

HOUSE BILL 117

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1999 Regular Session
(9lr0484)

ENROLLED BILL

-- *Environmental Matters/Economic and Environmental Affairs* --

Introduced by **Delegates Moe, R. Baker, Frush, Griffith, Healey, Menes,
Patterson, Rudolph, Bozman, Bronrott, Brown, and Malone**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Child Care - Regulations - First Aid and CPR**

3 FOR the purpose of requiring the Department of Human Resources to adopt
4 regulations requiring family day care providers to hold, and child care centers to
5 have in attendance an individual who holds, current certificates indicating
6 successful completion of certain approved first aid training and ~~infant and child~~
7 certain cardiopulmonary resuscitation (CPR) training; providing for a delayed
8 effective date; and generally relating to child care.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 5-551 and 5-573
12 Annotated Code of Maryland
13 (1991 Replacement Volume and 1998 Supplement)

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

3 **Article - Family Law**

4 5-551.

5 (a) The Department shall adopt rules and regulations that relate to the
6 registration of family day care homes.

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

10 (c) At a minimum, the rules and regulations shall provide for:

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

13 (i) adequate and safe physical surroundings;

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

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

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

19 (3) self-certification by each registered day care provider once every 2
20 years that all requirements for a family day care home are being met;

21 (4) reporting of any changed circumstances that relate to the
22 requirements, by the day care provider, at the time the change occurs;

23 (5) an orientation to be provided to prospective day care providers by the
24 local department before initial registration;

25 (6) inspection by the Department of each registered family day care
26 home at least once every 2 years to determine whether the requirements are being
27 met;

28 (7) procedures to be followed by the Department in response to a
29 complaint about a family day care home; [and]

30 (8) a requirement that a person who advertises a family day care home
31 or family day care service shall:

32 (i) indicate in the advertisement that the family day care home is
33 registered; and

1 (ii) [shall] display in the advertisement the registration number
2 issued to the family day care home or family day care service by the Department; AND

3 (9) A REQUIREMENT THAT EACH REGISTERED DAY CARE PROVIDER
4 SHALL HOLD A CURRENT CERTIFICATE INDICATING SUCCESSFUL COMPLETION OF
5 APPROVED:

6 (I) BASIC FIRST AID TRAINING THROUGH THE AMERICAN RED
7 CROSS, THE AMERICAN HEART ASSOCIATION, OR THROUGH A PROGRAM WITH
8 EQUIVALENT STANDARDS; AND

9 (II) ~~INFANT AND CHILD~~ CARDIOPULMONARY RESUSCITATION (CPR)
10 TRAINING THROUGH THE AMERICAN RED CROSS, THE AMERICAN HEART
11 ASSOCIATION; OR THROUGH A PROGRAM WITH EQUIVALENT STANDARDS
12 APPROPRIATE FOR THE AGES OF CHILDREN FOR WHOM CARE IS PROVIDED IN THE
13 FAMILY DAY CARE HOME.

14 5-573.

15 (a) The Secretary shall adopt rules and regulations for licensing and operating
16 child care centers.

17 (b) These rules and regulations shall:

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

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

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

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

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

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

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

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

30 (5) encourage the care of children in a homelike environment by
31 reflecting the impracticability of conforming a residence to standards that are
32 appropriate for institutions and otherwise providing for centers that are in residences
33 or other facilities and serve between 7 and 12 children and facilities having 6 or fewer
34 children required to be licensed under § 5-574 of this subtitle;

1 (6) carry out otherwise the purposes and requirements of this Part VII of
2 this subtitle, including imposition of intermediate sanctions to ensure compliance;
3 [and]

4 (7) prohibit a child from remaining at a child care center for more than
5 14 hours in 1 day unless the Department issues an exception for that child based on
6 guidelines set by the Secretary; AND

7 (8) (I) REQUIRE THAT A CHILD CARE CENTER HAVE IN ATTENDANCE
8 AT ALL TIMES AT LEAST 1 INDIVIDUAL WHO IS RESPONSIBLE FOR SUPERVISION OF
9 CHILDREN, INCLUDING CHILDREN ON FIELD TRIPS, AND WHO HOLDS A CURRENT
10 CERTIFICATE INDICATING SUCCESSFUL COMPLETION OF APPROVED:

11 1. BASIC FIRST AID TRAINING THROUGH THE AMERICAN
12 RED CROSS, THE AMERICAN HEART ASSOCIATION, OR THROUGH A PROGRAM WITH
13 EQUIVALENT STANDARDS; AND

14 2. ~~INFANT AND CHILD~~ CARDIOPULMONARY RESUSCITATION
15 (CPR) TRAINING THROUGH THE AMERICAN RED CROSS, THE AMERICAN HEART
16 ASSOCIATION, OR THROUGH A PROGRAM WITH EQUIVALENT STANDARDS
17 APPROPRIATE FOR THE AGES OF CHILDREN FOR WHOM CARE IS PROVIDED IN THE
18 CHILD CARE CENTER; AND

19 (II) REQUIRE THAT A CHILD CARE CENTER SERVING MORE THAN 20
20 CHILDREN HAVE IN ATTENDANCE CERTIFICATE HOLDERS DESCRIBED IN ITEM (I) OF
21 THIS ITEM IN A RATIO OF AT LEAST 1 CERTIFICATE HOLDER FOR EVERY 20
22 CHILDREN.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2000.