

Committee on Children JOINT FAVORABLE REPORT

Bill No.: HB-5160

AN ACT REQUIRING CHILD CARE CENTERS, GROUP CHILD CARE HOMES
AND FAMILY CHILD CARE HOMES TO MAINTAIN LIABILITY INSURANCE

Title: COVERAGE.

Vote Date: 2/29/2024

Vote Action: Joint Favorable Substitute

PH Date: 2/22/2024

File No.:

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SPONSORS OF BILL:

Committee on Children

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Rep. Travis Simms, 140th District

REASONS FOR BILL:

This bill would require the Commissioner of the Office of Early Childhood to adopt regulations requiring childcare centers, group child care homes, and family child care homes to maintain liability insurance coverage. The stated childcare providers would be required to maintain coverage of no less than \$100,000 for damages by reason of bodily injury or death of any one person.

This would significantly reduce the financial harm of any accidents in any of the stated child care settings to both the children's family and the relevant child care provider.

The S language gives clarifying language on timeframe of how the bill would be implemented.

RESPONSE FROM ADMINISTRATION/AGENCY:

NOTE: TESTIMONY MAY NOT REFLECT CURRENT LANGUAGE OF THE BILL

[State of Connecticut, Office of Early Childhood, Commissioner, Beth Bye](#) has concerns about where this bill originated, which they understand to be the Connecticut Trial Lawyers Association. The childcare field provided input on what is needed to help the field during the

Blue-Ribbon Panel on Child Care process, and the issues this bill attempts to tackle were never mentioned. They state that while maintaining liability insurance may be a good business practice, the requirements to obtain a childcare license focus specifically on ensuring the ability to meet the health, educational, and social needs of children. They also have concerns about the financial burden this could place on childcare programs. Governor Lamont recently recommended in his budget proposal to waive the initial fee for a family childcare home license to relieve the fiscal burden of obtaining a license. Any savings that budget proposal would make would be wiped out multiple times over by this requirement. It's probable that this may preclude some providers from being able to provide licensed childcare and may discourage some from starting in the first place. The Office of Early Childhood suggests further examination of this issue to ensure we obtain feedback from providers and stakeholders.

NATURE AND SOURCES OF SUPPORT:

[Connecticut Trial Lawyers Association, Former President, Kathleen Natri](#) supports this bill because requiring a minimum amount of liability insurance coverage would just be an additional protection for childcare providers and the families using their services. They state that even with all the precautions, requirements, inspections, and regulations, accidents still happen, and this bill would protect the provider from financial harm without adding significant costs of doing business to providers.

NATURE AND SOURCES OF OPPOSITION:

[CSEA SEIU Local 2001, Tashieanna O'Connor](#), [CSEA SEIU Local 2001, Elizabeth Dominguez](#), and [CSEA SEIU Local 2001, Katherine Lantigua](#) state that the responsibilities of childcare providers are incredibly diverse, ranging from supervising and ensuring the safety of children, to designing and implementing activities or curriculum to foster children's learning and exploration of their interests. Despite the rewarding nature of the work, the long hours, diverse range of daily tasks, and maintenance of emotional engagement with children and families can lead to burnout. For many providers, the decision to get liability insurance or not is a decision between protections and financial obligations for their job, especially for many of their members who are not required to have a license because they're caring for a family member. They recommend that due to the unknowns around liability insurance, its cost, and potential impact on providers and families, letting the Office of Early Childhood work with key stakeholders to examine this issue or possibly changing this bill into a study would be best.

[Connecticut Voices for Children, Research and Policy Fellow, Carla B. Abdo-Katsipis](#) requests that the committee consider alternative solutions instead of burdening childcare providers with the cost of liability insurance. They also suggest studying the impact on educators and providers in order to:

- A. Understand the cost of liability insurance for family and group child care homes.
- B. Find affordable liability insurance options before mandating coverage.

Many family child care homes in Connecticut operate on exceedingly slim profit margins, and this bill could exacerbate the existing shortage of available childcare slots by making childcare prohibitively expensive for some providers.

[All Our Kin, Policy Specialist, Jade Thomas](#) requests that a study be conducted before mandating liability insurance coverage to better understand the impact to educators, including:

- The average cost of liability insurance for family and group child care homes.
- Opportunities for incentives to encourage the purchase of liability insurance.
- Affordable liability insurance options.

They go on to state the rigorous requirements for obtaining and maintaining a license.

[Christopher Benaili](#) opposes this bill because it is government overreach.

Reported by: Patrick Buckley

Date: 3/8/2024