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

Introduced and read first time: January 25, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

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 approved first aid training and infant and child
7 cardiopulmonary resuscitation (CPR) training; and generally relating to child
8 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)

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

16 **Article - Family Law**

17 5-551.

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

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

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

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

26 (i) adequate and safe physical surroundings;

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

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

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

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

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

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

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

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

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

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

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

23 (9) A REQUIREMENT THAT EACH REGISTERED DAY CARE PROVIDER
24 SHALL HOLD A CURRENT CERTIFICATE INDICATING SUCCESSFUL COMPLETION OF
25 APPROVED:

26 (I) BASIC FIRST AID TRAINING; AND

27 (II) INFANT AND CHILD CARDIOPULMONARY RESUSCITATION (CPR)
28 TRAINING.

29 5-573.

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

32 (b) These rules and regulations shall:

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

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

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

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

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

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

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

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

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

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

20 (7) prohibit a child from remaining at a child care center for more than
21 14 hours in 1 day unless the Department issues an exception for that child based on
22 guidelines set by the Secretary; AND

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

27 1. BASIC FIRST AID TRAINING; AND

28 2. INFANT AND CHILD CARDIOPULMONARY RESUSCITATION
29 (CPR) TRAINING; AND

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

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