

Legislative Wrap-Up

2013 SESSION OF THE RHODE ISLAND GENERAL ASSEMBLY

Selected laws and budget appropriations affecting children in the areas of economic well-being, health, safety, child care and early childhood education, and K-12 education.

ECONOMIC WELL-BEING

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Increases the minimum wage to \$8.00 per hour.
- ◆ Provides \$750,000 in rental assistance to help low-income families afford the high cost of housing.
- ◆ Gives the Office of Child Support Services an additional tool to locate non-custodial parents who are not paying owed child support.

Minimum Wage: The General Assembly approved a 25 cent increase in the minimum wage from \$7.75 per hour to \$8.00 per hour, to take effect on January 1, 2014.

Affordable Housing: The FY 2014 budget includes \$750,000 for rental assistance to provide rental subsidies to low-income individuals and families.

Child Support: Legislation passed that allows the Office of Child Support Services to obtain information from cell phone companies about the location of individuals owing child support.

Payday Lending: Legislation did not pass that would protect borrowers from high-interest payday loans by lowering the allowable interest rate on payday loans to 36% (from the current 260%).

Tenant Protections: Bills that would have provided tenants of foreclosed properties greater protections against eviction by prohibiting the foreclosing owner from evicting a tenant, except for just cause or if another party is purchasing the property did not pass.

Rhode Island Works Program (RI Works): Legislation did not pass that would have:

- ◆ Eliminated the periodic time limit which limits families to no more than 24 months of assistance in any 60-month period. This legislation also would have improved work-readiness by allowing RI Works recipients to fulfill their work requirements by enrolling in adult education work readiness programs for as long as needed.
- ◆ Allowed two-parent families to meet their work requirements for RI Works by either having one parent participate in allowable work activities for 35 hours or by having both parents participate in allowable work activities for a combined total of at least 35 hours.
- ◆ Prohibited the use of EBT cards for the purchase of alcoholic beverages, lottery tickets, tobacco products, and certain other products and services.

HEALTH

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Eliminates monthly premiums for children with RIte Care coverage.
- ◆ Maintains level funding for the Healthy Homes and Childhood Lead Poisoning Prevention Program.

RIte Care Premiums: Effective January 1, 2014, monthly premiums for children with RIte Care coverage will be eliminated, which means that coverage for children will be more affordable and no children will be barred from coverage due to their family's inability to pay.

Rollback of RIte Care Coverage for Parents: Parent eligibility for RIte Care coverage will be rolled back from 175% FPL to 133% FPL, starting January 1, 2014. To help affected parents purchase commercial insurance, a state- and federally-funded premium assistance program will be made available. The Senate also passed a resolution requesting the Rhode Island Health Benefits Exchange and the Executive Office of Health and Human Services produce a report detailing the outcomes of the parent coverage transition.

Medicaid Coverage for Young Adults Who Were Formerly in Foster Care: Per the federal *Affordable Care Act (ACA)*, effective January 1, 2014, young people who "aged out of" the Rhode Island child welfare system at age 18 without having gained permanency will be eligible to retain Medicaid coverage until age 26.

ACA Implementation and State Health Reform: Per the *ACA*, starting January 1, 2014, Medicaid will be available for the first time to adults without dependent children who have income at or below 133% FPL. The General Assembly passed the state *Health Care Reform Act of 2013*, which builds upon existing efforts to reduce costs, improve transparency, promote service delivery innovation, and enhance investments in the state's healthcare system. It also calls for the examination of volume and spending trends for pediatric inpatient and outpatient services, as well as compliance with the federal *Mental Health Parity Act*.

Childhood Lead Poisoning: For the first time, a general revenue appropriation for the Healthy Homes and Childhood Lead Poisoning Prevention Program was included in the FY 2014 budget. This and other one-time contributions will allow the program to maintain level funding.

Special Joint Commissions: Two special joint Commissions concerning health issues were created. A 21-member Commission will be charged with examining the current status of primary care and behavioral health services in the state, as well as efforts to support their integration. A 23-member Commission will study ways to improve the quality of life and create positive outcomes for individuals with Autism Spectrum Disorders and their families.

