

Testimony of Clinton Macsherry
In re: HB 477 “Family Child Care Homes and Child Care Centers - Adult to Child Ratios - Alterations”
House Ways & Means Committee
February 5, 2025

Position: **OPPOSE**

Madam Chair and Honorable Committee Members, I urge you to oppose HB 477, which would more than double the number of children under age 2 who could be cared for by a single child care provider. The bill would even allow for four children under age 1 to be cared for by a single provider. This dramatic expansion of current limits would grossly exceed nationally recognized standards and pose grave risks to health and safety as well as developmentally appropriate care for children in family child care programs.

This is the first time that I’ve submitted testimony to this Committee as a private citizen, but I do so with fairly extensive knowledge of this bill’s legislative history. Please reject this proposal as you, your colleagues, and your predecessors in the General Assembly have done each time it has been introduced over the past two decades.

I have utmost respect for the bill sponsors and for family child care providers, most of whom are hard-working and dedicated professionals. They are superwomen, but there are limits to their powers. In emergencies, young children can become frightened and panic. (So for that matter can adults.) Even in the best circumstances, it would be no easy task for one adult provider to evacuate eight children.

The danger is compounded when it involves children under age 2, who are deemed by authorities to be incapable of self-preservation. In a fire, for instance, a provider can lift and evacuate two children under 2, one child in each of her arms. What is the provider to do when there are four children under 2? The greater the number of young children, the greater the risk for catastrophe.

You should reject this bill on the basis of fundamental health and safety considerations, which is why the State Fire Marshal has historically opposed this legislation. You should reject this legislation on the basis of a single provider’s supervision capacity, which is why this bill would violate the published standards of the National Family Child Care Association, the U.S. Department of Health and Human Services, and the National Fire Protection Association’s Life Safety Code. And you should reject this bill on the basis of core child development principles and best practices, which is why the American Academy of Pediatrics has historically opposed this legislation.

I strongly urge an UNFAVORABLE report.

Respectfully submitted,

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