



Legislative Update on Child Development

August 24, 2007
(Number 23)

Senate Finally Passes the Budget

The longest budget delay in five years and the third longest ever is finally over. After 52 days, the Senate passed the state's \$103 billion budget Tuesday by a vote of 27-12, with only two Republican votes. The Governor is scheduled to sign the budget at noon today and is expected to veto more than \$700 million in expenditures. Among the Democrats' concessions were protections against environmental lawsuits for projects funded by state infrastructure bonds, the suspension of the CalWORKs cost-of-living adjustment (COLA), and a five-month delay in granting a COLA to social security recipients.

Items in the budget include a 4.53% COLA for education programs (including child care and development), a 0.97% growth adjustment for child care and development programs, full funding for CalWORKs child care, and an increase of licensing inspections from 20% to 30% of facilities that do not receive an annual visit. There is also language to permit greater public participation in the development of the State Child Care and Development Plan and a requirement that the Department of Education study and make recommendations to ensure fiscal integrity in child care and development programs and prevent fraud.

"This is a responsible budget but is not a perfect budget," said Republican leader Senator Dick Ackerman in a press release. "Even with the governor's promise to veto hundreds of millions of dollars, California is facing a multi-billion dollar deficit next year." Democratic leaders said they would look into reforming the budget process next year in order to avoid repeating this delay. Of the delay, Sen. Don Perata complained, "Who in their right mind would let children or disabled people suffer if they didn't have to? They (the Republicans) could never explain why they would not put the vote up to prevent that from happening, so the onus was on them."

The long delay in budget passage meant many agencies and programs had to take out loans to keep programs running. Some faced imminent closure and others actually closed. State Controller John Chiang has said he will attempt to reduce the time it takes to process claims from 15 days to 7 to 10 days and 1 to 3 days for certain other payments. The Child Development Division staff said while checks may be issued to child care providers, schools, and hospitals as early as next week, they anticipate providers receiving payment approximately two weeks (or 10 working days) after the Governor signs the budget.

Fiscal Committees Deadline Approaches

Fiscal committees will complete their business soon. Bills that have fiscal implications must pass out of fiscal committee by Friday, August 31.

Password

The new password for *Legislative Update* subscribers is "future."

programs for children in preschool through 6th grade and their parents. It would require the Department of Public Health to adopt regulations for minimal standards of the program and to establish a program advisory committee. The bill would also require the department to consider the committee's recommendations regarding program changes. It would further require health officers to submit a proposal for the program every three years instead of annually.

Sponsor: California Dental Association (800) 232-7645

Amended 8/23/07: This amendment would eliminate the requirement that the Department establish an advisory committee. The amendment would instead require the Department to meet with a group of stakeholders twice annually to review the program and to suggest changes.

Consultant: Lara Flynn (916) 319-2018

Status: Senate Appropriations Suspense

* AB 978 • Benoit • Community Care Facilities

This bill would require the Department of Social Services to report all violations that pose an immediate health or safety risk and record the final resolution of all complaint investigations. The bill would require unannounced follow-up visits within 30 days to ensure compliance with temporary suspension orders, revocation orders, and orders of exclusion. It would define serious violations for which the department could levy higher civil penalties (up to \$150 per day) such as fire clearance, absence of supervision, accessible bodies of water, accessible firearms or ammunition, refused entry to a facility and presence of an excluded person on the premises. The bill would clarify that family child care homes are subject to the same civil penalties as other community care facilities. It would require funds received from civil penalties to be used to ensure the health and safety of individuals cared for by licensees, including providing training, technical assistance, and education to licensees. **Urgency Measure**

Amended 8/20/07: This amendment would exempt the 2007-08 fiscal year from the requirement to increase visits when violations are found. It would also determine the amount of the civil penalty for serious violations to be exactly \$150 per day per violation.

Consultant: David Duran (916) 319-2064

Status: Senate Appropriations Suspense

2007 Legislation

AB 16 • Hernandez Pupil Immunizations

This bill would require the State Public Health Officer, in consultation with the California Conference of Local Health Officers, to develop a list of required immunizations prior to admittance to a public or private school or child care facility by July 1, 2010. They would be required to consider the most recent recommendations of the federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. The amendment would delay the requirement for any immunization, except in a public health emergency, until the cost of the vaccination is covered by the federal Vaccines for Children program, other federal funds, or an appropriation by the Legislature.

