

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

House Bill 1071 (Delegates Boutin and Pendergrass)  
Health and Government Operations

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**Child Care - Regulations - Continuing Child Care Licenses**

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This bill institutes a system of nonexpiring family child care home registrations and child care center licenses and letters of compliance after an initial licensure that, once issued, will remain in effect until surrendered, suspended, or revoked. It requires unannounced inspections of family day care homes and child care centers at least once every 12 months. It also extends the initial licensure period for child care centers from one to two years.

The bill takes effect January 1, 2004.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled with existing budgeted resources. No effect on revenues because family child care homes and child care centers do not pay licensing fees to the Department of Human Resources (DHR).

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** DHR must adopt rules and regulations relating to the registration of family day care homes. The rules and regulations must be uniform with the rules and regulations adopted by other State agencies as those rules and regulations relate to other types of day care.

At a minimum, the rules and regulations for family day care homes must provide for: (1) minimum standards of environmental health and safety; (2) a thorough evaluation of each prospective family day care home and day care provider before DHR accepts an initial registration; (3) self-certification by each registered day care provider once every two years that all requirements are being met; (4) reporting any changed circumstances that relate to the requirements when the change occurs; (5) an orientation to be provided to prospective day care providers by the local department before initial registration; (6) DHR inspection of each registered family day care home before issuing an initial registration and at least once every two years thereafter; (7) an unannounced inspection by DHR of each family day care home in any year that an initial or renewal inspection has not taken place; (8) procedures for responding to a complaint about a family day care home; (9) a requirement that a person who advertises a family day care home must indicate that the home is registered and include the registration number in the advertisement; and (10) require each registered day care provider to hold a current certificate indicating successful completion of a basic first aid training course and cardiopulmonary resuscitation (CPR) training course.

DHR also must adopt rules and regulations for licensing and operating child care centers. These rules and regulations must: (1) ensure safe and sanitary conditions in child care centers; (2) ensure proper care, protection, and supervision of children in child care centers; (3) ensure the health of children in child care centers; (4) promote the sound growth and development of children in child care centers; (5) encourage the care of children in a homelike environment; (6) carry out the purposes and requirements of this statute, including imposing intermediate sanctions to ensure compliance; (7) prohibit a child from remaining at a child care center for more than 14 hours in one day unless the department issues an exception for that child; and (8) require that a child care center has in attendance at all times at least one individual who is responsible for supervision of children who holds a current certificate for basic first aid training and CPR training and require that a child care center serving more than 20 children have certificate holders in a ratio of at least one certificate holder for every 20 children.

**Background:** DHR advises that Arkansas, California, Colorado, North Carolina, and Texas have adopted similar nonexpiring licensing systems.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2003  
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