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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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04/28/2014 04:37 PM

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Senator Gibson moved the following:

Senate Amendment

Delete lines 434 - 655

and insert:

1002.88 be licensed. Each licensed or registered family day care home shall conspicuously display its license or registration in the common area of the home.

(a) If not subject to license, a family day care home must comply with this section and ~~homes shall~~ register annually with the department, providing the following information:

1. The name and address of the home.



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- 12 2. The name of the operator.
- 13 3. The number of children served.
- 14 4. Proof of a written plan to identify a ~~provide at least~~
15 ~~one other~~ competent adult who has met the screening and training
16 requirements of the department to serve as a designated ~~to be~~
17 ~~available to~~ substitute for the operator ~~in an emergency~~. This
18 plan must ~~shall~~ include the name, address, and telephone number
19 of the designated substitute who will serve in the absence of
20 the operator.
- 21 ~~5. Proof of screening and background checks.~~
- 22 ~~6. Proof of successful completion of the 30-hour training~~
23 ~~course, as evidenced by passage of a competency examination,~~
24 ~~which shall include:~~
- 25 ~~a. State and local rules and regulations that govern child~~
26 ~~care.~~
- 27 ~~b. Health, safety, and nutrition.~~
- 28 ~~c. Identifying and reporting child abuse and neglect.~~
- 29 ~~d. Child development, including typical and atypical~~
30 ~~language development; and cognitive, motor, social, and self-~~
31 ~~help skills development.~~
- 32 ~~e. Observation of developmental behaviors, including using~~
33 ~~a checklist or other similar observation tools and techniques to~~
34 ~~determine a child's developmental level.~~
- 35 ~~f. Specialized areas, including early literacy and language~~
36 ~~development of children from birth to 5 years of age, as~~
37 ~~determined by the department, for owner-operators of family day~~
38 ~~care homes.~~
- 39 ~~5.7.~~ Proof that immunization records are kept current.
- 40 ~~8. Proof of completion of the required continuing education~~



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41 ~~units or clock hours.~~

42

43 Upon receipt of registration information submitted by a family
44 day care home pursuant to this paragraph, the department shall
45 verify that the home is in compliance with the background
46 screening requirements in subsection (3) and that the operator
47 and the designated substitute are in compliance with applicable
48 training requirements of subsection (4).

49 (b) A family day care home may volunteer to be licensed
50 ~~under this act.~~

51 (c) The department may provide technical assistance to
52 counties and operators of family day care homes ~~home providers~~
53 to enable counties and operators ~~family day care providers~~ to
54 achieve compliance with family day care home ~~homes~~ standards.

55 (2) This information shall be included in a directory to be
56 published annually by the department to inform the public of
57 available child care facilities.

58 (3) Child care personnel in family day care homes are ~~shall~~
59 ~~be~~ subject to the applicable screening provisions contained in
60 ss. 402.305(2) and 402.3055. For purposes of screening in family
61 day care homes, the term "child care personnel" includes the
62 operator, the designated substitute, any member over the age of
63 12 years of a family day care home operator's family, or persons
64 over the age of 12 years residing with the operator in the
65 family day care home. Members of the operator's family, or
66 persons residing with the operator, who are between the ages of
67 12 years and 18 years may ~~shall~~ not be required to be
68 fingerprinted, but shall be screened for delinquency records.

69 (4) (a) Before licensure and before caring for children,



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70 operators of family day care homes and an individual serving as
71 a substitute for the operator who works 40 hours or more per
72 month on average must:

73 1. Successfully complete an approved 30-clock-hour
74 introductory course in child care, as evidenced by passage of a
75 competency examination, ~~before caring for children.~~ The course
76 must include:

77 a. State and local rules and regulations that govern child
78 care.

79 b. Health, safety, and nutrition.

80 c. Identifying and reporting child abuse and neglect.

81 d. Child development, including typical and atypical
82 language development, and cognitive, motor, social, and
83 executive functioning skills development.

84 e. Observation of developmental behaviors, including using
85 a checklist or other similar observation tools and techniques to
86 determine a child's developmental level.

87 f. Specialized areas, including numeracy, early literacy,
88 and language development of children from birth to 5 years of
89 age, as determined by the department, for operators of family
90 child care homes.

91 ~~(5) In order to further develop their child care skills~~
92 ~~and, if appropriate, their administrative skills, operators of~~
93 ~~family day care homes shall be required to complete an~~
94 ~~additional 1 continuing education unit of approved training or~~
95 ~~10 clock hours of equivalent training, as determined by the~~
96 ~~department, annually.~~

97 2. ~~(6) Operators of family day care homes shall be required~~
98 ~~to~~ Complete a 0.5 continuing education unit of approved training



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99 in numeracy, early literacy, and language development of
100 children from birth to 5 years of age one time. For an operator,
101 the year that this training is completed, it shall fulfill the
102 0.5 continuing education unit or 5 clock hours of the annual
103 training required in paragraph (c) subsection (5).

104 3. Complete training in first aid and infant and child
105 cardiopulmonary resuscitation as evidenced by current
106 documentation of course completion.

107 (b) Before licensure and before caring for children, family
108 day care home substitutes who work fewer than 40 hours per month
109 on average must complete the department's 6-clock-hour Family
110 Child Care Home Rules and Regulations training, as evidenced by
111 successful completion of a competency examination and first aid
112 and infant and child cardiopulmonary resuscitation training
113 under subparagraph (a)3. A substitute who has successfully
114 completed the 3-clock-hour Fundamentals of Child Care training
115 established by rules of the department or the 30-clock-hour
116 training under subparagraph (a)1. is not required to complete
117 the 6-clock-hour Family Child Care Home Rules and Regulations
118 training.

