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included, for example, expenditures for information and referral services and for contracts made with third parties to provide child-care services for employees, would offer employers flexibility in designing programs of child care support tailored to the particular needs of their employees.

As an alternative to tax incentives, a low-interest loan program could be established that would serve both nonprofit and profit-making organizations. Loans could be made available to assist with the start-up costs of establishing a child-care program for employees, such as those associated with constructing or renovating a child-care facility, purchasing equipment, obtaining technical assistance, and paying initial operating expenses. This approach would likely be particularly appealing for small businesses that might otherwise not have the cash available to establish a child-care program. It would, however, add to total federal credit activity--a matter of growing concern--in addition to requiring direct federal expenditures for the interest-rate subsidy.

These approaches would result in either greater revenue losses or increased direct federal expenditures. In the case of tax expenditures, the costs would probably be relatively small, since few firms would likely take advantage of these subsidies unless they were substantial. The specific costs of expanded tax incentives are difficult to estimate, however, because they would depend largely upon the number of additional employers claiming child-care tax benefits. The cost of a low-interest loan program would depend on the interest rate charged, the cost of federal borrowing, and the volume of loans made annually.

#### Encouraging Employment Changes to Lessen Reliance on Non-Family Care

Reliance on non-family care might be reduced in some cases if employed parents had greater flexibility in arranging their work schedules. Increased availability of part-time work, flexible work hours, and job-sharing might all lessen reliance on non-family care, including, in some cases, publicly supported care. For example, some parents of children in elementary school might choose to work about three-fourths of full time if given the option to do so, in order to be home to care for their children during the after-school hours.

While many aspects of job flexibility could probably not be influenced easily by a federal initiative, changes in federal tax law might have an appreciable impact on the availability of part-time employment. Anecdotal reports suggest that one barrier to seeking part-time employment in some cases is loss of valuable benefits, such as employer contributions to health insurance and pension plans. Such employer contributions are currently deductible from an employer's taxable income, and deductibility could be made contingent on offering a prorated benefit package to part-time employees. For example, deductibility could be made contingent on offering all employees working at least 20 hours a week benefits comparable to those of full-time workers, with the employer's contribution proportional to hours worked by each employee.

The net impact of such a change, however, is not clear. While some employers might continue to permit workers to change to part-time status,

others might respond to the increased cost of part-time employment by reducing the availability of part-time positions or by offering part-time positions only for a smaller number of hours per week than the minimum at which eligibility for fringe benefits was mandated.

#### OPTIONS FOR CARE OF THE DEPENDENT ELDERLY

Federal support for care for the moderately disabled elderly is now provided on a limited basis, both through the traditional social service programs and the major health care programs, Medicare and Medicaid.<sup>7/</sup> Dependent care for the elderly as discussed here includes housekeeping and homemaker services, home-delivered meals, respite care, and adult day care.<sup>8/</sup> Most but not all of such services are home-based. The term "home-based care" as used here, however, should be broadly interpreted to refer to social services that help the elderly remain in their homes rather than being institutionalized--including, in some cases, center-based services.

To move from the very limited support of home-based care that currently exists at the federal level to a more comprehensive program could be

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7. Although care for the dependent elderly is normally considered a social service, it is also closely linked to home-health care services and any discussion of options for change needs to consider this relationship. Home-based services and home-health care probably need to be coordinated to function as a viable alternative to institutional care, for example.
  8. Adult day care may serve as a less expensive alternative to comprehensive companionship and homemaker services provided on an individual basis. The over 700 current adult day-care programs, provide a great variety of types of services and setting. Consequently, the specific design of a federal program would determine its cost.

very costly--as much as \$12 billion in 1984--if home-based care was available and used by all moderately disabled individuals.<sup>9/</sup> While such an amount would be only a small portion of the over \$209 billion projected to be spent by the federal government on the elderly in 1983, it nonetheless would represent a large expansion of outlays during a period of cutbacks in many discretionary programs. Although some reduction in federal expenditures might be generated by returning a portion of the institutionalized population to their homes, overall federal costs would increase substantially, since the persons served would include many who are not now institutionalized. In addition, costs would rise considerably through the 1980s, if the number of moderately disabled elderly without other sources of support increases as expected.

Provision of some home-based services by the federal government could be accomplished with varying degrees of cost. One option would be to maintain the current level of expenditures, perhaps with changes in the targeting of benefits. Alternatively, additional care could be financed by reducing outlays in related health and social-service programs for the elderly. Although direct provision of services without such offsets would

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9. This estimate assumes that as many as 6 million elderly individuals currently not receiving federal support for home-health services could be eligible at an average cost of about \$2,000 each. The \$2,000 estimate is based on costs of 52 visits from a home health aide. Visits from nurses or therapists would be considerably more expensive, however. Moreover, delivery of meals and additional visits by home-health aides might also be needed to keep some individuals in their homes. Alternative services such as adult day care might also be funded, perhaps at slightly lower per capita costs.

raise total federal costs, they could be controlled by limiting eligibility or restricting the benefit package. Finally, care for the dependent elderly could be subsidized indirectly through the personal income tax system. Tax benefits for such care would also be costly in terms of lost revenues, but would tend to limit the extent of direct federal involvement. Consequently, four general approaches are discussed below:

- o Maintaining the current level of services;
- o Funding additional social services by reallocating federal expenditures;
- o Expanding the federal role through direct provision of services; and
- o Expanding the federal role through tax benefits for caregivers.

#### Maintaining the Current Level of Services

In a period of budget austerity, the Congress may wish to maintain the current level of federal commitment—or restrict it further.<sup>10/</sup> Families may be viewed as the more appropriate source of support, with the federal government only protecting the elderly against acute health-care needs (through Medicare) or institutional care for those who cannot afford it (through Medicaid). Another reason to limit the federal role is that home-based care is now often provided informally by relatives and friends, and increasingly the private sector is developing such services. In such a setting, increased federal provision of services might raise the costs of such

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10. The impact of P.L. 97-35 on Medicaid, and of P.L. 97-248 which added hospice coverage under Medicare, may result in a gradual expansion in this area without further Congressional action. Since such a trend cannot be predicted at this time, the discussion in this section assumes that, under current law, home-based care will remain a limited portion of Medicaid and Medicare expenditures.

care by establishing stringent reimbursement standards, which in turn could affect choices in the private sector. Moreover, federal provision might merely substitute for private support that would otherwise have occurred.

Home-based care services provided through Medicaid, Medicare, the Human Services Block Grant (HSBG), and the Older Americans Act could be coordinated and limited to a more carefully defined subgroup of the elderly. For example, if all aid were redirected into the Medicaid program, care would be targeted on those with low incomes. Further, care could be reserved for only those with the most severe handicaps, so that it would be more likely to function as a substitute for institutional care.

#### Funding Additional Dependent Care By Reallocating Federal Expenditures

Arguments for home-based care often are based on the fact that the relative lack of federal support for such services compared to institutional care may distort the choice of health care toward institutionalization, resulting in increased costs to the federal government over time. Higher expenses in the short run from providing more home-health benefits for the elderly might be offset by lower future costs if fewer people entered institutions. The prospect of these long-run savings underlies much of the support for federal provision of home-based care.

To the extent that home-based and related services could prevent or delay institutionalization for some persons, expanding them might preclude the overbuilding of nursing homes that might be stimulated by increases in

the number of elderly. Since home-based care requires much less capitalization, it could more readily be expanded or contracted in response to changes in the demand for services.

If provision of home-based care was combined with careful assessment of persons in institutions to return some patients to their homes, care at lower cost might be provided for some who currently are given institutional support through Medicaid.<sup>11/</sup> Moreover, since the elderly generally wish to remain in their homes if care is available there, home-based care may also be preferable from their point of view.

One alternative for expanding care to the dependent elderly while limiting federal costs would be to require that any additional commitment to the elderly be funded by shifting resources from other health and social-service programs for the elderly. Funding could be cut for those social services from which fewer people are likely to benefit in the 1980s. For example, Title III of the Older Americans Act could concentrate on home-delivered rather than congregate meals. Resources could be moved away from general programs for the elderly, since this group as a whole is likely to be relatively better off in the 1980s, and into adult day care and home-based services, for example. The limited size of these programs would restrict the amount available for care to the dependent elderly, however.

11. The extent of such savings remains open to debate. A good discussion of the often-conflicting evidence is available in Health Care Financing Administration, Long Term Care: Background and Future Directions, Office of Policy Analysis (January 1981).

Funds for dependent care for the elderly could also be obtained through reducing coverage under Medicare or Medicaid. If the new benefits were provided under Medicare, however, it would be difficult to limit services, since that program covers over 29 million aged and disabled persons. If Medicaid was used instead, even a federal commitment of only \$1 billion for dependent care, for example, would displace about 12 percent of the medical services expected to be provided to the elderly under this program in fiscal year 1984.

#### Expanding the Federal Role Through Direct Provision of Services to the Dependent Elderly

The Congress might wish to consider options for expanding federal participation in this area without requiring reductions in other health and social-service programs. As discussed above, such a program could cost as much as \$12 billion in 1984, but it could be designed to limit participation or benefits.<sup>12/</sup> The level of expenditures necessary to provide home-based services to the elderly would largely depend upon four factors:

- o How medical eligibility would be determined;
- o Whether participation would be limited by additional criteria such as level of income;
- o Whether participants would be required to contribute to costs; and
- o What mix of health and social services would be included.

12. To put this amount in context, if such a \$12 billion program was introduced through Medicare and financed by a mandatory premium, that benefit alone would cost enrollees about \$37 per month in 1984.

Determining Medical Eligibility. Perhaps the greatest problem in controlling costs of home-based care stems from the difficulty of determining who should receive such services. Provision of home-based care by the federal government could lead almost immediately to a large increase in the number of elderly persons served by health and social-service programs unless restrictions were placed on participation.

One approach would be to limit eligibility to persons who are currently institutionalized. Such a restriction would enhance the potential for cost savings through substitution of home-based services for institutional care. The requirement might prove, however, to be less restrictive in practice than it initially appears. If institutional beds freed by such a program were immediately filled by other physically impaired elderly persons, the numbers of home-based care recipients would rise over time with no corresponding decrease in the institutionalized population--at least until all those seeking care were being served.

Income Testing and Other Restrictions on Participation. Eligibility for home-based care services could also be limited to persons in financial need for whom the cost of home-based care would be less than the cost of institutionalization. For example, less than 16 percent of all the elderly had incomes below the poverty line in 1981, so restricting aid to this group would justify a greater than proportional share

One way to achieve such a restriction would be to provide home-based care services through Medicaid. Indeed, some of the necessary legislation is already in place. P.L. 97-35 allows states to apply for waivers to provide home-based care, but requires that such endeavors be limited to the number who could be served by institutions. Just over one-fourth of the states have been granted such waivers, but additional effort might be needed to encourage expansion in this area.

Cost-sharing by Patients. Requiring recipients of home-based care to share in the costs of services could help to limit participation and thus hold down total expenditures. Since many elderly persons may have private sources of such support--from relatives, for example--they would be less likely to seek federal help if they were charged a percentage of the costs of that aid. A cost-sharing requirement would probably be particularly important for a program that made services available to all physically impaired elderly. If services were restricted to low-income persons, the level of cost-sharing might have to be limited in order for anyone to be able to afford to participate. The cost of this type of program would depend both on the amount of cost-sharing required and on the extent to which participation would be lower in response to the cost-sharing.

The Mix of Services to Be Provided. Under the current system of home-based care, an elderly person in a particular state might, for example, receive only meal services, even if physical limitations prevented that person from performing other household chores. Such a partial approach may

fail over time to avoid the institutionalization of many disabled elderly. Thus, while only partial aid may be less expensive, it may also be unable to serve as a viable alternative to institutional care.

Not all services would have to be provided on an individual basis in the home, however. To the extent that an individual remained somewhat ambulatory, daytime supervision in a group setting—adult day care—might constitute a viable and less expensive option. Little information is available on the costs or types of persons now being served by adult day-care centers, however.

#### Expanding the Federal Role Through Tax Benefits for Caregivers

Another broad approach for increasing the federal role in home-based social services would be to leave responsibility with families of the elderly, while providing additional subsidies for such care through the personal income tax system. Specific options include deductions or credits based on a proportion of expenses incurred for care, or personal exemptions for families providing care to an elderly relative.

The effectiveness of any tax benefit would depend on the extent to which families would be induced to provide additional support to their relatives—that is, over and above what they now provide. Would partial compensation from the government—through reduced tax liabilities—cause persons to aid their elderly relatives more? The strength of family ties is likely to be a more important determinant of such aid. Since the aged

currently have considerable contact with relatives, especially their children, the tax benefit might compensate primarily those individuals who are already providing care rather than increase the participation of other relatives. Such a tax benefit might still be desirable, however, if it extended the amount of care or the period over which relatives were able to provide support to home-bound elderly.

In addition, tax benefits for relatives who provide home-care services would vary considerably, depending on the specific provisions. If only purchased care was covered, the tax benefits would tend to be restricted to families at higher income levels. Moreover, depending on the form of tax relief, the incentives to participate could vary more with the income level of the providing family than with the needs of the elderly recipient of the services.

Deductions or Credits. Allowing deductions from taxable income or a credit against taxes for aid provided to an elderly relative would be one means of encouraging additional care. The value of deductions to taxpayers would increase with income—the higher the tax bracket, the greater the value of the deduction. Credits, on the other hand, would provide equal reductions in taxes to all taxpayers making the same contributions to their elderly relatives regardless of income. Low-income families whose tax liabilities were below the level of a nonrefundable credit would, however, receive only reduced benefits or none at all. Refundable tax credits could extend the aid to low-income families, but only to the extent that they filed for the credit.

A tax deduction or credit for providing dependent care would probably have to be available to relatives living in different households--otherwise, benefits would be restricted to a very small percentage of families. Household aid of this sort would be difficult to verify, however, particularly since aid received is not considered income to the recipients for income tax purposes and is only subject to a gift tax when an individual receives more than \$10,000 from one individual in one year.

To improve verifiability, the deduction or credit could be restricted to the purchase of home-care services for relatives--private nursing visits, for example--since there would be formal records for verifying the tax credit. This approach would discourage relatives from providing services themselves, however. Further, families with low incomes might not be able to purchase care if partial reimbursement was provided through the tax system.

Exemptions for Dependents. Another alternative would be to allow persons to treat the supported relative outside the home as a dependent, claiming a personal exemption if a given number of hours of care was provided or a minimum expenditure was made.<sup>13/</sup> This would avoid the problem of placing a dollar value on time spent in caring for an elderly relative. On the other hand, such an exemption would be worth more to higher-income families than to those with low incomes, since exemptions reduce taxable income, and verifying the hours of care would be difficult.

13. This option is already available for persons who contribute more than one-half of the support of the relative. However, this tax benefit is not currently available for those who provide aid in the form of direct services.

