



House Bill No. 5634

Public Act No. 11-97

AN ACT CONCERNING EXPEDITED LICENSING PROCESSES FOR PREVIOUSLY LICENSED OPERATORS OF CHILD DAY CARE CENTERS AND GROUP DAY CARE HOMES AND THE ESTABLISHMENT OF A PILOT PROGRAM THAT PROVIDES TEMPORARY CARE TO CHILDREN WITH ILLNESSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 19a-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) No person, group of persons, association, organization, corporation, institution or agency, public or private, shall maintain a child day care center or group day care home without a license issued in accordance with sections 19a-77 to 19a-80, inclusive, and 19a-82 to [19a-87] 19a-87a, inclusive. Applications for such license shall be made to the Commissioner of Public Health on forms provided by the commissioner and shall contain the information required by regulations adopted under said sections. The forms shall contain a notice that false statements made therein are punishable in accordance with section 53a-157b.

(b) (1) Upon receipt of an application for a license, the Commissioner of Public Health shall issue such license if, upon inspection and investigation, said commissioner finds that the

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applicant, the facilities and the program meet the health, educational and social needs of children likely to attend the child day care center or group day care home and comply with requirements established by regulations adopted under sections 19a-77 to 19a-80, inclusive, and sections 19a-82 to [19a-87] 19a-87a, inclusive. The [Commissioner of Public Health] commissioner shall offer an expedited application review process for an application submitted by a municipal agency or department. [Each license shall be for a term of two years, provided on and after October 1, 2008, each] The commissioner shall have discretion to determine whether a change of operator, ownership or location request from a currently licensed person or entity, as described in subsection (a) of this section, shall require the filing of a new license application from such person or entity. Each license shall be for a term of four years, shall be nontransferable, may be renewed upon payment of the licensure fee and may be suspended or revoked after notice and an opportunity for a hearing as provided in section 19a-84 for violation of the regulations adopted under sections 19a-77 to 19a-80, inclusive, and sections 19a-82 to [19a-87] 19a-87a, inclusive.

[(2) Prior to October 1, 2008, the Commissioner of Public Health shall collect from the licensee of a day care center a fee of two hundred dollars for each license issued or renewed for a term of two years. Prior to October 1, 2008, said commissioner shall collect from the licensee of a group day care home a fee of one hundred dollars for each license issued or renewed for a term of two years.]

[(3)] (2) [On and after October 1, 2008, the] The Commissioner of Public Health shall collect from the licensee of a day care center a fee of five hundred dollars for each license issued or renewed for a term of four years. [On and after October 1, 2008, said] The commissioner shall collect from the licensee of a group day care home a fee of two hundred fifty dollars for each license issued or renewed for a term of four years. The [Commissioner of Public Health] commissioner shall

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require only one license for a child day care center operated in two or more buildings, provided the same licensee provides child day care services in each building and the buildings are joined together by a contiguous playground that is part of the licensed space.

(c) The Commissioner of Public Health, within available appropriations, shall require each prospective employee of a child day care center or group day care home in a position requiring the provision of care to a child to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k. Pursuant to the interagency agreement provided for in section 10-16s, the Department of Social Services may agree to transfer funds appropriated for criminal history records checks to the Department of Public Health. The commissioner shall notify each licensee of the provisions of this subsection.

(d) The commissioner shall inform each licensee, by way of a plain language summary provided not later than sixty days after the regulation's effective date, of new or changed regulations adopted under sections 19a-77 to 19a-80, inclusive, or sections 19a-82 to 19a-87 19a-87a, inclusive, with which a licensee must comply.

Sec. 2. (*Effective October 1, 2011*) (a) The Department of Public Health shall permit the establishment of a drop-in pilot program to provide facility-based temporary custodial care for any child fifteen years of age or younger with a communicable or noncommunicable illness. The pilot program shall be administered by a physician licensed in accordance with the provisions of chapter 370 of the general statutes. The pilot program may provide temporary custodial care for not more than twelve children per day. A child participating in the pilot program may not receive more than nine hours of custodial care per

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day.

(b) Prior to implementation of the pilot program, the physician administering such program shall submit to the Department of Public Health for review and approval: (1) A physical plant description of the building, including, but not limited to, a description of the interior space, that will be used to operate the pilot program; and (2) proposed policies and procedures concerning the operation and administration of such program. Policies and procedures shall address subjects that include, but are not limited to, daily operations, staffing qualifications and levels, criteria for the assessment of children prior to admittance and during operating hours, documentation and record-keeping, infection control measures, medication administration and emergency response procedures.

(c) The program administrator shall submit the required documentation for each prospective employee to the Commissioner of Public Health, who shall request a check of each prospective employee's name from the state child abuse registry established pursuant to section 17a-101k of the general statutes.

(d) The program administrator shall allow any employee of the Department of Public Health immediate access to the facility, its staff and records at any time during customary business hours. The program administrator shall submit quarterly status reports to the department in a form and manner prescribed by the department. The program shall terminate on September 30, 2013.

Approved July 8, 2011