

Representative Karen Kwan proposes the following substitute bill:

CHILD CARE LICENSING ACT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Kwan

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends the composition of the Child Care Center Licensing Committee.

Highlighted Provisions:

This bill:

► amends the composition of the Child Care Center Licensing Committee to include licensed health care professionals who specialize in pediatric health under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-39-200, as enacted by Laws of Utah 2014, Chapter 322

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-39-200** is amended to read:

26-39-200. Child Care Center Licensing Committee.



26 (1) (a) The Child Care Center Licensing Committee created in Section 26-1-7 shall be
27 comprised of seven members appointed by the governor and approved by the Senate in
28 accordance with this subsection.

29 (b) The governor shall appoint three members who:

30 (i) have at least five years of experience as an owner in or director of a for profit or
31 not-for-profit center based child care; and

32 (ii) hold an active license as a child care center from the department to provide center
33 based child care.

34 (c) (i) The governor shall appoint one member to represent each of the following:

35 (A) a parent with a child in center based child care;

36 (B) a child development expert from the state system of higher education;

37 (C) except as provided in Subsection (1)(e), a pediatrician licensed in the state; and

38 (D) an architect licensed in the state.

39 (ii) Except as provided in Subsection (1)(c)(i)(B), a member appointed under
40 Subsection (1)(c)(i) may not be an employee of the state or a political subdivision of the state.

41 (d) At least one member described in Subsection (1)(b) shall at the time of appointment
42 reside in a county that is not a county of the first class.

43 (e) For the appointment described in Subsection (1)(c)(i)(C), the governor may appoint
44 a health care professional who specializes in pediatric health if:

45 (i) the health care professional is licensed under:

46 (A) Title 58, Chapter 31b, Nurse Practice Act, as an advanced practice nurse
47 practitioner; or

48 (B) Title 58, Chapter 70a, Physician Assistant Act; and

49 (ii) before appointing a health care professional under this Subsection (1)(e), the
50 governor:

51 (A) sends a notice to a professional physician organization in the state regarding the
52 opening for the appointment described in Subsection (1)(c)(i)(C); and

53 (B) receives no applications from a pediatrician who is licensed in the state for the
54 appointment described in Subsection (1)(c)(i)(C) within 90 days after the day on which the
55 governor sends the notice described in Subsection (1)(c)(iii).

56 (2) (a) Except as required by Subsection (2)(b), as terms of current members expire, the

57 governor shall appoint each new member or reappointed member to a four-year term ending
58 June 30.

59 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the
60 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
61 members are staggered so that approximately half of the licensing committee is appointed
62 every two years.

63 (c) Upon the expiration of the term of a member of the licensing committee, the
64 member shall continue to hold office until a successor is appointed and qualified.

65 (d) A member may not serve more than two consecutive terms.

66 (e) Members of the licensing committee shall annually select one member to serve as
67 chair who shall establish the agenda for licensing committee meetings.

68 (3) When a vacancy occurs in the membership for any reason, the governor, with the
69 consent of the Senate, shall appoint a replacement for the unexpired term.

70 (4) (a) The licensing committee shall meet at least every two months.

71 (b) The director may call additional meetings:

72 (i) at the director's discretion;

73 (ii) upon the request of the chair; or

74 (iii) upon the written request of three or more members.

75 (5) Three members of the licensing committee constitute a quorum for the transaction
76 of business.