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APPENDIX A. METHOD OF ESTIMATING THE PROPORTION OF CHILDREN LIVING IN DIFFERENT TYPES OF HOUSEHOLDS IN 1990

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The projections in this study of the living arrangements of children in 1990--that is, of the proportions living with both parents, with mother only, with father only, and with neither parent--should be considered only rough estimates. They were derived by a method that hinges on a possibly questionable assumption; moreover, the trends on which they are based have been somewhat erratic over the past seven years.

CBO was able to locate one relevant projection by demographers, but that projection (see Table A-1) considered all children under 18 as a group. Accordingly, the following method was devised to combine the projections in Table A-1 with projections by the Bureau of the Census of the age distribution in 1990 (Table 1) to estimate the proportion of children under the age of 6 and between the ages of 6 and 9 in each household type.

The first step in the procedure was to calculate from Table A-1 the extent to which projected 1980-to-1990 trends among all children under age 18 are expected to differ from comparable 1970-to-1980 trends. For example, Table A-1 projects that the proportion of children in mother-only households will continue to grow during the 1980s, but at a slower rate than during the 1970s. For each household type in Table A-1, a factor was esti-

imated that generated the difference between the 1970-to-1980 and the 1980-to-1990 trends.

TABLE A-1. LIVING ARRANGEMENTS OF CHILDREN UNDER AGE 18: 1970, 1980, AND PROJECTIONS FOR 1990 (Percent distribution)

Living Arrangement	Actual		Projected
	1970	1980	1990
Total Number (in thousands)	69,162	62,064	64,322
Living with Two Parents	85.2	76.6	71.0
Living with One Parent	11.9	19.7	25.0
With mother only	10.8	18.0	23.0
With father only	1.1	1.7	2.0
Living with Neither Parent	2.9	3.7	5.0

SOURCES: Figures for 1970 are from the U.S. Bureau of the Census, Marital Status and Living Arrangements: March 1980, Series P-20, no. 365 (October 1981). Figures for 1980 are from the U.S. Bureau of the Census, Characteristics of American Children and Youth: 1980, Series P-23, no. 114 (January 1982). Projections for 1990 are from Paul C. Glck, "Children of Divorce in Demographic Perspective," Journal of Social Issues, vol. 35, no. 4 (1979).

As a second step, tabulations were obtained from the decennial censuses showing the proportion of children under age 6 and the proportion age 6 through 9 living in each household type in both 1970 and 1980. For each age group and household type, the 1970-to-1980 trend was projected to 1990 to give a first estimate of the proportions of children in each type of household in 1990.

As a final step, the initial estimates of proportions in 1990 obtained in the second step were revised by applying to the projected 1980-to-1990 trend in each household type the factors derived for each household type in step 1.

The effect of this method can be illustrated by considering a single household type. The proportion of children in single-parent families has been growing in all three age groups considered: birth to 6, 6 to 10, and birth to 18. The proportion differs from age group to age group, however, as does the rate at which the proportion has been growing. This method maintains those differences, but it assumes that those differing rates of increase will all slow by comparable amounts between 1980 and 1990.!

To the extent that this assumption is incorrect, the projections used here will be in error. It is very unlikely, however, that they would be sufficiently in error to change any of the conclusions discussed in this memorandum.

1. What is meant in mathematical terms by saying that the differing rates of growth were reduced by "comparable" amounts? The method began by normalizing the proportions (using a logit transformation). Table A-1 was used to obtain the arithmetic difference between a linear extrapolation to 1990 of the transformed proportions and the projected proportions, separately for each household type. These differences were then subtracted from linear extrapolations of the comparable proportions among the smaller age groups, also in transformed form. Reversing the transformations then yielded the projections used in Table 2.

Linear extrapolation of the transformed proportions would mean that the odds of being in a given household type would increase by the same ratio from 1980 to 1990 as from 1970 to 1980. Applying the correction factor described above changes that ratio by a multiplicative factor that is the same for all age groups but different for each household type.

The second source of potential error in these projections is that the increase in the proportion of children living in mother-only households has been erratic in recent years, particularly in the under-6 age group. The more erratic the trends, the more uncertain are any projections, because there can be substantial disagreement about the "true" trend that underlies the erratic historical pattern.

For example, between 1970 and 1980, the proportion of children living in mother-only households grew from under 10 percent to about 15 percent. This increase, however, occurred between 1970 and 1975, and the proportion remained nearly constant from 1975 to 1980. In the last few years the trend has again turned upward, and in 1982 it reached an adjusted level of about 17 percent.<sup>2/</sup>

In Table 2 in the body of this report, the proportion of children under age 6 living in mother-only households is projected to rise to 19 percent by 1990, from 15 percent in 1980. The estimate of 19 percent could be criticized as either too high or too low on the basis of the erratic trend just described. For example, one might infer from the lack of increase from 1975 to 1980 that the growth in this proportion has largely ended and that the increase over the past few years is likely to be an isolated event. In that case, one might not anticipate continued growth from the current 17

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2. The proportion that will be reported in forthcoming Census publications is 19 percent. Part of the increase, however, reflects a change in CPS questions that was described in Part I. If the effects of the change in questions is removed to make the number comparable to those reported in earlier years, the resulting adjusted proportion is roughly 17 percent.

percent to the projected level of 19 percent. Alternatively, one could emphasize the rapid change that occurred between 1980 and 1982 and argue that since the proportion has grown in two years by half the amount projected for the entire decade, the projected level of 19 percent in 1990 is too low.

## ADDITIONAL VIEWS OF CONGRESSMAN DAN MARRIOTT

This report should be a valuable tool as we look to the future and plan for the care of the very young and the very old. There are, however, several caveats that should be added to this well-researched report.

Caution must be used in interpreting the data presented in this report. The statistics presented here are projections based on 1980 data regarding single-parent families and women in the workplace. The 1970's encompassed a time of dramatic economic and social changes, and it is this decade from which the data for this report are taken. Most notable of these changes were the women's movement and the sharpest increase in inflation in the recent history of our nation. Established values surrounding the family were challenged. Many of our nation's families moved from depressed industrial areas to seek employment in other industries and left behind extended family supports. Technological progress changed skill requirements and decreased the previous availability of labor-intensive employment.

It is not clear that such changes will accelerate or even continue. During the past few years, the marriage rate has increased, and the most recent data from the Bureau of the Census show that the divorce rate is decreasing. Should these trends continue, the projections and subsequent impact on the young and elderly could be substantially altered.

Also, it is promising to note that "fathers are increasing their involvement in family life perhaps across all sub-cultures and social classes and these trends are long term, likely to continue," according to the testimony of Dr. Michael W. Yogman (Associate Chief, Division of Child Development, Children's Hospital, Harvard Medical School) before our committee. He continued that ". . . men are also seeking increased emotional closeness with their infants as a part of a men's movement toward fuller personhood and a reaction against the alienation and burnout of the purely instrumental role of family provider . . . The net effect is that children today receive more of their father's time than in our recent past."

Further testimony to the committee from Dr. Michael Lamb (Author and Professor of Psychology, Psychiatry, and Pediatrics at the University of Utah) indicates that, "Fathers are relatively more involved when mothers are employed and when children are older . . . that children do best when parents are able to divide childcare responsibilities in accordance with their values, their preferences, and socio-economic circumstances, rather than in conformity with societal dictates which allow them no choice. In other words, families need options, not mandates . . ."

Also, in a recent poll of women ages 21 to 35 by Parents magazine, 60 percent of the women regarded their family life as their greatest accomplishment. When asked to choose which is more important to them, being a wife and mother or work outside their home, only 18 percent chose work.

Clearly, more and more women are currently in the work force and we must continue to accommodate the needs of those more directly effected by this phenomenon. Not knowing the preference of the vast majority of women and their families, any discussion of dependent care issues must give equal consideration and support to those families who forego additional income for more personalized care of their dependents.

The primary function of the family is care-giver to its members. The federal government is not an appropriate substitute for these functions. This brings us to another important consideration when reading this report. The question is simply, "What is the appropriate role of the federal government in the family?" Even if the federal government could afford to take over the care of all dependents, young and old, no one, including the federal government, can usurp what is essentially the family's function. No one, be it a day care center or an after school program, can do as good a job caring for children as most families. The same can be said for the elderly. While both young and old may have unique medical problems that often cannot be taken care of by their families, the family is clearly involved and being with or near the family is a critical ingredient to better health.

All of us, whether young or old, would prefer to be cared for in our homes or in a homelike setting. For children this means being able to be cared for in their own homes or in a home day care setting, rather than a large and possibly impersonal day care center. It is not surprising that parents prefer to have their children cared for in a homelike environment. Surveys tell us that working mothers actually prefer to have their children cared for by relatives in their homes.

Finally, in his book, "Day Care, Scientific and Social Policy Issues," Dr. Edward Zigler states, "private industry holds the greatest potential for child care improvement." And Dr. Michael Yogman has testified to our committee that, "employment policies and work schedules probably have the most powerful influence of all on father's role with children and youth and the influence is not a supportive one." I am sure the same applies to working mothers.

This evidence clearly indicates that the nation's businesses and employers must own up to their role in supporting a wide variety of child care programs for their employees. Employer participation in child care is assisted by the federal government through the tax code; more could be done to encourage employment changes that might significantly lessen the need for dependence on non-family care.

We are all aware of the dramatic changes that families have weathered during the past fifteen years. It is not likely that we will return to the family structure once considered a universal part of our society. But, I believe the government works best when it encourages people to do as much as they can for themselves. In discussing dependent care for the elderly the CBO report notes that, ". . . federal support of dependent-care services for them might inadvertently create unde-

sired incentives for the elderly to alter their living arrangements to substitute publicly funded care for care by relatives." We should evaluate all options and current policies, whether they involve direct expenditures, or tax expenditures. Ill-conceived laws and programs in these areas can, even with the best intentions, foster an unneeded dependency on federally-funded care. On the other hand, well conceived laws and programs can serve to enhance all families, strengthen the family unit and ensure that all members, young or old, receive the best possible care in the most supportive place yet discovered, their family.

DAN MARRIOTT.

ADDITIONAL VIEWS OF THOMAS J. BILLEY JR., DAN COATS, FRANK R. WOLF, AND BARBARA F. VUCANOVICH

In numerous future discussions about child care funding, the question is certain to be asked often: How can we possibly afford to fund the day care needs of such a large number of America's children? And as often as that question is asked, it is equally certain to be answered with another question: "How can we afford not to fund their care?" But before proceeding with the question of child care funding, we would like to address the Committee with what we believe is a prior question, and that is: How does day care affect our children?

Let's look for a moment at the real subject of our discussion, the children. When we talk about the comparative costs of care for infants, toddlers, and pre-school children, we ought never to forget that we are talking about children who will be taken from their mothers and cared for primarily by strangers from the first months of their lives. Our discussion is based on the implicit assumption that the mother is an interchangeable part in the infant's life, simply another kind of "caregiver". We are assuming that the child's emotional development and stability will not be seriously affected by separation from his mother for the greater part of his waking hours in the first six years of his life. We are accepting the proposition that the child cannot tell the difference between those who care for him out of love and those who care for him because they are paid to do so; or that if he can tell the difference, he does not care. None of these ideas are easy to accept.

It will be argued that experts have shown that interruption of the mother-infant bond will not cause serious permanent harm to children. But for as many experts as we may find on one side of this question, it will be possible to find others who assert the opposite.

Let us examine for a moment the opinions of some of the experts who do not see early interruption as harmless to the child. Dr. Mary Giffin, who testified at our October hearing, "Teenagers in Crisis," is Medical Director of the Irene Josselyn Clinic in Northfield, Illinois, and author of the disturbing book on teen suicide, "A Cry For Help." For seven years, Dr. Giffin has studied and been clinically involved in finding a solution for the "suicide epidemic" which has spread among teens in the last decade. In her testimony, she described one of the primary findings of her research:

As we explored the lives of the children who killed themselves, we were struck by the frequent interruptions between the caretaker-parent and the infant in the first ten months. Recurrently, both from our post-suicidal reconstructions and from the popular and professional literature, we read and heard the details of interruptions and unpredictabilities between the infant and his nurturing adult, with and from

Dr. Giffin further shared with us her conviction that the tendency of the 1980's has been to ignore a very basic fact of human nature, "that children were meant to be raised by two loving adults" and that the results of this oversight have been bad for children. "Infants," she explained, "and therefore, children and adolescents, are an endangered species, subjected to the destructive forces of current values and narcissistic goals."

Dr. Giffin is not alone in her analysis of the dangers of ignoring the importance of the child-parent bond. Psychiatrist Selma Fraiberg brought her extensive professional experience to bear in documenting and affirming the irreplaceable role of mothers in providing continuous loving care for their children in the crucial early years, and in showing the terrible psychic damage done to children who suffer deprivation of mothering. In her book, "Every Child's Birthright: In Defense of Mothering," Fraiberg addressed the very question which we now ask the Select Committee to address:

What of the babies and small children who are caught in this upheaval? Babies have not changed their nature in the course of human history. They have not been liberated by the changing family styles of the past decades. They have not caught up with the news that they are enslaving their mothers and causing domestic upheavals by the accident of their birth. And while we have been professing that it doesn't make any difference who feeds, bathes, diapers, holds, and plays games with them, they don't believe it. It has taken millions of research dollars to find out what anybody's grandmother knew 50 years ago. Babies know their parents and prefer them to other people as early as the first few weeks of life.

Centuries ago, Augustine of Hippo claimed that if he could have the guidance of a child for the first seven years of his life, he could be certain of that child's future. Certainly he was expressing a truth of human nature with which few would argue. Those who control the first few years of a child's life will have the greatest opportunity for influence over him. As the twig is bent, so grows the tree. With these considerations in mind, the question continues to haunt us: When the majority of America's children are brought up in child care centers, who will be bending the twig? Who will be teaching them the virtues by which they will live their adult lives? Who will form their characters? We find this a very disturbing question: disturbing because it is difficult not to answer that the "professional caregivers," not the parents, will then be in the position which Augustine claimed was most powerful. And, quite frankly, we believe that position is too important to be left to professionals.

By presenting these thoughts for the consideration of the Committee, we do not intend to say that the government assistance for child care ought to be excluded. Clearly, it cannot be excluded because, although it is not a perfect solution to our problems, it does offer a necessary measure of relief to many persons in great need. Quite simply, we are expressing our inability to be sanguine about a solution for the children of others which we would not want to choose for our own children. Further, we are pointing out that we believe an injustice is done to both children and parents when we omit discussion of the drawbacks of professional child care when we encourage those who

do not absolutely need professional child care to seek it (as is done with the current child care credit available to persons of all income levels), and especially, when we offer assistance to parents only when they choose to place their children in professional care.

Expanding for a moment on this third point, let us consider the situation of a low-income family of four, with two parents and two pre-school children, scraping along together on the husband's earnings alone. The wife has made the decision not to seek employment outside the home, or perhaps she has quit her job, because she believes that the most important thing she can give her children during these crucial years is herself. In order to do this, she and her husband are willing to make plenty of sacrifices. As far as they are concerned, the sacrifices will be worth it because their children are worth it.

