



General Assembly

February Session,
2012

Substitute Bill No. 373

* _____SB00373PH_APP032312_____*

AN ACT CONCERNING HEALTH AND SAFETY IN CHILD CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 19a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) The Commissioner of Public Health shall utilize consultative services and assistance from the Departments of Education, Mental Health and Addiction Services and Social Services and from municipal building, fire and health departments. The commissioner shall make [periodic] annual inspections of licensed day care centers, group day care homes and family day care homes. [and] The commissioner shall provide technical assistance to licensees and applicants for licenses to assist them to attain and maintain the standards established in regulations adopted under sections 19a-77 to 19a-80, inclusive, 19a-82 to 19a-87, inclusive, as amended by this act, and 19a-87b, as amended by this act.

(b) Not later than January 1, 2013, and annually thereafter, the Commissioner of Public Health shall report, in accordance with section 11-4a, to the select committee of the General Assembly having cognizance of matters relating to children and the joint standing committee of the General Assembly having cognizance of matters relating to public health concerning the results of the annual inspections described in subsection (a) of this section.

Sec. 2. Subsection (a) of section 19a-87b of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) No person, group of persons, association, organization, corporation, institution or agency, public or private, shall maintain a family day care home, as defined in section 19a-77, without a license issued by the Commissioner of Public

Health. Licensure forms shall be obtained from the Department of Public Health. Applications for licensure shall be made to the commissioner on forms provided by the department and shall contain the information required by regulations adopted under this section. The licensure and application forms shall contain a notice that false statements made therein are punishable in accordance with section 53a-157b. Applicants shall state, in writing, that they are in compliance with the regulations adopted by the commissioner pursuant to subsection (f) of this section. Before a family day care home license is granted, the department shall make an inquiry and investigation which shall include a visit and inspection of the premises for which the license is requested. Any inspection conducted by the department shall include an inspection for evident sources of lead poisoning. The department shall provide for a chemical analysis of any paint chips found on such premises. **[Neither the commissioner nor the commissioner's designee shall require]** Upon the granting of a license to maintain a family day care home, the commissioner shall thereafter make an annual inspection **[for homes seeking license renewal or for licensed homes, except that the commissioner or the commissioner's designee shall make unannounced visits, during customary business hours, to at least thirty-three and one-third per cent of the]** of such licensed family day care **[homes each year]** home. A licensed family day care home shall not be subject to any conditions on the operation of such home by local officials, other than those imposed by the department pursuant to this subsection, if the home complies with all local codes and ordinances applicable to single and multifamily dwellings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	19a-82
Sec. 2	October 1, 2012	19a-87b(a)

PH

Joint Favorable Subst. C/R

APP