



General Assembly

February Session, 2024

Raised Bill No. 5160

LCO No. 1033



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

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

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 general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

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, (8)
63 establish physical plant requirements for licensed child care centers and
64 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 exhibits or develops an illness or is
68 injured while in the care of such center or home, (10) specify that a child
69 care center or group child care home shall create a written record of any
70 such illness or injury, which shall, (A) include, but not be limited to, (i)
71 a description of such illness or injury, (ii) the date, time of occurrence
72 and location of such illness or injury, (iii) any responsive action taken
73 by an employee of such center or home, and (iv) whether such child was
74 transported to a hospital emergency room, doctor's office or other
75 medical facility as a result of such illness or injury, (B) be provided to
76 the parent or guardian of such child not later than the next business day,
77 and (C) be maintained by such center or home for a period of not less
78 than two years and be made immediately available upon the request of
79 the Office of Early Childhood, [and] (11) specify that a child care center
80 or group child care home shall maintain any video recordings created at
81 such center or home for a period of not less than thirty days, and make
82 such recordings immediately available upon the request of the Office of
83 Early Childhood, and (12) specify that a child care center or group child
84 care home shall maintain liability insurance coverage of not less than

85 one hundred thousand dollars for damages by reason of bodily injury
86 to, or the death of, any one person. When establishing such
87 requirements, the Office of Early Childhood shall give consideration to
88 child care centers and group child care homes that are located in private
89 or public school buildings. With respect to subdivision (8) of this
90 subsection, the commissioner shall implement policies and procedures
91 necessary to implement the physical plant requirements established
92 pursuant to this subdivision while in the process of adopting such
93 policies and procedures in regulation form. Until replaced by policies
94 and procedures implemented pursuant to this subdivision, any physical
95 plant requirement specified in the office's regulations that is generally
96 applicable to child care centers and group child care homes shall
97 continue to be applicable to such centers and homes that exclusively
98 serve school-age children. The commissioner shall post notice of the
99 intent to adopt regulations pursuant to this subdivision on the
100 eRegulations System not later than twenty days after the date of
101 implementation of such policies and procedures. Policies and
102 procedures implemented pursuant to this subdivision shall be valid
103 until the time final regulations are adopted. For purposes of this
104 subsection, "illness" means fever, vomiting, diarrhea, rash, headache,
105 persistent coughing, persistent crying or any other condition deemed an
106 illness by the Commissioner of Early Childhood.

107 Sec. 2. Subsection (f) of section 19a-87b of the 2024 supplement to the
108 general statutes is repealed and the following is substituted in lieu
109 thereof (*Effective October 1, 2024*):

110 (f) The commissioner shall adopt regulations, in accordance with the
111 provisions of chapter 54, to ensure that family child care homes, as
112 described in section 19a-77, meet the health, educational and social
113 needs of children utilizing such homes. Such regulations shall (1) ensure
114 that the family child care home is treated as a residence, and not an
115 institutional facility, (2) specify that each child be protected as age-
116 appropriate by adequate immunization against diphtheria, pertussis,
117 tetanus, poliomyelitis, measles, mumps, rubella, haemophilus
118 influenzae type B and any other vaccine required by the schedule of

119 active immunization adopted pursuant to section 19a-7f, (3) specify
120 conditions under which family child care home providers may
121 administer tests to monitor glucose levels in a child with diagnosed
122 diabetes mellitus, and administer medicinal preparations, including
123 controlled drugs specified in the regulations by the commissioner, to a
124 child receiving child care services at a family child care home pursuant
125 to a written order of a physician licensed to practice medicine in this or
126 another state, an advanced practice registered nurse licensed to
127 prescribe in accordance with section 20-94a or a physician assistant
128 licensed to prescribe in accordance with section 20-12d, and the written
129 authorization of a parent or guardian of such child, (4) specify
130 appropriate standards for extended care and intermittent short-term
131 overnight care, (5) specify that a family child care home shall
132 immediately notify the parent or guardian of a child enrolled in such
133 home if such child exhibits or develops an illness or is injured while in
134 the care of such home, (6) specify that a family child care home shall
135 create a written record of any such illness or injury, which shall, (A)
136 include, but not be limited to, (i) a description of such illness or injury,
137 (ii) the date, time of occurrence and location of such illness or injury, (iii)
138 any responsive action taken by an employee of such home, and (iv)
139 whether such child was transported to a hospital emergency room,
140 doctor's office or other medical facility as a result of such illness or
141 injury, (B) be provided to the parent or guardian of such child not later
142 than the next business day, and (C) be maintained by such home for a
143 period of not less than two years and be made immediately available
144 upon the request of the Office of Early Childhood, [and] (7) specify that
145 a family child care home shall maintain any video recordings created at
146 such home for a period of not less than thirty days, and make such
147 recordings immediately available upon the request of the Office of Early
148 Childhood, and (8) specify that a family child care home shall maintain
149 liability insurance coverage of not less than one hundred thousand
150 dollars for damages by reason of bodily injury to, or the death of, any
151 one person. The commissioner shall inform each licensee, by way of a
152 plain language summary provided not later than sixty days after the
153 regulation's effective date, of any new or changed regulations adopted

154 under this subsection with which a licensee must comply. For purposes
155 of this subsection, "illness" means fever, vomiting, diarrhea, rash,
156 headache, persistent coughing, persistent crying or any other condition
157 deemed an illness by the Commissioner of Early Childhood.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	19a-79(a)
Sec. 2	<i>October 1, 2024</i>	19a-87b(f)

Statement of Purpose:

To require the Commissioner of the Office of Early Childhood to adopt regulations requiring child care centers, group child care homes and family child care homes to maintain liability insurance coverage.

[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.]