What will the Federal Government do for this family? Very little, if the wife continues to insist upon raising her own children. However, if she will only give up her goal, get a job, and leave her children in the care of someone else for 40 hours a week, she will have not only the advantage of the additional income, but also a subsidy from the government worth somewhere in the neighborhood of \$660 per year.

This situation seems very unfair. Indeed, any proposal which offers assistance to parents and children in need only if the decision is made to place the children in professional care seems both unjust and, as a matter of federal policy, very unwise. Certainly, we ought to be able to devise methods of assistance less coercive than these, by which we might both aid the families and allow them the freedom of choice which is theirs by right.

Finally, it may be argued that our concern with all the "qualitative" aspects of child care is inappropriate at this time, as this report, compiled by the Congressional Budget Office, is intended primarily to address the quantitative aspects of the issue of dependent care funding. If we have unnecessarily "jumped the gun," we apologize. However, we believe that we are justifiably concerned that the first report issued by our Committee on this subject deals with the budget and funding issues rather than with the more substantive issues involved. It hardly need be said that there are many things more important than money. If we need to spend more money, or just more government money, on child care, then we are ready to spend it. But first we should ask: what kind of care is better for our children? And only after we have an answer to that question should we consider what type of government efforts are necessary to promote that superior care.

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DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS  
DIVISION OF COMMUNITY DEVELOPMENT  
CHILD CARE PROGRAMS  
SUMMARY

November, 1984  
Revised: December, 1984

Lare'  
Annual Report  
November 29, 1984 (revised)

## EXECUTIVE SUMMARY

### CHILD CARE PROGRAMS

The Day Care Assistance Program assists low and moderate income families who are working (92 percent of parents), training (5 percent), working and training (2.9 percent) or seeking work (0.1 percent) in offsetting the high cost of child care (average cost is over \$325 per month).

This program assisted over 2100 parents in 30 communities in October, 1984. There were nearly 3,000 children who had licensed, supervised care.

There were 526 small businesses (licensed centers and homes) who received part of their livelihood because of these State funds in October, 1984 and 252 of these facilities participated in the Child Care Grant program.

Child care is a booming small business in Alaska. During the past year, there was an average of 14 new child care facilities and 178 new licensed child care spaces each month. This equals between 26-32 new wage earners each month.

The Day Care Assistance Program is available to parents in every community where there is State licensed or federally approved child care.

Head Start is a comprehensive program for young children and their families. This state and federally funded program will be serving 1302 economically disadvantaged preschoolers at 61 sites in FY 1985.

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## THE GROWING NEED FOR CHILD CARE IN ALASKA

Each year more parents of young children enter the active labor force. Nationally, the number of working mothers of preschool children has more than doubled in the past two decades. In Anchorage, 63% of single mothers with children under six year of age are working outside the home.

Alaska has an estimated population of over 500,000 people:

- ... It has the youngest population of the 50 states;
- ... Over half of Alaska's population is in the child bearing ages of 18-44 years; this is 9% above the national average of 42.1%.
- ... Over 10% of its population is less than 5 years of age.
- ... Alaskan women are younger, better educated and have more children than the national average.

The profile of the American family has changed. Only seven percent fit the traditional model of father who works outside the home, mother as homemaker, and two children. The profile of Alaska's families has also changed.

- ... 35% of its families in 1980 were without children;
- ... 23% of its single fathers have responsibility for their children who are six years old or younger;
- ... 11% of its families are headed by one parent;
- ... less than 30 percent of the single parents receive any child support payments.

The profile of Alaska's work force has also changed:

- ... Of all husband and wife teams in Alaska, 52% are both wage earners.
- ... 46% of married women in Alaska who have children under six years of age, are in the labor force.
- ... 60% of Alaska's single mothers who have children under six years of age, are in the labor force.
- ... 43% of the jobs are held by women.
- ... Alaska has a higher percentage of working mothers than any other state.
- ... Working women, as heads of households, average \$16,000 a year in income.

... Fewer Alaskan women drop out of the work force and for a shorter period of time during their child bearing years, yet they continue to raise families, thus creating an increased need for child care services.

Thus, this young population, with its changing family and work force profile finds economic reasons for the need for child care.

Economic conditions have also dictated that neighbors, friends, and relatives also enter the labor force. These are the traditional caregivers of working parents. In many of the urban communities whole neighborhoods are virtually vacant during the day, as adults are working and children are in child care and school.

Thus each program year, the Day Care Assistance Program helps more parents in offsetting the high cost of child care.

As is noted later (See Waiting Lists) it is difficult to compare program years. Although the statistics are inadequate to measure demand for child care in Alaska, it is useful to see how this program has grown because of the infusion of State dollars and the acceptance by parents that this is not a welfare program. Rather, this program can be seen as an economic/community development program that provides for a steady labor market for employers. For if parents are assured their children are receiving healthy, safe, nurturing care, then these parents can assure employers of being steady and productive employees, with limited absenteeism and turnover.

THE GROWING DEMAND FOR CHILD CARE

As Alaska's young population has grown, and the profile of its work force has changed where more young mothers are employed as wage earners. so has the demand for child care expanded.

Table 1 (below) demonstrates the phenomenal growth in the child care industry. Between January, 1980 and July, 1983, the licensed and federally approved child care spaces more than doubled. Each year, for the past two years, nearly 2000 more child care spaces have been added. It is projected that FY '86 will find nearly this same level of increase. And still there are shortages, especially for infant care and before/after care for the school-age child.

The number of communities having licensed child care has doubled in the past four years. This increase is found in the more rural areas of the state. It appears this increase may be the result of parents wanting a preschool experience for their young children and the need for care while parents work or train.

TABLE 1  
 ALASKA'S LICENSED AND FEDERALLY APPROVED CHILD CARE SPACES  
 BY  
 HOME, CENTER, YEAR AND TOTAL CHILD CARE CAPACITY  
 AS OF JUNE 1, 1984

Year CY	# homes	capacity (space)	# centers/ capacity (space)	Total # CC facilities	Total (spaces)	Total # of communities w/ CC spaces
1/1/80	282	1309	76/3216	358	4525	16
1/1/81	278	1290	86/3842	364	5132	18
5/1/82	348	1619	109/4825	457	6444	25
7/5/83	566	2681	139/6607	705	9288	29
6/1/84	706	3601	160/7805	866	11,406	32

This explosive growth, however, may be only the tip of the iceberg of demand. Nationally, only 10% of facilities caring for children are licensed. In Alaska, family child care homes having four or fewer unrelated children in care are not required to be licensed. Religious preschools and private preschools associated with an elementary program are exempt from licensing. Private arrangements for in-home care is not regulated. Therefore, licensing or certification is only one measure of the rapidly growing demand for child care.

#### DAY CARE ASSISTANCE PROGRAM

The Day Care Assistance Program which assists parents in offsetting the high cost of child care while parents work or train is the oldest child care program administered by the Department of Community and Regional Affairs. Statutory authority was enacted by the first session of the ninth Legislature, spring, 1975. This program received its first appropriation that year of \$1,200,000. The intent, as written by the Legislature at that time was:

"The legislature finds that a need exists in the state for the provision of adequate day care facilities for families with low income. Adequate child care facilities allow the parent or guardian to work outside the home and in many cases to avoid the need for welfare and other forms of public assistance. The purpose of this Act is to establish in the Department of Community and Regional Affairs a program to aid low income families in urban and rural areas of the state in providing adequate care for their children."

In FY '82, the scope of the statutory authority was vastly increased by including:

- ... Moderate income families;
- ... Families seeking work;
- ... Provide for funds for locally administering the program (10% of billing or \$1,000);
- ... Establishing the Child Care Grant Program;
- ... Establishing the Education and Training Grant Program.

In FY '84, the statutory authority was again expanded to allow for care of developmentally disabled children and youth.

In FY '85, rates were increased for the first time in seven years, increasing the maximum the state would pay for a preschooler from \$265 to a base of \$300. Also, a geographic index was added to more nearly reflect the cost of care, especially in the rural areas. A preschool in Ketchikan could cost \$300; in Kodiak, \$313; in Cordova, \$320; in Bethel, \$346; and Barrow, \$353.

For this program, all child care must be in licensed or federally approved child care facilities (centers and homes). The child care payments are made directly to the child care provider by the local contractor. A tri-partite contract is written and signed by the parent, the child care provider, and the local contractor. The contract specifies the amount of time the children will be in care and the level of subsidy. The child care provider monthly bills the local contractor based upon the authorized time and subsidy. The subsidy level is based upon the net income of the family and is also geographically adjusted (See Appendix B).

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Table 2 (page 5-A) shows the phenomenal growth of this program in the past five years. From July 1980 (FY '81) to July, 1984 (FY '85), there was a 283% growth in the number of families being aided by this program. The first quarter of 1985 indicates there are approximately 30% more families receiving assistance than in the first quarter of FY '84.

Correspondingly, there has been an increase in dollar expenditure each year as more parents use the program. For FY '85, we also see the rise in cost per child as the geographic adjustment was instituted and the maximum amount the state will pay was raised. The amount of State subsidy is based on the parents net income. A net family income of less than \$1,075 in Anchorage, \$1226 in Fairbanks and \$1414 in Kotzebue allows the parents to have 100 percent subsidy of the state maximum payment, (See Appendix A for sliding fee scale by community).

It should be noted, however, that even at 100 percent subsidy, the parents still may be paying. In an Anchorage survey in February, 1984, the average cost of center care for a child over 2 years old was \$325. The state maximum is \$300. Therefore, the parents are paying the additional \$25 directly to the child care center.

TABLE 2  
 SUMMARY OF DAY CARE ASSISTANCE  
 FY '81-85  
 MONTH, DOLLARS, FAMILIES AND CHILDREN

<u>Month/Fiscal Year</u>	<u>Dollars</u>	<u># Families</u>	<u># Children</u>
July, '81	148,973	748	1082
'82	314,843	1237	1858
'83	367,052	1451	2039
'84	383,864	1538	2195
'85	563,710	1980	2855
August, '81	148,567	730	998
'82	304,696	1282	1898
'83	382,841	1481	2131
'84	429,212	1670	2410
'85	597,326	1981	2819
September, '81	166,107	807	1196
'82	351,101	1374	2001
'83	381,752	1574	2238
'84	404,298	1761	2529
'85	559,672	2117	2935
October, '81	207,498	952	1319
'82	357,990	1298	1875
'83	393,406	1656	2317
'84	407,338	1752	2568
'85	654,893	2124	2942
November '81	188,990	1010	1434
'82	307,456	1224	1754
'83	397,409	1669	2310
'84	422,476	1836	2639
'85			
December '81	187,627	1016	1326
'82	242,981	1094	1570
'83	394,272	1699	2329
'84	415,314	1842	2669
'85			

Activity of Parents Participating in Day Care Assistance

Table 3, below, indicates the activity of parents who participated in the Day Care Assistance Program from July through September, 1984.

TABLE 3  
DAY CARE ASSISTANCE: FY '85  
SUMMARY OF PARENT ACTIVITY

<u>Month</u>	<u>Working</u>	<u>Work/Training</u>	<u>Training</u>	<u>Total Parents</u>
July	1852	48	84	1984
August	1912	43	70	2025
Sept.	1876	85	131	2092

Parents who are working constitute the largest number of parents participating in the program. As a percent of the total it ranges from a high of 94 percent in August to a low of 89 percent for September. Actual number of working parents increased from 1852 in July to 1876 in September.

Parents who were in training ranged from 3.5 percent in August (84 parents) to 6.2 percent in September (131 parents).

Parents who were both working and training ranged from 2.1 percent (43 parents) in August to 4.1 percent (85 parents) in September.

Generally, parents who are in training are those who are full time students in a community college or the university. However, some parents are enrolled in specific skill training for a shorter duration.

In this three month period, 85 percent of the families participating were single-parent families.

Child Care Facilities and Day Care Assistance

The number of licensed or federally approved child care facilities participating in the Day Care Assistance Program has increased dramatically in the past four years.

Table 4 below indicates there were 253 facilities accepting children of Day Care Assisted families in July, 1981 (FY '82) and 457 in July, 1984. This is an increase of 204 facilities.

TABLE 4  
 CHILD CARE FACILITIES AND DAY CARE ASSISTANCE  
 FY '82 -- '85: A COMPARISON

Month and Fiscal Year	Number of CC facilities accepting DC-assis. child.	Number of DCAP Contractors	Number of Licensed/Fed. Approved Facilities
July '82	253	15	394
'83	293	23	470
'84	365	28	705
'85	457	31	866
August '82	261	16	n/a
'83	324	23	n/a
'84	406	28	n/a
'85	446	31	865
Sept. '82	275	20	n/a
'83	326	24	486
'84	434	28	699
'85	472	31	846

The significance of this increase can be viewed from at least two different perspectives. First, the general demand for child care has increased the number of these small businesses. Secondly, the Day Care Assistance Program may give a base to this growth.

TABLE 5  
 RATIO: LICENSED SPACES & DCAP CHILDREN  
 JULY-DECEMBER BY FISCAL YEAR:  
 '81, '82, '83, '84

<u>Fiscal Year</u>	<u># Licensed/ Fed. Approved CC Spaces</u>	<u>Avg. # DCAP children July - Dec.</u>	<u>% DCAP to licensed Space</u>
'81	4525	1226	27
'82	5132	1826 **	36
'83	6444	2227	35
'84	9288	2501	27

\*\* Waiting List began November.

However, as Table 5 (above) indicates, the capture of the market by the Day Care Assistance Program was 27% in FY '81 and FY '84, although there were significant increases in FY '82 and FY '83.

Child care has traditionally been considered a small business or cottage industry. It's characteristics are marked by being labor intensive and low wage.

However, the multiplier effect is believed to be extremely high. It is assumed money expended on child care is held within a given community and a child care dollar has a true ripple effect in that community. A child care dollar pays local utilities and taxes. Goods and services are purchased locally. Wages to child care providers are again spent on housing, utilities and local consumer supplies and services.

### Waiting List

Comparing data between program years is helpful in showing growth of the number of income eligible parents who are assisted in defraying the high cost of child care. However, it has not been helpful in measuring the need for the program because of the enormous waiting lists due to insufficient program funds. The Day Care Assistance regulation gives priority to those families most in need. That is, single, working parents who are income eligible to receive 100% subsidy are ranked as first priority. Historically, parents on the program at a lower subsidy level have not been removed to allow new parents to participate. In fact, many families do work themselves off this subsidy program, and as they do, new families are added.

However, when parents eligible for Day Care Assistance cannot be served due to lack of program funds, the Local Administrator starts a waiting list.

Last year at this time, virtually all of the 30 communities had eligible parents waiting for program funds. It is estimated that between 300-500 eligible families were not served in FY '84 because of lack of Day Care Assistance dollars.

Program dollars are allocated to communities based on the number of licensed or federally approved child care spaces. In the first three months of this fiscal year, approximately half of the contractors have had waiting lists.

