



The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER _____

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR

SENATE BILL 379, as amended

Introduced by



POCKET VETOED

1 AN ACT
2 RELATING TO HUMAN SERVICES; ENACTING THE CHILD CARE
3 ASSISTANCE ACCOUNTABILITY ACT; REQUIRING THE CHILDREN, YOUTH
4 AND FAMILIES DEPARTMENT TO ESTABLISH THE CHILD CARE
5 ASSISTANCE ACCOUNTABILITY PROGRAM; PROVIDING FOR RULEMAKING.
6

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

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

10 "SHORT TITLE.--This act may be cited as the "Child Care
11 Assistance Accountability Act"."

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

14 "DEFINITIONS.--As used in the Child Care Assistance
15 Accountability Act:

16 A. "child care assistance" means financial
17 assistance administered by the department that provides child
18 care for children zero to five as the primary service
19 delivery strategy through a contract with child care
20 providers on behalf of eligible families;

21 B. "child care assistance program" means the
22 statewide infrastructure established by the department of all
23 eligible families and the child care programs receiving child
24 care assistance on their behalf;

25 C. "culturally and linguistically appropriate"

1 means taking into consideration the culture, customs and
2 language of an eligible family; and

3 D. "eligible family" means a family that receives
4 child care assistance through the department."

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

7 "CHILD CARE ASSISTANCE PROGRAM--REQUIREMENTS.--

8 A. The department shall provide a statewide
9 infrastructure for child care providers that accept child
10 care assistance, that shall:

11 (1) establish a consistent statewide system
12 of child care assistance;

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

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

20 (4) follow program standards that specify
21 the purpose, outcomes, duration and frequency of services
22 that constitute the program and that ensure high-quality
23 service delivery based on the New Mexico early learning
24 guidelines and continuous quality improvement, as applicable,
25 taking into consideration child care categories;

1 (5) be designed to promote positive
2 parenting practices, child safety and well-being, early
3 education and an emphasis on school readiness while also
4 supporting working families and families going to school;

5 (6) provide voluntary access; and

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

8 B. The department shall implement a quality
9 improvement system using multiple levels of quality to rate
10 all child care assistance providers and use the ratings to
11 pay higher rates for higher-rated individual child care
12 assistance providers under the child care assistance
13 program."

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

16 "CHILD CARE ASSISTANCE PROGRAM--REPORTING.--

17 A. The department shall convene a group consisting
18 of representatives of the legislative finance committee and
19 the department of finance and administration and child care
20 providers representing various geographical regions of the
21 state, who shall be a majority of the group, to meet and, and
22 in accordance with the provisions of the Accountability in
23 Government Act, to:

24 (1) develop an outcomes measurement plan to
25 monitor outcomes for children and families receiving services

1 through child care assistance programs, taking into
2 consideration child care categories;

3 (2) develop goals and objectives with
4 corresponding indicators that measure each objective
5 established in the outcome measurement plan; and

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

9 B. Beginning December 31, 2016 and annually
10 thereafter, the department shall produce an annual outcomes
11 report for the legislature, the governor and the state early
12 learning advisory council that includes:

13 (1) the goals and achieved outcomes of the
14 child care assistance program implemented pursuant to the
15 Child Care Assistance Accountability Act; and

16 (2) the following data:

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

19 (b) the income levels of families
20 served;

21 (c) the stated reasons that families
22 have applied for child care assistance;

23 (d) the number of children served,
24 including the monthly average and the total served by county;

25 (e) the number and percentage of

1 children receiving child care assistance by quality level and
2 provider type;

3 (f) the average monthly participation
4 by children in the child care assistance program;

5 (g) any evidence of an increase in
6 school readiness, child development and literacy;

7 (h) the number and percentage of
8 children who enter kindergarten ready to learn, as measured
9 by a kindergarten entry assessment;

10 (i) the number and percentage of
11 children receiving regular immunizations;

12 (j) evidence that children receive
13 regular meals;

14 (k) staff retention rates;

15 (l) staff wages;

16 (m) staff certification and education
17 levels; and

18 (n) evidence that families are
19 engaged."

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s/John A. Sanchez
John A. Sanchez, President
Senate

s/Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

s/Don L. Tripp
Don L. Tripp, Speaker
House of Representatives

s/Denise Ramonas
Denise Ramonas, Chief Clerk
House of Representatives

Approved by me this _____ day of _____, 2015

s/Governor Susana Martinez
Governor Susana Martinez
State of New Mexico