

HOUSE BILL 1391

D4, O4

6lr1085

By: **Delegates Angel, Atterbeary, D. Barnes, Bromwell, Cassilly, Cullison, Frush, Hayes, Miele, Morhaim, Oaks, Pena–Melnyk, Rosenberg, Sample–Hughes, Walker, and K. Young**

Introduced and read first time: February 12, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Large Family Child Care Homes and Child Care Centers – Green Product**
3 **Cleaning Supplies – Regulations**

4 FOR the purpose of requiring the State Department of Education to adopt certain
5 regulations that require, subject to certain exceptions, a large family child care home
6 to use certain green product cleaning supplies, establish guidelines for purchasing
7 certain green product cleaning supplies, establish certain green cleaning practices,
8 require certain staff training, and require a large family child care home that does
9 not procure green product cleaning supplies to provide certain annual written notice
10 to the Department; requiring the State Superintendent of Education to adopt certain
11 regulations that require a child care center to use, subject to certain exceptions,
12 certain green product cleaning supplies, establish certain guidelines for purchasing
13 certain green product cleaning supplies, establish certain green cleaning practices,
14 require certain staff training, and require a child care center that does not procure
15 green product cleaning supplies for use in the child care center to provide certain
16 annual written notice to the Department; and generally relating to the adoption of
17 regulations relating to the procurement of green product cleaning supplies by large
18 family child care homes and child care centers.

19 BY repealing and reenacting, without amendments,
20 Article – Family Law
21 Section 5–551(a)
22 Annotated Code of Maryland
23 (2012 Replacement Volume and 2015 Supplement)

24 BY adding to
25 Article – Family Law
26 Section 5–551(e)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–573
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

Article – Family Law

5–551.

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

(E) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:

(1) TO THE EXTENT PRACTICABLE AND ECONOMICALLY FEASIBLE, REQUIRE A LARGE FAMILY CHILD CARE HOME TO USE GREEN PRODUCT CLEANING SUPPLIES, AS DEFINED IN § 5–112(E) OF THE EDUCATION ARTICLE, IN THE LARGE FAMILY CHILD CARE HOME;

(2) ESTABLISH GUIDELINES FOR PURCHASING GREEN PRODUCT CLEANING SUPPLIES THAT MEET THE CERTIFICATION REQUIREMENTS OF ANY ESTABLISHED AND NATIONALLY RECOGNIZED INDEPENDENT THIRD–PARTY ENTITY THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS AND ADHERES TO CONSENSUS STANDARDS FOR LESSER OR REDUCED EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT WHEN COMPARED TO COMPETING PRODUCTS THAT SERVE THE SAME PURPOSE;

(3) ESTABLISH GREEN CLEANING PRACTICES, INCLUDING STORAGE, APPLICATION, FREQUENCY OF USE, AND DISPOSAL OF THE SUPPLIES, TO ENSURE THAT THE OCCUPANTS OF A LARGE FAMILY CHILD CARE HOME DO NOT SUFFER ANY ADVERSE HEALTH EFFECTS AS A RESULT OF THESE PRACTICES;

(4) REQUIRE A LARGE FAMILY CHILD CARE HOME TO TRAIN STAFF ON IMPLEMENTING THE GREEN CLEANING PRACTICES ESTABLISHED UNDER ITEM (1) OF THIS SUBSECTION; AND

(5) ON OR BEFORE JUNE 30 EACH YEAR, REQUIRE A LARGE FAMILY CHILD CARE HOME THAT DOES NOT PROCURE GREEN PRODUCT CLEANING SUPPLIES FOR USE IN THE LARGE FAMILY CHILD CARE HOME FOR THE REASON THAT DOING

1 SO IS NOT PRACTICABLE OR ECONOMICALLY FEASIBLE TO PROVIDE ANNUAL
2 WRITTEN NOTICE OF THIS FACT TO THE DEPARTMENT.

3 5-573.

4 (a) The State Superintendent shall adopt rules and regulations for licensing and
5 operating child care centers.

6 (b) These rules and regulations shall:

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

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

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

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

12 (ii) instructing licensees and staff concerning child abuse detection
13 and reporting;

14 (iii) monitoring health practices to help prevent the spread of disease;
15 and

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

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

19 (5) promote proper nutrition and developmentally appropriate practices
20 by:

21 (i) establishing training and policies promoting breast-feeding;

22 (ii) 1. requiring compliance with the United States Food and
23 Drug Administration Child and Adult Care Food Program standards for beverages served
24 to children, except that milk that is not nonfat or low fat may be ordered by a health care
25 practitioner or requested by a parent or guardian; and

26 2. prohibiting beverages other than infant formula that
27 contain added sweetener or caffeine; and

28 (iii) setting limits on screen time;

