



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: April 03, 2023

TIME: 4:27 PM

WSR 23-08-061

Agency: Department of Children, Youth, and Families

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR _____ ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Working Connections and Seasonal Child Care Subsidy Programs WAC 110-15-0211 Trauma-informed care supports

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 9, 2023		Telephonic	Make oral comments by calling 360-972-5385 and leaving a voicemail that includes the comment and an email or physical mailing address where DCYF will send its response. Comments received through and including May 9, 2023 will be considered

Date of intended adoption: May 10, 2023 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: DCYF Rules Coordinator

Address:

Email: dcyf.rulescoordinator@dcyf.wa.gov

Fax:

Other:

By (date) May 9, 2023

Assistance for persons with disabilities:

Contact DCYF Rules Coordinator

Phone:

Fax:

TTY:

Email: dcyf.rulescoordinator@dcyf.wa.gov

Other:

By (date) May 4, 2023

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed new rule clarifies who is eligible to receive support from the department for trauma-informed child care and how recipients may use the trauma-informed care supports. The anticipated effect is that child cares will be better positioned to screen for and assess the needs of children in their care, better compensate staff who have early childhood mental health or other department-approved credentials, access trauma-informed care professional development and training, and access supportive services for children with complex needs.

Reasons supporting proposal: The proposed new rule implements Chapter 199 § 304, Laws of 2021 and complies with its requirement that the department must adopt rules. The 2021 Legislature recognized that 1) quality child care can be a stabilizing factor for children experiencing homelessness and is a proven protective factor against the impacts of trauma they may experience, and 2) access to child care is a necessary support for families with young children in resolving homelessness and securing employment. The department intends that the proposed rule will increase access to quality child care by providing supports to support trauma-informed care.

Statutory authority for adoption: RCW 43.216.590

Statute being implemented: RCW 43.216.590

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) Department of Children, Youth, and Families

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Jess Mayrer		(360) 706-3570
Implementation:	DCYF	statewide	
Enforcement:	DCYF	statewide	

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: A cost benefit analysis is not required under RCW 34.05.328. DCYF is not among the agencies listed as required to comply with RCW 34.05.328(5)(i). Further, DCYF does not voluntarily make that section applicable to the adoption of this rule.

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|--|--|
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: April 3, 2023

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature:

NEW SECTION

WAC 110-15-0211 Trauma-informed care supports. (1) Subject to available funds, DCYF will provide trauma-informed care support to aid eligible providers. For the purposes of this section, "eligible providers" means:

(a) An employee or owner of a licensed or certified child care center or outdoor nature-based program that accepts WCCC or SCC payments;

(b) An employee or owner of a licensed family home child care provider that accepts WCCC or SCC payments;

(c) A contractor or provider of the early childhood education and assistance program or birth to three early childhood education and assistance program;

(d) A license-exempt family, friends, and neighbors (FFN) provider accepting subsidy; or

(e) An early achievers coach.

(2) Trauma-informed care supports may be used by eligible providers for the following purposes:

(a) Additional compensation for individual staff who have a DCYF-approved infant and early childhood mental health credential or other DCYF-approved child development specialty credential;

(b) The purchase of screening tools, assessment materials, and relevant training associated with the use of such screening tools and assessment materials;

(c) Trauma-informed professional development and training;

(d) Supportive services for children with complex needs that are offered as fee-for-service within local communities; or

(e) Other expenses related to trauma-informed care.