



# Senate

General Assembly

**File No. 240**

February Session, 2022

Substitute Senate Bill No. 122

*Senate, March 31, 2022*

The Committee on Children reported through SEN. ANWAR of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING RECORD-KEEPING AND PARENTAL NOTIFICATION OF CERTAIN INCIDENTS INVOLVING CHILDREN BY CHILD CARE CENTERS AND GROUP CHILD CARE HOMES.***

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

1 Section 1. Subsection (a) of section 19a-79 of the 2022 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2022*):

4 (a) The Commissioner of Early Childhood shall adopt regulations, in  
5 accordance with the provisions of chapter 54, to carry out the purposes  
6 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
7 and to assure that child care centers and group child care homes meet  
8 the health, educational and social needs of children utilizing such child  
9 care centers and group child care homes. Such regulations shall (1)  
10 specify that before being permitted to attend any child care center or  
11 group child care home, each child shall be protected as age-appropriate  
12 by adequate immunization against diphtheria, pertussis, tetanus,  
13 poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B

14 and any other vaccine required by the schedule of active immunization  
15 adopted pursuant to section 19a-7f, (2) specify conditions under which  
16 child care center directors and teachers and group child care home  
17 providers may administer tests to monitor glucose levels in a child with  
18 diagnosed diabetes mellitus, and administer medicinal preparations,  
19 including controlled drugs specified in the regulations by the  
20 commissioner, to a child receiving child care services at such child care  
21 center or group child care home pursuant to the written order of a  
22 physician licensed to practice medicine or a dentist licensed to practice  
23 dental medicine in this or another state, or an advanced practice  
24 registered nurse licensed to prescribe in accordance with section 20-94a,  
25 or a physician assistant licensed to prescribe in accordance with section  
26 20-12d, and the written authorization of a parent or guardian of such  
27 child, (3) specify that an operator of a child care center or group child  
28 care home, licensed before January 1, 1986, or an operator who receives  
29 a license after January 1, 1986, for a facility licensed prior to January 1,  
30 1986, shall provide a minimum of thirty square feet per child of total  
31 indoor usable space, free of furniture except that needed for the  
32 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,  
33 kitchens, halls, isolation room or other rooms used for purposes other  
34 than the activities of the children, (4) specify that a child care center or  
35 group child care home licensed after January 1, 1986, shall provide  
36 thirty-five square feet per child of total indoor usable space, (5) establish  
37 appropriate child care center staffing requirements for employees  
38 certified in cardiopulmonary resuscitation by the American Red Cross,  
39 the American Heart Association, the National Safety Council, American  
40 Safety and Health Institute, Medic First Aid International, Inc. or an  
41 organization using guidelines for cardiopulmonary resuscitation and  
42 emergency cardiovascular care published by the American Heart  
43 Association and International Liaison Committee on Resuscitation, (6)  
44 specify that a child care center or group child care home (A) shall not  
45 deny services to a child on the basis of a child's known or suspected  
46 allergy or because a child has a prescription for an automatic prefilled  
47 cartridge injector or similar automatic injectable equipment used to treat  
48 an allergic reaction, or for injectable equipment used to administer