TABLE 6  
 CHILD CARE SPACES AND DAY CARE PROGRAM APPROPRIATION

<u>Fiscal Year:</u> <u>July 1</u>	<u># lic. facil.</u> <u>CC Spaces</u>	<u>Approp.</u> <u>for Subsidy \$</u>	<u>\$ value per</u> <u>Space</u>
1981	5211	3,199,400	613.97
1982	5830	4,142,400	710.53
1983	6875	5,209,184 (1)	767.75
1984	9288	5,533,076 (1)	595.72
1985	11,429	7,460,350 (1)	634.54 (2)

(1) The subsidy allocation as of July 1: 3% of total appropriation is reserved for those communities who do not have licensed spaces as of July 1.

(2) Geographically adjusted.

Table 6 (above) shows the number of licensed spaces, the appropriation for child care subsidies and the dollar value of each child care space. In FY '83, when each child care space had a value of \$767.75 there were few communities which had waiting lists. Where these existed, in small communities with few child care spaces, reallocation of program dollars alleviated the problem. However, in FY '84, when the child care space value dropped to \$595.72, the waiting list syndrome zoomed upward. That is, as the dollar value of each licensed space dropped nearly \$200 from FY '83 to FY '84, this allowed less program dollars. This is especially true in those communities which had few new licensed spaces, but where the demand was ever increasing.

Because of the geographic adjustment there is also a difference in what a parent waiting for assistance costs the program. An eligible parent at 100% subsidy in Kotzebue, who has a preschooler, can cost \$353; in Valdez \$326; in Haines \$313; and in Juneau \$300.

There has been an increase in program dollars and child care space value for FY '85. However, a surge of new families, especially in the rapidly growing areas of Anchorage, Mat-Su Valley and the Kenai Peninsula Borough communities, has again produced waiting lists.

TABLE 6-A  
 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS  
 DAY CARE ASSISTANCE PROGRAM

WAITING LISTS:

by community  
 by fiscal year

<u>Community</u>	<u>FY'80</u>	<u>FY'81</u>	<u>FY'82</u>	<u>FY'83</u>	<u>FY'84</u>	<u>FY'85</u>
Anchorage			(1)	(1)	X(1)	X(1)
Aniak	NP	NP	NP		X	
Bethel	X		X	X	X	
Cordova	NP	X	X	X	X	X
Craig	NP	NP	NP			X
Delta Junc.		X	X	X	X	
Fairbanks	X	X	X	X		
Ft. Greely	X		X	X		
Haines	NP	NP	NP			X
Homer	NP	NP	NP	X	X	X
Juneau	X		X(1)			X
Kenai	NP		X	X	X	X
Ketchikan	X	X		X	X	X
Kodiak				X	X	X
Kotzebue			X	X	X	X
MatSu (2)			X		X	X
McGrath	NP	NP	NP	X		
Metlakatla	NP	NP	X	X	X	X
Nome	X	X	X	X		X
N. Kenai	NP	NP	NP		X	X
Petersburg				X	X	X
Seward	NP	NP	X	X	X	X
Sitka	X					
Soldotna	NP	NP			X	X
Valdez	NP	NP	NP	X		X

NP = No Program;

- (1) Local municipal funds were used to assist families with child care using the same guidelines as the Day Care Assistance Program;
- (2) Wasilla only prior to FY '83.

TABLE 7  
 WAITING LIST: LACK OF PROGRAM FUNDS  
 FY '85

	<u>No. of Families</u>	<u>No. of Children</u>	<u>Est. Cost to Serve</u>	<u># of Communities Reporting</u>	<u>Total # of DCAF Contractors</u>
July**	131	199	\$55,679	4	30
Aug.**	237	351	\$74,060	8	31
Sept.	221	340	\$73,057	14	30
Oct.	347	497	\$133,492	11	30
Nov.	373	561	\$150,998	11	30

\*\* Includes families served by MOA with MOA dollars

Table 7 above indicates the waiting list nearly tripled between July and November of this year, increasing from 131 families seeking help in July to 373 families in November. There are currently communities having families wait which have never experienced this phenomena before:

- ... Juneau, which had more than enough money for the past two years, suddenly finds itself turning families away.
- ... Haines, which had homes licensed for the first time, also finds itself with insufficient money.
- ... Nome, which has never had families waiting to receive this support, has both a waiting list and is expending at three times its monthly allocation.
- ... And Fairbanks is standing in the wings. Their October and November billings were at near full expenditure. They anticipate by March new Fairbanks families will also find there is not enough money to help them in their child care costs. This may well be exacerbated by the fall of 1985 when 2700 additional military personnel arrive at Fort Wainwright. Personnel there have been told there is need to plan for 600 more child care spaces in the next 18 months.

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FY '86

Governor Sheffield has requested \$1,000,000 more to help these families for FY '86. If appropriated, 168-260 more families each month could receive help. The range in numbers of families assisted reflects:

- ... The geographic differential of state maximum payment: For a preschooler in Anchorage the State can pay up to \$300; in Kenai \$313; in Cordova \$320; in Nome \$353.
- ... The number of children per family: MatSu and the Kenai area tend to have more children per family than does Anchorage.
- ... The number of hours of care: Some of these working families have short hours; in other families the parents are working and training and the hours are longer.
- ... The ages of the children: Infant care is generally three times as costly as before/after care for school-age children.
- ... The sliding fee schedule: In October, 61% of the families were at 100% subsidy while for Anchorage 66% of the wait-listed families were at 100% subsidy.
- ... The degree of disability, if a developmentally disabled child: If a child is severely disabled, the State can pay up to double for this cost of care.

There is a continuing need for care of young children of working parents in this young state and this need continues to grow.

### CHILD CARE GRANT PROGRAM

The Child Care Grant Program began in FY '82. This program was designed for two purposes: 1) to assist child care facilities in increasing the quality of care, and 2) to assist all parents in the cost of care by direct subsidy to state licensed child care facilities, (homes and centers).

This program is available in every community where there is a Day Care Assistance Program, except Fort Greely.

Eligible child care facilities bill the state monthly for each full-time child in care. This includes all children under 11 years of age and is not limited to those children whose parents participate in the Day Care Program.

The statutory limitation is \$50 a month for each full-time-equivalent (FTE) child. However, the appropriation has not allowed this maximum.

Table 8 (below) illustrates that for two and a half years, the appropriation allowed for a base of \$25 per month, per FTE child in care, (This base is geographically adjusted). However, by January, 1984 that base was lowered and again lowered in June. This reduction allowed eligible child care homes and centers who choose to receive this grant to do so.

TABLE 8  
CHILD CARE GRANT PAYMENT:  
BASED ON FULL-TIME-EQUIVALENT CHILD IN CARE:\*  
BY: FISCAL YEAR

<u>Month/ Fiscal Year</u>	<u>Base Payment \$</u>
All year: '82	25.00
All year: '83	25.00
July-Dec.: '84	25.00
Jan.-May: '84	18.75
June: '84	14.00
All year: '85 **	12.00

\* Geographically adjusted

\*\* Projected

Prior to this fiscal year, approximately 35 percent of all licensed homes and 80 percent of all licensed centers choose to participate in this program. With the reduction of the grants to \$12, increasing numbers of family child care homes are choosing not to participate.

For FY 1985, 174 homes and 124 centers have participated. The first quarter monthly average was 143 homes and 108 centers billing at \$51,697. When compared to the first quarter monthly average for FY 1984, there is a decrease this year of 30 homes, an increase of 14 centers and a decrease of almost \$30,000 in monthly billings. This decrease reflects the \$12 current rate as compared to the \$25 a year ago.

In FY 1984 there was a total of 268 family child care homes and 136 child care centers that participated in this program. The monthly average was 193 homes, 114 centers with a monthly billing at \$101,109.

Table 9 below shows the growth in participation, especially between fiscal years 1983 and 1984. We can anticipate a continued increase in center participation for FY '85 as more centers become licensed and as many centers closed for the summer resume their services.

TABLE 9  
 CHILD CARE FACILITIES PARTICIPATING  
 IN CHILD CARE GRANT PROGRAM  
 BY: FISCAL YEAR, TYPE OF FACILITY AND DOLLARS

Month/ F.Y. (1)	# Homes	\$ Grant	# Centers	\$ Grant	Total Facilt's.	Total \$
<u>Sept.</u>						
'83	146	19,008	98	82,188	239	101,196
'84	204	25,203	113	94,863	317	120,066
'85	138	7,810	114	43,849	252	51,660
<u>Dec.</u>						
'83	160	19,749	100	75,926	260	95,675
'84	201	23,840	120	85,553	321	109,393
'85	n/a	n/a	n/a	n/a	n/a	n/a
<u>March</u>						
'83	191	25,619	102	100,296	293	125,915
'84	197	19,331	124	81,976	321	101,307
'85	n/a	n/a	n/a	n/a	n/a	n/a
<u>June</u>						
'83	156	20,073	86	78,852	242	98,926
'84	159	10,283	102	47,807	260	58,090
'85	n/a	n/a	n/a	n/a	n/a	n/a

(1) from year end report, except '85

### EDUCATION AND TRAINING GRANT PROGRAM

The Education and Training Grant Program was authorized by the Alaska State Legislature and began in FY 1982. The purpose is to allow child care givers and administrators to participate in education or training programs in early childhood or management.

These grants are competitive and available to those child care providers who are eligible for the Child Care Grant Program.

Table 10 (below) shows the grant program's rapid growth during the past four years, in number of grants, communities directly served and dollars. In FY 1982 there were 7 grants awarded for a total expenditure of \$25,000 and this fiscal year 34 grants totalling \$100,000. The grants range from \$600 to a child care center for on-site staff training to \$9,400 to a statewide training of caregivers for school-age children.

TABLE 10  
EDUCATION AND TRAINING GRANT PROGRAM  
BY: FISCAL YEAR, GRANTS AND DOLLARS

<u>Fiscal Year</u>	<u>Number of Grants</u>	<u>Number of Communities</u>	<u>Appropriation (dollars)</u>
1982	7	6 and 1 statewide	\$25,000
1983	12	13 and 2 statewide	\$50,000
1984	31	18 and 5 statewide	\$84,800
1985	34	18 and 6 statewide	\$100,000

The two principal uses of these grant funds have been for on-site training of child care givers (homes and centers) and training in regional or statewide training conferences. On-site training has frequently lead to Child Development Associate (CDA) credentials. This is a national, competency based training program. It is the first rung on the career ladder recognized by the Department of Education's certification of professionals.

Last year, the training conferences attracted over 700 people. The Anchorage conference had participants from 51 Alaska communities who attended 38 seminars ranging from neurological development of young children to improving staff performance. Again, some workshops are specifically designed to aid CDA candidates.

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## HEAD START

Head Start began at the national level in 1965 by the Office of Economic Opportunity. The program was designed for disadvantaged preschool children and their families. These preschool years are a time of rapid learning, as well as emotional and physical development. Thus, this program is designed to assist parents and their children in getting a "head start" on life.

Head Start is a comprehensive program which brings together child development, nutrition, health, education, social and special services for low income families and their preschool children. Nationally, the program works with about 20 percent of the population it is designed to serve. It is administered by the U.S. Department of Health and Human Services.

In 1966 one of the first Head Start programs in the nation began in Fairbanks, followed quickly by programs in Anchorage. In FY 1985 there are 61 program sites, including home based parent child programs (0-3 year-olds).

In the 1970's, Head Start was mandated to also serve handicapped children. Of the total number of children enrolled, 10 percent are designated for these special needs children.

In 1976, the State of Alaska offered, through legislative appropriation, to assist the Head Start grantees. At that time, there were four programs in Alaska. These were: Metlakatla Head Start, Chugiak Children's Services, Greater Fairbanks Family Head Start, and Rural Alaska Community Action Program (RurAL CAP). Resource Access Project, a federally funded training and technical assistance program, was available to assist Head Start grantees for special needs children.

In 1978, through the Indian and Migrant Program Division (IMPD), six new programs were begun in Alaska. These are: Association of Village Council Presidents, Central Council of Tlingit and Haida, Kawerak, Cook Inlet Native Association, and Tanana Chiefs Conference. The sixth, Alaska Federation of Natives, also took over the training and technical assistance for the State's IMPD programs. At this same time, Metlakatla was changed from a Region X grantee to an IMPD grantee.

In fiscal year 1980, all of the Head Start programs were included in the State's appropriations to Head Start grantees. The State of Alaska, DCRA Staff administers the State share that matches the federal funds. The federal funds are passed directly to the Head Start grantees from the U.S. Department of Health and Human Services.

TABLE 11  
HEAD START  
STATE SHARE FUNDS BY:  
YEAR, DOLLARS, PROGRAM SITES AND CHILDREN

<u>Fiscal Year</u>	<u>State Share \$</u>	<u>Federal \$</u>	<u>Number of Program Sites (1)</u>	<u>Number of Children Served</u>
1982	2,400,000	3,238,948	49	1199
1983	2,616,000	3,660,152	50	1295
1984	2,757,000	4,061,968	52	1449
1985	2,713,000	unknown	61	1302 (2)

(1) Program sites include classroom and home based programs.

(2) Preliminary figures

As Table 11 (above) shows, the number of children served by the program has grown steadily since fiscal year 1982 when 1199 children were enrolled to 1302 projected for this program year.

For the first time in six years, the federal government has provided for expansion of programs or program sites to three of the federal grantees in Alaska. At the same time, however, it appears federal training dollars for parents and children are diminishing for all Head Start grantees.

