



General Assembly

February Session, 2022

Raised Bill No. 122

LCO No. 948



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

AN ACT REQUIRING PARENTAL NOTIFICATION BY CHILD CARE FACILITIES OF CERTAIN INCIDENTS INVOLVING CHILDREN.

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

1 Section 1. Subsection (a) of section 19a-79 of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2022*):

4 (a) The Commissioner of Early Childhood shall adopt regulations, in
5 accordance with the provisions of chapter 54, to carry out the purposes
6 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,
7 and to assure that child care centers and group child care homes meet
8 the health, educational and social needs of children utilizing such child
9 care centers and group child care homes. Such regulations shall (1)
10 specify that before being permitted to attend any child care center or
11 group child care home, each child shall be protected as age-appropriate
12 by adequate immunization against diphtheria, pertussis, tetanus,
13 poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B
14 and any other vaccine required by the schedule of active immunization
15 adopted pursuant to section 19a-7f, (2) specify conditions under which

16 child care center directors and teachers and group child care home
17 providers may administer tests to monitor glucose levels in a child with
18 diagnosed diabetes mellitus, and administer medicinal preparations,
19 including controlled drugs specified in the regulations by the
20 commissioner, to a child receiving child care services at such child care
21 center or group child care home pursuant to the written order of a
22 physician licensed to practice medicine or a dentist licensed to practice
23 dental medicine in this or another state, or an advanced practice
24 registered nurse licensed to prescribe in accordance with section 20-94a,
25 or a physician assistant licensed to prescribe in accordance with section
26 20-12d, and the written authorization of a parent or guardian of such
27 child, (3) specify that an operator of a child care center or group child
28 care home, licensed before January 1, 1986, or an operator who receives
29 a license after January 1, 1986, for a facility licensed prior to January 1,
30 1986, shall provide a minimum of thirty square feet per child of total
31 indoor usable space, free of furniture except that needed for the
32 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,
33 kitchens, halls, isolation room or other rooms used for purposes other
34 than the activities of the children, (4) specify that a child care center or
35 group child care home licensed after January 1, 1986, shall provide
36 thirty-five square feet per child of total indoor usable space, (5) establish
37 appropriate child care center staffing requirements for employees
38 certified in cardiopulmonary resuscitation by the American Red Cross,
39 the American Heart Association, the National Safety Council, American
40 Safety and Health Institute, Medic First Aid International, Inc. or an
41 organization using guidelines for cardiopulmonary resuscitation and
42 emergency cardiovascular care published by the American Heart
43 Association and International Liaison Committee on Resuscitation, (6)
44 specify that a child care center or group child care home (A) shall not
45 deny services to a child on the basis of a child's known or suspected
46 allergy or because a child has a prescription for an automatic prefilled
47 cartridge injector or similar automatic injectable equipment used to treat
48 an allergic reaction, or for injectable equipment used to administer
49 glucagon, (B) shall, not later than three weeks after such child's
50 enrollment in such a center or home, have staff trained in the use of such

51 equipment on-site during all hours when such a child is on-site, (C) shall
52 require such child's parent or guardian to provide the injector or
53 injectable equipment and a copy of the prescription for such medication
54 and injector or injectable equipment upon enrollment of such child, and
55 (D) shall require a parent or guardian enrolling such a child to replace
56 such medication and equipment prior to its expiration date, (7) specify
57 that a child care center or group child care home (A) shall not deny
58 services to a child on the basis of a child's diagnosis of asthma or because
59 a child has a prescription for an inhalant medication to treat asthma, and
60 (B) shall, not later than three weeks after such child's enrollment in such
61 a center or home, have staff trained in the administration of such
62 medication on-site during all hours when such a child is on-site, [and]
63 (8) establish physical plant requirements for licensed child care centers
64 and licensed group child care homes that exclusively serve school-age
65 children, (9) specify that a child care center or group child care home
66 shall immediately notify the parent or guardian of a child enrolled in
67 such center or home if such child is transported to a hospital emergency
68 room, doctor's office or other medical facility while in the care of such
69 center or home, and (10) specify that a child care center or group child
70 care home shall, not later than one hour after any incident occurring on
71 the premises of such center or home, or off-premises during an event
72 sponsored or supervised by such center or home, that results in the
73 injury or illness of a child enrolled at such center or home, create a
74 written record of such incident, which shall (A) include, but not be
75 limited to, a description of such incident and injury or illness, the date,
76 time and location of such incident, any action taken by an employee of
77 the center or home in response to such incident, and whether such child
78 was transported to a hospital emergency room, doctor's office or other
79 medical facility as a result of such incident, (B) be provided to the parent
80 or guardian of the child who was injured or became ill not later than the
81 next business day, and (C) be maintained by such center or home for a
82 period of not less than two years and be made immediately available
83 upon request of the Office of Early Childhood. When establishing such
84 requirements, the Office of Early Childhood shall give consideration to
85 child care centers and group child care homes that are located in private