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

1 (7) prohibit a child from remaining at a child care center for more than 14
2 hours in 1 day unless the Department issues an exception for that child based on guidelines
3 set by the State Superintendent;

4 (8) (i) require that a child care center have in attendance at all times
5 at least 1 individual who is responsible for supervision of children, including children on
6 field trips, and who holds a current certificate indicating successful completion of approved:

7 1. basic first aid training through the American Red Cross or
8 through a program with equivalent standards; and

9 2. cardiopulmonary resuscitation (CPR) training through the
10 American Heart Association or through a program with equivalent standards appropriate
11 for the ages of children for whom care is provided in the child care center; and

12 (ii) require that a child care center serving more than 20 children
13 have in attendance certificate holders described in item (i) of this item in a ratio of at least
14 1 certificate holder for every 20 children;

15 (9) (i) require that a child care center that receives notice of a
16 contaminated drinking water supply from the child care center's supplier of water, in
17 accordance with § 9-410 of the Environment Article or otherwise, send notice of the
18 drinking water contamination to the parent or legal guardian of each child attending the
19 child care center; and

20 (ii) require that the notice sent by the child care center shall:

21 1. be sent within 10 business days after receipt of the notice
22 of contamination from the child care center's water supplier;

23 2. be in writing;

24 3. identify the contaminants and their levels in the center's
25 water supply; and

26 4. describe the child care center's plan for dealing with the
27 water contamination problem until the child care center's water is determined by the
28 appropriate authority to be safe for consumption;

29 (10) (i) require a child care center to have a written emergency
30 preparedness plan for emergency situations that require evacuation, sheltering in place, or
31 other protection of children, such as in the event of fire, natural disaster, or other
32 threatening situation that may pose a health or safety hazard to the children in the child
33 care center;

34 (ii) require the plan under item (i) of this item to include:

- 1 1. a designated relocation site and evacuation route;
- 2 2. procedures for notifying parents or other adults
3 responsible for the child of the relocation;
- 4 3. procedures to address the needs of individual children,
5 including children with special needs;
- 6 4. procedures for the reassignment of staff duties during an
7 emergency, as appropriate; and
- 8 5. procedures for communicating with local emergency
9 management officials or other appropriate State or local authorities; and

- 10 (iii) require a child care center to train staff and ensure that staff are
11 familiar with the plan; [and]
- 12 (11) require a child care center to have window coverings in accordance with
13 § 5–505 of this subtitle; AND

14 **(12) (I) 1. TO THE EXTENT PRACTICABLE AND ECONOMICALLY**
15 **FEASIBLE, REQUIRE THE USE OF GREEN PRODUCT CLEANING SUPPLIES, AS DEFINED**
16 **IN § 5–112(E) OF THE EDUCATION ARTICLE, IN A CHILD CARE CENTER;**

17 **2. ESTABLISH GUIDELINES FOR PURCHASING GREEN**
18 **PRODUCT CLEANING SUPPLIES THAT MEET THE CERTIFICATION REQUIREMENTS OF**
19 **ANY ESTABLISHED AND NATIONALLY RECOGNIZED INDEPENDENT THIRD–PARTY**
20 **ENTITY THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS AND**
21 **ADHERES TO CONSENSUS STANDARDS FOR LESSER OR REDUCED EFFECTS ON**
22 **HUMAN HEALTH AND THE ENVIRONMENT WHEN COMPARED TO COMPETING**
23 **PRODUCTS THAT SERVE THE SAME PURPOSE;**

24 **3. ESTABLISH GREEN CLEANING PRACTICES,**
25 **INCLUDING STORAGE, APPLICATION, FREQUENCY OF USE, AND DISPOSAL OF THE**
26 **SUPPLIES TO ENSURE THAT THE OCCUPANTS OF A CHILD CARE CENTER DO NOT**
27 **SUFFER ANY ADVERSE HEALTH EFFECTS AS A RESULT OF THESE PRACTICES; AND**

28 **4. REQUIRE A CHILD CARE CENTER TO TRAIN STAFF ON**
29 **IMPLEMENTING THE GREEN CLEANING PRACTICES ESTABLISHED UNDER THIS ITEM;**
30 **AND**

31 **(II) ON OR BEFORE JUNE 30 EACH YEAR, REQUIRE A CHILD**
32 **CARE CENTER THAT DOES NOT PROCURE GREEN PRODUCT CLEANING SUPPLIES FOR**
33 **USE IN THE CHILD CARE CENTER BECAUSE DOING SO IS NOT PRACTICABLE OR**

1 **ECONOMICALLY FEASIBLE TO PROVIDE ANNUAL WRITTEN NOTICE OF THIS FACT TO**
2 **THE DEPARTMENT.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2016.