

CHILD CARE PROVIDER AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Glenn A. Donnelson

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends the Utah Child Care Licensing Act.

Highlighted Provisions:

This bill:

- adds citizenship or legal resident status as a requirement for obtaining a residential child care certificate.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-39-105.5, as last amended by Chapters 77, 103 and 317, Laws of Utah 2006

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **26-39-105.5** is amended to read:**26-39-105.5. Residential child care certificate.**

(1) (a) A residential child care provider of five to eight children shall obtain a Residential Child Care Certificate from the department unless Section 26-39-106 applies.

(b) The minimum qualifications for a Residential Child Care Certificate are:



(i) proof of the applicant being a citizen or legal resident of the United States;

~~[(i)]~~ (ii) the submission of:

(A) an application in the form prescribed by the department;

(B) a certification and criminal background fee established in accordance with Section 26-1-6; and

(C) in accordance with Section 26-39-107, identifying information for each adult person and each juvenile age 12 through 17 years of age who resides in the provider's home:

(I) for processing by the Department of Public Safety to determine whether any such person has been convicted of a crime;

(II) to screen for a substantiated finding of child abuse or neglect by a juvenile court; and

(III) to discover whether the person is listed in the Licensing Information System described in Section 62A-4a-1006;

~~[(i)]~~ (iii) an initial and annual inspection of the provider's home within 90 days of sending an intent to inspect notice to:

(A) check the immunization record of each child who receives child care in the provider's home;

(B) identify serious sanitation, fire, and health hazards to children; and

(C) make appropriate recommendations; and

~~[(i)]~~ (iv) annual training consisting of ten hours of department-approved training as specified by the department by administrative rule, including a current department-approved CPR and first aid course.

(c) If a serious sanitation, fire, or health hazard has been found during an inspection conducted pursuant to Subsection (1)(b)~~[(i)]~~(iii), the department shall require corrective action for the serious hazards found and make an unannounced follow up inspection to determine compliance.

(d) In addition to an inspection conducted pursuant to Subsection (1)(b)~~[(i)]~~(iii), the department may inspect the home of a residential care provider of five to eight children in response to a complaint of:

(i) child abuse or neglect;

(ii) serious health hazards in or around the provider's home; or

- 59 (iii) providing residential child care without the appropriate certificate or license.
60 (2) Notwithstanding this section:
61 (a) a license under Section 26-39-105 is required of a residential child care provider
62 who cares for nine or more children;
63 (b) a certified residential child care provider may not provide care to more than two
64 children under the age of two; and
65 (c) an inspection may be required of a residential child care provider in connection
66 with a federal child care program.
67 (3) With respect to residential child care, the department may only make and enforce
68 rules necessary to implement this section.

Legislative Review Note
as of 12-20-06 6:57 AM

Office of Legislative Research and General Counsel

H.B. 230 - Child Care Provider Amendments

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill would require a one-time General Fund appropriation of \$2,500 in FY 2008 for printing and set-up costs.

	FY 2007 <u>Approp.</u>	FY 2008 <u>Approp.</u>	FY 2009 <u>Approp.</u>	FY 2007 <u>Revenue</u>	FY 2008 <u>Revenue</u>	FY 2009 <u>Revenue</u>
General Fund	\$0	\$2,500	\$0	\$0	\$0	\$0
Total	\$0	\$2,500	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/22/2007, 9:08:51 AM, Lead Analyst: Greer, W.

Office of the Legislative Fiscal Analyst