

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 57 (Delegate Angel)
Health and Government Operations

**Large Family Child Care Homes and Child Care Centers - Green Product
Cleaning Supplies - Regulations**

This bill requires the State Board of Education to adopt regulations relating to the use of green product cleaning supplies by large family child care homes and child care centers.

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) can meet the bill's requirements using existing budgeted resources.

Local Effect: None.

Small Business Effect: Large family child care homes and child care centers may incur additional costs to procure green cleaning supplies. They also have the option of providing annual notice that procuring green cleaning supplies is not practicable or economically feasible.

Analysis

Bill Summary: The State Board of Education must adopt regulations that:

- to the extent practicable and economically feasible, require a large family child care home or child care center to use "green product cleaning supplies," as defined in the Education Article;
- 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;

- in large family child care homes, may not preclude the use of a disinfectant, disinfectant cleaner, sanitizer, or other antimicrobial product, as regulated by federal law, to address preventative disinfection or sanitization of diaper-changing surfaces, shared toys and equipment, frequently touched surfaces, or surfaces contacted with bodily fluids, as specified;
- in child care centers, may not preclude the use when necessary, of a disinfectant, disinfecting cleaner, sanitizer, or other antimicrobial product regulated by federal law;
- 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 or child care center do not suffer any adverse health effects as a result of these practices;
- require a large family child care home or child care center to train staff on implementing the green cleaning practices; and
- require a large family child care home or child care center that does not procure green product cleaning supplies because doing so is not practicable or economically feasible to provide written notice to MSDE by June 30 of each year.

Current Law/Background: The State Board of Education must adopt regulations relating to the registration of large family child care homes, which are residences in which family child care is provided for at least 9 but not more than 12 children. The regulations must establish minimum standards of environmental health and safety, including provisions for adequate and safe physical surroundings. The State Board of Education must also adopt regulations relating to the licensing and operation of child care centers, which must in part ensure safe and sanitary conditions. MSDE advises that as of December 2017 there are 126 registered large family child care centers and 2,498 licensed child care centers.

Under § 5-112(e) of the Education Article, “green product cleaning supplies” means environmentally preferable cleaning and cleaning maintenance products and supplies intended for routine cleaning and cleaning maintenance that perform well and have positive health and environmental attributes, as specified, including low toxicity and reduced packaging. “Green product cleaning supplies” includes specified items such as bathroom,

general purpose, and carpet cleaners, but does not include room deodorizers, air fresheners, toilet deodorizers, or hand cleaners.

Chapter 454 of 2009 enacted similar legislation regarding a requirement for local boards of education to procure, to the extent practicable and economically feasible, green product cleaning supplies for use in schools. Pursuant to Chapter 566 and 567 of 2012, a local board of education that does not procure green product cleaning supplies for use in its schools because doing so is not practicable or economically feasible must provide written notice to MSDE.

Additional Information

Prior Introductions: HB 1330 of 2017 received a hearing in the House Health and Government Operations Committee, but no further action was taken. HB 1391 of 2016, a similar bill, received a hearing in the House Health and Government Operations Committee, but no further action was taken.

Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Legislative Services

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