

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 379

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

AN ACT

RELATING TO HUMAN SERVICES; ENACTING THE CHILD CARE ASSISTANCE
ACCOUNTABILITY ACT; REQUIRING THE CHILDREN, YOUTH AND FAMILIES
DEPARTMENT TO ESTABLISH THE CHILD CARE ASSISTANCE
ACCOUNTABILITY PROGRAM; PROVIDING FOR RULEMAKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the
"Child Care Assistance Accountability Act"."

SECTION 2. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Child Care
Assistance Accountability Act:

A. "child care assistance" means financial

1 assistance administered by the department that provides child
2 care for children zero to five as the primary service delivery
3 strategy through a contract with child care providers on behalf
4 of eligible families;

5 B. "child care assistance program" means the
6 statewide infrastructure established by the department of all
7 eligible families and the child care programs receiving child
8 care assistance on their behalf;

9 C. "culturally and linguistically appropriate"
10 means taking into consideration the culture, customs and
11 language of an eligible family; and

12 D. "eligible family" means a family that receives
13 child care assistance through the department."

14 SECTION 3. A new section of the Children's Code is
15 enacted to read:

16 "[NEW MATERIAL] CHILD CARE ASSISTANCE PROGRAM--
17 REQUIREMENTS.--

18 A. The department shall provide a statewide
19 infrastructure for child care providers that accept child care
20 assistance, that shall:

21 (1) establish a consistent statewide system of
22 child care assistance;

23 (2) provide a common framework for service
24 delivery and accountability across all child care providers
25 that accept funding from the child care assistance program;

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1 (3) deliver a variety of educational,
2 developmental, referral and other support services for eligible
3 families with children who have not yet entered kindergarten;

4 (4) follow program standards that specify the
5 purpose, outcomes, duration and frequency of services that
6 constitute the program and that ensure high-quality service
7 delivery based on the New Mexico early learning guidelines and
8 continuous quality improvement;

9 (5) be designed to promote positive parenting
10 practices, child safety and well-being, early education and an
11 emphasis on school readiness while also supporting working
12 families and families going to school;

13 (6) provide voluntary access; and

14 (7) allow for the collection, aggregation,
15 analysis and evaluation of common data.

16 B. The department shall implement a quality
17 improvement system using multiple levels of quality to rate all
18 child care assistance providers and use the ratings to pay
19 higher rates for higher-rated individual child care assistance
20 providers under the child care assistance program."

21 SECTION 4. A new section of the Children's Code is
22 enacted to read:

23 "[NEW MATERIAL] CHILD CARE ASSISTANCE PROGRAM--
24 REPORTING.--

25 A. The department shall convene a group consisting

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1 of representatives of the legislative finance committee and the
2 department of finance and administration and child care
3 providers representing various geographical regions of the
4 state, who shall be a majority of the group, to meet and, and
5 in accordance with the provisions of the Accountability in
6 Government Act, to:

7 (1) develop an outcomes measurement plan to
8 monitor outcomes for children and families receiving services
9 through child care assistance programs;

10 (2) develop goals and objectives with
11 corresponding indicators that measure each objective
12 established in the outcome measurement plan; and

13 (3) complete and submit the outcomes
14 measurement plan by December 31, 2015 to the legislature, the
15 governor and the state early learning advisory council.

16 B. Beginning December 31, 2016 and annually
17 thereafter, the department shall produce an annual outcomes
18 report for the legislature, the governor and the state early
19 learning advisory council that includes:

20 (1) the goals and achieved outcomes of the
21 child care assistance program implemented pursuant to the Child
22 Care Assistance Accountability Act; and

23 (2) the following data:

24 (a) the number and type of child care
25 assistance programs that the department has funded;

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- 1 (b) the income levels of families
2 served;
- 3 (c) the stated reasons that families
4 have applied for child care assistance;
- 5 (d) the number of children served,
6 including the monthly average and the total served by county;
- 7 (e) the number and percentage of
8 children receiving child care assistance by quality level and
9 provider type;
- 10 (f) the average monthly participation by
11 children in the child care assistance program;
- 12 (g) any evidence of an increase in
13 school readiness, child development and literacy;
- 14 (h) the number and percentage of
15 children who enter kindergarten ready to learn, as measured by
16 a kindergarten entry assessment;
- 17 (i) the number and percentage of
18 children receiving regular immunizations;
- 19 (j) evidence that children receive
20 regular meals;
- 21 (k) staff retention rates;
22 (l) staff wages;
23 (m) staff certification and education
24 levels; and
25 (n) evidence that families are engaged."

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