HOUSE BILL 1276

O4 4lr2314
CF SB 716

By: **Delegates A. Washington, Frush, Nathan–Pulliam, and V. Turner**
Introduced and read first time: February 7, 2014
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Child Care Centers – Healthy Eating and Physical Activity Act

FOR the purpose of requiring certain rules and regulations for licensing and operating child care centers to require child care centers providing care to children under a certain age to have in attendance a certain individual who has had certain breast–feeding education and training; requiring the regulations to contain certain provisions as to beverages served by a child care center to children in the child care center's care; requiring the regulations to require a child care center to adopt limits on certain screen time; requiring the limits on screen time to contain certain provisions; and generally relating to rules and regulations for licensing and operating child care centers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–573
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Family Law

5–573.

(a) The State Superintendent shall adopt rules and regulations for licensing and operating child care centers.

(b) These rules and regulations shall:

(1) ensure safe and sanitary conditions in child care centers;

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(2) ensure proper care, protection, and supervision of children in child care centers;

(3) ensure the health of children in child care centers by:

(i) monitoring children for signs and symptoms of child abuse;

(ii) instructing licensees and staff concerning child abuse detection and reporting;

(iii) monitoring health practices to help prevent the spread of disease; and

(iv) monitoring the care of infants and children with special needs;

(4) promote the sound growth and development of children in child care centers;

(5) carry out otherwise the purposes and requirements of this Part VII of this subtitle, including imposition of intermediate sanctions to ensure compliance;

(6) prohibit a child from remaining at a child care center for more than 14 hours in 1 day unless the Department issues an exception for that child based on guidelines set by the State Superintendent;

(7) (i) require that a child care center have in attendance at all times at least 1 individual who is responsible for supervision of children, including children on field trips, and who holds a current certificate indicating successful completion of approved:

1. basic first aid training through the American Red Cross or through a program with equivalent standards; and

2. cardiopulmonary resuscitation (CPR) training through the American Heart Association or through a program with equivalent standards appropriate for the ages of children for whom care is provided in the child care center; and

(ii) require that a child care center serving more than 20 children have in attendance certificate holders described in item (i) of this item in a ratio of at least 1 certificate holder for every 20 children;

(8) REQUIRE THAT A CHILD CARE CENTER PROVIDING CARE TO ANY CHILD UNDER THE AGE OF 1 YEAR HAVE IN ATTENDANCE AT ALL TIMES AT

LEAST 1 INDIVIDUAL WHO IS RESPONSIBLE FOR SUPERVISION OF CHILDREN AND WHO HAS HAD BREAST–FEEDING EDUCATION AND TRAINING IN:

(I) THE PROPER METHODS FOR PROVIDING EXPRESSED OR FROZEN BREAST MILK TO CHILDREN UNDER THE AGE OF 1 YEAR WHO ARE BEING BREAST–FED;

(II) MAINTAINING A DAILY RECORD OF THE TIME AND AMOUNT OF EXPRESSED MILK OR FORMULA THAT A BREAST–FED CHILD UNDER THE AGE OF 1 YEAR RECEIVES; AND

(III) SUPPORTING MOTHERS WITH COMPLETE AND CULTURALLY COMPETENT INFORMATION AND MATERIALS ON BREAST–FEEDING; AND

[(8)**] (9)** (i) require that a child care center that receives notice of a contaminated drinking water supply from the child care center's supplier of water, in accordance with § 9–410 of the Environment Article or otherwise, send notice of the drinking water contamination to the parent or legal guardian of each child attending the child care center; and

(ii) require that the notice sent by the child care center shall:

1. be sent within 10 business days after receipt of the notice of contamination from the child care center's water supplier;

2. be in writing;

3. identify the contaminants and their levels in the center's water supply; and

4. describe the child care center's plan for dealing with the water contamination problem until the child care center's water is determined by the appropriate authority to be safe for consumption;

[(9)**] (10)** (i) require a child care center to have a written emergency preparedness plan for emergency situations that require evacuation, sheltering in place, or other protection of children, such as in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to the children in the child care center;

(ii) require the plan under item (i) of this item to include:

1. a designated relocation site and evacuation route;

2. procedures for notifying parents or other adults responsible for the child of the relocation;

3. procedures to address the needs of individual children, including children with special needs;

4. procedures for the reassignment of staff duties during an emergency, as appropriate; and

5. procedures for communicating with local emergency management officials or other appropriate State or local authorities; and

(iii) require a child care center to train staff and ensure that staff are familiar with the plan; **[**and**]**

[(10)**] (11)** require a child care center to have window coverings in accordance with § 5–505 of this subtitle**;**

(12) AS TO BEVERAGES SERVED BY A CHILD CARE CENTER TO CHILDREN IN THE CHILD CARE CENTER'S CARE:

(I) PROHIBIT BEVERAGES WITH ADDED SWEETENER, EITHER NATURAL OR ARTIFICIAL, OR CONTAINING CAFFEINE, EXCEPT FOR INFANT FORMULA OR COMPLETE BALANCED NUTRITIONAL PRODUCTS DESIGNED FOR CHILDREN;

(II) LIMIT JUICE TO NOT MORE THAN 6 OUNCES OF 100% FRUIT JUICE PER CHILD PER DAY;

(III) REQUIRE THAT, WHENEVER MILK IS SERVED, ONLY 1% OR NONFAT MILK BE SERVED TO CHILDREN AT LEAST 2 YEARS OLD, UNLESS OTHERWISE ORDERED BY A PHYSICIAN OR HEALTH PRACTITIONER; AND

(IV) REQUIRE THAT CLEAN AND SAFE DRINKING WATER BE READILY AVAILABLE AND ACCESSIBLE THROUGHOUT THE DAY; AND

(13) (I) REQUIRE A CHILD CARE CENTER TO ADOPT LIMITS ON SCREEN TIME OR TIME SPENT PASSIVELY WATCHING A DIGITAL MONITOR OR DISPLAY, INCLUDING A TELEVISION, A COMPUTER, A TABLET, A SMART BOARD, OR ANY OTHER SCREEN; AND

(II) REQUIRE THE LIMITS ON SCREEN TIME TO INCLUDE:

1. A PROHIBITION ON SCREEN TIME FOR CHILDREN UNDER THE AGE OF 2 YEARS; AND

2. A LIMIT OF 30 MINUTES PER DAY OF COMMERCIAL–FREE SCREEN TIME FOR CHILDREN AT LEAST 2 YEARS OLD IN HALF–DAY PROGRAMS AND 60 MINUTES PER DAY OF COMMERCIAL–FREE SCREEN TIME FOR CHILDREN AT LEAST 2 YEARS OLD IN FULL–DAY PROGRAMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.