



129th MAINE LEGISLATURE

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Legislative Document

No. 222

H.P. 185

House of Representatives, January 22, 2019

**An Act To Prohibit Child Care Providers from Requiring Payment
during Vacation Closures**

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PERKINS of Oakland.
Cosponsored by Representatives: FAULKINGHAM of Winter Harbor, HEAD of Bethel,
HUTCHINS of Penobscot, JAVNER of Chester, NADEAU of Winslow, PICKETT of
Dixfield, SKOLFIELD of Weld.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3737, sub-§1**, as enacted by PL 1993, c. 158, §2, is repealed
3 and the following enacted in its place:

4 **1. Prohibitions on payments.** The department may not make:

5 A. Cash payments to recipients for child care services provided under this chapter,
6 except when those payments represent reimbursement for services already provided
7 to the recipient; or

8 B. Payments to providers of child care services or recipients for child care services
9 provided under this chapter for any period of time the provider is closed because the
10 provider is on vacation.

11 **Sec. 2. 22 MRSA §8301-A, sub-§10** is enacted to read:

12 **10. Vacation.** A certified family child care provider, a licensed child care facility or
13 a person who provides day care in that person's home for one or 2 children whose care is
14 paid for by state or federal funds may not charge any fee for any period of time the
15 provider is closed because the provider is on vacation.

16 **Sec. 3. 22 MRSA §8402, sub-§3, ¶G** is enacted to read:

17 G. The nursery school may not charge any fee for any period of time the nursery
18 school is closed because the provider is on vacation.

19 **SUMMARY**

20 This bill prohibits a nursery school, a certified family child care provider, a licensed
21 child care facility or a person who provides day care in that person's home for one or 2
22 children whose care is paid for by state or federal funds from charging any fee for any
23 period of time the provider is closed because the provider is on vacation. It prohibits the
24 Department of Health and Human Services from reimbursing providers of child care
25 services or recipients for child care services for any period of time the provider is closed
26 because the provider is on vacation.