

21 3. Assist the department in developing an implementation
22 plan to provide seamless service to recipients of public
23 assistance which includes child day care services. For the
24 purposes of this subsection, "seamless service" means
25 coordination, where possible, of the federal and state
26 requirements which apply to child day care.

27 4. Advise and provide technical services to the director
28 of the department of education or the director's designee,
29 upon request, relating to prekindergarten, kindergarten, and
30 before and after school programming and facilities.

31 Sec. 5. Section 237A.26, Code 1991, is amended to read as
32 follows:

33 237A.26 STATEWIDE RESOURCE AND REFERRAL SERVICES.

34 1. The department shall administer a statewide grant
35 program for child day care resource and referral services.

1 Grants shall only be awarded to community-based nonprofit
2 incorporated agencies and public agencies. Grants shall be
3 awarded to facilitate the establishment of regional resource
4 and referral agencies throughout the state, based upon the
5 distribution of the child population in the state.

6 2. The department shall provide oversight of and annually
7 evaluate an agency which is awarded a grant to provide
8 resource and referral services to a region.

9 ~~3--The department shall provide technical assistance to~~
10 ~~child day care facilities in meeting their insurance coverage~~
11 ~~needs at a reasonable cost.~~

12 ~~4--In consultation with resource and referral agencies,~~
13 ~~the department shall provide opportunities to child day care~~
14 ~~facilities for group purchasing of equipment and supplies.~~

15 5 3. An agency which receives a grant to provide resource
16 and referral services shall be encouraged to perform both of
17 the following functions:

18 a. Organize assistance to family and group day care homes
19 ~~in a three-tier approach which concentrates efforts on new~~
20 ~~providers, moderately experienced providers, and highly~~
21 ~~experienced providers as three distinct groups~~ utilizing
22 training levels based upon the homes' degrees of experience
23 and interest.

24 b. Operate in partnership with both public and private
25 interests and coordinate resource and referral services with
26 existing community services.

27 6 4. An agency, to be eligible to receive a grant to
28 provide resource and referral services, must match the grant
29 with financial resources equal to at least twenty-five percent
30 of the amount of the grant. The financial resources may
31 include a private donation, an in-kind contribution, or a
32 public funding source other than a separate state grant for
33 child care service improvement.

34 7 5. An agency, to be eligible to receive a grant to
35 provide resource and referral services, must have a board of

1 directors if the agency is an incorporated nonprofit agency or
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3 to oversee the provision of resource and referral services.
4 The board shall include providers, consumers, and other
5 persons interested in the provision or delivery of child day
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7 § 6. An agency which receives a child care resource and
8 referral grant may shall provide all of the following
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17 program and business practices to provide quality child care
18 services.

19 c. Provide information to the public regarding the
20 availability of child day care services in the communities
21 within the agency's region.

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23 of existing child day care facilities in response to
24 identified community needs.

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29 care programs operated-on-or-near-the-work-site.

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35 ~~assistance available from the department in obtaining~~

1 ~~insurance-coverage-at-a-reasonable-cost;~~
2 ~~it--Assist-the-department-in-providing-child-day-care~~
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* Neuhauser, Chair;
Barty
Seaford 1-22-92

HSB 538
Now

SENATE/HOUSE FILE 2322
BY (PROPOSED DEPARTMENT
OF HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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23 provider-of-preschool,-one-provider-of-for-profit-day-care,-
24 one-provider-of-nonprofit-day-care,-one-provider-of-federal
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14 ~~2:--Recommend-improvements-in-the-licensing-and~~
15 ~~registration-of-facilities.~~

16 ~~3:--Advise-the-department-on-licensing-policy,-planning,~~
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5 237A.26 STATEWIDE RESOURCE AND REFERRAL SERVICES.

6 1. The department shall administer a statewide grant
7 program for child day care resource and referral services.
8 Grants shall only be awarded to community-based nonprofit
9 incorporated agencies and public agencies. Grants shall be
10 awarded to facilitate the establishment of regional resource
11 and referral agencies throughout the state, based upon the
12 distribution of the child population in the state.

13 2. The department shall provide oversight of and annually
14 evaluate an agency which is awarded a grant to provide
15 resource and referral services to a region.

16 ~~3. The department shall provide technical assistance to~~
17 ~~child-day-care-facilities-in-meeting-their-insurance-coverage~~
18 ~~needs-at-a-reasonable-cost.~~

19 ~~4. In consultation with resource and referral agencies,~~
20 ~~the department shall provide opportunities to child-day-care~~
21 ~~facilities-for-group-purchasing-of-equipment-and-supplies.~~

22 5 3. An agency which receives a grant to provide resource
23 and referral services shall be encouraged to perform both of
24 the following functions:

25 a. Organize assistance to family and group day care homes
26 ~~in-a-three-tier-approach-which-concentrates-efforts-on-new~~
27 ~~providers, moderately-experienced-providers, and highly~~
28 ~~experienced-providers-as-three-distinct-groups~~ utilizing
29 training levels based upon the homes' degrees of experience
30 and interest.

