

By the Committee on Children & Families and
Representatives Murman and Pruitt

1 A bill to be entitled
2 An act relating to child care and early
3 intervention; amending s. 402.3015, F.S.;
4 authorizing the Department of Children and
5 Family Services to increase family income
6 limits for certain eligibility for subsidized
7 child care; providing that an eligible family
8 shall be considered a needy family for federal
9 Temporary Assistance for Needy Families
10 funding, subject to appropriations; creating s.
11 402.3017, F.S.; establishing the Teacher
12 Education and Compensation Helps (TEACH)
13 scholarship program; authorizing the department
14 to contract for administration of the program
15 and to adopt rules; creating s. 402.3019, F.S.;
16 establishing a program to provide a statewide
17 network of child care health consultation
18 services; providing for involvement of the
19 community child care coordinating agencies, the
20 Florida Partnership for School Readiness and
21 local school readiness coalitions, and other
22 public and private child health partners;
23 specifying duties and responsibilities of child
24 care health consultants; providing for a
25 training program, to be provided by a
26 university through a contract with the Florida
27 Partnership for School Readiness; providing
28 duties and responsibilities of the contracting
29 university; amending s. 402.302, F.S.; revising
30 the definition of "large family child care
31 home" to include certain children related to

1 the caregiver; creating s. 402.3028, F.S.;
2 providing procedures for referrals for
3 developmental assessment of children in
4 subsidized child care programs; creating s.
5 402.3054, F.S.; defining "child enrichment
6 service provider"; specifying requirements
7 relating to parental consent, compensation, and
8 background screening for such providers
9 providing services in a child care facility;
10 amending s. 402.315, F.S.; revising
11 responsibilities for costs when a county
12 designates a local agency to license child care
13 facilities; amending s. 409.178, F.S.; removing
14 a restriction on the use of child care
15 purchasing pool funds, under the Child Care
16 Executive Partnership Act; providing an
17 effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Paragraph (c) of subsection (1) of section
22 402.3015, Florida Statutes, is amended, and subsection (10) is
23 added to said section, to read:

24 402.3015 Subsidized child care program; purpose; fees;
25 contracts.--

26 (1) The purpose of the subsidized child care program
27 is to provide quality child care to enhance the development,
28 including language, cognitive, motor, social, and self-help
29 skills of children who are at risk of abuse or neglect and
30 children of low-income families, and to promote financial
31 self-sufficiency and life skills for the families of these

1 children, unless prohibited by federal law. Priority for
2 participation in the subsidized child care program shall be
3 accorded to children under 13 years of age who are:

4 (c) Children of working families whose family income
5 is equal to or greater than 100 percent, but does not exceed
6 150 percent, of the federal poverty level. The department may
7 extend eligibility to children of working families who are
8 currently in subsidized child care and whose family income
9 does not exceed 200 percent of the federal poverty level; and

10 (10) A family that is eligible to participate in the
11 subsidized child care program shall be considered a needy
12 family for purposes of the program funded through the federal
13 Temporary Assistance for Needy Families (TANF) block grant, to
14 the extent permitted by appropriation of funds.

15 Section 2. Section 402.3017, Florida Statutes, is
16 created to read:

17 402.3017 Teacher Education and Compensation Helps
18 (TEACH) scholarship program.--

19 (1) The Legislature finds that the level of early
20 child care teacher education and training is a key predictor
21 for determining program quality. The Legislature also finds
22 that low wages for child care workers prevent many from
23 obtaining increased training and education and contribute to
24 high turnover rates. The Legislature therefore intends to
25 help fund a program which links teacher training and education
26 to compensation and commitment to the field of early childhood
27 education.

28 (2) The Department of Children and Family Services is
29 authorized to contract for the administration of the Teacher
30 Education and Compensation Helps (TEACH) scholarship program,
31 which provides educational scholarships to caregivers and

1 administrators of early childhood programs, family day care
2 homes, and large family child care homes.

3 (3) The department shall adopt rules as necessary to
4 implement this section.

5 Section 3. Section 402.3019, Florida Statutes, is
6 created to read:

7 402.3019 Child care health consultant program.--

8 (1) DEFINITIONS.--For purposes of this section:

9 (a) "Child care health consultant" means a registered
10 nurse, health educator, or other licensed health professional,
11 with experience in child development, child care, or
12 elementary education, who provides consultation to child care
13 providers and families on early assessment, immunization,
14 health and safety measures, nutrition, and obtaining health
15 care.

