



General Assembly

January Session, 2019

Raised Bill No. 930

LCO No. 3873



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 Section 19a-80 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019*):

3 (a) No person, group of persons, association, organization,
4 corporation, institution or agency, public or private, shall maintain a
5 child care center or group child care home without a license issued in
6 accordance with sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-
7 87a, inclusive. Applications for such license shall be made to the
8 Commissioner of Early Childhood on forms provided by the
9 commissioner and shall contain the information required by
10 regulations adopted under said sections. The forms shall contain a
11 notice that false statements made therein are punishable in accordance
12 with section 53a-157b.

13 (b) (1) Upon receipt of an application for a license, the commissioner
14 shall issue such license if, upon inspection and investigation, said

15 commissioner finds that the applicant, the facilities and the program
16 meet the health, educational and social needs of children likely to
17 attend the child care center or group child care home and comply with
18 requirements established by regulations adopted under this section
19 and sections 19a-77 to 19a-79a, inclusive, and sections 19a-82 to 19a-
20 87a, inclusive. The commissioner shall offer an expedited application
21 review process for an application submitted by a municipal agency or
22 department. A currently licensed person or entity, as described in
23 subsection (a) of this section, seeking a change of operator, ownership
24 or location shall file a new license application, except such person or
25 entity may request the commissioner to waive the requirement that a
26 new license application be filed. The commissioner may grant or deny
27 such request. Each license shall be for a term of four years, shall be
28 nontransferable, and may be renewed upon receipt by the
29 commissioner of a renewal application and accompanying licensure
30 fee. The commissioner may suspend or revoke such license after notice
31 and an opportunity for a hearing as provided in section 19a-84 for
32 violation of the regulations adopted under this section and sections
33 19a-77 to 19a-79a, inclusive, and sections 19a-82 to 19a-87a, inclusive.
34 In the case of an application for renewal of a license that has expired,
35 the commissioner may renew such expired license within thirty days
36 of the date of such expiration upon receipt of a renewal application
37 and accompanying licensure fee.

38 (2) The commissioner shall collect from the licensee of a child care
39 center a fee of five hundred dollars prior to issuing or renewing a
40 license for a term of four years. The commissioner shall collect from
41 the licensee of a group child care home a fee of two hundred fifty
42 dollars prior to issuing or renewing a license for a term of four years.
43 The commissioner shall require only one license for a child care center
44 operated in two or more buildings, provided the same licensee
45 provides child care services in each building and the buildings are
46 joined together by a contiguous playground that is part of the licensed
47 space.

48 (3) The commissioner, or the commissioner's designee, shall make

49 an unannounced visit, inspection or investigation of each licensed
50 child care center and group child care home at least once each year. At
51 least once every two years, the local health director, or the local health
52 director's designee, shall make an inspection of each licensed child care
53 center and group child care home.

54 (c) The commissioner, within available appropriations, shall require
55 each prospective employee of a child care center or group child care
56 home in a position requiring the provision of care to a child to submit
57 to comprehensive background checks, including state and national
58 criminal history records checks. The criminal history records checks
59 required pursuant to this subsection shall be conducted in accordance
60 with section 29-17a. The commissioner shall also request a check of the
61 state child abuse registry established pursuant to section 17a-101k. The
62 Department of Social Services may agree to transfer funds
63 appropriated for criminal history records checks to the Office of Early
64 Childhood. The Commissioner of Early Childhood shall notify each
65 licensee of the provisions of this subsection. No such prospective
66 employee shall have unsupervised access to children in the child care
67 center or group child care home until such comprehensive background
68 check is completed and the Commissioner of Early Childhood permits
69 such prospective employee to work in such child care center or group
70 child care home.

71 (d) The commissioner shall inform each licensee, by way of a plain
72 language summary provided not later than sixty days after the
73 regulation's effective date, of new or changed regulations adopted
74 under sections 19a-77 to 19a-80, inclusive, or sections 19a-82 to 19a-87a,
75 inclusive, with which a licensee must comply.

76 (e) For the fiscal years ending June 30, 2020, to June 30, 2024,
77 inclusive, the Commissioner of Early Childhood may issue a license to
78 maintain a group child care home in accordance with the provisions of
79 this chapter to a person or group of persons who have partnered with
80 an association, organization, corporation, institution or agency, public
81 or private, to provide child care services in a space within a facility

82 provided by such association, organization, corporation, institution or
83 agency, in the towns of New Britain, New Haven, Bridgeport or
84 Stamford.

85 Sec. 2. Section 19a-87b of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective July 1, 2019*):

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

114 (b) No person shall act as an assistant or substitute staff member to a

115 person or entity maintaining a family child care home, as defined in
116 section 19a-77, without an approval issued by the commissioner. Any
117 person seeking to act as an assistant or substitute staff member in a
118 family child care home shall submit an application for such approval
119 to the office. Applications for approval shall: (1) Be made to the
120 commissioner on forms provided by the office, (2) contain the
121 information required by regulations adopted under this section, and
122 (3) be accompanied by a fee of fifteen dollars. The approval application
123 forms shall contain a notice that false statements made in such form
124 are punishable in accordance with section 53a-157b.