Appendix A  
 DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS  
 DIVISION OF COMMUNITY DEVELOPMENT  
 DAY CARE ASSISTANCE PROGRAM  
 PARENT SUBSIDY SCHEDULE

Maximum Adjusted Monthly Net Income  
 By Community

Unalaska Anchorage Bethel Chitina Cordova Delta Junction Fairbanks Ft. Greely Glennallen Kodiak Kotzebue McGrath Nome Noorvik Palmer Petersburg Sitka Wasilla Wrangell	Haines Homer Kenai Kodiak Seward Soldotna	Cordova Delta Junction Fairbanks Ft. Greely	Glennallen Valdez		Aleutians Dillingham	Bethel Nenana	Aniak Barrow Kotzebue McGrath Nome Noorvik	State Subsidy Day Care Percentage	
00.0	103.5	107.0	114.0	117.5	121.0	124.5	128.0	131.50	
1075	\$1113	\$1150	\$1226	\$1263	\$1301	\$1338	\$1376	\$1414	100%
1175	1216	1257	1340	1381	1422	1463	1504	1545	90%
1275	1320	1364	1454	1498	1543	1587	1632	1677	80%
1375	1423	1471	1568	1616	1664	1712	1760	1808	70%
1475	1527	1578	1682	1733	1785	1836	1888	1940	60%
1575	1630	1685	1796	1851	1906	1961	2016	2071	50%
1675	1734	1792	1910	1968	2027	2085	2144	2203	40%
1775	1837	1899	2024	2086	2148	2210	2272	2334	30%
1875	1941	2006	2138	2203	2269	2334	2400	2466	20%
1975	2044	2113	2252	2321	2390	2459	2528	2597	10%

Fully implemented by October 1, 1982

Appendix B  
 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS  
 DIVISION OF COMMUNITY DEVELOPMENT  
 DAYCARE ASSISTANCE PROGRAM  
 PAYMENT SUBSIDY SCHEDULE: ADJUSTED BASE AND GEOGRAPHIC DIFFERENTIAL

RATES	Anchorage Juneau Ketchikan Metlakatla		Craig Mat-Su Petersburg Sitka Wrangell		Haines Homer Kenai Kodiak Seward Soldotna	
	100.0		102.2		104.4	
<u>Enrollment</u>	<u>Mo</u>	<u>P/T</u>	<u>Mo</u>	<u>P/T</u>	<u>Mo</u>	<u>P/T</u>
Infant	\$400.00	\$240.00	\$409.00	\$245.00	\$418.00	\$251.00
Child	300.00	175.00	307.00	179.00	313.00	183.00
<u>Attend</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>
Infant	\$18.00	\$11.00	\$2.10	\$18.40	\$11.24	\$2.15
Child	14.00	8.00	1.65	14.31	8.18	1.69
	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>
	\$18.80	\$11.48	\$2.19	\$18.80	\$11.48	\$2.19
	14.62	8.35	1.72	14.62	8.35	1.72

Appendix B/page two  
 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS  
 DIVISION OF COMMUNITY DEVELOPMENT  
 DAYCARE ASSISTANCE PROGRAM  
 PAYMENT SUBSIDY SCHEDULE: ADJUSTED BASE AND GEOGRAPHIC DIFFERENTIAL

RATES	Cordova Delta Junction Fairbanks Fort Greely			Glenallen Valdez					
	106.6			108.8			111.0		
<u>Enrollment</u>	<u>Mo</u>	<u>P/T</u>		<u>Mo</u>	<u>P/T</u>		<u>Mo</u>	<u>P/T</u>	
Infant	\$426.00		\$256.00	\$435.00		\$261.00	\$444.00		\$265.00
Child	320.00		187.00	326.00		190.00	333.00		194.00
<u>Attend</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>
Infant	\$19.19	\$11.73	\$2.24	\$19.58	\$11.97	\$2.28	\$19.98	\$12.21	\$2.33
Child	14.92	8.53	1.76	15.23	8.70	1.80	15.54	8.88	1.83

Appendix B/page three

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS  
 DIVISION OF COMMUNITY DEVELOPMENT  
 DAYCARE ASSISTANCE PROGRAM  
 PAYMENT SUBSIDY SCHEDULE: ADJUSTED BASE AND GEOGRAPHIC DIFFERENTIAL

RATES	Aleutians Dillingham			Bethel <i>12/1/02</i>			Anderson Aniak Kotzebue McGrath Nome Noovik Selawick Tanana North Slope		
	113.2			115.4			117.6		
<u>Enrollment</u>	<u>Mo</u>		<u>P/T</u>	<u>Mo</u>		<u>P/T</u>	<u>Mo</u>		<u>P/T</u>
Infant	\$453.00		\$272.00	\$462.00		\$277.00	\$470.00		\$282.00
Child	340.00		198.00	346.00		202.00	353.00		206.00
<u>Attend</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>	<u>Daily</u>	<u>P/T</u>	<u>Hr</u>
Infant	\$20.38	\$12.45	\$2.38	\$20.77	\$12.69	\$2.42	\$21.17	\$12.94	\$2.47
Child	15.85	9.06	1.87	16.16	9.23	1.90	16.46	9.41	1.94

COMMUNITIES: DAY CARE ASSISTANCE BY DATE PROGRAM STARTED

<u>Community</u>	<u>Date Started</u>
1. Anchorage	FY 1976
2. Aniak	Nov. 1982
3. Barrow	August, 1984
4. Bethel	FY 1976
5. Craig	Dec. 1982
6. Cordova	FY 1979
7. Delta Junction	FY 1977.
8. Fairbanks	FY 1976
9. Fort Greely	FY 1977*; FY 1978
10. Glenallen	FY 1983
11. Haines	FY 1983
12. Homer	April, 1982
13. Hydaburg	November, 1983
14. Juneau	FY 1976
15. Kenai	FY 1981
16. Ketchikan	February, 1979
17. Kodiak	FY 1976
18. Kotzebue	FY 1976
19. McGrath	December, 1981
20. Mat-Su Borough**	July, 1983
21. Metlakatla	September, 1981
22. Nome	FY 1976
23. North Kenai	FY 1983
24. Noorvik	FY 1983
25. Petersburg	FY 1976
26. Seward	September, 1981
27. Sitka	October, 1978
28. Soldotna	September, 1981
29. Valdez	May, 1982
30. Wrangell	September, 1981

\* Fort Greely combined with Delta Junction for FY 1977.

OTHER COMMUNITIES WHICH HAVE PARTICIPATED:

Anderson	FY 1976 - FY1982
Reason: Insufficient number of children need care for	
FY 1983	
Hoonah	FY 1976 - Mar., 1977
Reason: Facility not relicensed	
Nenana	Nov. '83 - Sept. '84
Reason: Child care center and home closed	
Palmer**	Oct. - June, 1983
Reason: Combined with Mat-Su Borough	
Tyonek	FY 1982.
Reason: Insufficient number of children needing care	
Wasilla**	FY 1976 - FY 1983
Reason: Combined with Mat-Su Borough	
[January 7, 1985]	

# 1983 LEGISLATIVE UPDATE

## CHILDREN AND YOUTH ISSUES



National Conference of State Legislatures  
1125 Seventeenth Street, Suite 1500  
Denver, Colorado 80202

DECEMBER 1983

# 1983 LEGISLATIVE UPDATE

## CHILDREN AND YOUTH ISSUES



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## CHILDREN AND YOUTH PROGRAM

DECEMBER 1983



**National  
Conference  
of State  
Legislatures**

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President  
Miles 'Cap' Ferry  
President of the Senate  
State of Utah

Executive Director  
Earl S. Mackey

INTRODUCTION

The National Conference of State Legislatures is pleased to present the 1983 State Legislative Update on Children & Youth. This profile prepared by the NCSL Children & Youth Program identifies new laws that were enacted in the states during the 1983 legislative session that directly affect children and youth.

The scope of the topics is very broad and includes child welfare, youth services, health, and child support enforcement measures. Forty-nine states and two territories have enacted some legislation dealing with children and youth policy.

To complete this project, NCSL requested information from each state legislature. We analyzed the bills and sought approval from every state and territory before publication. If you have any additional information, we would be glad to keep it in our clearinghouse and make it available upon request to other legislatures.

We appreciate your assistance in keeping this information current which serves as a valuable resource for other states when considering children and youth legislation. The Children and Youth Program will produce a similar publication in 1984.

For further information, contact Michele R. Magri, Program Director, Children and Youth Program or Shelley A. Friend, Senior Research Analyst, Youth Services at NCSL's Denver Office (303/292-6600).

ALABAMA

H 14 Passed Provides for grandparent visitation rights.  
3/3/83

H 56 Passed Children's trust fund legislation. Optional income  
8/10/83 tax refund.

H 57 Passed "Child Abuse and Neglect Prevention Act."  
8/10/83 Establishes board.

H 214 Passed Changes penalty for interference of custody from  
7/20/83 misdemeanor to felony.

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ALASKA

HB 17 Passed Revises drinking age to 21 and amends other laws  
10/26/83 relating to drinking age.

HB 128 Passed Raises penalties for promoting child prostitution  
7/9/83 to Class B felony.

HB 243 Passed Relates to day care assistance for parents of  
10/11/83 developmentally disabled children.

HB 270 Passed Prohibits exploitation of a minor (pornography) and  
10/11/83 distributing pornography. (Chap. 57 of State Law  
#83 for 1983. Effective October 11, 1983.)

SB 74 Passed Revise laws relating to sexual abuse of a minor;  
10/17/83 extends time limitation for prosecution of sexual  
offenses.

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ARIZONA

HB 2039 Passed Disclosure of confidential information to be used in  
parent locator services.

HB 2135 Passed Rules for destroying or releasing juvenile court records.

HB 2252 Passed Wage assignment (child support)

SB 1012 Passed Children's Trust Fund--Contributions through income tax  
refund.

SB 1059 Passed Independent Living Questions

SB 1114 Passed Terminating Child-Parent Relationship

SB 1142 Passed Child Support Assessment Monies into Children and Family  
Services Training Program Fund.

ARKANSAS

ACT 324	Passed	Provides grandparent visitation rights for adopted children with deceased parents.
ACT 331	Passed	Redefines "child care facility" and provides procedure for licensing.
HB 23	Appv. 2/14/83	Court can reduce alimony judgement and use property proceeds to pay (except for homestead). (Act 161 of 1983)
HB 24	Passed	To make the offense of nonsupport uniform to marital and nonmarital children. (Act 174 of 1983)
HB 26	Passed signed 2/15/83	Privacy Rights in adoption cases--allows for disclosure of medical information upon age of majority. (Act 175 of 1983)
HB 28	Passed	To increase from 16 to 18 the age at which a father shall be responsible for the support of a nonmarital child. (Act 177 of 1983)
HB 223	Passed Signed 2/23/83	Signed by Governor 2/23/83. Licensing religious child care facilities; provides procedure for licensing. (Act 245 of 1983)
HB 232	Passed	Provides licensing and regulation of child placement agencies; and establishes advisory committee on child placement. (Act 389 of 1983)
HB 575	Passed	To provide a bastardy referee as a special master whose orders & judgements must be followed by the county judge. (Act 559 of 1983)
HB 831	Passed	State tax refund intercept. (Act 372 of 1983)
SB 253	Passed	Prohibits anyone from authorizing or inducing a child under 17 years of age to engage in sexual performance. (Act 451 of 1983)
SB 265	Passed	Fees to obligors in cases of non-AFDC handled by Child Support Enforcement Unit. (Act 590 of 1983)
SB 266	Passed	Assignment of support rights to state. (Act 780 of 1983)
SB 267	Passed	An act to provide that applicants for public assistance be referred to Child Support Enforcement Unit rather than Attorney General or Prosecuting Attorney for enforcement purposes. (Act 591 of 1983)
SB 323	Passed	To provide for awards of attorney fees in paternity proceedings. (Act 592 of 1983)

ARKANSAS - continued

- SB 380 Passed To require that all state agencies or institutions honor wage assignments in child support cases. (Act 594 of 1983)
- SB 381 Passed To establish that the paternity of children be commenced and proceed under rules of civil procedure in circuit and chancery courts. (Act 595 of 1983)
- SB 400 Passed Evidentiary use of blood tests in paternity cases. (Act 437 of 1983)

CALIFORNIA

- AB 40X Passed Includes various financing provisions for the Developmental Disabilities Program Development Fund. Chapter 16
- AB 109 Passed Increases jail sentence and fine for the illegal detention of a child. Extends the jurisdictional territory of this crime. Chapter 990
- AB 219 Passed Increases liability to \$10,000 for parent/guardian of minor guilty of willful misconduct resulting in injury, death, or injury to property. Chapter 981
- AB 223 Passed Provisions for licensing of family child care homes that require unannounced site visits for renewal of license. Chapter 323
- AB 238 Passed Redefines joint custody to mean joint physical/legal custody. Allows for the appointment of a primary caretaker/primary home for public assistance purposes. Chapter 304
- AB 298 - Passed Puts 18 year old juveniles who are accused of violent crimes into the adult system. Chapter 204
- AB 300 Passed Allows visitation rights for grandparents if there is a divorce or separation which involves grandchildren. Chapter 1277
- AB 313 Passed Prohibits denial of licensing for foster family homes because applicant uses corporal punishment not constituting child abuse on his/her own children. Chapter 521
- AB 491 Passed Prohibits probation or suspension of sentence of persons convicted of pimping/pandering to children under 14. Chapter 79 U.
- AB 607 Passed Allows taxpayers to contribute directly from tax returns to the State Children's Trust Fund. Makes violation of the confidentiality of child abuse witnesses a misdemeanor. Chapter 1082
- AB 624 Passed Requires suspension of driving privileges for minors convicted of driving under the influence of alcohol/drugs. Chapter 934
- AB 787 Passed Provides for an exclusion order in dissolution cases when threat of physical or emotional harm to child or other party exists. Chapter 234
- AB 829 Passed Waives audit exceptions for child development programs serving handicapped children. Chapter 1015

CALIFORNIA - continued

AB 846 Passed Makes parents of minors in detention liable for costs not related to the minor's confinement. Chapter 1135

AB 997 Passed Provides uniform training requirements for directors of facilities for developmentally disabled. Chapter 735

AB 1038 Passed Requires that a minor found guilty of possessing drugs on school grounds must perform community service. Chapter 736

AB 1148 Passed Expands court's authority to issue protective orders in pending marriage dissolutions. Chapter 192

AB 1162 Passed Creates a Child Care and Employment Fund in the Office of Child Development to provide child care and coordinate services with Private Industry Councils. Includes \$6 million from Title XX and Job Training Partnership Act. Chapter 1282

AB 1418 Passed Changes provisions making minors unfit to be dealt with under juvenile court law. Includes other changes. Chapter 390

AB 1495 Passed Authorizes a district attorney's child support trust fund in order to reimburse families for unjustified delinquent support obligations. Chapter 220

AB 1550 Passed Requires the court to consider the best interests of a minor in granting visitation rights to grandparents. Requires reunification services to include a plan for grandparent visitation. Chapter 1170

AB 1892 Passed Makes provisions regarding special education of pupils with low incidence disabilities. Chapter 1099

AB 2096 Passed Enacts Adoption Information Act of 1983, making vital statistics available to involved parties without court order (conditions specified). Chapter 1162

ACR 14 Passed Urges State Board of Education to develop statewide model graduation requirements/curriculum standards for local school districts. R Chapter 18

SB 43 Passed Authorizes school boards to permit use of school buses by non-profit organizations for outdoor recreational activity for disadvantaged/handicapped children.

