



General Assembly

Substitute Bill No. 930

January Session, 2019



**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 Section 19a-87b of the general statutes is repealed and the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 family child care home, as [defined] described in section 19a-77,
6 without a license issued by the Commissioner of Early Childhood.
7 Licensure forms shall be obtained from the Office of Early Childhood.
8 Applications for licensure shall be made to the commissioner on forms
9 provided by the office and shall contain the information required by
10 regulations adopted under this section. The licensure and application
11 forms shall contain a notice that false statements made [therein] in
12 such forms are punishable in accordance with section 53a-157b.
13 Applicants shall state, in writing, that they are in compliance with the
14 regulations adopted by the commissioner pursuant to subsection (f) of
15 this section. Before a family child care home license is granted, the
16 office shall make an inquiry and investigation which shall include a
17 visit and inspection of the premises for which the license is requested.
18 Any inspection conducted by the office shall include an inspection for
19 evident sources of lead poisoning. The office shall provide for a

20 chemical analysis of any paint chips found on such premises. Neither
21 the commissioner nor the commissioner's designee shall require an
22 annual inspection for homes seeking license renewal or for licensed
23 homes, except that the commissioner or the commissioner's designee
24 shall make an unannounced visit, inspection or investigation of each
25 licensed family child care home at least once every year. A licensed
26 family child care home shall not be subject to any conditions on the
27 operation of such home by local officials, other than those imposed by
28 the office pursuant to this subsection, if the home complies with all
29 local codes and ordinances applicable to single and multifamily
30 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
36 for such approval to the office. Applications for approval shall: (1) Be
37 made to the commissioner on forms provided by the office, (2) contain
38 the information required by regulations adopted under this section,
39 and (3) be accompanied by a fee of fifteen dollars. The approval
40 application forms shall contain a notice that false statements made in
41 such form are 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,
56 such as the licensee's spouse or children, tenants and any other
57 occupant.

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

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

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

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

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

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

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

137 (i) For the fiscal years ending June 30, 2020, to June 30, 2024,
138 inclusive, the Commissioner of Early Childhood may issue a license to
139 maintain a family child care home in the cities of New Britain, New
140 Haven, Bridgeport or Stamford in accordance with the provisions of
141 this chapter to a person or group of persons who have partnered with
142 an association, organization, corporation, institution or agency, public
143 or private, to provide child care services in a space within a facility,
144 other than a private family home and which has been approved by the
145 commissioner, that has been provided by such association,
146 organization, corporation, institution or agency. The commissioner
147 shall not approve more than one facility in each such city to be used
148 for licenses issued under this subsection. An application for a license
149 under this subsection shall include a copy of the current fire marshal
150 certificate of compliance with the Fire Safety Code, and written
151 verification of compliance with the State Building Code, local zoning
152 and building requirements and local health ordinances. The

153 commissioner may require an applicant for a license under this
 154 subsection to comply with additional conditions relating to the health
 155 and safety of children who will be served in such facility. The
 156 commissioner may waive any requirement that does not apply to such
 157 facility. Any license issued under this subsection shall expire on June
 158 30, 2024, except that the commissioner may suspend or revoke any
 159 such license at any time in accordance with the provisions of section
 160 19a-87e.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2019	19a-87b
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Statement of Legislative Commissioners:

In Section 1(a), (b) and (f), "defined" was changed to "[defined] described" for accuracy.

ED *Joint Favorable Subst.*