119 (c) Operators of family day care homes must annually
120 complete an additional 1 continuing education unit of approved
121 training regarding child care and administrative skills or 10
122 clock hours of equivalent training, as determined by the
123 department.

124 (5) (7) Operators of family day care homes must ~~shall be~~
125 required annually to complete a health and safety home
126 inspection self-evaluation checklist developed by the department
127 in conjunction with the statewide resource and referral program.



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128 The completed checklist shall be signed by the operator of the
129 family day care home and provided to parents as certification
130 that basic health and safety standards are being met.

131 ~~(6)(8)~~ Operators of family day care homes ~~home operators~~
132 may avail themselves of supportive services offered by the
133 department.

134 ~~(7)(9)~~ The department shall prepare a brochure on family
135 day care for distribution by the department and by local
136 licensing agencies, if appropriate, to family day care homes for
137 distribution to parents using ~~utilizing~~ such child care, and to
138 all interested persons, including physicians and other health
139 professionals; mental health professionals; school teachers or
140 other school personnel; social workers or other professional
141 child care, foster care, residential, or institutional workers;
142 and law enforcement officers. The brochure shall, at a minimum,
143 contain the following information:

144 (a) A brief description of the requirements for family day
145 care registration, training, and background ~~fingerprinting and~~
146 screening.

147 (b) A listing of those counties that require licensure of
148 family day care homes. Such counties shall provide an addendum
149 to the brochure that provides a brief description of the
150 licensure requirements or may provide a brochure in lieu of the
151 one described in this subsection, provided it contains all the
152 required information on licensure and the required information
153 in the subsequent paragraphs.

154 (c) A statement indicating that information about the
155 family day care home's compliance with applicable state or local
156 requirements can be obtained from ~~by telephoning~~ the department



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157 ~~office or the office of the local licensing agency, including~~
158 ~~the, if appropriate, at a telephone number or numbers and~~
159 ~~website address for the department or local licensing agency, as~~
160 ~~applicable which shall be affixed to the brochure.~~

161 (d) The statewide toll-free telephone number of the central
162 abuse hotline, together with a notice that reports of suspected
163 and actual child physical abuse, sexual abuse, and neglect are
164 received and referred for investigation by the hotline.

165 (e) Any other information relating to competent child care
166 that the department or local licensing agency, if preparing a
167 separate brochure, considers ~~deems would be~~ helpful to parents
168 and other caretakers in their selection of a family day care
169 home.

170 ~~(8)-(10)~~ On an annual basis, the department shall evaluate
171 the registration and licensure system for family day care homes.
172 Such evaluation shall, at a minimum, address the following:

173 (a) The number of family day care homes registered and
174 licensed and the dates of such registration and licensure.

175 (b) The number of children being served in both registered
176 and licensed family day care homes and any available slots in
177 such homes.

178 (c) The number of complaints received concerning family day
179 care, the nature of the complaints, and the resolution of such
180 complaints.

181 (d) The training activities used ~~utilized~~ by child care
182 personnel in family day care homes for meeting the state or
183 local training requirements.

184
185 The evaluation, pursuant to this paragraph, shall be used



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186 utilized by the department in any administrative modifications
187 or adjustments to be made in the registration of family day care
188 homes or in any legislative requests for modifications to the
189 system of registration or to other requirements for family day
190 care homes.

191 ~~(11) In order to inform the public of the state requirement~~
192 ~~for registration of family day care homes as well as the other~~
193 ~~requirements for such homes to legally operate in the state, the~~
194 ~~department shall institute a media campaign to accomplish this~~
195 ~~end. Such a campaign shall include, at a minimum, flyers,~~
196 ~~newspaper advertisements, radio advertisements, and television~~
197 ~~advertisements.~~

198 (9) ~~(12)~~ Notwithstanding any other state or local law or
199 ordinance, any family day care home licensed pursuant to this
200 chapter or pursuant to a county ordinance shall be charged the
201 utility rates accorded to a residential home. A licensed family
202 day care home may not be charged commercial utility rates.

203 (10) ~~(13)~~ The department shall, by rule, establish minimum
204 standards for family day care homes that are required to be
205 licensed by county licensing ordinance or county licensing
206 resolution or that voluntarily choose to be licensed. The
207 standards should include requirements for staffing, training,
208 maintenance of immunization records, minimum health and safety
209 standards, reduced standards for the regulation of child care
210 during evening hours by municipalities and counties, and
211 enforcement of standards. Additionally, the department shall, by
212 rule, adopt procedures for verifying a registered family day
213 care home's compliance with background screening and training
214 requirements.



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215 ~~(11)(14) During the months of August and September of each~~
216 ~~year,~~ Each family day care home shall provide parents of
217 children enrolling ~~enrolled~~ in the home detailed information
218 regarding the causes, symptoms, and transmission of the
219 influenza virus in an effort to educate those parents regarding
220 the importance of immunizing their children against influenza as
221 recommended by the Advisory Committee on Immunization Practices
222 of the Centers for Disease Control and Prevention.

223 Section 10. Subsections (1), (3), (5), and (9) of section
224 402.3131, Florida Statutes, are amended, and subsection (10) is
225 added to that section, to read:

226 402.3131 Large family child care homes.—

227 (1) A large family child care home must ~~homes shall~~ be
228 licensed under this section and conspicuously display its
229 license in the common area of the home.

230 (a) A licensed family day care home must first have
231 operated for a minimum of 2 consecutive years, with an operator
232 who has had a child development associate credential or its
233 equivalent for 1 year, before seeking licensure as a large
234 family child care home.

235 (b) The department may provide technical assistance to
236 counties and family day care home providers to enable the
237 counties and providers to achieve compliance with minimum
238 standards for large family child care homes.