

HOUSE BILL 117

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1999 Regular Session  
9lr0484

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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

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 23, 1999

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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)

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.

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

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

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

7 (i) adequate and safe physical surroundings;

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

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

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

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

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

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

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

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

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

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

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

30 (9) A REQUIREMENT THAT EACH REGISTERED DAY CARE PROVIDER  
31 SHALL HOLD A CURRENT CERTIFICATE INDICATING SUCCESSFUL COMPLETION OF  
32 APPROVED:

33 (I) BASIC FIRST AID TRAINING THROUGH THE AMERICAN RED  
34 CROSS, THE AMERICAN HEART ASSOCIATION, OR THROUGH A PROGRAM WITH  
35 EQUIVALENT STANDARDS; AND

1 (II) ~~INFANT AND CHILD~~ CARDIOPULMONARY RESUSCITATION (CPR)  
2 TRAINING THROUGH THE AMERICAN RED CROSS, THE AMERICAN HEART  
3 ASSOCIATION, OR THROUGH A PROGRAM WITH EQUIVALENT STANDARDS  
4 APPROPRIATE FOR THE AGES OF CHILDREN FOR WHOM CARE IS PROVIDED IN THE  
5 FAMILY DAY CARE HOME.

6 5-573.

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

9 (b) These rules and regulations shall:

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

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

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

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

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

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

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

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

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

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

30 (7) prohibit a child from remaining at a child care center for more than  
31 14 hours in 1 day unless the Department issues an exception for that child based on  
32 guidelines set by the Secretary; AND

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

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

4                               2.       ~~INFANT AND CHILD~~ CARDIOPULMONARY RESUSCITATION  
5 (CPR) TRAINING THROUGH THE AMERICAN RED CROSS, THE AMERICAN HEART  
6 ASSOCIATION, OR THROUGH A PROGRAM WITH EQUIVALENT STANDARDS  
7 APPROPRIATE FOR THE AGES OF CHILDREN FOR WHOM CARE IS PROVIDED IN THE  
8 CHILD CARE CENTER; AND

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

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