SB 73 Passed Changes state job training program to conform with federal Job Training Partnership Act; mandates child care representative on PIC. Chapter 537

SB 123 Passed The Budget Bill for 1983-84; Governor vetoed \$1.2 billion. Chapter 324

CALIFORNIA - continued

- SB 163 Passed Includes zoning and fire safety provisions of large and small family day care homes. Amended to allow a misdemeanor and a fine of not more than \$500 to be brought against a provider if children are endangered. Chapter 223
- SB 202 Passed Prohibits convicted sex offenders from entering or working in a community care facility that offers services to children. Chapter 496
- SB 205 Passed Develops a specific program that would divert certain persons who are suspected of child abuse to counseling services in lieu of prosecution. Chapter 804
- SB 465 Passed Sets 1983-84 standards for determining reimbursements to group homes for shelter costs under AFDC-FC. Chapter 487
- SB 500 Passed Allows the California Youth Authority to release certain information concerning minors. Chapter 1028
- SB 670 Passed Allows access to papers and records of hearings under the Uniform Parentage Act by the parties to the action. Chapter 438
- SB 697 Passed Makes adopting stepparent liable for reasonable investigative costs up to \$100, except in hardship cases. Chapter 477
- SB 813 Passed Makes changes in school finance and provides for major reforms. Includes 3% cost-of-living for child care, state preschool and adult education programs. Chapter 498
- SB 947 Passed Provides for development of statewide youth suicide prevention program through state mandated demonstration programs in two designated counties.
- SB 1093 Passed Sets up court procedures to withhold income tax refunds for unpaid child support. Chapter 1010
- SB 1117 Passed Requires statewide plan to provide health services for migratory workers, Indians, rural areas, and urban primary care clinics. Chapter 1295
- SB 1213 Passed Requires court to consider an age increase factor in determining child support awards. Operative July 1, 1984. Chapter 1304
- SB 1225 Passed Requires that starting September 1, 1984 teachers in child development programs will be mandated to take and pass within 2 years a basic skills test in order to be paid. Chapter 536

COLORADO

- HB 1001 Passed Concerning issuing restraining orders and emergency  
Signed & protection orders to protect a child-victim from an  
effective unlawful sexual offense.  
3/22/83
- HB 1006 Passed Concerning licensing family care homes and child care  
signed & centers. (Provides additional criteria for denial,  
effective suspension, revocation, probation or refusal to renew a  
5/31/83 license.)
- HB 1014 Passed Concerning failing to report child abuse or neglect.  
signed (Increases the penalty for failure to report; establishes  
4/27/83 that the reporter shall not be subject to termination of  
employment as a result of the report.)
- HB 1017 Passed Concerning pimping.  
signed &  
effective  
3/23/83
- HB 1019 Passed Concerning the competency of children to testify in  
signed & sexual abuse, sexual assault, and incest cases. (Will  
effective make it easier for children under 10 to testify.)  
4/22/83
- HB 1050 Passed Concerning domestic abuse programs and providing for a  
signed voluntary check-off on state income tax returns to pro  
6/31/83 vide funding. Section 1 (Domestic Abuse Program) effec  
tive 7/1/83; Section 2 (Tax check-off), effective 1/1/84.
- HB 1068 Passed Concerning in-service training for school personnel under  
signed & the "Exceptional Children's Educational Act" (provides  
effective state funds.)  
5/17/83
- HB 1073 Passed Concerning powers of school district boards regarding  
signed leasing property.  
4/18/83  
effective  
7/1/83
- HB 1111 Passed Concerning the deletion of the age requirement in defini-  
tion of dependent child.
- HB 1233 Passed Concerning the Children's Code. (Defines "emancipated  
signed minor" for that section only, limits right to jury trial  
5/20/83 in certain hearings; "Miranda rights" may be read to  
effective children in presence of their "physical" custodian; re-  
7/1/83 quires consent of D.A. to continue an adjudicatory hear  
ing; increases penalty for encouraging a child to violate  
law.)

COLORADO - continued

- HB 1344 Passed Presumption of paternity if blood tests are 92% positive or higher.
- HB 1411 Passed Concerning a voluntary adoption registry.  
signed &  
effective  
6/15/83
- HB 1467 Passed Concerning availability for adoption (clarifies that  
signed & child is available after parental rights are relinquished  
effective or terminated under the Uniform Parentage Act.)  
5/2/83
- SB 11 Passed Concerning admissibility in evidence in a criminal or  
signed & civil proceeding of statements made by a child victim of  
effective an unlawful sexual offense. (Concerns hearsay evidence  
5/25/83 re: statements of a child with jury to be instructed re:  
credibility.)
- SB 26 Passed Concerning sexual offenses against children, and in con-  
signed & nection therewith creating new offenses and providing for  
effective the prosecution and sentencing of offenders.  
6/15/83 --makes sexual assault on a child by a person in a "posi-  
tion of trust" a class 3 felony.  
--sex offenses shall take precedence before the Court.  
--eliminates patient-physician and husband-wife eviden-  
tiary privileges.  
--permits court to admit video-tape deposition of a  
child.  
--convicted offender may be ordered to pay treatment  
costs of victim(s).  
--redefines incest and aggravated incest and increases  
penalties.  
--gives Court option of suspending part of sentence if  
offender satisfactorily completes treatment program;  
Court may sentence offender to a period of probation for  
treatment.
- SB 51 Passed Mandatory wage assignment
- SB 70 Passed Concerning the inclusion of step-children under  
signed & emergency protection orders to ; event domestic abuse.  
effective  
4/29/83
- SB 107 Passed State income tax intercept.
- SB 111 Passed Concerning signed provision of mental health services to  
Signed & minors.  
effective  
2/7/83

COLORADO - continued

- SB 129 Passed Concerning signed the inclusion of a vocational compo-  
Signed & nent in plans relating effective to the placement of  
effective children (older children).  
5/20/83
- SB 286 Passed Concerning the alternative of Joint Custody of a child  
signed under the "Uniform Dissolution of Marriage Act".  
6/10/83
- 

CONNECTICUT

- HB 5110 Passed Automatic income withholding. (83-400)
- HB 6321 Passed An act concerning the processing of children arrested for  
serious juvenile offenses.
- HB 6324 Passed An act concerning the interstate rendition of juveniles  
alleged to be delinquent.
- HB 6845 Passed Security for alimony and child support and registration  
and foreign enforcement of support orders. (83-527) (A  
section of RURESA that Connecticut had not previously  
adopted.)
- HB 7108 Passed Fees in non-AFDC child support cases. (83-196)
- HB 7125 Passed An act concerning information required in a petition  
seeking termination of parental rights.
- HB 7126 Passed An act concerning the voluntary termination of parental  
rights.
- HB 7128 Passed An act requiring court to consider and make certain find-  
ings when terminating parental rights.
- HB 7130 Passed An act adding a fifth ground, relating to rehabilitation  
of parents only applying in the Superior Court, to termi-  
nate parental rights.
- HB 7235 Passed Allows 17 year olds to donate blood without parental  
consent.
- HB 8009 Passed An act concerning notice and hearing procedures in the  
termination of parental rights.
- SB 826 Passed Requires law enforcement officials, courts, school per-  
sonnel and all state agencies providing human services to  
cooperate in prevention of child abuse. (83-43)
- SB 884 Passed An act concerning temporary custody and removal of  
parents as guardian of the person.

DELAWARE

HB 132	Signed	New standards for eye treatments of newborns.	7/11/83
HB 276	Signed 7/19/83	Uniform Parentage Act.	
SB 49	Signed 6/9/83	Foster Care Review Act creates an administrative board.	
SB 143	Signed 7/6/83	State Income Tax refund intercept.	
SB 154	Signed 7/19/83	Certain schools may provide program for voluntary fingerprinting of school children.	
SB 160	Signed 6/25/83	Handicapped children, their education and records on them	
SB 203	Signed 6/27/83	Authorizes wage attachment.	
SB 209	Signed 7/12/83	Authorizes 8% increase in AFDC payments.	
SB 248	Signed 7/11/83	Wage attachment amendments to make it mandatory in child support cases.	
SB 255	Signed 7/6/83	Creates Department Services for Children, Youth and Families.	
SB 322	Signed 7/19/83	Clarifies responsibilities of the agency to provide protective services to the mentally retarded.	
Senate Resolution #63	Passed 6/8/83	Designates August 1983 as "National Child Support Enforcement Month."	

FLORIDA

- HB 71      Approved    Law enforcement officials must follow certain rules when  
5/16/83      given a missing child report.
- HB 208     Effective    Changes requirement for certain dependency orders.  
10/1/83
- HB 225     Approved    Bicycle safety act.  
6/3/83
- HB 463     Approved    Public schools can assist students with administering  
6/13/83      prescription medication.
- HB 1093    Effective    Adoption of special needs children.  
10/1/83
- HB 1117    Approved    Sets standards for child care facilities.  
6/24/83
- HB 1267    Effective    Expands facilities for care to dependent children.  
10/1/83
- SB 2-C     Effective    Education reforms. Sets rules for Florida Quality  
7/19/83      Instruction Incentives Council.
- SB 3-B     Effective    Exempts certain organizations that provide  
6/30/83      educational/social benefits to minors from sales taxes.
- SB 6-B     Approved    Education of school children K-12.  
7/12/83
- SB 182     Effective    Prohibits using any child under 18 for sexual performance  
10/1/83      or conduct, and provides for penalties.
- SB 286     Effective    Raises the age from 17 to 18 that a minor is protected  
10/1/83      from harm, which includes some forms of sexual exploita-  
                 tion when it is considered as a whole, without serious  
                 literary, artistic, political or scientific value for  
                 juveniles.
- SB 452     Effective    Established a program to locate missing Florida school  
6/23/83      children in kindergarten through 12th grade in the Divi-  
                 sion of Criminal Justice Information Systems through al-  
                 lowing dental records to go into the information system.
- SB 626     Effective    Florida Runaway Youth & Family Act to aid runaways and  
6/22/83      families.
- SB 1065    Approved    Insurance coverage for handicapped children.  
6/24/83

GEORGIA

- HB 58      Effective 7/1/83      Amends O.C.G.A. Section 15-11-16, so as to provide that disposition of an unruly or delinquent juvenile may be made by a juvenile court other than the juvenile court of the county where the juvenile resides if such other juvenile court finds that the nonresident child has committed an unruly or delinquent act and that the court has jurisdiction over one or more other children who reside in the county who also participated in the same delinquent or unruly act.
- HB 72      Effective 3/15/83      Amends O.C.G.A. Section 16-9-20, so as to provide that a bad check issued for child support is issued for "present consideration" so that the issuance of such a bad check constitutes the criminal offense of issuing a bad check.
- HB 222      Effective 5/16/83      Amends O.C.G.A. Section 19-9-1, so as to provide that in divorce cases and change of custody cases involving the custody of a child aged 14 or older the court may issue a temporary order granting custody to the parent selected by the child for a trial period not to exceed six months.
- HB 325      Effective 7/1/83      Revises procedures for garnishment and orders to withhold and deliver by the Department of Human Resources under the "Child Support Recovery Act." Provides for a fee scale for child support recovery services in non-AFDC cases and provides that district attorneys who contract to provide child support recovery services shall not be required to handle non-AFDC cases.
- HB 391      Passed      Directs the State Board of Education and the commissioner of public safety to jointly establish an alcohol and drug education course for use in public schools. Provides that on and after January 1, 1985, a person under 18 years of age may not be issued a driver's license unless he has completed this alcohol and drug education course.
- HB 429      Effective 7/1/83      Amends O.C.G.A. Section 16-12-100, relating to unlawful use of minors in materials involving sexually explicit conduct, so as to change the definition of the term "minor" to include for this purpose persons under the age of 18 years and so as to expand the type of conduct prohibited to include plays, dances, and other live performances.
- Repeals O.C.G.A. Sections 16-12-110 et seq., and inserts new O.C.G.A. Sections 16-12-101 et seq., containing revised provisions relative to prohibited distribution of obscene materials to persons under the age of 18.



IDAHO

HB 218	Passed	Supportive adult may accompany a child when the child must testify in a criminal case.
HB 258	Passed	Strengthens penalties for commercially exploiting a minor.
Sb 1146	Passed as Amend.	Person under 19 can have driver's license suspended for violating law relating to alcoholic beverages.

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ILLINOIS

HB 1	Enacted	Child restraint seats for children under 5 years of age.
HB 373	Passed	Requires day care centers to keep attendance records and keep list of who can pick up children.
HB 495	Passed	Redefines day care agency in Child Care Act.
HB 537	Passed	Establishes \$2 check off of Children's Trust Fund.
HB 538	Passed	Provides backup details for Children's Trust Fund; State will set up 5 demonstration facilities.
HB 539	Passed	Allows affirmative defenses to child pornography charges under a few conditions.
HB 863	Passed	Fingerprinting of minors for identification purposes.
HB 1178	Passed	Before and after school programs for students in kindergarten through 6th grade.
HB 1285	Passed	Adds section 6.06 to the Hospital Licensing Act. Sets regulation and standards for the proper identification of newborn infants.
HB 1311	Passed	Allows an increase in state reimbursement to county for shelter care.
HB 1873	Passed	Amends Section 2.17 of the Child Care Act of 1969 in relation to adoption and foster family homes.
HB 1922	Passed	Allows advance reimbursements for youth service and placement.
HB 2058	Enacted	Sets maximum of \$400/admission for in patient services in medical assistance article.
HB 2201	Passed	Transfers the Child and Adolescent office in the Department of Mental Health and Developmental Disabilities from the central office to the Institute of Juvenile Research.

ILLINOIS - continued

- SB 290 Enacted Interspousal privileges in court don't apply when interest of child is included and it's a custody case.
- SB 437 Passed Sec.6-16 and 6-20 Liquor Control Act to prohibit consumption of alcohol by persons under age of 21.
- SB 463 Passed Sec.10-20.13 Amendment to "School Code" to waive all school fees for children whose families cannot afford them.
- SB 521 Passed Creates the Abortion Act of 1983. Requires parental consent for minors to receive an abortion.
- SB 538 Passed Creates teams to advise, review and monitor child abuse and neglect cases.
- SB 597 Passed Secs. 14-1.09 and 21-7.1 Amendment to "School Code," mandatory academic requirements or work experience for school psychologists.
- SB 1059 Passed Sec. 12-8 and 12-9. Amends "Public Aid Code" to describe uses of Public Assistance Emergency Revolving Fund and uses of Public Assistance Recoveries Trust Fund. It allows payment from funds to former AFDC recipients for child support.
- SB 1333 Passed Automatic wage assignment, to secure support payments.
- SB 1343 Passed Sec. 2-121 Amends "Illinois Pension Code" to clarify eligibility of widows' and widowers' annuity.

INDIANA

HB 1132	Passed	Allows children of volunteer firefighters who are killed in the line of duty to attend state-supported colleges or universities tuition free.
HB 1205	Passed	Allows state agency to apply for interest charges on child support payments.
HB 1643	Passed	Clarifies what sexual exploitation of minors is.
HB 1764	Passed	Establishes fees for children who participate in a program of informal adjustment.
HB 1820	Passed	Child custody rules for court to follow, restitution rules for child under supervision and rules for CHINS.
HB 1880	Passed	Changes penalty for disclosing confidential information in adoption cases.
SB 4	Passed	Raises minimum age of minors to buy tobacco.
SB 34	Passed	Grandparent visitation rights.
SB 122	Passed	Amends detention time for runaways from 48 to 24 hours.
SB 172	Passed	Requires motorcycle helmets to be worn by minors and requires vehicle child restraint device.
SB 176	Passed	Amends Uniform Child Custody Jurisdiction Act to provide Indiana Courts with jurisdiction over child custody and support cases in specific circumstances.
SB 345	Passed	Allows school corporations to place students in alternative or adult classes.
SB 380	Passed	Mandatory wage assignment to enforce child support orders.
SB 381	Passed	Genetic testing for parentage.
SB 403	Passed	Establishes state-funded college work-study program.
SB 418	Passed	Amends child abuse and neglect laws to include handicapped children being deprived of necessary nutrition or necessary medical or surgical intervention.
SB 566	Passed	Changes amounts of public assistance and extends contracts with private parties.

