

Article - Family Law

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§5–551.

(a) The Department shall adopt regulations that relate to the registration of family child care homes and large family child care homes.

(b) So far as practicable, the regulations shall be uniform with the rules and regulations adopted by other State agencies as those rules and regulations relate to other types of child care.

(c) At a minimum, the regulations of the Department shall provide for:

(1) minimum standards of environmental health and safety, including provisions for:

(i) adequate and safe physical surroundings, including requirements for window coverings in accordance with § 5–505 of this subtitle;

(ii) the physical and mental health of child care providers; and

(iii) investigation of any criminal record of a child care provider;

(2) a thorough evaluation of each prospective family child care home, large family child care home, and child care provider, to be completed before the Department accepts an initial registration;

(3) an initial family child care registration that expires 2 years after its effective date;

(4) a continuing family child care registration that:

(i) upon application by the child care provider that meets the requirements set by the Department, is issued to the provider before the end of the initial registration period; and

(ii) once issued, remains in effect until surrendered, suspended, revoked, or replaced by a conditional registration;

(5) reporting of any changed circumstances that relate to the requirements, by the child care provider, at the time the change occurs;

(6) an orientation to be provided to prospective child care providers by the Department before initial registration;

(7) announced inspection by the Department of each registered family child care home and large family child care home prior to issuance of an initial or

continuing registration to determine whether applicable requirements are being met;

(8) unannounced inspection by the Department of each registered family child care home and large family child care home at least once during each 12-month period that an initial or continuing registration is in effect to determine whether safe and appropriate child care is being provided;

(9) procedures to be followed by the Department in response to a complaint about a family child care home or large family child care home;

(10) a requirement that a person who advertises a family child care home, large family child care home, or family child care service shall:

(i) indicate in the advertisement that the family child care home or large family child care home is registered; and

(ii) display in the advertisement the registration number issued to the family child care home, large family child care home, or family child care service by the Department;

(11) a requirement that each registered child care provider shall hold a current certificate indicating successful completion of approved:

(i) basic first aid training through the American Red Cross or through a program with equivalent standards; and

(ii) 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 family child care home or large family child care home; and

(12) (i) a requirement that a family child care home or large family child care home that receives notice of a contaminated drinking water supply from the family child care home's or large family child care home'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 family child care home or large family child care home; and

(ii) a requirement that the notice sent by the family child care home or large family child care home shall:

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

2. be in writing;

3. identify the contaminants and their levels in the family

child care home's or large family child care home's water supply; and

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

(d) The Department shall adopt regulations that:

(1) require a family child care provider 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 family child care home or large family child care home;

(2) require the plan under item (1) of this subsection to include:

(i) a designated relocation site and evacuation route;

(ii) procedures for notifying parents or other adults responsible for the child of the relocation;

(iii) procedures to address the needs of individual children including children with special needs;

(iv) procedures for the reassignment of staff duties during an emergency, as appropriate; and

(v) procedures for communicating with local emergency management officials or other appropriate State or local authorities; and

(3) require a family child care provider to train staff and ensure that staff are familiar with the plan.

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