AN ACT CONCERNING THE CREATION OF A PILOT PROGRAM FOR AN EARLY CHILDHOOD BUSINESS INCUBATOR MODEL.

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

Section 1. Section 19a-87b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(a) No person, group of persons, association, organization, corporation, institution or agency, public or private, shall maintain a family child care home, as defined in section 19a-77, without a license issued by the Commissioner of Early Childhood. Licensure forms shall be obtained from the Office of Early Childhood. Applications for licensure shall be made to the commissioner on forms provided by the office and shall contain the information required by regulations adopted under this section. The licensure and application forms shall contain a notice that false statements made therein are punishable in accordance with section 53a-157b. Applicants shall state, in writing, that they are in compliance with the regulations adopted by the commissioner pursuant to subsection (f) of this section. Before a family child care home license is granted, the office shall make an inquiry and investigation which shall include a visit and inspection of the premises for which the license is requested. Any inspection conducted by the office shall include an inspection for evident sources of lead poisoning. The office shall provide for a chemical analysis of any paint chips found on such premises. Neither the commissioner nor the
commissioner's designee shall require an annual inspection for homes seeking license renewal or for licensed homes, except that the commissioner or the commissioner's designee shall make an unannounced visit, inspection or investigation of each licensed family child care home at least once every year. A licensed family child care home shall not be subject to any conditions on the operation of such home by local officials, other than those imposed by the office pursuant to this subsection, if the home complies with all local codes and ordinances applicable to single and multifamily dwellings.

(b) No person shall act as an assistant or substitute staff member to a person or entity maintaining a family child care home, as defined in section 19a-77, without an approval issued by the commissioner. Any person seeking to act as an assistant or substitute staff member in a family child care home shall submit an application for such approval to the office. Applications for approval shall: (1) Be made to the commissioner on forms provided by the office, (2) contain the information required by regulations adopted under this section, and (3) be accompanied by a fee of fifteen dollars. The approval application forms shall contain a notice that false statements made in such form are punishable in accordance with section 53a-157b.

(c) The commissioner, within available appropriations, shall require each initial applicant or prospective employee of a family child care home in a position requiring the provision of care to a child, including an assistant or substitute staff member and each household member who is sixteen years of age or older, to submit to comprehensive background checks, including 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. The commissioner shall notify each licensee of the provisions of this subsection. For purposes of this subsection, "household member" means any person, other than the person who is licensed to conduct, operate or maintain a
family child care home, who resides in the family child care home, such as the licensee's spouse or children, tenants and any other occupant.

(d) An application for initial licensure pursuant to this section shall be accompanied by a fee of forty dollars and such license shall be issued for a term of four years. An application for renewal of a license issued pursuant to this section shall be accompanied by a fee of forty dollars and a certification from the licensee that any child enrolled in the family child care home has received age-appropriate immunizations in accordance with regulations adopted pursuant to subsection (f) of this section. A license issued pursuant to this section shall be renewed for a term of four years. In the case of an applicant submitting an application for renewal of a license that has expired, and who has ceased operations of a family child care home due to such expired license, the commissioner may renew such expired license within thirty days of the date of such expiration upon receipt of an application for renewal that is accompanied by such fee and such certification.

(e) An application for initial staff approval or renewal of staff approval shall be accompanied by a fee of fifteen dollars. Such approvals shall be issued or renewed for a term of two years.

(f) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to assure that family child care homes, as defined in section 19a-7f, meet the health, educational and social needs of children utilizing such homes. Such regulations shall ensure that the family child care home is treated as a residence, and not an institutional facility. Such regulations shall specify that each child be protected as age-appropriate by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type B and any other vaccine required by the schedule of active immunization adopted pursuant to section 19a-7f. Such regulations shall provide appropriate exemptions for children for
whom such immunization is medically contraindicated and for
children whose parents or guardian objects to such immunization on
religious grounds and require that any such objection be accompanied
by a statement from such parents or guardian that such immunization
would be contrary to the religious beliefs of such child or the parents
or guardian of such child, which statement shall be acknowledged, in
accordance with the provisions of sections 1-32, 1-34 and 1-35, by (1) a
director of a court of record or a family support magistrate, (2) a clerk or
deputy clerk of a court having a seal, (3) a town clerk, (4) a notary
public, (5) a justice of the peace, or (6) an attorney admitted to the bar
of this state. Such regulations shall also specify conditions under which
family child care home providers may administer tests to monitor
blood glucose levels in a child with diagnosed diabetes mellitus, and
administer medicinal preparations, including controlled drugs
specified in the regulations by the commissioner, to a child receiving
child care services at a family child care home pursuant to a written
order of a physician licensed to practice medicine in this or another
state, an advanced practice registered nurse licensed to prescribe in
accordance with section 20-94a or a physician assistant licensed to
prescribe in accordance with section 20-12d, and the written
authorization of a parent or guardian of such child. Such regulations
shall specify appropriate standards for extended care and intermittent
short-term overnight care. 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 any new or changed
regulations adopted under this subsection with which a licensee must
comply.

(g) Upon the declaration by the Governor of a civil preparedness
emergency pursuant to section 28-9 or a public health emergency
pursuant to section 19a-131a, the commissioner may waive the
provisions of any regulation adopted pursuant to this section if the
commissioner determines that such waiver would not endanger the
life, safety or health of any child. The commissioner shall prescribe the
duration of such waiver, provided such waiver shall not extend
beyond the duration of the declared emergency. The commissioner shall establish the criteria by which a waiver request shall be made and the conditions for which a waiver will be granted or denied. The provisions of section 19a-84 shall not apply to a denial of a waiver request under this subsection.

(h) Any family child care home may provide child care services to homeless children and youths, as defined in 42 USC 11434a, as amended from time to time, for a period not to exceed ninety days without complying with any provision in regulations adopted pursuant to this section relating to immunization and physical examination requirements. Any family child care home that provides child care services to homeless children and youths at such home under this subsection shall maintain a record on file of all homeless children and youths who have attended such home for a period of two years after such homeless children or youths are no longer receiving child care services at such home.

(i) For the fiscal years ending June 30, 2020, to June 30, 2024, inclusive, the Commissioner of Early Childhood may issue a license to maintain a family child care home in accordance with the provisions of this chapter to a person or group of persons who have partnered with an association, organization, corporation, institution or agency, public or private, to provide child care services in a space within a facility, other than a private family home and which has been approved by the commissioner, that has been provided by such association, organization, corporation, institution or agency, in the cities of New Britain, New Haven, Bridgeport or Stamford. The commissioner shall not approve more than one facility in each such city to be used for licenses issued under this subsection. An application for a license under this subsection shall include a copy of the current fire marshal certificate of compliance with the Fire Safety Code, written verification of compliance with the State Building Code, local zoning and building requirements and local health ordinances. The commissioner may require an applicant for a license under this subsection to comply with
additional conditions relating to the health and safety of children who will be served in such facility. The commissioner may waive any requirement that does not apply to such facility. Any license issued under this subsection shall expire on June 30, 2024, except that the commissioner may suspend or revoke any such license at any time in accordance with the provisions of section 19a-87e.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | July 1, 2019 | 19a-87b |