IOWA

- SF 496 Passed Separates the offense of admitting minors to premises where obscene material is exhibited into 2 categories. Under this law, penalty for admitting a minor under age 14 is increased to an aggravated misdemeanor. Also creates new offense of promotion of child pornography to a class "D" felony with maximum penalty of 5 years in prison and \$1,000 fine.
- SF 541 Passed Provisions of Department of Social Services on: medical assistance; AFDC; foster care.
- HF 214 Passed Provides immunity from liability to any person aiding or assisting an investigation of a child abuse report.
- HF 528 Passed Provides for restitution for juvenile delinquent acts.

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KANSAS

- HB 2008 Passed Several substantive amendments in statutes relating to effective rape and other sex offenses.  
7/1/83
- HB 2099 Passed Relating to the procedures for filing for adoption.  
effective  
7/1/83
- HB 2131 Passed Deals with divorce and child custody (includes joint custody).
- HB 2379 Passed Worker compensation. The definition of wholly dependent child is clarified.
- SB 105 Passed Amends the Kansas code for care of children, and Juvenile effective Offenders Code.  
7/1/83
- SB 177 Passed Due process hearings regarding educational placements of effective exceptional children.  
7/1/83

LOUISIANA

HB 270	Passed	Juvenile commitments; provides a time limitation of the term of probation.
HB 296	Passed	Adoption; provides with respect to an investigation and report when the petitioner is the stepparent of the adoptee.
HB 367	Passed	Illegitimate, acknowledged; custody/co-tutorship.
HB 479	Passed	State income tax refund intercept.
HB 541	Passed	Gifts to minors; to make references to the age of majority consistent with general law.
HB 642	Passed	Hunting license, big game; repeals requirements for license.
HB 649	Passed	Adoption; provides that a person petitioning for adoption of a child surrendered for private adoption may obtain a final decree.
HB 691	Passed	Joint Custody.
HB 994	Passed	Adoption; additional venues, prior proceeding or event
HB 1119	Passed	Foster care; provides certain time allotments for the completion of applications and background and fitness investigations of prospective foster parents.
HB 1137	Passed	Legitimation; deletes certain restrictions on legitimation by notarial act.
HB 1138	Passed	Illegitimate; repeals law which prohibited acknowledged illegitimate children from claiming the right of legitimate children.
HB 1140	Passed	Louisiana Children's Trust Fund; creation; monies to be used solely for programs designed to prevent the physical and sexual abuse of and gross neglect of children.
HB 1269	Passed	Infant death; requires autopsies to be performed in all cases of unexpected, unexplained deaths of infants under one year of age.
SB 3	Passed	Felony conviction shall be grounds of disinheritance (the act of disinheritance).
SB 116	Passed	Pornography with juveniles; redefines crime.
SB 546	Passed	Foster care; provides for the creation of local and state citizen review boards.

MAINE

SB 110	Passed	Discretionary wage withholding.
C. 137	Enacted	An Act to amend the statutes relating to coordination services for preschool handicapped children.
C. 183	Enacted	An Act to establish guidelines for guardians ad litem appointed under the Child and Family Services and Child Protection Act.
C. 184/ 354	Enacted	An Act amending the Child and Family Services and Child Protection Act.
C. 185	Enacted	An Act to promote early permanency for children subject to a protection order.
C. 195	Enacted	An Act concerning visitation rights for parents and 3rd persons with children involved in divorce or custody proceedings.
C. 239	Enacted	An Act to protect the health of children by prohibiting the free distribution of cigarettes.
C. 299	Enacted	An Act requiring motorists to protect children in motor vehicles by use of approved child safety seats.
C. 343	Enacted	An Act to amend the reporting requirements in cases of death due to abuse or neglect.
C. 353	Enacted	An Act to designate the Division of Eye Care as the agency for the provision of certain services to blind children.
C. 386	Enacted	An Act to amend the statutes governing the licensing and approval of adult and child care programs.
C. 478	Enacted	An Act to deter drinking and driving by teenagers.
C. 525	Enacted	An Act relating to the education of dependent children.
C. 539	Enacted	An Act to provide advocacy services to residents of children's homes.
C. 564	Enacted	An Act relating to joint custody.

MARYLAND

- HB 229    Enacted    State Office for Children and Youth: Continues the Office for Children and Youth from June 30, 1983 to July 1, 1994; and alters the duties of the Director and Advisory Committee of the Office and of the local children's councils. Chapter 190
- HB 250    Enacted    Regional Institute for Children and Adolescents - Citizens Advisory Board: Provides for the number, qualifications, terms and appointments of members from Calvert, Charles, St. Mary's and Prince George's counties to the Board for the Regional Institute for Children and Adolescents in Prince George's County. Chapter 412
- HB 463    Enacted    Child Abuse: Expungement of Report: Requires local departments of social services to expunge a report of suspected child abuse five years from the date of the report if after investigation, child abuse is ruled out and no further reports are received. Article 27, Section 35A affected. Chapter 681
- HB 879    Enacted    Motor Vehicles - Child Safety Seats:  
Effective    Requires that any person transporting a child under the  
Jan. 84      age of 5 in a Class A (passenger) or Class M (multipurpose) vehicle position and secure the child in a child safety seat, properly fastened seat belt or combination seat belt-shoulder harness. Chapter 286
- HB 973    Enacted    Juvenile Services Administration - Educational Programs Funds: Provides that funds for the operation of the educational programs in state juvenile residential institutions shall be provided in the budget of the Juvenile Services Administration and not in the budget of the State Department of Education; and requires the Juvenile Services Administration to develop and provide appropriate educational programs designed to meet the needs of the population within each state juvenile residential institution under the jurisdiction of the Juvenile Services Administration. Chapter 465
- HB 1366    Enacted    Creation of a State Debt - The Benedictine School: Authorizes a State Debt of \$25,000 for the Benedictine School for Exceptional Children, Inc., to construct and acquire transition homes for mentally handicapped citizens, if the Benedictine School provides that no proceeds of the loan or the matching funds may be used for religious purposes. Chapter 488

MARYLAND - continued

- HB 1395 Enacted Child Abuse: Removal by the Court Child Protection: Expands the definitions of "neglected child" and "abused child" to include a child who is in potential danger; authorizes any person who has a reasonable belief that a child is neglected to file a report with a local social services department; immunizes a person who makes a good faith report of suspected neglect from criminal as well as civil liability; provides that child abuse and neglect records and reports are confidential, and makes disclosure in any but specified circumstances a criminal offense. Chapter 492
- SB 214 Enacted Creation of a State Debt - John F. Kennedy Institute for Handicapped Children: Authorizes a state debt of \$1.3million for the John F. Kennedy Institute for Handicapped Children to expand and modernize the Institute if the Institute provides matching funds. Chapter 15
- SB 504 Enacted Maryland Training School for Boys: Provides for the appointment of a Maryland Training School for Boy's Citizen's Advisory Committee; describes the powers and duties of the committee; and provides that the Act will sunset on July 1, 1987. Chapter 136
- SB 816 Enacted Access to Juvenile Records: Grants the Maryland Parole Commission access to or use of any juvenile record when the Commission is carrying out its statutory duties at the direction of a court of competent jurisdiction or if the record concerns a charge or adjudication of delinquency; allows the Maryland Division of Correction access to and use of any juvenile record when the Division is carrying out any of its statutory duties if the record pertains to a person committed to the Division's custody and the record involves an adjudication of delinquency. Chapter 164
- SB 870 Enacted Juvenile Causes - Master - Prince George's County: Clarifies and provides that judges of the Circuit Court of Prince George's County may appoint masters for juvenile causes for the purpose of conducting probable cause hearings, detention hearings, arraignments, and restitution hearings in juvenile cases, and shelter care and adjudicatory hearings in child in need of assistance cases; and clarifies and provides that a master may not conduct adjudicatory or disposition hearings in delinquency cases. Chapter 559

MASSACHUSETTS

H 1711 Passed Amendment to an act increasing liability for the willful acts of certain minor children. Chapter 97

H 2374 Passed An act clarifying notice and hearing on the emergency transfer of custody of children in need of services. Chapter 182

H 6049 Passed An act relative to the reporting of certain cases of child abuse. Chapter 288

S 275 Passed An act relative to venue for certain sexual offenses with feebleminded persons. Chapter 200

S 276 Passed An act relative to unlawfully taking or holding a child outside the commonwealth. Chapter 175

S. 736 Passed An act relative to family day care homes advertising. Chapter 311

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MICHIGAN

HB 4100 Signed Criminal statutes amended including kidnapping, makes  
8/18/83 some felonies

HB 4597 Passed "Sleeper income assignment" (automatic). (Public Act No.  
108.)

HB 5257 Passed Fees to Clerk of Court in child support cases. (Public  
Act 297.)

HB 5258 Passed Provides financing for Friend of the Court. (Public Act  
298.)

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MINNESOTA

HF 79 Passed Requires orders of reference for juveniles who have been  
previously referred from juvenile court. Chapter 25

HF 90 Passed Requires child restraint systems for children under 4 in  
vehicles on streets and highways. Chapter 261

HF 114 Passed Prohibits promotion of minors to engage in sexual  
performance. Also prohibits dissemination and possession  
of works depicting minors in sexual performance. Chapter  
217

HF 159 Passed Requires school boards to adopt and review discipline  
policies. Chapter 163

MINNESOTA - continued

HF 576	Passed 3/24/83	Provides health and accident insurance coverage for adopted children.
HF 667	Passed	Provides leave of absence for adoptive parents. <u>Chapter 266.</u>
SF 44	Passed	Requires child support for individuals under 20 years of age who is still attending secondary school. <u>Chapter 144</u>
SF 50	Passed	Provides for new crimes relating to abuse or neglect of children. <u>Chapter 217</u>
SF 61	Passed	Defines persons responsible for a child's care under Child Abuse Reporting Act; clarifies investigative authority of welfare agencies in making mandatory investigations of physical or sexual abuse and neglect. <u>Chapter 345</u>
SF 87	Passed	An act relating to public welfare; exempting determinations eligibility for day care and foster care licenses from application of the Minnesota criminal offenders rehabilitation law.
SF 233	Passed	Requires annual reports on the personal well being of wards or conservatees, reports to be filed guardian or conservator. <u>Chapter 51</u>
SF 337	Passed	Requires driver's licenses of distinguished colors for persons under 19 years of age. <u>Chapter 272</u>
SF 462	Passed	Authorizes employment of persons under 18 in establishments licensed to sell wine only. <u>Chapter 275</u>
SF 527	Passed	Prohibits retaliation against individuals who comply with child abuse reporting act. <u>Chapter 221</u>
SF 723	Passed	Provides guidelines for considering race and ethnic origin in foster care and adoption placement. <u>Chapter 278</u>
SF 1152	Passed	Provides for modification of child support orders. <u>Chapter 283</u>
Ch. 312, Art. 2		Child Care Entitlement.

MISSISSIPPI

HB 114	Passed	Requires all motor vehicles to use child restraint devices for children under 2 years of age.
HB 218	Passed	Grandparents visitation rights.
HB 559	Passed	To provide that traffic laws apply to bicycles.
HB 670	Passed	Requirements to provide safe temporary housing for victims of domestic violence, allows funding from municipalities and counties, requires annual reports.
HB 687	Passed	Authorizes state financial assistance to exceptional children attending speech, hearing, and/or language clinics.
SB 2130	Passed	Authorizes award of joint custody (if in best interest of child).
SB 2194	Passed	Allows any city in certain counties to create a youth court division as a division of municipal court.
SB 2203	Passed	To prohibit sale of hearing aids to minors unless they have been examined by a physician in previous 6 months; includes other requirements of registering and licensing hearing aid dealers.
SB 2338	Passed	Empowers State Department of Public to establish Child Support unit.
SB 2345	Passed	Changes Mississippi's code of health in following way: "venereal disease" to "sexually transmitted disease"; removes age requirements from sickle cell testing program; clarifies requirements for change of birth records.
SB 2390	Passed	Provides definition of which individuals are qualified to medical assistance under MS medicaid law (includes children and youth in foster care).
SB 2699	Passed	Makes killing during sexual battery murder; defines sexual battery penalties for children under 12 years old.

MISSOURI

- HB 29 Passed Requires passenger restraint systems for children under effective 4 years of age.  
9/28/83
- HB 256 Passed Creates Children's Services Commission to review laws, effective regulations and policies relating to children  
9/28/83
- HB 550 Passed Children's Trust Fund bill.  
effective  
9/28/83
- SB 44 Passed Comprehensive revision of the probate code as it relates to 45 effective guardianship.  
9/28/83
- SB 94 Passed Defines joint custody and rules for determining child effective custody.  
9/28/83
- SB 368 Passed Sets rules for transferring a juvenile to adult court.  
effective  
9/28/83

MONTANA

HB 24	Passed	Community-based residential services for youth is placed in Department of Social & Rehabilitation Services.
HB 61	Passed	Allows victims of incest and deviate sexual conduct to be video taped.
HB 119	Passed	Guidelines for setting support.
HB 376	Passed	Grandparent visitation rights if in child's best interest.
HB 420	Passed	Sanitation rules for youth camps.
HB 455	Passed	Increases the age limit of children excluded from the definition of employment in the unemployment compensation law.
HB 562	Passed	Redefines incest to include contact with stepchild who has not been adopted.
HB 800	Passed	Establishes youth conservation corps in Department of Labor & Industry.
HB 856	Passed	Allows limited emancipation of those under 16 years of age who are abused, neglected or dependent.
SB 14	Passed	Clarifies termination of parent/child relationship.
SB 22	Passed	Child safety seats for children under 4 years old.
SB 168	Passed	Six-month commitment of youth to Department of Institutions may be extended if court ordered.
SB 177	Passed	Federal exemptions outline what funding sources may be used to satisfy child support orders.
SB 20u	Passed	Department of Health & Environmental Services may implement program to promote maternal/child health and handicapped children's services.
SB 226	Passed	A hearing may be continued on a youth court petition regardless of whether or not for the youth is in custody.
SB 324	Passed	Creates Montana Youth Treatment Center.
SB 352	Passed	Expands the foster care review committee to include a foster parent of a child whose care is under review.
SB 371	Passed	14-year old child who desires to modify child custody decree may have it done if it is in the child's best interest.

NEBRASKA

LB 79	In General File	If victim is under 16 years of age and perpetrator is 19, sexual assault is illegal. Penalties are provided based on degree of serious personal injury to victim.
LB 130	In General File	Licenses early childhood programs, day care and other programs and facilities.
LB 138	Passed	Custody provisions outlined in divorce cases.
LB 146	Passed	Provides for adopting a child born in foreign country.
LB 306	Passed	Children under 4 years of age must travel in a child restraint seat.
LB 371	Passed	Child support, use income tax refunds. Interest on child support arrearages; voluntary wage withholding; authority to contract with private attorneys for services.
LB 414	Passed	Neonatal screenings, testing for certain conditions and disorders.
LB 415	Passed	Welfare of dependent or neglected children.
LB 417	Passed	Fees to department for non AFDC cases.

