

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 601

Introduced by Campbell, 25.

Read first time January 19, 2011

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to child care; to amend section 43-536, Reissue
- 2 Revised Statutes of Nebraska; to state findings; to
- 3 change provisions relating to child care reimbursement
- 4 rates; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-536, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 43-536 (1)(a) The Legislature finds and declares that:
4 (i) Nebraska subsidizes the early environments of children who are
5 most at risk of failing in school with publicly funded child care;
6 (ii) high-quality care in the first five years of a child's life can
7 close the achievement gap for a child at risk of failure in school
8 before he or she enters the kindergarten through grade twelve school
9 system; (iii) there is no accountability standard to indicate whether
10 the early environments currently subsidized are of the level of
11 quality found to close the achievement gap for children at risk of
12 failing in school; and (iv) public funds are both subsidizing early
13 environments for children at risk of failing in school without such
14 standard and paying for remediation in the kindergarten through grade
15 twelve years when students are not performing at grade level.

16 (b) It is the intent of the Legislature and the public
17 policy of this state to infuse a child development standard of
18 accountability into publicly funded child care and to purchase the
19 level of care found to reduce the achievement gap for children at
20 risk of failing in school by utilizing qualified licensed child care
21 providers.

22 (2) In determining the rate of reimbursement for child
23 care, the Department of Health and Human Services shall conduct a
24 market rate survey of the child care providers in the state. The
25 department shall adjust the reimbursement rate for child care every

1 odd-numbered year at a rate not less than the ~~sixtieth~~fiftieth
2 percentile and not to exceed the seventy-fifth percentile of the
3 current market rate survey, except that ~~(1)~~(a) qualified licensed
4 child care providers shall be reimbursed at a rate not less than the
5 sixtieth percentile and not to exceed the seventy-fifth percentile of
6 the current market rate survey and (b) nationally accredited child
7 care providers may be reimbursed at higher rates. ~~and (2) for the two~~
8 ~~fiscal years beginning July 1, 2003, such rate may be less than the~~
9 ~~sixtieth percentile but shall not be less than the rate for the~~
10 ~~immediately preceding fiscal year.~~

11 (3) For purposes of this section, qualified licensed
12 child care provider means a person providing a child care program
13 licensed under the Child Care Licensing Act who or which, on or
14 before December 31, 2012, or within the first twelve months after
15 becoming licensed under the act, whichever is later, obtains a
16 minimum of twenty-four clock hours of inservice training in the
17 preceding twelve months of which at least twelve hours shall be in-
18 person training.

19 Sec. 2. Original section 43-536, Reissue Revised Statutes
20 of Nebraska, is repealed.