16 (b) "Community child care coordinating agency" means
17 an agency under contract with the Florida Partnership for
18 School Readiness for the purpose of managing subsidized child
19 care.

20 (2) CHILD CARE HEALTH CONSULTANT PROGRAM.--

21 (a) The child care health consultant program is a
22 public-private partnership that joins the existing network of
23 Florida's community child care coordinating agencies, the
24 Florida Partnership for School Readiness and local school
25 readiness coalitions, universities, and other child health
26 partners in the public and private sectors.

27 (b) Subject to the approval of the local school
28 readiness coalitions, child care health consultants may be
29 established in each community child care coordinating agency
30 to provide a statewide network of child care health
31 consultation services. At least one child care health

1 consultant may be employed by each community child care
2 coordinating agency.

3 (c) A comprehensive training program for child care
4 health consultants shall be developed and offered by a
5 university through a contract with the Florida Partnership for
6 School Readiness.

7 (d) The Florida Partnership for School Readiness and
8 local school readiness coalitions shall specify the
9 involvement of child care health consultants in the activities
10 of local school readiness coalitions, particularly in the
11 areas of developmental assessment, evaluation of local health
12 care provider networks, immunization status of children in the
13 jurisdiction of the coalition, and other health-related
14 concerns regarding child care. The Florida Partnership for
15 School Readiness and local school readiness coalitions shall
16 work with the community child care coordinating agencies to
17 describe and measure the impact of child care health and
18 safety programs on the readiness level of children entering
19 school.

20 (3) CHILD CARE HEALTH CONSULTANT DUTIES AND
21 RESPONSIBILITIES.--Subject to the approval of the local school
22 readiness coalitions, the duties and responsibilities of a
23 child care health consultant may include the following:

24 (a) Coordinating the screening of children in child
25 care settings for age-appropriate development, including
26 vision and hearing screening. Such screening shall include,
27 but is not limited to:

28 1. Coordinating, as needed, the screening programs for
29 infants and toddlers, to include developmental, hearing, and
30 vision screening.

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- 1 2. Assisting child care staff to identify
2 developmental, hearing, and vision problems.
- 3 3. Referring children with developmental delays or
4 behavioral, hearing, or vision problems for additional
5 evaluation and intervention.
- 6 4. Following up with families and child care staff on
7 intervention programs.
- 8 (b) Facilitating onsite technical assistance and
9 coordination of health and safety programs in child care
10 settings, which shall include, but is not limited to:
- 11 1. Coordinating and providing technical assistance to
12 child care providers and licensing staff on healthy
13 environments, infection control, hand washing, sanitizing and
14 disinfecting, oral health, body fluid precautions, diapering,
15 and common childhood diseases.
- 16 2. In conjunction with licensing staff, providing
17 technical assistance on safety and injury prevention,
18 playground equipment safety standards and supervision, car
19 seat safety, environmental hazards, disaster preparedness and
20 drills, and cardiopulmonary resuscitation (CPR) and first aid.
- 21 3. Coordinating and providing technical assistance to
22 child care providers and families in child development and
23 nutrition.
- 24 4. Coordinating and providing technical assistance on
25 positive mental health, behavior management, and
26 communication.
- 27 5. Coordinating and providing technical assistance to
28 child care providers on health policies, such as exclusion,
29 medication administration, special needs children, staff
30 hygiene, and center health standards.
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- 1 6. Coordinating and providing resource material and
2 information on immunization and other health and safety
3 matters.
- 4 (c) Coordinating and facilitating the tracking of
5 health problems and interventions, which shall include, but is
6 not limited to:
- 7 1. Providing updated information to child care
8 providers about children's health insurance and Medicaid
9 options, and the need to have a medical home for each child.
- 10 2. Referring children to health care providers, mental
11 health programs, school districts, and other health care
12 resources in order to address health problems.
- 13 3. Consulting with child care providers, families, and
14 health care providers to facilitate the understanding of
15 health problems and intervention plans.
- 16 4. Coordinating the monitoring of prescribed medical
17 treatment and facilitating coordination of treatment plans
18 with families, child care staff, and health care providers.
- 19 (d) Coordinating with community and family resources,
20 which shall include, but is not limited to:
- 21 1. Establishing partnerships with other community
22 child care organizations such as Head Start, Healthy Start,
23 Florida Diagnostic and Learning Resource Services, school
24 districts, children's mental health programs, local health
25 departments, Department of Children and Family Services local
26 offices, and Medicaid area offices.
- 27 2. Establishing communication with parent groups to
28 provide education on health and safety issues and health
29 insurance or to assist with special needs children.
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1 3. Participating in the local school readiness
2 coalition by providing information about health and safety
3 issues, prevention services, and health education.