Last amended: 7/5/07

Consultant: Tim Valderrama (916) 319-2057

Status: Senate Appropriations Suspense

AB 757 • Committee on Public Employees, Retirement, and Social Security Teachers: Retirement and Employment

This bill would extend eligibility to the Defined Benefit Program, board participation and participation on the boards of school districts that include bilingual or special education classes to prekindergarten instructors. The bill contains other technical provisions.

Sponsor: California State Teacher's Retirement System (916) 229-3730

Last amended: 7/5/07

Consultant: Karon Green (916) 319-3957

Status: Senate Floor

* AB 834 • Hayashi • Dental Disease Prevention Program

This bill would require dental disease prevention programs to develop age-appropriate

AB 1080 • Mullin Targeted Preschool Program

This bill would require funding for preschool programs located in the attendance areas of low-performing elementary schools to remain in those attendance areas when rebid under a new competitive bidding process.

Sponsor: California Child Development Administrators Association (916) 359-8648

Last amended: 6/1/07

Consultant: Sophia Kwong Kim (916) 319-2087

Status: Senate Floor

AB 1164 • De León Child Care Provider Representation

This bill would authorize family child care providers to choose a representative organization by election. The provider representative would perform functions such as operate

substitute child care provider pools, market family child care programs, offer business development programs for family child care providers, meet with state regulatory agencies, and engage in various types of negotiation with public and private agencies.

Sponsors: Service Employees International Union (916) 442-3838, American Federation of State, County, and Municipal Employees (510) 849-4811

Last amended: 7/17/07

Consultant: Lisa Chin (916) 319-2045

Status: Senate Appropriations Suspense

AB 1279 • Coto

Child Development: Reserve Funds

This bill would allow reserve funds for alternative payment contractors and state-contracted child care centers up to 5% of the allowed administrative costs under their contract (instead of the greater of 2 percent or \$1,000).

Sponsor: California Alternative Payment Program Association (916) 567-6797

Last amended: 4/16/07

Consultant: Mike Welch (916) 319-2023, ext. 2690

Status: Senate Appropriations Suspense

AB 1571 • DeSaulnier

Alternative Payment Reimbursement

This bill would allow carryover funds for child care and development programs to be used to reimburse alternative payment programs (except CalWORKs) for services provided by them up to 3% of their contract amount or a greater amount subject to available funding. It would also eliminate the restriction of alternative payments programs receiving reimbursement more than two years in a row. The bill would further require the Department of Education to approve or deny applications and require the department to assign priority for reimbursement according to the order in which it receives applications. It would additionally require applications to be submitted on or before September 30 of the calendar year.

Sponsor: California Alternative Payment Programs Association (916) 567-6797

Last amended: 8/1/07

Consultant: Shara Perkins (916) 319-2011

Status: Senate Appropriations Suspense

SB 20 • Torlakson

Increased Meal Reimbursement

This bill would require schools to meet increased nutritional requirements for meals in order to receive funding for meal subsidies and encourage child care facilities to do the same. Urgency Measure

Last amended: 7/17/07

Consultant: Mufaddal Hotelwala (916) 651-4007

Status: Assembly Appropriations

SB 80 • Budget and Fiscal Review Education Budget Trailer

This bill would require schools to meet increased nutritional requirements for meals in order to receive funding for meal subsidies and would encourage child care facilities to meet those requirements. It would extend the American Indian Early Childhood Education Program through January 1, 2009. The bill would require limited-English-proficient students in kindergarten and first grade to be assessed in English listening, speaking, and early literacy skills (conforming to federal requirements). Contains other provisions. Urgency measure.

Last amended: 7/19/07

Consultant: Leonor Ehling (916) 319-2099

Status: GOVERNOR'S DESK

SB 84 • Budget and Fiscal Review Human Services Budget Trailer

This bill would require the Department of Education to conduct a study to establish best statewide practices for the prevention, detection, identification, and investigation of improper payments in all subsidized child care programs. It would suspend the trigger for increasing visits to community care facilities based on an increase in the number of total citations. The bill would require the Department of Social Services (DSS) to develop appropriate indicators with stakeholders to trigger an increase in licensing visits by February 1, 2008. It would suspend the CalWORKs cost-of-living adjustment for 2007-08. The bill would require DSS to review CalWORKs county plans to identify promising practices in the areas of upfront engagement and reengagement to assist families in overcoming barriers to work and increase participation in work. It would require the department to address issues related to sanctioned and time-limited families in the program. The bill would require DSS to provide options to increase CalWORKs parents' participation in work, including ways that promote family stability and provide counties training and technical assistance. It would change the effective date for the state portion of the SSI/SSP cost-of-living adjustment from January 1 to June 1. The bill would provide a 5% rate increase for foster family home base rates, specialized care increments, group home rates, Adoption Assistance Program cases, and all Kin-GAP and Emergency Assistance cases. It would increase the maximum reimbursement amount in the Private Adoption Assistance Reimbursement Program to \$10,000, effective February 1, 2008. The bill would revise the funding for children who receive an AFDC-FC benefit and who are regional center consumers. Contains other provisions. Urgency measure.