31 b. Operate in partnership with both public and private
32 interests and coordinate resource and referral services with
33 existing community services.

34 6 4. An agency, to be eligible to receive a grant to
35 provide resource and referral services, must match the grant

1 with financial resources equal to at least twenty-five percent
2 of the amount of the grant. The financial resources may
3 include a private donation, an in-kind contribution, or a
4 public funding source other than a separate state grant for
5 child care service improvement.

6 7 5. An agency, to be eligible to receive a grant to
7 provide resource and referral services, must have a board of
8 directors if the agency is an incorporated nonprofit agency or
9 must have an advisory board if the agency is a public agency,
10 to oversee the provision of resource and referral services.
11 The board shall include providers, consumers, and other
12 persons interested in the provision or delivery of child day
13 care services.

14 8 6. An agency which receives a child care resource and
15 referral grant may shall provide all of the following
16 services:

17 a. Assist families in selecting quality child care. The
18 agency must provide referrals to registered and licensed child
19 day care facilities, and to persons providing care,
20 supervision, or guidance of a child which is not defined as
21 child day care under section 237A.1 and may provide referrals
22 to unregistered providers.

23 b. Assist child day care providers in adopting appropriate
24 program and business practices to provide quality child care
25 services.

26 c. Provide information to the public regarding the
27 availability of child day care services in the communities
28 within the agency's region.

29 d. Actively encourage the development of new and expansion
30 of existing child day care facilities in response to
31 identified community needs.

32 e. Provide specialized services to employers, including
33 the provision of resource and referral services to employee
34 groups identified by the employer and the provision of
35 technical assistance to develop employer-supported child day

1 care programs operated-on-or-near-the-work-site.

2 f. Refer eligible child day care facilities to the federal
3 child care food programs.

4 g. Loan toys, other equipment, and resource materials to
5 child day care facilities.

6 ~~h. Inform child day care facilities regarding technical
7 assistance available from the department in obtaining
8 insurance coverage at a reasonable cost.~~

9 ~~i. Assist the department in providing child day care
10 facilities with opportunities for group purchasing of
11 equipment and supplies.~~

12 j h. Administer funding designated within the grant to
13 provide a substitute caregiver program for registered family
14 and group day care homes.

15 7. The department may contract with an agency receiving a
16 child day care resource and referral grant to perform any of
17 the following functions relating to publicly funded services
18 providing care, supervision, or guidance of a child:

19 a. Determine an individual's eligibility for the services
20 in accordance with income requirements.

21 b. Administer a voucher, certificate, or other system for
22 reimbursing an eligible provider of the services.

23 EXPLANATION

24 This bill relates to child day care and similar services
25 concerning the state day care advisory committee and statewide
26 resource and referral services.

27 Sections 1 and 2 are coordinating amendments of internal
28 references relating to the change in the name of the
29 department of human services' state day care advisory
30 committee to the state child day care advisory council as
31 provided in section 3.

32 In addition to the name change, section 3 revises
33 provisions concerning membership. Current law providing for
34 11 members representing various service providers and citizens
35 is stricken. The bill provides that the renamed council would

1 have up to 35 members nominated by the same process outlined
2 in the current law.

3 Section 4 amends the duties of the renamed council.
4 Current law which provides for consultation concerning
5 adoption of rules, recommending improvements in registration
6 and licensing of facilities, and advising the department
7 concerning licensing policy, planning, and priorities, is
8 stricken and rewritten.

9 Section 5 amends provisions concerning the statewide child
10 day care resource and referral services. Current law is
11 stricken which requires the department, with the involvement
12 of grantees, to provide technical assistance relating to
13 facilities meeting insurance needs and to provide
14 opportunities for group purchasing of equipment and supplies.
15 An optional provision concerning grantees providing training
16 and coordinating services is made mandatory. The training
17 provision is revised to focus on the providers' experience and
18 interest and replaces the focus on three experience levels
19 contained in current law.

20 Section 5 also mandates that a resource and referral
21 grantee provide a list of services. Under current law, the
22 services are optional. A new subsection is included providing
23 the department with authority to contract with grantees to
24 perform various functions relating to publicly funded services
25 providing care, supervision, or guidance of a child.