4 4. Establishing communication with local Medicaid and
5 managed care providers.

6 (4) DUTIES AND RESPONSIBILITIES OF CONTRACTING
7 UNIVERSITY.--The university contracting with the Florida
8 Partnership for School Readiness shall:

9 (a) Develop and offer a comprehensive training program
10 for child care health consultants, which shall include, but
11 not be limited to:

12 1. Health and safety training, health and
13 developmental assessment, nutrition, behavioral health,
14 special needs children, oral health, playground safety,
15 cardiopulmonary resuscitation (CPR) and first aid, child care
16 facility quality analysis, and consultancy training.

17 2. Development of materials for providing technical
18 assistance to child care center directors in health and
19 safety, nutrition, family dynamics, positive mental health,
20 and other subjects.

21 3. Collecting and distributing training materials to
22 health consultants and child care providers to improve the
23 quality, health, and safety of the services they provide.

24 (b) Develop and provide a child care health consultant
25 curricula to students in public health, nursing, allied health
26 professions, social work, and related fields.

27 (c) Conduct surveys to:

28 1. Collect data on child health status using the child
29 care network as a collaborative partner.

30 2. Collect evaluation and outcome data on the impact
31 of child care health consultants, define outcome measures, and

1 report on these measures annually to the Florida Partnership
2 for School Readiness.

3 Section 4. Subsection (8) of section 402.302, Florida
4 Statutes, is amended to read:

5 402.302 Definitions.--

6 (8) "Large family child care home" means an occupied
7 residence in which child care is regularly provided for
8 children from at least two unrelated families, which receives
9 a payment, fee, or grant for any of the children receiving
10 care, whether or not operated for profit, and which has at
11 least two full-time child care personnel on the premises
12 during the hours of operation. One of the two full-time child
13 care personnel must be the owner or occupant of the residence.
14 A large family child care home must first have operated as a
15 licensed family day care home for 2 years, with an operator
16 who has had a child development associate credential or its
17 equivalent for 1 year, before seeking licensure as a large
18 family child care home. A large family child care home shall
19 be allowed to provide care for one of the following groups of
20 children, which shall include those children under 13 ~~12~~ years
21 of age who are related to the caregiver:

22 (a) A maximum of 8 children from birth to 24 months of
23 age.

24 (b) A maximum of 12 children, with no more than 4
25 children under 24 months of age.

26 Section 5. Section 402.3028, Florida Statutes, is
27 created to read:

28 402.3028 Referral for assessment.--The Department of
29 Children and Family Services, Department of Health, and
30 Department of Education shall implement the following
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1 procedures for making referrals for Level III assessment
2 pursuant to s. 402.3027:
3 (1) Children under 3 years of age who are in the
4 subsidized child care program and are identified as needing a
5 Level III developmental assessment pursuant to s. 402.3027
6 shall be referred to the Early Intervention for Infants and
7 Toddlers with Disabilities Program of the Department of
8 Health, funded under the federal Individuals with Disabilities
9 Education Act, Pub. L. No. 105-17, Part C. Assessments shall
10 be completed within 45 days after the referral. If the Early
11 Intervention for Infants and Toddlers with Disabilities
12 Program is not available, referral may be made to a local
13 community service provider.
14 (2) Children age 3 years through 5 years who are in
15 the subsidized child care program and are identified as
16 needing a Level III developmental assessment pursuant to s.
17 402.3027 shall be referred to the appropriate program under
18 the local school district or appropriate local service
19 provider. It is the intent of the Legislature that these
20 assessments be completed within 45 days because of the
21 critical nature of child development at this age.
22 (3) Services to children with disabilities under this
23 section shall be integrated and delivered with child care
24 programs to the extent possible.
25 (4) Nothing in this section prohibits a subsidized
26 child care program from referring a child to Medicaid or the
27 Florida KidCare program to determine eligibility for services,
28 or from making a referral to a child's primary health care
29 provider.
30 Section 6. Section 402.3054, Florida Statutes, is
31 created to read:

