

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 387
95TH GENERAL ASSEMBLY

1193L.02C

D. ADAM CRUMBLISS, Chief Clerk

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 section, to be
2 known as section 210.205, to read as follows:

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

12 **2. The quality rating system shall:**

13 **(1) Provide information for consumers and parents to evaluate and select high
14 quality programs;**

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

17 **(3) Guide providers through a system of ever increasing levels of quality with
18 specific outcomes.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 **3. By July 1, 2014, subject to appropriations, all licensed facilities receiving direct**
20 **moneys and/or ongoing direct services to improve the quality of the program shall be rated**
21 **using the quality rating system established under this section. The quality rating system**
22 **shall be voluntary for all other licensed programs. As moneys are available, recruitment**
23 **efforts of programs shall be targeted to those serving high numbers of children receiving**
24 **child care assistance from the department of social services. The coordinating board for**
25 **early childhood, established under section 210.102, shall develop a plan for a tiered system**
26 **of reimbursement for child care subsidies based on the quality rating system established**
27 **under this section. By December 31, 2010, a proposed plan with recommendations for**
28 **implementation of the reimbursement system shall be submitted to the general assembly.**
29 **The plan shall only become effective after passage of a concurrent resolution by the general**
30 **assembly authorizing the implementation of the plan.**

31 **4. (1) There is hereby created in the state treasury the "Quality Rating System**
32 **Program Improvement Fund", which shall consist of the following two subaccounts:**

33 **(a) A subaccount which shall consist of all gifts, donations, transfers, and bequests**
34 **to the fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
35 **moneys remaining in such subaccount at the end of the biennium shall not revert to the**
36 **credit of the general revenue fund; and**

37 **(b) A subaccount which shall consist of all moneys appropriated to the fund. Any**
38 **moneys remaining in such subaccount at the end of the biennium shall revert to the credit**
39 **of the general revenue fund.**

40 **(2) The state treasurer shall be custodian of the fund. In accordance with sections**
41 **30.170 and 30.180, RSMo, the state treasurer may approve disbursements. Upon**
42 **appropriation, money in the fund shall be used solely for the administration of this section**
43 **to provide grants directly to licensed providers seeking assistance for quality improvements**
44 **based upon the quality rating or to community-based organizations assisting providers**
45 **with such improvements. The grants shall be awarded in such a manner to ensure**
46 **geographic diversity among the grantees and community-based organizations. The**
47 **department of social services shall administer the fund. Any moneys in the fund**
48 **designated for community-based organizations assisting providers shall be administered**
49 **by the department through a contract with a nongovernment organization or organizations**
50 **that will provide the quality improvement services of training and technical assistance**
51 **directly to programs statewide. Additionally, the department of social services shall**
52 **contract with a nongovernment organization to provide the grants that are disbursed**
53 **directly to programs for improvement. The nongovernment organization shall establish**
54 **a quality improvement panel to review grant applications and determine funding.**

55 **Members of the panel shall be early childhood and school-age professionals who apply to**
56 **and are recommended by the Missouri quality rating system state committee.**

57 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
58 **funds are invested. Any interest and moneys earned on such investments shall be credited**
59 **to the fund.**

60 **5. The department of social services, in collaboration with the departments of**
61 **health and senior services, elementary and secondary education, and mental health, shall**
62 **be responsible for:**

63 **(1) Collecting and distributing resource materials to educate the public and early**
64 **childhood and before- and after-school programs in Missouri about the quality rating**
65 **system established under this section;**

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

70 **(3) By December 31, 2014, having ratings available and posted on the Missouri**
71 **child care resource and referral network web site.**

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

81 **7. For purposes of this section, the following terms shall**
82 **mean:**

83 **(1) "Before- and after-school programs", programs that are center-, home-, or**
84 **school-based and providing services for elementary or middle school children during**
85 **nonschool hours;**

86 **(2) "Early childhood programs", programs that are either center- or home-based**
87 **and providing services for infants and toddlers, preschoolers, or elementary school-age**
88 **children.**

89 **8. Under section 23.253, RSMo, of the Missouri sunset act:**

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

93 **(2) If such program is reauthorized, the program authorized under this section**
94 **shall automatically sunset six years after the effective date of the reauthorization of this**
95 **section; and**

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

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