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Legislative Document

No. 1383

H.P. 982

House of Representatives, April 9, 2013

An Act To Improve the Delivery of Early Child Care and Education Services

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BERRY of Bowdoinham.
Cosponsored by Senator CRAVEN of Androscoggin and
Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, McELWEE of Caribou,
POULIOT of Augusta, ROTUNDO of Lewiston, SANBORN of Gorham, STUCKEY of
Portland, Senator: LANGLEY of Hancock.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3737, sub-§3**, as amended by PL 2001, c. 394, §1, is repealed
3 and the following enacted in its place:

4 **3. Quality differential.** To the extent permitted by federal law, the department shall
5 pay a quality differential rate to eligible licensed child care providers for child care
6 services, including but not limited to those funded under the federal Child Care
7 Development Fund, the Temporary Assistance for Needy Families program under section
8 3762 and the ASPIRE-TANF program under section 3782-A, that meet the corresponding
9 standards of the department's child care tiered quality rating and improvement system and
10 that qualify based on step assignment and certification under the system for a period of
11 time as established in rule adopted by the department. The department shall pay a child
12 care provider that meets the highest level of standards a quality differential of at least
13 10% above standard rates. The department shall pay the quality differential under this
14 subsection from Child Care Development Fund quality set-aside funds or from other
15 appropriate federal funding sources. The department shall adopt rules to implement this
16 subsection. Rules adopted pursuant to this subsection are routine technical rules as
17 defined in Title 5, chapter 375, subchapter 2-A.

18 **Sec. 2. Rulemaking regarding child care rates.** The Department of Health
19 and Human Services shall amend the Child Care Subsidy Policy Manual to establish
20 state-paid child care rates at the 75th percentile of the most current local market rate
21 survey as required by the Maine Revised Statutes, Title 22, section 3762, subsection 8,
22 paragraph E. Rules adopted pursuant to this section are routine technical rules as defined
23 in Title 5, chapter 375, subchapter 2-A.

24 **Sec. 3. Home visiting services collaboration.** The Department of Health and
25 Human Services, Bureau of Child and Family Services shall maintain a central listing of
26 providers of home visiting services. In order to minimize duplication of services,
27 beginning January 1, 2014, the department shall require that all providers of home
28 visiting and other home-based family services that receive funding from the department
29 participate in a collaborative process to better define roles and service parameters.

30 **Sec. 4. Early Head Start.** The Department of Health and Human Services shall
31 direct all new Head Start program funding appropriated for or allocated to Head Start
32 program purposes above the level of appropriations and allocations made in the state
33 budget for fiscal year 2011-12 and fiscal year 2012-13 to the Early Head Start program
34 for use for Early Head Start program enrollees.

35 **Sec. 5. At-risk children.** By October 15, 2013, the Child Care Advisory Council
36 shall develop a definition of "at-risk child" in order to identify children who require
37 assistance but who are not receiving that assistance and to create an eligibility category
38 for child care vouchers. In developing the definition, the Child Care Advisory Council
39 shall consider including under the definition children who have had adverse childhood
40 experiences and shall work with the Department of Health and Human Services, Bureau
41 of Child and Family Services. By November 30, 2013, the Department of Health and
42 Human Services shall by rule adopt a definition of "at-risk child." Rules adopted

1 pursuant to this section are routine technical rules as defined in the Maine Revised
2 Statutes, Title 5, chapter 375, subchapter 2-A.

3 **Sec. 6. Early childhood professional development registry.** By October 15,
4 2013, the Department of Health and Human Services shall adopt rules regarding the
5 funding and uses of the early childhood professional development registry to diversify the
6 funding and uses of the registry. The department shall develop the rules in conjunction
7 with a broadly representative group of stakeholders. The rules must require the registry
8 to be funded by a combination of state funds used for direct services in child care, family
9 education and support and early learning and development. Rules adopted pursuant to
10 this section are routine technical rules as defined in the Maine Revised Statutes, Title 5,
11 chapter 375, subchapter 2-A.

12 **Sec. 7. Appropriations and allocations.** The following appropriations and
13 allocations are made.

14 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

15 **Child Care Services 0563**

16 Initiative: Appropriates and allocates funds for the full match to leverage all available
17 federal child care development funds.

18

19	GENERAL FUND	2013-14	2014-15
20	All Other	\$2,000,000	\$2,000,000
21			
22	GENERAL FUND TOTAL	<u>\$2,000,000</u>	<u>\$2,000,000</u>

23

24	FEDERAL BLOCK GRANT FUND	2013-14	2014-15
25	All Other	\$3,000,000	\$3,000,000
26			
27	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$3,000,000</u>	<u>\$3,000,000</u>

28 **Head Start 0545**

29 Initiative: Appropriates funds for the delivery of Head Start services.

30

31	GENERAL FUND	2013-14	2014-15
32	All Other	\$2,000,000	\$2,000,000
33			
34	GENERAL FUND TOTAL	<u>\$2,000,000</u>	<u>\$2,000,000</u>

35 **Purchased Social Services 0228**

36 Initiative: Appropriates funds for home visiting services.

37

1	GENERAL FUND	2013-14	2014-15
2	All Other	\$2,600,000	\$4,900,000
3			
4	GENERAL FUND TOTAL	<u>\$2,600,000</u>	<u>\$4,900,000</u>
5			
6	HEALTH AND HUMAN SERVICES,		
7	DEPARTMENT OF (FORMERLY DHS)		
8	DEPARTMENT TOTALS	2013-14	2014-15
9			
10	GENERAL FUND	\$6,600,000	\$8,900,000
11	FEDERAL BLOCK GRANT FUND	\$3,000,000	\$3,000,000
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$9,600,000</u>	<u>\$11,900,000</u>

14 **SUMMARY**

15 This bill requires the Department of Health and Human Services to pay child care
16 services at the 75th percentile of the most current local market rate survey and pay a 10%
17 premium to providers who meet tiered quality rating standards. It requires all providers
18 of home visiting services to collaborate to better define rules and service parameters,
19 directs Head Start program funding to the Early Head Start program, requires the
20 department and the Child Care Advisory Council to establish a definition of "at-risk
21 child" for the purposes of child care eligibility and diversifies the funding and uses of the
22 early childhood professional development registry. It contains funding appropriations for
23 child care, home visiting and Head Start.