



General Assembly

February Session, 2012

Raised Bill No. 373

LCO No. 1954

01954_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING HEALTH AND SAFETY IN CHILD CARE FACILITIES.

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

1 Section 1. Section 19a-82 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) The Commissioner of Public Health shall utilize consultative
4 services and assistance from the Departments of Education, Mental
5 Health and Addiction Services and Social Services and from municipal
6 building, fire and health departments. The commissioner shall, within
7 available appropriations, make [periodic] annual inspections of
8 licensed day care centers, group day care homes and family day care
9 homes. [and] The commissioner shall provide technical assistance to
10 licensees and applicants for licenses to assist them to attain and
11 maintain the standards established in regulations adopted under
12 sections 19a-77 to 19a-80, inclusive, 19a-82 to 19a-87, inclusive, as
13 amended by this act, and 19a-87b.

14 (b) Not later January 1, 2012, and annually thereafter, the
15 Commissioner of Public Health shall, within available appropriations,

16 report, in accordance with section 11-4a, to the select committee of the
17 General Assembly having cognizance of matters relating to children
18 and the joint standing committee of the General Assembly having
19 cognizance of matters relating to public health concerning the results
20 of the annual inspections described in subsection (a) of this section.

21 Sec. 2. Subsection (a) of section 19a-87b of the 2012 supplement to
22 the general statutes is repealed and the following is substituted in lieu
23 thereof (*Effective October 1, 2012*):

24 (a) No person, group of persons, association, organization,
25 corporation, institution or agency, public or private, shall maintain a
26 family day care home, as defined in section 19a-77, without a license
27 issued by the Commissioner of Public Health. Licensure forms shall be
28 obtained from the Department of Public Health. Applications for
29 licensure shall be made to the commissioner on forms provided by the
30 department and shall contain the information required by regulations
31 adopted under this section. The licensure and application forms shall
32 contain a notice that false statements made therein are punishable in
33 accordance with section 53a-157b. Applicants shall state, in writing,
34 that they are in compliance with the regulations adopted by the
35 commissioner pursuant to subsection (f) of this section. Before a family
36 day care home license is granted, the department shall make an
37 inquiry and investigation which shall include a visit and inspection of
38 the premises for which the license is requested. Any inspection
39 conducted by the department shall include an inspection for evident
40 sources of lead poisoning. The department shall provide for a chemical
41 analysis of any paint chips found on such premises. [Neither the
42 commissioner nor the commissioner's designee shall require] Upon the
43 granting of a license to maintain a family day care home, the
44 commissioner shall thereafter, within available appropriations, make
45 an annual inspection [for homes seeking license renewal or for licensed
46 homes, except that the commissioner or the commissioner's designee
47 shall make unannounced visits, during customary business hours, to at
48 least thirty-three and one-third per cent of the] of such licensed family

49 day care [homes each year] home. A licensed family day care home
50 shall not be subject to any conditions on the operation of such home by
51 local officials, other than those imposed by the department pursuant to
52 this subsection, if the home complies with all local codes and
53 ordinances applicable to single and multifamily dwellings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	19a-82
Sec. 2	<i>October 1, 2012</i>	19a-87b(a)

Statement of Purpose:

To require, within available appropriations, annual inspections of day care centers, group day care homes and family day care homes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]