

HOUSE BILL 1330

F1, O4

7lr3228

By: **Delegates Angel, Frush, Kipke, Oaks, Pena–Melynk, and Tarlau**

Introduced and read first time: February 10, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Large Family Child Care Homes and Child Care Centers – Green Product**
3 **Cleaning Supplies – Regulations**

4 FOR the purpose of requiring the State Board of Education to adopt certain regulations
5 that require, subject to certain exceptions, a large family child care home to use
6 certain green product cleaning supplies, establish guidelines for purchasing certain
7 green product cleaning supplies, establish certain green cleaning practices, require
8 certain staff training, and require a large family child care home that does not
9 procure green product cleaning supplies to provide certain annual written notice to
10 the Department; requiring the State Board of Education to adopt certain regulations
11 that require a child care center to use, subject to certain exceptions, certain green
12 product cleaning supplies, establish certain guidelines for purchasing certain green
13 product cleaning supplies, establish certain green cleaning practices, require certain
14 staff training, and require a child care center that does not procure green product
15 cleaning supplies for use in the child care center to provide certain annual written
16 notice to the Department; providing that the regulations may not preclude the use
17 of certain products that are regulated by a certain federal law; and generally relating
18 to the adoption of regulations relating to the procurement of green product cleaning
19 supplies by large family child care homes and child care centers.

20 BY repealing and reenacting, without amendments,
21 Article – Education
22 Section 9.5–303(a)
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2016 Supplement)

25 BY adding to
26 Article – Education
27 Section 9.5–303(e)
28 Annotated Code of Maryland
29 (2014 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – Education
3 Section 9.5–404
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2016 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Education**

9 9.5–303.

10 (a) The State Board shall adopt regulations that relate to the registration of
11 family child care homes and large family child care homes.

12 **(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:**

13 **(1) TO THE EXTENT PRACTICABLE AND ECONOMICALLY FEASIBLE,**
14 **REQUIRE A LARGE FAMILY CHILD CARE HOME TO USE GREEN PRODUCT CLEANING**
15 **SUPPLIES, AS DEFINED IN § 5–112(E) OF THE EDUCATION ARTICLE, IN THE LARGE**
16 **FAMILY CHILD CARE HOME;**

17 **(2) ESTABLISH GUIDELINES FOR PURCHASING GREEN PRODUCT**
18 **CLEANING SUPPLIES THAT MEET THE CERTIFICATION REQUIREMENTS OF ANY**
19 **ESTABLISHED AND NATIONALLY RECOGNIZED INDEPENDENT THIRD–PARTY ENTITY**
20 **THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS AND ADHERES TO**
21 **CONSENSUS STANDARDS FOR LESSER OR REDUCED EFFECTS ON HUMAN HEALTH**
22 **AND THE ENVIRONMENT WHEN COMPARED TO COMPETING PRODUCTS THAT SERVE**
23 **THE SAME PURPOSE;**

24 **(3) MAY NOT PRECLUDE THE USE OF A DISINFECTANT, DISINFECTANT**
25 **CLEANER, SANITIZER, OR OTHER ANTIMICROBIAL PRODUCT REGULATED BY THE**
26 **FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT UNDER 7 U.S.C. 136**
27 **ET SEQ. TO ADDRESS PREVENTATIVE DISINFECTION OR SANITIZATION OF**
28 **DIAPER–CHANGING SURFACES, SHARED TOYS AND EQUIPMENT, FREQUENTLY**
29 **TOUCHED SURFACES, OR SURFACES CONTACTED WITH URINE, STOOL, VOMIT,**
30 **BLOOD, OR OTHER BODILY FLUIDS;**

31 **(4) ESTABLISH GREEN CLEANING PRACTICES, INCLUDING STORAGE,**
32 **APPLICATION, FREQUENCY OF USE, AND DISPOSAL OF THE SUPPLIES, TO ENSURE**
33 **THAT THE OCCUPANTS OF A LARGE FAMILY CHILD CARE HOME DO NOT SUFFER ANY**
34 **ADVERSE HEALTH EFFECTS AS A RESULT OF THESE PRACTICES;**

1 **(5) REQUIRE A LARGE FAMILY CHILD CARE HOME TO TRAIN STAFF ON**
2 **IMPLEMENTING THE GREEN CLEANING PRACTICES ESTABLISHED UNDER ITEM (1)**
3 **OF THIS SUBSECTION; AND**

4 **(6) ON OR BEFORE JUNE 30 EACH YEAR, REQUIRE A LARGE FAMILY**
5 **CHILD CARE HOME THAT DOES NOT PROCURE GREEN PRODUCT CLEANING SUPPLIES**
6 **FOR USE IN THE LARGE FAMILY CHILD CARE HOME FOR THE REASON THAT DOING**
7 **SO IS NOT PRACTICABLE OR ECONOMICALLY FEASIBLE TO PROVIDE ANNUAL**
8 **WRITTEN NOTICE OF THIS FACT TO THE DEPARTMENT.**

9 9.5–404.

10 (a) The State Board shall adopt rules and regulations for licensing and operating
11 child care centers.

