

FIRST REGULAR SESSION

SENATE BILL NO. 4

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Pre-filed December 1, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0527S.01I

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to a quality rating system for child care facilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new
2 section, to be known as section 210.205, to read as follows:

210.205. 1. By September 1, 2009, the department of social
2 services in collaboration with the departments of health and senior
3 services, elementary and secondary education, and mental health shall
4 develop a quality rating system for early childhood and before- and
5 after-school programs licensed by the department of health and senior
6 services that operate in this state. Such ratings shall be built upon
7 Missouri's current system of licensing and regulation. The base level
8 of the rating system shall be licensing, and the highest level of the
9 rating system shall include accreditation by a state or nationally
10 recognized accrediting agency. The department of social services shall
11 utilize the model from the existing Missouri quality rating system pilots
12 developed by the University of Missouri Center for Family Policy and
13 Research, or any successor organization, to establish this system.

14 2. The quality rating system shall:

15 (1) Provide information for consumers and parents to evaluate
16 and select high quality programs;

17 (2) Create an accountability system for policymakers and those
18 who fund early childhood and before- and after-school programs;

19 (3) Guide providers through a system of ever increasing levels
20 of quality with specific outcomes.

21 3. By July 1, 2012, all licensed facilities voluntarily receiving

22 quality improvement funds or services shall be rated, upon the
23 facilities' request, using the quality rating system established under
24 this section. The coordinating board for early childhood, established
25 under section 210.102, shall develop a plan for a tiered system of
26 reimbursement for child care subsidies based on the quality rating
27 system established under this section. By December 31, 2010, a
28 proposed plan with recommendations for implementation of the
29 reimbursement system shall be submitted to the general assembly. The
30 plan shall only become effective after passage of a concurrent
31 resolution by the general assembly authorizing the implementation of
32 the plan.

33 4. There is hereby created in the state treasury the "Quality
34 Rating System Program Improvement Grant Fund". Within this fund
35 there is created a first sub-account which shall consist of all gifts,
36 donations, transfers, and bequests to the fund. Notwithstanding the
37 provisions of section 33.080, RSMo, to the contrary, any moneys
38 remaining in this first sub-account shall not revert to the credit of the
39 general revenue fund. There is also created a second sub-account
40 consisting of moneys appropriated by the general assembly. Any
41 moneys remaining in this second sub-account shall at the end of the
42 biennium revert to the credit of the general revenue fund. The state
43 treasurer shall be custodian of the fund and may approve
44 disbursements from the fund in accordance with sections 30.170 and
45 30.180, RSMo. Upon appropriation, money in the fund shall be used
46 solely for the administration of this section to provide grants directly
47 to licensed providers seeking assistance for quality improvements to
48 undergo evaluation under the quality rating system established under
49 this section or to community-based organizations assisting providers
50 with such improvements. The fund shall be administered by the
51 department of social services. The state treasurer shall invest moneys
52 in the fund in the same manner as other funds are invested. Any
53 interest and moneys earned on such investments shall be credited to
54 the fund.

55 5. The department of social services in collaboration with the
56 departments of health and senior services and elementary and
57 secondary education shall be responsible for:

58 (1) Collecting and distributing resource materials to educate the

59 public and early childhood and before- and after-school programs in
60 Missouri about the quality rating system established under this section;

61 (2) Developing and distributing educational materials, including
62 but not limited to brochures and other media as part of a
63 comprehensive public relations campaign about the useful and
64 informational system of assessing the quality of child care and early
65 childhood programs in Missouri; and

66 (3) A site to post ratings of the quality rating system on the
67 Internet in a format easily understood and accessible by the public by
68 January 1, 2011.

69 6. The department of social services shall promulgate rules to
70 implement the provisions of this section. Any rule or portion of a rule,
71 as that term is defined in section 536.010, RSMo, that is created under
72 the authority delegated in this section shall become effective only if it
73 complies with and is subject to all of the provisions of chapter 536,
74 RSMo, and, if applicable, section 536.028, RSMo. This section and
75 chapter 536, RSMo, are nonseverable and if any of the powers vested
76 with the general assembly pursuant to chapter 536, RSMo, to review, to
77 delay the effective date, or to disapprove and annul a rule are
78 subsequently held unconstitutional, then the grant of rulemaking
79 authority and any rule proposed or adopted after August 28, 2009, shall
80 be invalid and void.

81 7. For purposes of this section, "early childhood program" shall
82 mean programs that are both centered and home-based and providing
83 services for children from birth to kindergarten.

84 8. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

85 (1) The provisions of the new program authorized under this
86 section shall automatically sunset six years after the effective date of
87 this section unless reauthorized by an act of the general assembly; and

88 (2) If such program is reauthorized, the program authorized
89 under this section shall automatically sunset six years after the
90 effective date of the reauthorization of this section; and

91 (3) This section shall terminate on September first of the
92 calendar year immediately following the calendar year in which the
93 program authorized under this section is sunset.