

Senate File 190 - Introduced

SENATE FILE _____
BY HATCH

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

A BILL FOR

1 An Act requiring certain providers under the state child care
2 assistance program to be regulated by the department of human
3 services.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1320XS 82
6 jp/je/5

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1 1 Section 1. Section 237A.5, subsection 2, paragraph a,
1 2 subparagraph (1), subparagraph subdivisions (d) and (e), Code
1 3 2007, are amended to read as follows:

1 4 (d) The person has applied for or receives public funding
1 5 for providing child care under the state child care assistance
1 6 program pursuant to section 237A.13 or another program.

1 7 (e) The person will reside or resides in a child care home
1 8 that is not registered under this chapter but that receives
1 9 public funding for providing child care under the state child
1 10 care assistance program pursuant to section 237A.13 or another
1 11 program.

1 12 Sec. 2. Section 237A.13, subsections 2 and 3, Code 2007,
1 13 are amended to read as follows:

1 14 2. Services under the program ~~may~~ shall be provided ~~in~~ by
1 15 a licensed child care center, a child development home, ~~the~~
1 16 ~~home of or a relative of the child who is not a registered or~~
1 17 ~~licensed provider under this chapter, the child's own home, a~~
1 18 ~~child care home, or in a facility exempt from licensing or~~
1 19 ~~registration under the exceptions to the term "child care" in~~
1 20 ~~section 237A.1. For the purposes of this subsection,~~
1 21 ~~"relative of the child" means an adult person other than the~~
1 22 ~~child's parent, guardian, or custodian who is the child's~~
1 23 ~~sibling, grandparent, aunt, or uncle.~~

1 24 3. The department shall set reimbursement rates as
1 25 authorized by appropriations enacted for payment of the
1 26 reimbursements. The department shall conduct a statewide
1 27 reimbursement rate survey to compile information on each
1 28 county and the survey shall be conducted at least every two
1 29 years. The department shall set rates in a manner so as to
1 30 provide incentives for ~~an unregistered~~ a provider ~~who is not a~~
1 31 ~~registered or licensed provider under this chapter to become~~
1 32 ~~registered or licensed.~~

1 33 EXPLANATION

1 34 This bill requires certain providers under the state child
1 35 care assistance program to be regulated by the department of
2 1 human services.

2 2 The bill amends Code section 237A.13, relating to the
2 3 program, to require that a provider of services under the
2 4 program must be licensed or registered under Code chapter
2 5 237A, be a relative of the child, or the services must be
2 6 provided in a facility exempt from licensure or registration
2 7 by the department. The bill defines the term "relative of the
2 8 child" to mean an adult other than the child's parent,
2 9 guardian, or custodian who is the child's sibling,
2 10 grandparent, aunt, or uncle. The bill provides that a
2 11 facility exempt from licensure or registration by the
2 12 department means the facility is included in the list of
2 13 exceptions to the term "child care" in the Code chapter 237A
2 14 definitions. These exceptions include child care programs
2 15 administered by public or private schools, certain
2 16 church-related programs, and nationally accredited camps. The
2 17 bill also revises a requirement that the department set
2 18 reimbursement rates in a manner so that unregistered providers
2 19 have an incentive to become registered to also apply to

2 20 providers who are not licensed.

2 21 The bill also amends Code section 237A.5, relating to
2 22 criminal and abuse registry checks of child care providers, to
2 23 refer to the state child care assistance program in the record
2 24 check requirements applicable to persons who receive public
2 25 funding for providing child care.

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2 27 jp:nh/je/5