SAFETY

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Provides DCYF with additional \$5.4 million to support the System of Care transformation.
- ◆ Creates a Behavioral Health and Firearms Safety Task Force to study and make recommendations about state participation in the National Instant Criminal Background Check System.

RI Department of Children, Youth and Families (DCYF) Budget: DCYF was given an additional \$2.4 million in a supplemental FY 2013 budget and \$3 million in the FY 2014 budget to support the ongoing System of Care transformation.

Juvenile Probation: Legislation passed that will make it mandatory for a juvenile probation counselor to file a violation of probation in Family Court when a youth on probation is charged with a subsequent delinquent offense. The original version of this legislation would have made it mandatory for probation violations to be filed for any new offense, including wayward offenses.

Sex Offense Registration and Notification: Legislation did not pass that would have implemented the federal *Sexual Offender Registration and Notification Act (SORNA)* in Rhode Island, replacing the existing registration and notification system. Several states have declined to participate in SORNA due to negative effects on juveniles. A resolution was passed to extend the work of the Special Legislative Commission to Undertake a Comprehensive Study of Sex Offender Registration and Notification Legislation in the State of Rhode Island. The resolution requires this Commission to report their findings to the Senate before April 2, 2014.

EARLY LEARNING

VICTORIES FOR CHILDREN AT-A-GLANCE

Educational Continuity for Youth at the Training School: A bill that would have provided educational continuity to youth who are detained at or sentenced to the Training School by requiring that these youth remain on the rosters of their home school districts during the time they are at the facility did not pass.

Educational Stability for Children and Youth in Foster Care: Legislation did not pass that would have promoted educational stability for children and youth in foster care by giving them the right to attend school in the school district where they previously resided.

Gun Safety: The General Assembly passed legislation that increases the maximum penalty for carrying a stolen firearm when committing a crime of violence and possessing a firearm with an obliterated serial number. Legislation to create a Behavioral Health and Firearms Safety Task Force to make recommendations about Rhode Island's full participation in the National Instant Criminal Background Check System also passed.

Legislation did not pass that would have:

- ◆ Required a person requesting a permit to carry a gun to undergo a national criminal background check and make the Attorney General's office the permitting authority for permits to carry guns.
- ◆ Increased penalties for individuals who make straw gun purchases and those convicted of stealing a gun or failing to report a stolen gun.
- ◆ Prohibited individuals convicted of misdemeanor domestic violence from purchasing, owning, carrying, or transporting guns.
- ◆ Instituted penalties for individuals who provide a gun to a minor and the gun is used during a crime of violence.
- ◆ Created a board that would review appeals for individuals denied a firearm because of mental health or substance abuse histories.
- ◆ Banned semi-automatic assault weapons and large-capacity ammunition feeding devices.
- ◆ Created a Firearms Task Force to review gun laws in Rhode Island.

- ◆ Establishes a paid family leave program through TDI that allows partial wage replacement for employees who need time off for caregiving.
- ◆ Expands the State Pre-K Program through the education funding formula.
- ◆ Provides initial funding for a Full-Day Kindergarten Incentive Fund.
- ◆ Establishes a pilot Child Care Transition Program to enable low-income, working families to maintain eligibility for the Child Care Assistance Program as family income increases up to 225% FPL.

Paid Family Leave: Temporary Caregivers Insurance (TCI) legislation, expanding the statewide Temporary Disability Insurance (TDI) program was passed, which will provide up to four weeks of partial wage replacement to eligible employees who need to take time off from work to care for a seriously ill family member or a new child joining the family through birth, adoption, or foster care. Effective January 1, 2014, the new program will be funded through employee contributions (estimated at 64 cents a week for a worker earning \$40,000 a year). Paid family leave gives families the time they need to care for new babies and newly adopted or foster children, as well as a seriously ill child or other family member.