26 BACKGROUND STATEMENT

27 SUBMITTED BY THE AGENCY

28 The state day care advisory committee was created in July
29 1974 to make recommendations to the department regarding day
30 care policies. At the present time, the state day care
31 advisory committee's duties include making recommendations to
32 the department regarding the promulgation of rules related to
33 day care, improvement of licensing and registration process,
34 provision of advice on licensing policy, planning, and
35 priorities, and provision of technical services to department

1 of education officials regarding school-based child care
2 programs.

3 This committee is currently comprised of 11 members.

4 Traditionally, this committee has worked to develop
5 regulations pertaining to licensed centered and regulated
6 family day care homes. However, in March 1991 the department
7 was named as lead agency within state government to develop a
8 child care plan in response to the new federal child care and
9 development block grant (CCDBG) legislation. The federal
10 regulations required a broad-based advisory committee to
11 assist in developing the state's plan for these funds. The
12 final committee developed for the CCDBG planning task
13 consisted of 45 members.

14 In order for the state day care advisory committee to
15 perform a larger, more global role, it is felt that eventual
16 merging of the large CCDBG committee as the state day care
17 advisory committee would best serve the varied interests which
18 had not previously been represented by this group. Also, it
19 is hoped that the advisory committee could be involved in
20 broad issues related to child care services, and policy-making
21 tasks that address various federal child care program
22 requirements which must be incorporated in order for the state
23 to receive federal funds.

24 At the present time, certain requirements for the
25 department are listed within the statute which addresses
26 resource and referral services. These requirements are not
27 being addressed at the present time due to staff shortages and
28 because resource and referral agencies themselves are
29 adequately performing the tasks. Therefore, the department is
30 requesting that two of the currently listed duties be removed.

31 Also, as a result of significant increases for child care
32 subsidy through federal programs, the department is
33 considering contracting with certain resource and referral
34 agencies to complete eligibility determination for child care
35 subsidy. Also, Iowa must develop a voucher or certificate

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1 system of payment for income-eligible parents by October 1992,
2 due to federal requirements. The department may contract with
3 some or all of the resource and referral agencies to
4 administer this system.

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HOUSE FILE 2322

AN ACT

RELATING TO CHILD DAY CARE AND SIMILAR SERVICES CONCERNING
THE STATE DAY CARE ADVISORY COMMITTEE AND STATEWIDE
RESOURCE AND REFERRAL SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 237A.1, subsection 14, Code Supplement
1991, is amended to read as follows:

14. "State child day care advisory committee council"
means the state child day care advisory committee council
established pursuant to sections 237A.21 and 237A.22.

Sec. 2. Section 237A.12, unnumbered paragraph 3, Code
Supplement 1991, is amended to read as follows:

Rules relating to fire safety shall be adopted under this
chapter by the state fire marshal in consultation with the
department. Rules relating to sanitation shall be adopted by
the department in consultation with the director of public
health. All rules shall be developed in consultation with the
state child day care advisory committee council. The state
fire marshal shall inspect the facilities.

Sec. 3. Section 237A.21, Code 1991, is amended to read as
follows:

237A.21 STATE CHILD DAY CARE ADVISORY COMMITTEE COUNCIL.

1. There is established a A state child day care advisory
committee to consist council is established consisting of
eleven not more than thirty-five members from urban and rural
areas across the state. The membership shall include, but is
not limited to, all of the following persons or
representatives with an interest in child day care: a
licensed center, a registered family day care home from a
county with a population of less than twenty-two thousand, an
unregistered family day care home, a parent of a child in
child day care, appropriate governmental agencies, and other
members as deemed necessary by the director. The membership
consists of three interested citizens, three parents of
children served and one provider of preschool, one provider of
for-profit day care, one provider of nonprofit day care, one
provider of federal head start programs, and one provider of
family day care members are eligible for reimbursement of
their actual and necessary expenses while engaged in
performance of their official duties.

2. Members shall be appointed by the director from a list
of names submitted by a nominating committee to consist of one
member of the state day-care advisory committee council
established pursuant to this section, one member of the
department's child day care unit-of-the-department staff,
three consumers of child day care, and one member of a
professional child day care organization. Two names shall be
submitted for each appointment. Members shall be appointed
for terms of three years but no member shall be appointed to
more than two consecutive terms. The state day-care advisory
committee council shall write develop its own operational
policies with which are subject to departmental approval.

3. The membership of the council shall be appointed in a
manner so as to provide equitable representation of persons
with an interest in child day care and shall include all of
the following:

- a. Two parents of a child served by a family or group day care home.
- b. Two parents of a child served by a licensed center.
- c. Two not-for-profit child day care providers.
- d. Two for profit child day care providers.
- e. Two family day care home providers.
- f. Two group day care home providers.
- g. One child day care resource and referral service grantee.
- h. One nongovernmental child advocacy group representative.
- i. One designee of the department of human services or the Iowa department of public health.
- j. One designee of the department of education.
- k. One head start program provider.
- l. Two legislators appointed in a manner so that both major political parties are represented.