12 (b) These rules and regulations shall:

13 (1) Ensure safe and sanitary conditions in child care centers;

14 (2) Ensure proper care, protection, and supervision of children in child care
15 centers;

16 (3) Ensure the health of children in child care centers by:

17 (i) Monitoring children for signs and symptoms of child abuse;

18 (ii) Instructing licensees and staff concerning child abuse detection
19 and reporting;

20 (iii) Monitoring health practices to help prevent the spread of disease;
21 and

22 (iv) Monitoring the care of infants and children with special needs;

23 (4) Promote the sound growth and development of children in child care
24 centers;

25 (5) Promote proper nutrition and developmentally appropriate practices
26 by:

27 (i) Establishing training and policies promoting breast–feeding;

28 (ii) 1. Requiring compliance with the United States Food and
29 Drug Administration Child and Adult Care Food Program standards for beverages served
30 to children, except that milk that is not nonfat or low fat may be ordered by a health care
31 practitioner or requested by a parent or guardian; and

1 2. Prohibiting beverages other than infant formula that
2 contain added sweetener or caffeine; and

3 (iii) Setting limits on screen time;

4 (6) Carry out otherwise the purposes and requirements of this subtitle,
5 including imposition of intermediate sanctions to ensure compliance;

6 (7) Prohibit a child from remaining at a child care center for more than 14
7 hours in 1 day unless the Department issues an exception for that child based on guidelines
8 set by the State Superintendent;

9 (8) (i) Require that a child care center have in attendance at all times
10 at least 1 individual who is responsible for supervision of children, including children on
11 field trips, and who holds a current certificate indicating successful completion of approved:

12 1. Basic first aid training through the American Red Cross
13 or through a program with equivalent standards; and

14 2. Cardiopulmonary resuscitation (CPR) training through
15 the American Heart Association or through a program with equivalent standards
16 appropriate for the ages of children for whom care is provided in the child care center; and

17 (ii) Require that a child care center serving more than 20 children
18 have in attendance certificate holders described in item (i) of this item in a ratio of at least
19 1 certificate holder for every 20 children;

20 (9) (i) Require that a child care center that receives notice of a
21 contaminated drinking water supply from the child care center's supplier of water, in
22 accordance with § 9-410 of the Environment Article or otherwise, send notice of the
23 drinking water contamination to the parent or legal guardian of each child attending the
24 child care center; and

25 (ii) Require that the notice sent by the child care center shall:

26 1. Be sent within 10 business days after receipt of the notice
27 of contamination from the child care center's water supplier;

28 2. Be in writing;

29 3. Identify the contaminants and their levels in the center's
30 water supply; and

31 4. Describe the child care center's plan for dealing with the
32 water contamination problem until the child care center's water is determined by the
33 appropriate authority to be safe for consumption;

1 (10) (i) Require a child care center to have a written emergency
2 preparedness plan for emergency situations that require evacuation, sheltering in place, or
3 other protection of children, such as in the event of fire, natural disaster, or other
4 threatening situation that may pose a health or safety hazard to the children in the child
5 care center;

6 (ii) Require the plan under item (i) of this item to include:

7 1. A designated relocation site and evacuation route;

8 2. Procedures for notifying parents or other adults
9 responsible for the child of the relocation;

10 3. Procedures to address the needs of individual children,
11 including children with special needs;

12 4. Procedures for the reassignment of staff duties during an
13 emergency, as appropriate; and

14 5. Procedures for communicating with local emergency
15 management officials or other appropriate State or local authorities; and

16 (iii) Require a child care center to train staff and ensure that staff are
17 familiar with the plan; [and]

18 (11) Require a child care center to have window coverings in accordance with
19 § 5-505 of the Family Law Article; AND

20 **(12) (I) 1. TO THE EXTENT PRACTICABLE AND ECONOMICALLY**
21 **FEASIBLE, REQUIRE THE USE OF GREEN PRODUCT CLEANING SUPPLIES, AS DEFINED**
22 **IN § 5-112(E) OF THIS ARTICLE, IN A CHILD CARE CENTER;**

23 **2. ESTABLISH GUIDELINES FOR PURCHASING GREEN**
24 **PRODUCT CLEANING SUPPLIES THAT:**

25 **A. MEET THE CERTIFICATION REQUIREMENTS OF ANY**
26 **ESTABLISHED AND NATIONALLY RECOGNIZED INDEPENDENT THIRD-PARTY ENTITY**
27 **THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS AND ADHERES TO**
28 **CONSENSUS STANDARDS FOR LESSER OR REDUCED EFFECTS ON HUMAN HEALTH**
29 **AND THE ENVIRONMENT WHEN COMPARED TO COMPETING PRODUCTS THAT SERVE**
30 **THE SAME PURPOSE; AND**

31 **B. MAY NOT PRECLUDE THE USE WHEN NECESSARY OF A**
32 **DISINFECTANT, DISINFECTING CLEANER, SANITIZER, OR OTHER ANTIMICROBIAL**

1 PRODUCT REGULATED BY THE FEDERAL INSECTICIDE, FUNGICIDE, AND
2 RODENTICIDE ACT UNDER 7 U.S.C. 136 ET SEQ.;

3 3. ESTABLISH GREEN CLEANING PRACTICES,
4 INCLUDING STORAGE, APPLICATION, FREQUENCY OF USE, AND DISPOSAL OF THE
5 SUPPLIES TO ENSURE THAT THE OCCUPANTS OF A CHILD CARE CENTER DO NOT
6 SUFFER ANY ADVERSE HEALTH EFFECTS AS A RESULT OF THESE PRACTICES; AND

7 4. REQUIRE A CHILD CARE CENTER TO TRAIN STAFF ON
8 IMPLEMENTING THE GREEN CLEANING PRACTICES ESTABLISHED UNDER THIS ITEM;
9 AND

10 (ii) ON OR BEFORE JUNE 30 EACH YEAR, REQUIRE A CHILD
11 CARE CENTER THAT DOES NOT PROCURE GREEN PRODUCT CLEANING SUPPLIES FOR
12 USE IN THE CHILD CARE CENTER BECAUSE DOING SO IS NOT PRACTICABLE OR
13 ECONOMICALLY FEASIBLE TO PROVIDE ANNUAL WRITTEN NOTICE OF THIS FACT TO
14 THE DEPARTMENT.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2017.