



General Assembly

February Session, 2020

**Raised Bill No. 5213**

LCO No. 462



Referred to Committee on EDUCATION

Introduced by:  
(ED)

***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:

1 Section 1. Section 19a-87b of the 2020 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2020*):

4 (a) No person, group of persons, association, organization,  
5 corporation, institution or agency, public or private, shall maintain a  
6 family child care home, as [defined] described in section 19a-77, without  
7 a license issued by the Commissioner of Early Childhood. Licensure  
8 forms shall be obtained from the Office of Early Childhood.  
9 Applications for licensure shall be made to the commissioner on forms  
10 provided by the office and shall contain the information required by  
11 regulations adopted under this section. The licensure and application  
12 forms shall contain a notice that false statements made [therein] in such  
13 forms are punishable in accordance with section 53a-157b. Applicants  
14 shall state, in writing, that they are in compliance with the regulations  
15 adopted by the commissioner pursuant to subsection (f) of this section.

16 Before a family child care home license is granted, the office shall make  
17 an inquiry and investigation which shall include a visit and inspection  
18 of the premises for which the license is requested. Any inspection  
19 conducted by the office shall include an inspection for evident sources  
20 of lead poisoning. The office shall provide for a chemical analysis of any  
21 paint chips found on such premises. Neither the commissioner nor the  
22 commissioner's designee shall require an annual inspection for homes  
23 seeking license renewal or for licensed homes, except that the  
24 commissioner or the commissioner's designee shall make an  
25 unannounced visit, inspection or investigation of each licensed family  
26 child care home at least once every year. A licensed family child care  
27 home shall not be subject to any conditions on the operation of such  
28 home by local officials, other than those imposed by the office pursuant  
29 to this subsection, if the home complies with all local codes and  
30 ordinances applicable to single and multifamily dwellings.

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

42 (c) The commissioner, within available appropriations, shall require  
43 each initial applicant or prospective employee of a family child care  
44 home in a position requiring the provision of care to a child, including  
45 an assistant or substitute staff member and each household member  
46 who is sixteen years of age or older, to submit to comprehensive  
47 background checks, including state and national criminal history  
48 records checks. The criminal history records checks required pursuant  
49 to this subsection shall be conducted in accordance with section 29-17a.

50 The commissioner shall also request a check of the state child abuse  
51 registry established pursuant to section 17a-101k. The commissioner  
52 shall notify each licensee of the provisions of this subsection. For  
53 purposes of this subsection, "household member" means any person,  
54 other than the person who is licensed to conduct, operate or maintain a  
55 family child care home, who resides in the family child care home, such  
56 as the licensee's spouse or children, tenants and any other occupant.

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

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

74 (f) The commissioner shall adopt regulations, in accordance with the  
75 provisions of chapter 54, to [assure] ensure that family child care homes,  
76 as [defined] described in section 19a-77, meet the health, educational  
77 and social needs of children utilizing such homes. Such regulations shall  
78 ensure that the family child care home is treated as a residence, and not  
79 an institutional facility. Such regulations shall specify that each child be  
80 protected as age-appropriate by adequate immunization against  
81 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
82 hemophilus influenzae type B and any other vaccine required by the

