

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 315

Introduced by Assembly Member De Leon

February 18, 2009

An act to add Section 8222.2 to the Education Code, relating to child care and development services.

LEGISLATIVE COUNSEL'S DIGEST

AB 315, as amended, De Leon. Child care and development services: alternative payment programs.

The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. The act authorizes funds appropriated for purposes of the act to be used for alternative payment programs to allow for maximum parental choice.

This bill would require the department to ~~adopt regulations to establish~~ *consider developing* guidelines for alternative payment programs on specified matters, including timeliness of payment to child care providers.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. It is the Legislature's intent to:

(a) Eliminate late and inaccurate payments to child care providers.

(b) Eliminate ambiguities that have led to changing guidelines.

(c) Eliminate insufficient communication about policies, and the lack of a system that addresses child care provider payment problems that has led to more experienced, quality providers choosing not to accept subsidized children, thereby reducing parental choice and availability of care for families relying on the subsidized child care system.

(d) Create a uniform and timely system of payments to child care providers by providing clear and consistent directives for alternative payment programs.

SEC. 2. Section 8222.2 is added to the Education Code, to read:

~~8222.2. The department shall adopt regulations to establish~~ *In developing regulations on provider payments, the department shall consider developing* guidelines for alternative payment programs on all of the following:

(a) Timeliness of payments to child care providers.

(b) Due process and complaint process.

(c) Filling out attendance records.

(d) Manner of issuing payments to child care providers, and whether an alternative payment program may issue a single check for multiple children.

(e) Timeliness of notice to providers when a child is no longer eligible to receive subsidies.

(f) Administrative recourse and penalties for late payments to child care providers. *If a penalty is assessed against an alternative payment program, the program shall use only administrative and support service funds received pursuant to Section 8223 to pay the penalty.*