1 402.3054 Child enrichment service providers.--
2 (1) For the purposes of this section, "child
3 enrichment service provider" means an individual who provides
4 enrichment activities, such as language training, music
5 instruction, educational instruction, and other experiences,
6 to specific children during a specific time that is not part
7 of the regular program in a child care facility.

8 (2) The child's parent shall provide written consent
9 before a child may participate in activities conducted by a
10 child enrichment service provider that are not part of the
11 regular program of the child care facility. A child
12 enrichment service provider receives compensation from the
13 child's parent or from the child care facility and shall not
14 be considered a volunteer or child care personnel.

15 (3) A child enrichment service provider shall be of
16 good moral character based upon screening. This screening
17 shall be conducted as provided in chapter 435, using the level
18 2 standards for screening set forth in that chapter. A child
19 enrichment service provider must meet the screening
20 requirements prior to providing services to a child in a child
21 care facility. A child enrichment service provider who has
22 met the screening standards shall not be required to be under
23 the direct and constant supervision of child care personnel.

24 Section 7. Subsection (1) of section 402.315, Florida
25 Statutes, is amended to read:

26 402.315 Funding; license fees.--

27 (1) If the county designates a local agency to be
28 responsible for the licensing of child care facilities, the
29 county shall bear no more than 50 ~~at least 75~~ percent of the
30 costs involved.

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1 Section 8. Subsection (3) of section 409.178, Florida
2 Statutes, is amended to read:

3 409.178 Child Care Executive Partnership Act; findings
4 and intent; grant; limitation; rules.--

5 (3) There is created a body politic and corporate
6 known as the Child Care Executive Partnership which shall
7 establish and govern the Child Care Executive Partnership
8 Program. The purpose of the Child Care Executive Partnership
9 Program is to utilize state and federal funds as incentives
10 for matching local funds derived from local governments,
11 employers, charitable foundations, and other sources, so that
12 Florida communities may create local flexible partnerships
13 with employers. The Child Care Executive Partnership Program
14 funds shall be used at the discretion of local communities to
15 meet the needs of working parents. A child care purchasing
16 pool shall be developed with the state, federal, and local
17 funds to provide subsidies to low-income working parents who
18 are eligible for subsidized child care with a
19 dollar-for-dollar match from employers, local government, and
20 other matching contributions. The funds used from the child
21 care purchasing pool must be used to supplement or extend the
22 use of existing public or private funds ~~and may not be used to~~
23 ~~supplant the maintenance of effort presently exerted by the~~
24 ~~employer or other participant in the activity funded.~~

25 Section 9. This act shall take effect July 1, 2000.
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HOUSE SUMMARY

Authorizes the Department of Children and Family Services to extend eligibility for the subsidized child care program to working families currently in the program whose income does not exceed 200 percent of federal poverty level. Provides that an eligible family shall be considered a needy family for purposes of federal Temporary Assistance for Needy Families funding, subject to appropriations. Authorizes the department to contract for administration of a scholarship program for caregivers and administrators of early childhood programs, family day care homes, and large family child care homes. Creates a program to provide statewide child care health consultation services, with training of child care health consultants to be provided by a university under contract with the Florida Partnership for School Readiness. Specifies duties and responsibilities of such consultants. Provides for involvement of the community child care coordinating agencies, the Florida Partnership for School Readiness and local school readiness coalitions, and other child health partners in the public and private sectors. Authorizes large family child care homes to include children under 13, rather than 12, years of age who are related to the caregiver. Provides procedures for referrals for developmental assessment of children in subsidized child care programs. Defines "child enrichment service provider," and specifies requirements relating to parental consent, compensation, and background screening for such providers providing services to a child care facility. Reduces the county's share to no more than 50 percent of the costs involved, when a county designates a local agency to license child care facilities. Removes a restriction on the use of child care purchasing pool funds under the Child Care Executive Partnership Act.