

February 18, 1998

Mr. Speaker:

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 26**, UTAH CHILD CARE LICENSING ACT REVISIONS, by Senator L. Blackham, with the following amendments:

1. Page 1, Line 10: After line 10 insert:
"26-39-104, as enacted by Chapters 127 and 196, Laws of Utah 1997"
2. Page 1, Line 25: After line 25 insert:
"Section 2. Section **26-39-104** is amended to read:
26-39-104. Duties of the department.
(1) With regard to child care programs licensed pursuant to this chapter, the department may:
(a) make and enforce rules to implement the provisions of this chapter and, as necessary to protect children's common needs for a safe and healthy environment, to provide for:
(i) adequate facilities and equipment; and
(ii) competent caregivers considering the age of the children and the type of program offered by the licensee;

Bill Number

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Action Code

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(b) make and enforce rules necessary to carry out the purposes of this chapter, in the following areas:

(i) requirements for applications, the application process, and compliance with other applicable statutes and rules;

(ii) documentation and policies and procedures that providers shall have in place in order to be licensed, in accordance with Subsection (1)(a);

(iii) categories, classifications, and duration of initial and ongoing licenses;

(iv) changes of ownership or name, changes in licensure status, and changes in operational status;

(v) license expiration and renewal, contents, and posting requirements;

(vi) procedures for inspections, complaint resolution, disciplinary actions, and other procedural measures to encourage and assure compliance with statute and rule; and

(vii) guidelines necessary to assure consistency and appropriateness in the regulation and discipline of licensees; and

(c) set and collect licensing and other fees in accordance with Section 26-1-6.

(2) The department may not regulate educational curricula, academic methods, or the educational philosophy or approach of the provider. The department shall allow for a

broad range of educational training and academic background in certification or qualification of child day care directors.

(3) In licensing and regulating child care programs, the department shall reasonably balance the benefits and burdens of each regulation and, by rule, provide for a range of licensure, depending upon the needs and different levels and types of child care provided. The department shall prepare language for the 1998 General Session of the Legislature to codify as much licensing regulation implemented pursuant to this subsection as the department determines to be practicable."

Renumber remaining sections of the bill accordingly.

3. Page 2, Line 22: Delete "and"
4. Page 2, Line 23: Delete ", by appointment," and after "home" insert "within 90 days of sending an intent to inspect notice"
5. Page 2, Line 27: After "recommendations" insert:
"; and
(iii) for new providers, completion of:
(A) five hours of department-approved training;
and

(B) a department-approved CPR and first aid course"

6. Page 2, Line 31:

Delete "schedule a" and insert "make an unannounced"

7. Page 3, line 13:

Delete line 13 and insert "(i) four or more children, based on the sum of: (a) children under two years of age; and (b) the provider's own children under five years of age; or"

Respectfully,

Nora B. Stephens
Committee Chair

Voting: 8-1-2

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