

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Berman offered the following:

2

3 **Amendment**

4 Remove lines 495-722 and insert:

5 registration in an area viewable by all parents or guardians
6 during hours of operation.

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

10 information:

11 1. The name and address of the home.

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~~

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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~~
36 ~~language development of children from birth to 5 years of age,~~
37 ~~as determined by the department, for owner operators of family~~
38 ~~day care homes.~~

39 5.7. Proof that immunization records are kept current.

40 ~~8. Proof of completion of the required continuing~~

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41 ~~education units or clock hours.~~

42

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

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

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

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

59 (3) Child care personnel in family child day care homes
60 are shall be subject to the applicable screening provisions
61 contained in ss. 402.305(2) and 402.3055. For purposes of
62 screening in family child day care homes, the term "child care
63 personnel" includes the operator, the designated substitute, any
64 member over the age of 12 years of a family child day care home
65 operator's family, or persons over the age of 12 years residing
66 with the operator in the family child day care home. Members of

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67 the operator's family, or persons residing with the operator,
68 who are between the ages of 12 years and 18 years shall not be
69 required to be fingerprinted, but shall be screened for
70 delinquency records.

71 (4) (a) Before licensure and before caring for children,
72 operators of family child day care homes and an individual
73 serving as a substitute for the operator who works 40 hours or
74 more per month on average must:

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

79 a. State and local rules and regulations that govern child
80 care.

81 b. Health, safety, and nutrition.

82 c. Identifying and reporting child abuse and neglect.

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

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

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

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93 ~~(5) In order to further develop their child care skills~~
94 ~~and, if appropriate, their administrative skills, operators of~~
95 ~~family day care homes shall be required to complete an~~
96 ~~additional 1 continuing education unit of approved training or~~
97 ~~10 clock hours of equivalent training, as determined by the~~
98 ~~department, annually.~~

99 ~~2.(6) Operators of family day care homes shall be required~~
100 ~~to~~ Complete 0.5 continuing education unit of approved training
101 in numeracy, early literacy, and language development of
102 children from birth to 5 years of age one time. For an operator,
103 the year that this training is completed, it shall fulfill the
104 0.5 continuing education unit or 5 clock hours of the annual
105 training required in paragraph (c) subsection (5).

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

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

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119 complete the 6-clock-hour Family Child Care Home Rules and
120 Regulations training.

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

126 (5)-(7) Operators of family child day care homes must ~~shall~~
127 ~~be required~~ annually to complete a health and safety home
128 inspection self-evaluation checklist developed by the department
129 in conjunction with the statewide resource and referral program.
130 The completed checklist shall be signed by the operator of the
131 family child day care home and provided to parents as
132 certification that basic health and safety standards are being
133 met.

134 (6)-(8) Operators of family child day care homes ~~home~~
135 ~~operators~~ may avail themselves of supportive services offered by
136 the department.

137 (7)-(9) The department shall prepare a brochure on family
138 child day care for distribution by the department and by local
139 licensing agencies, if appropriate, to family child day care
140 homes for distribution to parents using ~~utilizing~~ such child
141 care, and to all interested persons, including physicians and
142 other health professionals; mental health professionals; school
143 teachers or other school personnel; social workers or other
144 professional child care, foster care, residential, or

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145 institutional workers; and law enforcement officers. The
146 brochure shall, at a minimum, contain the following information:

147 (a) A brief description of the requirements for family
148 child day care registration, training, and background
149 ~~fingerprinting and screening.~~

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

157 (c) A statement indicating that information about the
158 family child day care home's compliance with applicable state or
159 local requirements can be obtained from ~~by telephoning~~ the
160 department ~~office or the office of~~ the local licensing agency,
161 including the, if appropriate, at a telephone number or numbers
162 and website address for the department or local licensing
163 agency, as applicable ~~which shall be affixed to the brochure.~~

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

169 (e) Any other information relating to competent child care
170 that the department or local licensing agency, if preparing a

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171 separate brochure, considers ~~deems would be~~ helpful to parents
172 and other caretakers in their selection of a family child day
173 care home.

174 ~~(8)(10)~~ On an annual basis, the department shall evaluate
175 the registration and licensure system for family child day care
176 homes. Such evaluation shall, at a minimum, address the
177 following:

178 (a) The number of family child day care homes registered
179 and licensed and the dates of such registration and licensure.

180 (b) The number of children being served in both registered
181 and licensed family child day care homes and any available slots
182 in such homes.

183 (c) The number of complaints received concerning family
184 child day care, the nature of the complaints, and the resolution
185 of such complaints.

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

189
190 The evaluation shall be used ~~utilized~~ by the department in any
191 administrative modifications or adjustments to be made in the
192 registration of family child day care homes or in any
193 legislative requests for modifications to the system of
194 registration or to other requirements for family child day care
195 homes.

196 ~~(11) In order to inform the public of the state~~

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197 ~~requirement for registration of family day care homes as well as~~
198 ~~the other requirements for such homes to legally operate in the~~
199 ~~state, the department shall institute a media campaign to~~
200 ~~accomplish this end. Such a campaign shall include, at a~~
201 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
202 ~~and television advertisements.~~

203 ~~(9)-(12)~~ Notwithstanding any other state or local law or
204 ordinance, any family child ~~day~~ care home licensed pursuant to
205 this chapter or pursuant to a county ordinance shall be charged
206 the utility rates accorded to a residential home. A licensed
207 family child ~~day~~ care home may not be charged commercial utility
208 rates.

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

221 ~~(11)-(14)~~ ~~During the months of August and September of each~~
222 ~~year,~~ Each family child ~~day~~ care home shall provide parents of

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223 children enrolling ~~enrolled~~ in the home detailed information
224 regarding the causes, symptoms, and transmission of the
225 influenza virus in an effort to educate those parents regarding
226 the importance of immunizing their children against influenza as
227 recommended by the Advisory Committee on Immunization Practices
228 of the Centers for Disease Control and Prevention.

229 Section 11. Subsections (1), (3), (5), and (9) of section
230 402.3131, Florida Statutes, are amended, and subsection (10) is
231 added to that section, to read:

232 402.3131 Large family child care homes.—

233 (1) A large family child care home must ~~homes shall~~ be
234 licensed under this section and permanently post its license in
235 a conspicuous location that is visible to all parents and
236 guardians and the department.

237 (a) A licensed family child ~~day~~ care home must first have
238 operated for a minimum of 2 consecutive years, with an operator
239 who has had a child development associate credential or its
240 equivalent for 1 year, before seeking licensure as a large
241 family child care home.

242 (b) The department may provide technical assistance to
243 counties and family child ~~day~~ care home providers to enable the
244 counties and providers to achieve compliance with minimum
245 standards for large family child care homes.

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