



Maryland State Chapter International Fire Marshals Association

Michael Custer, President
(202) 425-1317
Michael.s.custer.civ@army.mil

Donna McGuire, Vice President
(443) 377-5413
donna.mcguire@aacounty.org

Roberta Kelly, Secretary/Treasurer
(410) 313-6040
rkelly@howardcountymd.gov

February 3, 2025

Delegate Vanessa E. Atterbeary, Chair
Delegate Jheanelle K. Wilkins, Vice Chair
Ways and Means Committee
Maryland General Assembly
House Office Building, Room 131
Annapolis, Maryland 21401

Re: HB477 - Family Child Care Homes and Large Family Child Care Homes - Age of Children in Care – Alterations

Dear Delegates Atterbeary and Wilkins,

The Maryland State Chapter of the International Fire Marshals Association is made up of representatives from Fire Marshal Offices across the State of Maryland. We work in collaboration with the Maryland State Fire Marshal's Office to advocate for strong and effective fire prevention and life safety measures to protect the citizens of the State of Maryland.

We are writing you today against HB 477. If HB 477 passed, a family childcare home could serve 5 children that are incapable of self-preservation. It should be noted that the minimum age for children considered to be capable of self-preservation is 24 months through regulations established by the Maryland Childcare Administration. This would be in direct conflict with the maximum number of four client's incapable of self-preservation to be served in a family day care home as stated in COMAR 29.06.01.07 FF. (2).

Section 9.5-305.(b) (ii) of the proposed legislation would permit an adult to child ratio of one adult to every five children who are considered to be incapable of self-preservation (once again, currently considered as younger than 24 months). This ratio would be in direct conflict with the staff-to-client ratio of at least one staff member to every two client's incapable of self-preservation as stated in COMAR 29.06.01.07 FF. (3).

The maximum number of clients and staff-to-client ratios for Day-Care Homes are based upon a recognized ability for staff to evacuate clients from the center in case of an emergency. Such evacuation procedures take into consideration that a sufficient number of capable staff is present to provide intervention, direction, and direct personal assistance to clients who are incapable of self-preservation. Twenty-four months has long been

recognized as the minimum age criteria for which clients can be safely assumed to be capable of self-preservation.

It should also be noted that these age limits were established in reaction to a fatal fire that occurred in Family Day Care Facility in Baltimore County in which the provider was unable to evacuate all the children in care without having to re-enter the building.

It is for these reasons that the Maryland State Chapter of the International Fire Marshals Association does not support this proposed bill.

Thank you for your consideration of this written testimony and we respectfully ask the Ways and Means Committee for an unfavorable report for HB477.

Sincerely,

Michael S. Custer

Michael S. Custer
President, Maryland State Chapter of the International Fire Marshals Association