Sec. 4. Section 237A.22, Code 1991, is amended to read as follows:

237A.22 DUTIES OF STATE CHILD DAY CARE ADVISORY COMMITTEE COUNCIL.

The state child day care advisory committee council shall do all of the following:

- 1--Consult with and make recommendations to the department in the promulgation of rules under this chapter;
- 2--Recommend improvements in the licensing and registration of facilities;
- 3--Advise the department on licensing policy, planning, and priorities:
 - 1. Consult with and make recommendations to the department concerning policy issues relating to child day care.
 - 2. Advise the department concerning services relating to child day care, including but not limited to any of the following:
 - a. Resource and referral services.

- b. Provider training.
- c. Quality improvement.
- d. Public-private partnerships.
- e. Standards review and development.

3. Assist the department in developing an implementation plan to provide seamless service to recipients of public assistance which includes child day care services. For the purposes of this subsection, "seamless service" means coordination, where possible, of the federal and state requirements which apply to child day care.

4. Advise and provide technical services to the director of the department of education or the director's designee, upon request, relating to prekindergarten, kindergarten, and before and after school programming and facilities.

Sec. 5. Section 237A.26, Code 1991, is amended to read as follows:

237A.26 STATEWIDE RESOURCE AND REFERRAL SERVICES.

1. The department shall administer a statewide grant program for child day care resource and referral services. Grants shall only be awarded to community-based nonprofit incorporated agencies and public agencies. Grants shall be awarded to facilitate the establishment of regional resource and referral agencies throughout the state, based upon the distribution of the child population in the state.

2. The department shall provide oversight of and annually evaluate an agency which is awarded a grant to provide resource and referral services to a region.

3--The department shall provide technical assistance to child-day-care-facilities-in-meeting-their-insurance-coverage-needs-at-a-reasonable-cost:

4--in-consultation-with-resource-and-referral-agencies; the-department-shall-provide-opportunities-to-child-day-care-facilities-for-group-purchasing-of-equipment-and-supplies:

5 3. An agency which receives a grant to provide resource and referral services shall be encouraged to perform both of the following functions:

a. Organize assistance to family and group day care homes in a three-tier approach which concentrates efforts on new providers, moderately experienced providers, and highly experienced providers as three distinct groups utilizing training levels based upon the homes' degrees of experience and interest.

b. Operate in partnership with both public and private interests and coordinate resource and referral services with existing community services.

6 4. An agency, to be eligible to receive a grant to provide resource and referral services, must match the grant with financial resources equal to at least twenty-five percent of the amount of the grant. The financial resources may include a private donation, an in-kind contribution, or a public funding source other than a separate state grant for child care service improvement.

7 5. An agency, to be eligible to receive a grant to provide resource and referral services, must have a board of directors if the agency is an incorporated nonprofit agency or must have an advisory board if the agency is a public agency, to oversee the provision of resource and referral services. The board shall include providers, consumers, and other persons interested in the provision or delivery of child day care services.

8 6. An agency which receives a child care resource and referral grant may shall provide all of the following services:

a. Assist families in selecting quality child care. The agency must provide referrals to registered and licensed child day care facilities, and to persons providing care, supervision, or guidance of a child which is not defined as

child day care under section 237A.1 and may provide referrals to unregistered providers.

b. Assist child day care providers in adopting appropriate program and business practices to provide quality child care services.

c. Provide information to the public regarding the availability of child day care services in the communities within the agency's region.

d. Actively encourage the development of new and expansion of existing child day care facilities in response to identified community needs.

e. Provide specialized services to employers, including the provision of resource and referral services to employee groups identified by the employer and the provision of technical assistance to develop employer-supported child day care programs operated on or near the work-site.

f. Refer eligible child day care facilities to the federal child care food programs.

g. Loan toys, other equipment, and resource materials to child day care facilities.

h. Inform child day care facilities regarding technical assistance available from the department in obtaining insurance coverage at a reasonable cost.

i. Assist the department in providing child day care facilities with opportunities for group purchasing of equipment and supplies.

j h. Administer funding designated within the grant to provide a substitute caregiver program for registered family and group day care homes to provide substitute care in a home when the home provider is ill, on vacation, receiving training, or is otherwise unable to provide the care.

7. The department may contract with an agency receiving a child day care resource and referral grant to perform any of the following functions relating to publicly funded services providing care, supervision, or guidance of a child:

a. Determine an individual's eligibility for the services in accordance with income requirements.

b. Administer a voucher, certificate, or other system for reimbursing an eligible provider of the services.

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2322, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 16, 1992

TERRY E. BRANSTAD
Governor