49 glucagon, (B) shall, not later than three weeks after such child's  
50 enrollment in such a center or home, have staff trained in the use of such  
51 equipment on-site during all hours when such a child is on-site, (C) shall  
52 require such child's parent or guardian to provide the injector or  
53 injectable equipment and a copy of the prescription for such medication  
54 and injector or injectable equipment upon enrollment of such child, and  
55 (D) shall require a parent or guardian enrolling such a child to replace  
56 such medication and equipment prior to its expiration date, (7) specify  
57 that a child care center or group child care home (A) shall not deny  
58 services to a child on the basis of a child's diagnosis of asthma or because  
59 a child has a prescription for an inhalant medication to treat asthma, and  
60 (B) shall, not later than three weeks after such child's enrollment in such  
61 a center or home, have staff trained in the administration of such  
62 medication on-site during all hours when such a child is on-site, [and]  
63 (8) establish physical plant requirements for licensed child care centers  
64 and licensed group child care homes that exclusively serve school-age  
65 children, (9) specify that a child care center or group child care home  
66 shall immediately notify the parent or guardian of a child enrolled in  
67 such center or home if such child becomes ill or is injured while in the  
68 care of such center or home, (10) specify that a child care center or group  
69 child care home shall create a written record of any illness or injury  
70 described in subdivision (9) of this subsection, which shall, (A) include,  
71 but not be limited to, (i) a description of such illness or injury, (ii) the  
72 date, time of occurrence and location of such illness or injury, (iii) any  
73 responsive action taken by an employee of such center or home, and (iv)  
74 whether such child was transported to a hospital emergency room,  
75 doctor's office or other medical facility as a result of such illness or  
76 injury, (B) be provided to the parent or guardian of such child not later  
77 than the next business day, and (C) be maintained by such center or  
78 home for a period of not less than two years and be made immediately  
79 available upon the request of the Office of Early Childhood, and (11)  
80 specify that a child care center or group child care home shall maintain  
81 any video recordings created at such center or home for a period of not  
82 less than thirty days and make such recordings immediately available  
83 upon the request of the Office of Early Childhood. When establishing

84 such requirements, the Office of Early Childhood shall give  
 85 consideration to child care centers and group child care homes that are  
 86 located in private or public school buildings. With respect to [this]  
 87 subdivision [only] (8) of this subsection, the commissioner shall  
 88 implement policies and procedures necessary to implement the physical  
 89 plant requirements established pursuant to this subdivision while in the  
 90 process of adopting such policies and procedures in regulation form.  
 91 Until replaced by policies and procedures implemented pursuant to this  
 92 subdivision, any physical plant requirement specified in the office's  
 93 regulations that is generally applicable to child care centers and group  
 94 child care homes shall continue to be applicable to such centers and  
 95 homes that exclusively serve school-age children. The commissioner  
 96 shall post notice of the intent to adopt regulations pursuant to this  
 97 subdivision on the eRegulations System not later than twenty days after  
 98 the date of implementation of such policies and procedures. Policies and  
 99 procedures implemented pursuant to this subdivision shall be valid  
 100 until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	19a-79(a)

**KID**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which changes Office of Early Childhood (OEC) regulations related to child-care notification and documentation requirements of illness and injury, has no fiscal impact.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 122*****AN ACT CONCERNING RECORD-KEEPING AND PARENTAL NOTIFICATION OF CERTAIN INCIDENTS INVOLVING CHILDREN BY CHILD CARE CENTERS AND GROUP CHILD CARE HOMES.*****SUMMARY**

This bill requires the Office of Early Childhood (OEC) commissioner to adopt regulations requiring child care centers or group child care homes (see definitions below) to:

1. immediately notify an enrolled child's parent or guardian if the child becomes ill or is injured while in the care of the center or home and
2. create a specific written record of the illness or injury.

Under the bill the written record must:

1. include (a) a description of the illness or injury; (b) the date, time, and location of the incident, (c) any action an employee takes in response, and (d) whether the child was transported to an emergency room, a doctor's office, or other medical facility as a result of the illness or injury;
2. be provided to the child's parent or guardian by the next business day; and
3. be kept by the center or home for at least two years, and be made immediately available upon OEC's request.

The bill also requires OEC to specify in its regulations that a child care center or group child care home must (1) maintain any video recordings created at the center or home for at least 30 days and (2) make the recordings immediately available upon OEC's request.

It also makes conforming changes.

EFFECTIVE DATE: July 1, 2022

## **DEFINITIONS**

### ***Child Care Facilities***

By law, a “child care center” is one that offers or provides supplementary care to more than 12 children outside their own homes on a regular basis.

A “group child care home” is one that (1) offers or provides supplementary care to at least seven and up to 12 children on a regular basis or (2) meets the “family child care home” definition, but does not operate in a private family home.

A “family child care home” generally is a private family home where care is provided on a regularly recurring basis to up to six children, including the provider’s own children not in school full time, where the children are cared for at least three, but no more than 12, hours during a 24-hour period. There are some exceptions, including for cases involving extended care or intermittent short-term overnight care (CGS § 19a-77).

## **COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 13    Nay 0    (03/15/2022)