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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2010	.	
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The Committee on Children, Families, and Elder Affairs (Wise) recommended the following:

Senate Amendment

Delete lines 336 - 387
and insert:

(Substantial rewording of section. See
s. 402.3051, F.S., for present text.)
411.01013 Prevailing market rate schedule.-

(1) As used in this section, the term:

(a) "Market rate" means the price that a child care
provider charges for daily, weekly, or monthly child care
services.

(b) "Prevailing market rate" means the annually determined



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13 75th percentile of a reasonable frequency distribution of the
14 market rate in a predetermined geographic market at which child
15 care providers charge a person for child care services.

16 (2) The Agency for Workforce Innovation shall establish
17 procedures for the adoption of a prevailing market rate
18 schedule. The schedule must include, at a minimum, county-by-
19 county rates:

20 (a) At the prevailing market rate, plus the maximum rate,
21 for child care providers that hold a Gold Seal Quality Care
22 designation under s. 402.281.

23 (b) At the prevailing market rate for child care providers
24 that do not hold a Gold Seal Quality Care designation.

25 (3) The prevailing market rate schedule, at a minimum,
26 must:

27 (a) Differentiate rates by type, including, but not limited
28 to, a child care provider that holds a Gold Seal Quality Care
29 designation under s. 402.281, a child care facility licensed
30 under s. 402.305, a public or nonpublic school exempt from
31 licensure under s. 402.3025, a faith-based child care facility
32 exempt from licensure under s. 402.316 that does not hold a Gold
33 Seal Quality Care designation, a large family child care home
34 licensed under s. 402.3131, a family day care home licensed or
35 registered under s. 402.313, or an after-school program that is
36 not defined as child care under rules adopted pursuant to s.
37 402.3045.

38 (b) Differentiate rates by the type of child care services
39 provided for children with special needs or risk categories,
40 infants, toddlers, preschool-age children, and school-age
41 children.



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42 (c) Differentiate rates between full-time and part-time
43 child care services.

44 (d) Consider discounted rates for child care services for
45 multiple children in a single family.

46 (4) The prevailing market rate schedule must be based
47 exclusively on the prices charged for child care services. If a
48 conflict exists between this subsection and federal
49 requirements, the federal requirements shall control.

50 (5) The prevailing market rate shall be considered by an
51 early learning coalition in the adoption of a payment schedule
52 in accordance with s. 411.01(5)(e)2.

53 (6) The Agency for Workforce Innovation may contract with
54 one or more qualified entities to administer this section and
55 provide support and technical assistance for child care
56 providers.

57 (7) The Agency for Workforce Innovation may adopt rules
58 pursuant to ss. 120.536(1) and 120.54 to administer this
59 section.