125 (c) The commissioner, within available appropriations, shall require
126 each initial applicant or prospective employee of a family child care
127 home in a position requiring the provision of care to a child, including
128 an assistant or substitute staff member and each household member
129 who is sixteen years of age or older, to submit to comprehensive
130 background checks, including state and national criminal history
131 records checks. The criminal history records checks required pursuant
132 to this subsection shall be conducted in accordance with section 29-17a.
133 The commissioner shall also request a check of the state child abuse
134 registry established pursuant to section 17a-101k. The commissioner
135 shall notify each licensee of the provisions of this subsection. For
136 purposes of this subsection, "household member" means any person,
137 other than the person who is licensed to conduct, operate or maintain a
138 family child care home, who resides in the family child care home,
139 such as the licensee's spouse or children, tenants and any other
140 occupant.

141 (d) An application for initial licensure pursuant to this section shall
142 be accompanied by a fee of forty dollars and such license shall be
143 issued for a term of four years. An application for renewal of a license
144 issued pursuant to this section shall be accompanied by a fee of forty
145 dollars and a certification from the licensee that any child enrolled in
146 the family child care home has received age-appropriate
147 immunizations in accordance with regulations adopted pursuant to
148 subsection (f) of this section. A license issued pursuant to this section

149 shall be renewed for a term of four years. In the case of an applicant
150 submitting an application for renewal of a license that has expired, and
151 who has ceased operations of a family child care home due to such
152 expired license, the commissioner may renew such expired license
153 within thirty days of the date of such expiration upon receipt of an
154 application for renewal that is accompanied by such fee and such
155 certification.

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

159 (f) The commissioner shall adopt regulations, in accordance with the
160 provisions of chapter 54, to assure that family child care homes, as
161 defined in section 19a-77, meet the health, educational and social needs
162 of children utilizing such homes. Such regulations shall ensure that the
163 family child care home is treated as a residence, and not an
164 institutional facility. Such regulations shall specify that each child be
165 protected as age-appropriate by adequate immunization against
166 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
167 hemophilus influenzae type B and any other vaccine required by the
168 schedule of active immunization adopted pursuant to section 19a-7f.
169 Such regulations shall provide appropriate exemptions for children for
170 whom such immunization is medically contraindicated and for
171 children whose parents or guardian objects to such immunization on
172 religious grounds and require that any such objection be accompanied
173 by a statement from such parents or guardian that such immunization
174 would be contrary to the religious beliefs of such child or the parents
175 or guardian of such child, which statement shall be acknowledged, in
176 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (1) a
177 judge of a court of record or a family support magistrate, (2) a clerk or
178 deputy clerk of a court having a seal, (3) a town clerk, (4) a notary
179 public, (5) a justice of the peace, or (6) an attorney admitted to the bar
180 of this state. Such regulations shall also specify conditions under which
181 family child care home providers may administer tests to monitor
182 glucose levels in a child with diagnosed diabetes mellitus, and

183 administer medicinal preparations, including controlled drugs
184 specified in the regulations by the commissioner, to a child receiving
185 child care services at a family child care home pursuant to a written
186 order of a physician licensed to practice medicine in this or another
187 state, an advanced practice registered nurse licensed to prescribe in
188 accordance with section 20-94a or a physician assistant licensed to
189 prescribe in accordance with section 20-12d, and the written
190 authorization of a parent or guardian of such child. Such regulations
191 shall specify appropriate standards for extended care and intermittent
192 short-term overnight care. The commissioner shall inform each
193 licensee, by way of a plain language summary provided not later than
194 sixty days after the regulation's effective date, of any new or changed
195 regulations adopted under this subsection with which a licensee must
196 comply.

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

209 (h) Any family child care home may provide child care services to
210 homeless children and youths, as defined in 42 USC 11434a, as
211 amended from time to time, for a period not to exceed ninety days
212 without complying with any provision in regulations adopted
213 pursuant to this section relating to immunization and physical
214 examination requirements. Any family child care home that provides
215 child care services to homeless children and youths at such home
216 under this subsection shall maintain a record on file of all homeless

217 children and youths who have attended such home for a period of two
218 years after such homeless children or youths are no longer receiving
219 child care services at such home.

220 (i) For the fiscal years ending June 30, 2020, to June 30, 2024,
221 inclusive, the Commissioner of Early Childhood may issue a license to
222 maintain a family child care home in accordance with the provisions of
223 this chapter to a person or group of persons who have partnered with
224 an association, organization, corporation, institution or agency, public
225 or private, to provide child care services in a space within a facility
226 other than a private family home provided by such association,
227 organization, corporation, institution or agency, in the towns of New
228 Britain, New Haven, Bridgeport or Stamford.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	19a-80
Sec. 2	<i>July 1, 2019</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 or group child care home in a space that is not a private home and which 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.]