

WAC 110-302-0011 License transfers. (1) Pursuant to RCW 43.216.305(1) and subject to this chapter, full licenses issued under chapter 43.216 RCW may be transferred to a new licensee in the event of a transfer of ownership of a child care operation. Current licensees or applicants must apply to transfer a license using forms and methods determined by the department.

(2) A full license will remain valid and may be transferred to a new licensee if:

(a) The new licensee meets the requirements of RCW 43.216.305(2); and

(b) The department determines before the license transfer the new licensee's child care operation is substantially similar to or an improvement of the originally licensed child care operation.

(3) To determine whether the new licensee's child care operation is substantially similar to or an improvement of the original child care operation, the department must assess the following factors of the new child care operation:

(a) The physical environment and all anticipated changes or updates, including the land use agreement and benefit risk assessments;

(b) The qualifications and number of all retained and newly hired staff;

(c) The ONB program operations and all anticipated changes or updates;

(d) The relation or connection, if any, between the original and new licensee; and

(e) Whether the new child care operation is able to comply with the licensing requirements described in chapter 43.216 RCW, this chapter, and chapter 110-06 WAC.

(4) The department will determine and disclose to the current licensee and new licensee whether the license is in good standing prior to transferring the license.

(5) At the request of the current licensee or the new licensee, the department will disclose the following license information from the last four years to one or both parties:

(a) A description of any valid complaints;

(b) A description of any instances that the department found non-compliance with the requirements contained in chapter 43.216 RCW, this chapter, and chapter 110-06 WAC;

(c) Safety plans both historical and current;

(d) Facility licensing compliance agreements both historical and current; and

(e) Enforcement actions levied or pending against the license.

(6) Current licensees and new licensees have the right to appeal the department's denial of a license transfer application by requesting an adjudicative proceeding pursuant to the hearing rules described in chapter 110-03 WAC.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0011, filed 5/1/23, effective 6/1/23.]