



Maryland State Child Care Association

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**Caring For Maryland's Most
Important Natural Resource™**

The Maryland State Child Care Association (MSCCA) is a non-profit, statewide, professional association incorporated in 1984 to promote the growth and development of child care and learning centers in Maryland. MSCCA has over 5500 members working in the field of child care/early childhood education. We believe children are our most important natural resource and work hard to advocate for children, families and for professionalism within the early childhood community.

**Testimony: HB 477: Family Child Care Homes and Child Care Centers-Adult to Child Ratios-Alterations
Submitted to: Ways and Means Committee**

Feb 5, 2025

MSCCA supports the effort to increase infant and toddler seats, however, cannot support HB 477 as written.

MSCCA's priorities agenda includes addressing critical workforce shortages, improving compensation, and advocating for direct investments for families, children, and child care programs throughout the state. We know the importance of child care to families being able to work, attend school or training programs and we know child care is an economic and equity imperative.

We applaud the sponsors for their efforts and leadership and for shedding light on the issues with licensing and ratios. HB 477 speaks to the need to re-evaluate the regulatory system and national standards related to staff child ratios to improve child care access in Maryland, however MSCCA has concerns about the safety and well-being of children and the provider based on HB 477.

MSCCA thanks the sponsors as HB 477 raises concerns around the very real need to address accessibility and affordability for infant/ toddler child care. HB 477 also sheds light on the difficulty of meeting family's needs in a regulatory system that requires a deeper dive to determine the effectiveness and efficiencies to better serve children and families safely, and for child care providers to remain in business. Finally, HB 477 supports ways to address compensation, but we must never prioritize compensation over safety. This legislation requires more examination for safety and best practice for infants to thrive.

Comptroller Lierman's State of the Economy series released on December 31, 2024, clearly shows the need to address the decline in family child care and workforce decline for all of child care. We must come together with safe, thoughtful, and developmentally appropriate action items to address the decline of child care and the very real need to address the accessibility and affordability of infant and toddler seats to support families and the essential child care providers serving the public good through licensed child care.

Safety is the foundation of child care. The Maryland State fire code states that for Family Child Care homes:

W. Amend Subparagraphs 16.6.1.7.1 and 17.6.1.7.1 to replace “both” with “all” and Items (1) and (2) with the following Items:

(1) The minimum staff-to-client ratio shall be not less than one staff member for up to eight clients, including the caretaker's own children who are incapable of self-preservation.

(2) There shall be not more than four clients' incapables of self-preservation, including the caretaker's own children incapable of self-preservation.

(3) A staff-to-client ratio of at least one staff member to every two client's incapables of self-preservation shall be always maintained.

(4) The staff-to-client ratio shall be permitted to be modified by the authority having legal control where safeguards in addition to those specified in this section are provided.

Traditionally, local fire codes tend to mirror national codes created by the National Fire Protection Association. Those codes specify no more than a 1:2 ratio for children incapable of self-preservation.

In addition, even if Maryland were to allow this, and a county allowed it, insurance companies would balk at the idea of insuring a home that does not comply with nationally recognized standards for fire safety. Child care providers and businesses are already experiencing increases in insurance costs and limited insurance companies willing to work with child care programs. HB 477 could exacerbate this issue.

MSCCA does not agree to eliminate the Department (MSDE) authority to limit number of children, unless another authority is designate to ensure space, square footage, and other codes are meeting safety and best practice standards.

This bill requires numerous amendments to make significant changes safely and meaningfully in the child care regulations.

We recommend a stakeholder and expert workgroup subcommittee under the Office of Child Care Advisory Council, a Governor's Council, whose purview is to review all regulations and advise the Department (MSDE) on regulations, and all issues related to child care. This Council subcommittee can study other states with similar ratios and group sizes, study best practices from nationally recognized experts, and review all building and fire safety requirements to formulate recommendations/report by May of 2026 to general assembly for improving access to infant and toddler care in Maryland.

MSCCA urges an unfavorable report with recommendations to study the impact of ratio changes and improvements to accessibility for infant and toddler child care in licensed programs.