83 schedule of active immunization adopted pursuant to section 19a-7f.  
84 Such regulations shall provide appropriate exemptions for children for  
85 whom such immunization is medically contraindicated and for children  
86 whose parents or guardian objects to such immunization on religious  
87 grounds and require that any such objection be accompanied by a  
88 statement from such parents or guardian that such immunization would  
89 be contrary to the religious beliefs of such child or the parents or  
90 guardian of such child, which statement shall be acknowledged, in  
91 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (1) a  
92 judge of a court of record or a family support magistrate, (2) a clerk or  
93 deputy clerk of a court having a seal, (3) a town clerk, (4) a notary public,  
94 (5) a justice of the peace, or (6) an attorney admitted to the bar of this  
95 state. Such regulations shall also specify conditions under which family  
96 child care home providers may administer tests to monitor glucose  
97 levels in a child with diagnosed diabetes mellitus, and administer  
98 medicinal preparations, including controlled drugs specified in the  
99 regulations by the commissioner, to a child receiving child care services  
100 at a family child care home pursuant to a written order of a physician  
101 licensed to practice medicine in this or another state, an advanced  
102 practice registered nurse licensed to prescribe in accordance with  
103 section 20-94a or a physician assistant licensed to prescribe in  
104 accordance with section 20-12d, and the written authorization of a  
105 parent or guardian of such child. Such regulations shall specify  
106 appropriate standards for extended care and intermittent short-term  
107 overnight care. The commissioner shall inform each licensee, by way of  
108 a plain language summary provided not later than sixty days after the  
109 regulation's effective date, of any new or changed regulations adopted  
110 under this subsection with which a licensee must comply.

111 (g) Upon the declaration by the Governor of a civil preparedness  
112 emergency pursuant to section 28-9 or a public health emergency  
113 pursuant to section 19a-131a, the commissioner may waive the  
114 provisions of any regulation adopted pursuant to this section if the  
115 commissioner determines that such waiver would not endanger the life,  
116 safety or health of any child. The commissioner shall prescribe the

117 duration of such waiver, provided such waiver shall not extend beyond  
118 the duration of the declared emergency. The commissioner shall  
119 establish the criteria by which a waiver request shall be made and the  
120 conditions for which a waiver will be granted or denied. The provisions  
121 of section 19a-84 shall not apply to a denial of a waiver request under  
122 this subsection.

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

134 (i) Any family child care home may provide child care services to a  
135 foster child for a period not to exceed forty-five days without complying  
136 with any provision in regulations adopted pursuant to this section  
137 relating to immunization and physical examination requirements. Any  
138 family child care home that provides child care services to a foster child  
139 at such home under this subsection shall maintain a record on file of  
140 such foster child for a period of two years after such foster child is no  
141 longer receiving child care services at such home. For purposes of this  
142 subsection, "foster child" means a child who is in the care and custody  
143 of the Commissioner of Children and Families and placed in a foster  
144 home licensed pursuant to section 17a-114, foster home approved by a  
145 child-placing agency licensed pursuant to section 17a-149, facility  
146 licensed pursuant to section 17a-145 or with a relative or fictive kin  
147 caregiver pursuant to section 17a-114.

148 (j) For the fiscal years ending June 30, 2021, to June 30, 2025, inclusive,  
149 the Commissioner of Early Childhood may issue a license to maintain a

150 family child care home in the cities of New Britain, New Haven,  
151 Bridgeport, Stamford or Hartford in accordance with the provisions of  
152 this chapter to a person or group of persons who have partnered with  
153 an association, organization, corporation, institution or agency, public  
154 or private, to provide child care services in a space within a facility,  
155 other than a private family home and that has been approved by the  
156 commissioner, that has been provided by such association,  
157 organization, corporation, institution or agency. The commissioner shall  
158 not approve more than one facility in each such city to be used for  
159 licenses issued under this subsection. An application for a license under  
160 this subsection shall include a copy of the current fire marshal certificate  
161 of compliance with the Fire Safety Code, and written verification of  
162 compliance with the State Building Code, local zoning and building  
163 requirements and local health ordinances. The commissioner may  
164 require an applicant for a license under this subsection to comply with  
165 additional conditions relating to the health and safety of the children  
166 who will be served in such facility. The commissioner may waive any  
167 requirement that does not apply to such facility. Any license issued  
168 under this subsection shall expire on June 30, 2025, except that the  
169 commissioner may suspend or revoke any such license at any time in  
170 accordance with the provisions of section 19a-87e.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	19a-87b

**Statement of Purpose:**

To establish a pilot program that authorizes the Commissioner of Early Childhood to issue a license to a person or group of persons to operate a family child care home in a space that is not a private home and that has been provided by an association, organization, corporation, institution or agency.

*[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.]*