86 or public school buildings. With respect to this subdivision only, the
87 commissioner shall implement policies and procedures necessary to
88 implement the physical plant requirements established pursuant to this
89 subdivision while in the process of adopting such policies and
90 procedures in regulation form. Until replaced by policies and
91 procedures implemented pursuant to this subdivision, any physical
92 plant requirement specified in the office's regulations that is generally
93 applicable to child care centers and group child care homes shall
94 continue to be applicable to such centers and homes that exclusively
95 serve school-age children. The commissioner shall post notice of the
96 intent to adopt regulations pursuant to this subdivision on the
97 eRegulations System not later than twenty days after the date of
98 implementation of such policies and procedures. Policies and
99 procedures implemented pursuant to this subdivision shall be valid
100 until the time final regulations are adopted.

101 Sec. 2. Subsection (f) of section 19a-87b of the 2022 supplement to the
102 general statutes is repealed and the following is substituted in lieu
103 thereof (*Effective July 1, 2022*):

104 (f) The commissioner shall adopt regulations, in accordance with the
105 provisions of chapter 54, to ensure that family child care homes, as
106 described in section 19a-77, meet the health, educational and social
107 needs of children utilizing such homes. Such regulations shall (1) ensure
108 that the family child care home is treated as a residence, and not an
109 institutional facility, [. Such regulations shall] (2) specify that each child
110 be protected as age-appropriate by adequate immunization against
111 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
112 haemophilus influenzae type B and any other vaccine required by the
113 schedule of active immunization adopted pursuant to section 19a-7f, [.
114 Such regulations shall also] (3) specify conditions under which family
115 child care home providers may administer tests to monitor glucose
116 levels in a child with diagnosed diabetes mellitus, and administer
117 medicinal preparations, including controlled drugs specified in the
118 regulations by the commissioner, to a child receiving child care services
119 at a family child care home pursuant to a written order of a physician

120 licensed to practice medicine in this or another state, an advanced
 121 practice registered nurse licensed to prescribe in accordance with
 122 section 20-94a or a physician assistant licensed to prescribe in
 123 accordance with section 20-12d, and the written authorization of a
 124 parent or guardian of such child, [. Such regulations shall] (4) specify
 125 appropriate standards for extended care and intermittent short-term
 126 overnight care, (5) specify that a family child care home shall
 127 immediately notify the parent or guardian of a child enrolled in such
 128 home if such child is transported to a hospital emergency room, doctor's
 129 office or other medical facility while in the care of such home, and (6)
 130 specify that a family child care home shall, not later than one hour after
 131 any incident occurring on the premises of such home, or off-premises
 132 during an event sponsored or supervised by such home, that results in
 133 the injury or illness of a child enrolled at such home, create a written
 134 record of such incident, which shall (A) include, but not be limited to, a
 135 description of such incident and injury or illness, the date, time and
 136 location of such incident, any action taken by an employee of the home
 137 in response to such incident, and whether such child was transported to
 138 a hospital emergency room, doctor's office or other medical facility as a
 139 result of such incident, (B) be provided to the parent or guardian of the
 140 child who was injured or became ill not later than the next business day,
 141 and (C) be maintained by such home for a period of not less than two
 142 years and be made immediately available upon request of the Office of
 143 Early Childhood. The commissioner shall inform each licensee, by way
 144 of a plain language summary provided not later than sixty days after
 145 the regulation's effective date, of any new or changed regulations
 146 adopted under this subsection with which a licensee must comply.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	19a-79(a)
Sec. 2	July 1, 2022	19a-87b(f)

Statement of Purpose:

To require the Commissioner of Early Childhood to adopt regulations to require child care centers, group child care homes and family child care homes to (1) immediately notify a parent or guardian upon the transport of a child to a hospital emergency room, doctor's office or other medical facility, (2) create and maintain records concerning incidents resulting in injury or illness to children enrolled in such centers or homes, and (3) provide copies of such records to such children's parents or guardians and the Office of Early Childhood.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]