Last amended: 7/19/07

Consultant: Nicole Vazquez (916) 319-2099

Status: GOVERNOR'S DESK

SB 197 • Ducheny

Child Care Eligibility: Foster Care

This bill would permit a foster child to continue to receive subsidized child care services when transferred to a new foster care placement if there is an ongoing need for services and the child remains with the same child care provider or transfers to a child care provider within the same service area.

Sponsor: County of San Diego (916) 446-6752

Last amended: 7/10/07

Consultant: Erika Johnson (916) 651-4040

Hearing: Assembly Appropriations Suspense 8/29, 8/30

SB 533 • Yee

Pupil Immunizations

This bill would add pneumococcus to the list of diseases for which children are required to receive vaccinations in order to enter child care centers or public schools. This bill would also direct the State Public Health Officer, in consultation with the California Conference of Local Health Officers, to create and maintain a list of diseases for which immunizations shall be required and the proper doses based on recommendations by the federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, the American Academy of Family Physicians and other Public Health Officers.

Last amended: 7/18/07

Consultant: Caliph Assagai (916) 651-4008

Hearing: Assembly Appropriations Suspense 8/29, 8/30

*** SB 676 • Ridley-Thomas ***

Pupil Immunizations

This bill would add pertussis to the list of immunizations children are required to receive in order to enter child care centers or public schools. This bill would also direct the State Public Health Officer, in consultation with the California Conference of Local Health Officers, to create and maintain a list of diseases for which immunizations shall be required as well as the specific doses based on recommendations by the federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, the American Academy of Family Physicians and other Public Health Officers. It would also require immunization against pertussis prior to entering the 7th grade.

Sponsor: California Coalition for Childhood Immunization (916) 447-7063 x333

Amended 8/20/07: This amendment would eliminate the requirement that the State Public Health Officer create and maintain a required immunizations list or doses.

Consultant: Vincent Marchand (916) 651-4026

Hearing: Assembly Appropriations Suspense 8/29, 8/30

2007 Budget Bills

SB 77 • Ducheny

SB 78 • Ducheny

New Laws

AB 304 • Huff • Community Care Facilities: Disaster and Mass Casualty Plans • Chapter 18

AB 905 • Arambula • Child Care Eligibility • Chapter 110

AB 1685 • Garrick • Before and After School Programs • Chapter 22

Inactive Bills

AB 170 • Saldaña • Child Care Eligibility: Military Duty • Two-Year Bill

AB 313 • Benoit • Child Care Rating System • Two-Year Bill

AB 344 • Huff • Child Day Care Facilities • Two-Year Bill

AB 511 • Swanson • After School Athletic Programs • Spot Bill

AB 571 • Jones • Expansion of Access to Preschool • Two-Year Bill

AB 683 • Runner • Kindergarten Entrance Age • Two-Year Bill

AB 975 • Solorio • License-Exempt Training • Two-Year Bill

AB 989 • Garrick • Employer Child Care Tax Credit • Provisions Deleted

AB 1028 • Caballero • Preschool Expansion and Quality Review • Assembly Inactive

AB 1052 • Torrico • Limited-English-Proficient Training • Two-Year Bill

AB 1059 • De León • Child Care Worker Retention • Two-Year Bill

AB 1236 • Mullin • Kindergarten Age: Readiness Program • Two-Year Bill

AB 1344 • Mendoza • State Preschool Programs • Two-Year Bill

AB 1558 • Soto • Community Care Facilities Information • Two-Year Bill

SB 680 • Ridley-Thomas • Special Needs Training and Access • Two-Year Bill

SB 688 • Cox • First Five Communications • Two-Year Bill

SB 693 • Ashburn • Trustline Registration Payment • Two-Year Bill

SB 694 • Ashburn • CalWORKs Child Care • Provisions Deleted

SB 893 • Cox • Trustline Registration Payment • Two-Year Bill

SB 944 • Padilla • State Preschool Program Data • Two-Year Bill