Pre-K: The final state budget includes an additional \$500,000 for planned expansion of the State Pre-K program as a categorical program within the education funding formula. The State Pre-K program is recognized nationally as a high-quality early learning program.

Full-Day Kindergarten: The *Full-Day Kindergarten Accessibility Act* (passed in 2012) was appropriated \$250,000 in 2013, which will provide a pool of one-time start-up funding for school districts transitioning from part-day to full-day kindergarten. Legislation also passed that allows districts to phase in implementation.

Child Care Assistance Program (CCAP): The FY 2014 budget includes funding for DHS to conduct a 12-month pilot of a new Child Care Transition Program to allow families to remain eligible for CCAP as family income increases up to 225% FPL, beyond the current limit of 180% FPL. The budget also expands eligibility for CCAP from October 1, 2013 through January 1,

2015 to include unemployed, low-income families (below 180% FPL) who need child care in order to participate in job readiness and training programs sponsored or funded by the RI Human Resource Investment Council.

Head Start: State funding for Rhode Island Head Start programs was maintained at the FY 2013 level. An effort to expand state funding for Head Start so that 160 children would not be cut from the program due to federal sequester cuts was unsuccessful.

Quality Family Child Care Act: The *Quality Family Child Care Act of 2013* will allow family child care providers participating in the state's Child Care Assistance Program to form a union and negotiate with the state in areas such as access to training and professional development and reimbursement rates. The General Assembly will continue to have the power to approve all child care subsidy budgets in future years. DCYF retains regulatory authority over child care licensing and is excluded from the collective bargaining process. The legislation specifies that family child care providers are not state employees, not eligible for state benefits, and prohibits them from engaging in collective cessation of services. The legislation does not apply to child care centers.

EDUCATION

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Increases funding for education through the funding formula, including Pre-K-K.
- ◆ Increases funding for public higher education.

Education Funding Formula: The third year of the education funding formula was funded for FY 2014, with an additional \$30.3 million over FY 2013. Some of the planned increases for the funding formula's categorical programs were funded, including \$500,000 for the State Pre-Kindergarten program, \$500,000 for high-cost special education, and \$1.1 million for transportation, but planned increases for career and technical education or regionalization bonuses were not funded.

High School Graduation Requirements: While legislation that would have prohibited Rhode Island from using a standardized test to determine a student's eligibility to graduate from high school did not pass, a joint resolution urging the Board of Education to reconsider the current graduation requirements did pass.

School Safety: The General Assembly passed two bills that require all schools to perform school safety assessments in cooperation with local police and school safety teams, require the use of simple and consistent language in emergencies, and require that the Rhode Island Department of Education certify annually that all school safety plans and emergency response plans have been reviewed and updated as needed.

Dual Enrollment: Legislation passed that will require the Board of Education to develop regulations for a statewide dual enrollment policy that will allow students to enroll in courses at colleges and universities in order to meet credit requirements for both high school and that college or university.

Higher Education: The General Assembly provided a \$6 million increase in funding to the state's public colleges and universities, with the stipulation that tuition must be frozen at the current level.

In-State Tuition for Undocumented Youth: Legislation did not pass that would have put into law the regulations passed by the Rhode Island Board of Governors for Higher Education that allow undocumented students who have attended a Rhode Island high school for at least three years, graduated from high school, been admitted to college, and agreed to take steps to legalize their immigration status to pay the same tuition and fees as Rhode Island residents at the state's public higher education institutions.

Length of School Day and Year: Legislation passed that will allow school districts to extend school days to meet the 1,080 school hour requirement in fewer than 180 days.

FISCAL YEAR 2013 BUDGET

The Rhode Island General Assembly enacted a FY 2014 budget in the amount of \$8.2 billion. The Rhode Island General Assembly had to close a budget deficit of an estimated \$30 million for FY 2014. The budget consists of \$3.4 billion in state general revenue, \$2.7 billion in federal funds, \$255 million in restricted receipts, and \$1.9 billion in other funds.



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