NEVADA

- AB 180 Passed Changes duties of clerks relating to judgements and pro-effective vides for fees for non-AFDC cases.  
7/1/83
- AB 189 Passed Enhances the penalties associated with child pornography.
- AB 307 Passed Children under 5 years of age must be secured in a federally approved restraining device while traveling in a motor vehicle.
- AB 389 Passed Provides a second degree murder penalty for a person convicted of selling a controlled substance to a minor if the minor dies of an overdose from that substance.
- AB 391 Passed Sections 34.4, 34.6, and 34.8 exempts a child who is employed as a performer in a motion picture or television commercial from the state's child labor laws.
- AB 582 Passed Provides a procedure to enable a parent or guardian of a minor to obtain a card from a law enforcement agency containing the child's fingerprints to help identify the child if he is lost, kidnapped, or killed.
- ACR 47 Passed Directs legislative commission to study means to aid abused and neglected children.
- SB 20 Passed Guidelines for the court to follow in the payment of judgements in favor of minors.
- SB 45 Passed Broadens the scope of the Nevada Uniform Gifts to Minors Act to include real property and tangible personal property.
- SB 340 Passed Unemployment compensation benefits intercept for child support obligations.
- SB 472 Passed Clarifies and revises various provisions relating to the establishes the relationship of parent and child and the support obligation.

NEW HAMPSHIRE

- HB 62      Enacted      Requires the use of child passenger restraints in certain  
w/o            motor vehicles for children under 5 years of age.  
Governor      Chap.45 of 1983 Laws  
signature
- HB 137      Enacted      Sunset review of the Department of Health & Welfare, Di-  
                  vision of Welfare, clarifying the rule making authority  
                  of the Division of Welfare, requiring cost control re-  
                  ports and creating a joint committee on health care  
                  costs. Chapter 242.
- HB 384      Enacted      Establishes a task force to design a cooperative system  
                  of placement for children.Chapter 113.
- HB 393      Enacted      Changes minimum wage for youth to 17 or older. Chapter  
                  267.
- HB 655      Enacted      Rules and regulations governing beano at campgrounds and  
                  hotels and beano for children.Chapter 188.
- HB 658      Enacted      Special education for educationally handicapped minors.  
                  Chapter 458.
- HB 729      Enacted      Naming of children and parents on birth certificate.  
w/o            Chapter 370  
Governor  
signature
- HB 774      Enacted      Inheritance of children of unwed parents. Chapter 181.
- HB 831      Enacted      Transfers the licensing of child care agencies from the  
                  Division of Welfare to the Department of Health &  
                  Welfare. Chapter 465.
- SB 6        Enacted      Endangering the welfare of a child, under 18 years, or  
                  incompetent. Inserts Chapter 649-A-Child Pornography;  
                  to facilitate the prosecution for sexual exploitation.  
                  Chapter 448.
- SB 46        Enacted      Establishes a Division for Children & Youth Services and  
                  making an appropriation therefor and establishing a De-  
                  partment of Administrative Services. Chapter 416.

NEW JERSEY

- SB 888 Signed 1/21/83 New Jersey Parentage Act (same intent as Uniform Parentage Act).
- SB 889 Signed 1/19/83 Provides for amendments to State registrar after parentage established.
- SB 1573 Signed 8/4/83 An abused child taken out of the home--if medical treatment is needed, the state can authorize it. Chapter 290.
- PL 1983 Passed Children under 5 years of age use restraints in cars. Chapter 128
- PL 1983 Passed Permits minors under 16 years of age, with the parents' permission, to be employed in any type of domestic service, in a residence other than their own home. Chapter 196
- PL 1983 Passed Establishes a birth defects registry with the Department of Health. Chapter 291
- PL 1983 Passed Provides that the parents or guardians of a minor who vandalizes public or nonpublic school property shall be liable for the amount of the damage done. Chapter 302
- Joint Resolution No. 5 Passed PL 1983. Creates a commission to study services and programs available to hearing impaired children.

NEW MEXICO

HB 2	Enacted	Increases available AFDC money to meet current economic situation. Provides funding for prenatal care. Funding for beds for youth who need residential treatment for substance abuse. Appropriation for childhood mental health program.
HB 18	Enacted	Employer can be required to deduct up to 50% of a check from delinquent parent owing child support payments.
HB 19	Enacted	Worker's Compensation can be garnisheed for delinquent child support payments.
HB 136	Enacted	Funding for a children's hospital. Funding for secure treatment facility for severely mentally disordered youth.
HB 148	Signed 4/5/83	Establish joint interim legislative committee called Children and Youth Study Committee to examine laws on funding delivery of services, etc. for recommendation to next legislature. <u>Chapter 167.</u>
HB 183	Enacted	Provides tax credits to corporations who provide child care for their employees.
HB 186	Enacted	Extends voluntary child placement from 90-180 days and another 180 days until court review.
HB 187	Enacted	Includes maximum level for income for eligibility for child day care services in their AFDC Worker Incentive Act.
H 229	Enacted	Changes funding of Shelter Care Act from Department of Corrections to Department of Human Services. It consolidates several programs, too.
HB 313	Enacted	Parents may now present evidence on their behalf when their rights may be terminated and the child could be put up for adoption.
HB 347	Enacted	Duty to report child abuse and neglect, and penalties for failure to report.
HB 352	Enacted	Foster parents are protected as if they were public employees.
HB 353	Enacted	Court hearing is required to ensure that a child is not returning to a harmful environment when the child had been taken away from abusive parents.
SB 50	Enacted	Children under 5 years of age must wear child safety restraint seat.

NEW MEXICO continued

- SB 70      Enacted      Relating to corrections; making an appropriation for a wilderness program for juvenile offenders. Appropriations from the general fund to the corrections department in the sum of \$50,000 for the fiscal year.
- SB 159     Enacted      Provides independent and objective monitoring of children placed in custody of the Department of Human Services.
- SB 190     Enacted      Strengthens childrens rights when they are committed to residential treatment for mental health or developmental disabilities.
- SB 204     Enacted      Relating to parental liability for damage or damages of property by a child.
- SB 234     Enacted      Relating to the Detention Facility Grant Fund.  
\$4,000,000 is appropriated from the general fund to the Detention Facility Grant Fund.

NEW YORK

AB 233 Passed Allow the age limit for foreign adoptions.

AB 494A Passed Sale of products made by Division for Youth residents.

AB 1057A Passed Child restraint exemption for handicapped children.

AB 2065 Passed Participation in athletic programs.

AB 2083 Passed Immunity from liability for child protective services.

AB 2279 Passed Information about adoption subsidies.

AB 4114 Passed Adoption subsidies. Requires, rather than authorizes, social services officials to make monthly payments to the parents of an adopted handicapped or hard-to-place child, for the care and maintenance of such child.

AB 4287 Passed Paternity long arm amendment.

AB 4288 Passed Requires obligor to report any change in employment status.

AB 4290 Passed Increased penalty for buying alcoholic beverages for minors.

AB 4297 Passed Review procedures for lengthy foster care placements.

AB 5264-B Passed Provides for protection orders for child before investigation of allegations.

AB 5494B Passed Amusement ride safety.

AB 5129 Passed Housing discrimination against persons with children.

AB 6272 Passed Stays of order in child protective proceedings.

AB 6522A Passed Comprehensive plans for youth services.

AB 7021 Passed Mental health services for minors.

AB 7085 Passed Registry of persons applying to adopt hard-to-place children.

AB 7097A Passed Creates a planning and referral process for handicapped children, placed in residential facilities in the State by either the State Education Department or the Department of Social Services who will require continued services after they have attained the age of 21.

AB 7301A Passed Acceptance of an admission in juvenile delinquency cases.

SB 136-A Passed Court jurisdiction over visitation of minors.

NEW YORK - continued

SB 248	Passed	Authorizes the Department of Social Services to establish a pilot program of group family day care.
SB 316-A	Passed	Flexible schedule for day care.
SB 413-A	Passed	Removable safety seats for certain omnibuses.
SB 636	Passed	Consent in private placement adoptions.
SB 637-A	Passed	Consent to adoption.
SB 2191B	Passed	Mandatory seat belts for children.
SB 2351-A	Passed	Paternity statute of limitations.
SB 2568A	Passed	Transportation of certain handicapped pupils.
SB 2992A	Passed	Division for Youth (DFY) access to child abuse information.
SB 2993B	Passed	Parole and temporary release for juvenile offenders.
SB 3009	Passed	Licensing exemption for out-of-state adoption agency.
SB 3247	Passed	Interest rates applicable to judgments.
SB 3249	Passed	Technical correction regarding a neglect petition.
SB 3307-A	Passed	Increased amount of restitution by juveniles.
SB 3548A	Passed	Maintenance and medical subsidies for certain adopted children.
SB 3650	Passed	Provides for commencement of paternity proceedings despite inability of mother to appear.
SB 3678-A	Passed	Provides for evidentiary use of HLA test in paternity.
SB 4205A	Passed	Transfer of juvenile offenders to the Office of Mental Health.
SB 4340	Passed	Absconding from Division of Youth temporary release programs.
SB 4691A	Passed	Medical histories of adopted or foster children.
SB 4817	Passed	Redefines and expands upon the provisions governing parental obligations for child support as described in the Domestic Relations Law and the Family Court Act.

NEW YORK - continued

- SB 4927 Passed Adoption information registry. Requires the Department of Health to establish an adoption registry to accept and maintain the verified registration of an adoptee or his/her adoptive parents or of the natural parents of the adoptee.
- SB 5361 Passed Technical changes concerning certain services for disabled students.
- SB 5558 Passed Remedy for nonsupport including jail.
- SB 5594 Passed Termination of parental rights of an incarcerated parent.
- SB 6009 Passed Minimum age for newspaper carriers.
- SB 6502B Passed Liability for furnishing alcohol to minors.
- SB 6554 Passed Changes to the 1982 juvenile delinquency recodification.
- SB 6653 Passed Access to records for the Child Welfare Reform Act evaluation.

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NORTH CAROLINA

- SB 89 Passed Provides for establishment of central registry through Clerk of the Court for child support payments.
- SB 90 Passed (Same as above--just extend it to different section of North Carolina laws).

NORTH DAKOTA

HB 1182	Signed 4/5/83	issuance of nondriver photo ID cards to 16 year olds.
HB 1246	Signed 4/6/83	Establish a foster care parent grievance process.
HB 1274	Signed 3/10/83	Visitation rights of grandparents if in best interest of the child and does not interfere with parent/child relationship.
HB 1278	Signed 3/25/83	Changes in penalty for sex crimes involving minors.
HB 1291	Passed	Establishes claim of custody for parentage testing.
HB 1364	Passed	Enforcement of child support obligations and liability for support whether or not an award has been court ordered.
HB 1444	Signed 3/7/83	Juvenile Court - Orders for disposing of deprived child cases.
HB 1454	Signed 4/6/83	Redefine displaced homemaker and clarifies their programs.
HB 1542	Signed 3/7/83	Service of a summons to a juvenile.
HB 1587	Signed 3/15/83	Use of child restraint systems required in certain motor vehicles.
HB 1648	Signed 3/22/83	Handicapped children - relating to the education of children three to six years of age.
HB 1688	Signed 4/14/83	Minority - extension of time limitation                   tion.
HB 2084	Signed 4/8/83	Allows peace officer to make some warrantless arrests in some domestic violence incidents.
SB 2184	Signed 4/6/83	Residency determination and payment of tuition in cases of child placement for purposes other than education.
SB 2306	Passed	Voluntary wage assignment for child support.
SB 2335	Signed 3/23/83	Repeals requirement for child support affidavit when applying for marriage license.

OHIO

- HB 162 Passed Permits persons who are seventeen years old or older to donate blood to voluntary nonprofit blood programs without the consent of parents or guardians.
- HB 291 Passed Eliminates Division of Community Services and Division of Correctional Services and centralizes all of statutory duties of these former departments under Department of Youth Services.
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OKLAHOMA

- HB 1314 Passed State income tax refund intercept.
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OREGON

- HB 2259 Passed New provisions in support enforcement which include allowing for modification of support; and calls for cooperation between all state agencies to provide information pertaining to parentage.
- HB 2260 Passed Automatic assignment of support rights to state.
- HB 2261 Passed Amendments to paternity proceedings (i.e., who may initiate etc.).
- HB 2271 Passed Rules for disclosing child abuse information.
- HB 2717 Passed Juvenile Court records - where they are kept and for how long.
- HB 2936 Passed Rules for when a child can be taken into custody, detained and rehabilitated.
- SB 12 Passed Joint custody.
- SB 140 Passed Family Violence Prevention Program is moved from Department of Human Resources to Children's Service Division.
- SB 505 Passed Adoption petition rules.

PENNSYLVANIA

- SB 21    Passed    Amends Title 75 (Vehicles) of the Pennsylvania Consoli-  
Signed    dated Statutes, requiring certain passenger restraint  
11/1/83    systems for children under the age of five. (Act No. 53)
- SB 522    Passed    Amends the confidentiality section (Section 15) of the  
Signed    Child Protective Services Law, deleting "persons living  
10/21/83    as spouses" from the current definition of family or  
household    members. It no longer restricts records  
              regarding child abuse perpetrated by "household" members  
              who are not members of the family. (Act No. 42)
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PUERTO RICO

- HB 197    Passed    Authorize any minor who has reached 18 years of age to  
Signed    donate blood without having to comply with the  
5/27/83    requirement of prior consent from parents or guardian,  
              provided the minor does not receive money or services as  
              compensation. (Act No. 41)
- HB 753    Passed    Condition the ability of a father or a mother to appoint  
Signed    a testamentary guardian for a minor or an incapacitated  
6/3/83    child on whether or not child is subject to the care of  
              another; establish order of preference when more than one  
              guardian is appointed; provide for guardianship  
              transfers. (Act No. 71)
- HB 754    Passed    Amend Art. 183 of Civil Code to provide that before de-  
Signed    claring incapacity the Court will receive necessary  
5/6/83    proof, "such as report on socioeconomic condition of the  
              ward or the guardian attested by the Special Attorney of  
              Family Relations or by the District Attorney." (Act No.  
              28)
- HB 755    Passed    Amend Article 194 of Civil Code to clarify that the court  
Signed    may appoint a guardian only if there are no legitimate  
5/6/83    guardians nor a testamentary guardian. (Act No. 29)
- HB 757    Passed    Amend Arts. 197 and 198 of Civil Code by eliminating  
Signed    reference to the removal agreement of guardian and  
5/6/83    establishing that removal request may be presented within  
              the same case file concerning guardianship and who may  
              request it. (Act No. 30)
- HB 760    Passed    Amend Article 208 of the Civil Code to grant the guardian  
Signed    the power to correct the ward moderately. (Act No. 74)  
6/3/83