

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 47 (2025)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Committee/Subcommittee hearing bill: Human Services
Subcommittee

Representative McFarland offered the following:

Amendment (with title amendment)

Remove lines 125-365 and insert:

the results to the child care facility within 3 business days
from the receipt of the criminal history record check. If the
department is unable to complete the screening within 3 business
days, the department shall issue the current or prospective
child care personnel a 45-day provisional-hire status while all
required information is being requested and the department is
awaiting results unless the department has reason to believe a
disqualifying factor may exist. During the 45-day period, the
current or prospective child care personnel must be under the

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16 direct supervision of a screened and trained staff member when
17 in contact with children.

18 (e) Minimum training requirements for child care
19 personnel.

20 1. Such minimum standards for training shall ensure that
21 all child care personnel take an approved 40-clock-hour
22 introductory course in child care, which course covers ~~at least~~
23 the following topic areas:

24 a. State and local rules and regulations which govern
25 child care.

26 b. Health, safety, and nutrition.

27 c. Identifying and reporting child abuse and neglect.

28 d. Child development, including typical and atypical
29 language, cognitive, motor, social, and self-help skills
30 development.

31 e. Observation of developmental behaviors, including using
32 a checklist or other similar observation tools and techniques to
33 determine the child's developmental age level.

34 f. Specialized areas, including computer technology for
35 professional and classroom use and early literacy and language
36 development of children from birth to 5 years of age, as
37 determined by the department, for owner-operators and child care
38 personnel of a child care facility.

39 g. Developmental disabilities, including autism spectrum
40 disorder and Down syndrome, and early identification, use of

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41 available state and local resources, classroom integration, and
42 positive behavioral supports for children with developmental
43 disabilities.

44 h. Online training coursework, provided at no cost by the
45 department, to meet minimum training standards for child care
46 personnel.

47
48 Within 90 days after employment, child care personnel shall
49 begin training to meet the training requirements. Child care
50 personnel shall successfully complete such training within 1
51 year after the date on which the training began, as evidenced by
52 passage of an in-person or online a competency examination.

53 Successful completion of the 40-clock-hour introductory course
54 shall articulate into community college credit in early
55 childhood education, pursuant to ss. 1007.24 and 1007.25.

56 Exemption from all or a portion of the required training shall
57 be granted to child care personnel based upon educational
58 credentials or passage of competency examinations. Child care
59 personnel possessing a 2-year degree or higher that includes 6
60 college credit hours in early childhood development or child
61 growth and development, or a child development associate
62 credential or an equivalent state-approved child development
63 associate credential, or a child development associate waiver
64 certificate shall be automatically exempted from the training
65 requirements in sub-subparagraphs b., d., and e.

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~~2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.~~

2.3. The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

~~3.4.~~ On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

~~4.5.~~ Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.4.

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90 ~~5.6.~~ Procedures for ensuring the training of qualified
91 child care professionals to provide training of child care
92 personnel, including onsite training, shall be included in the
93 minimum standards. It is recommended that the state community
94 child care coordination agencies (central agencies) be
95 contracted by the department to coordinate such training when
96 possible. Other district educational resources, such as
97 community colleges and career programs, can be designated in
98 such areas where central agencies may not exist or are
99 determined not to have the capability to meet the coordination
100 requirements set forth by the department.

101 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
102 occasional or part-time support staff, including, but not
103 limited to, swimming instructors, piano teachers, dance
104 instructors, and gymnastics instructors.

105 ~~7.8.~~ The child care operator shall be required to take
106 basic training in serving children with disabilities within 5
107 years after employment, either as a part of the introductory
108 training or the annual 8 hours of inservice training.

109 (f) Periodic health examinations for child care facility
110 drivers.

111 (7) SANITATION AND SAFETY.—

112 (a) Minimum standards must ~~shall~~ include requirements for
113 sanitary and safety conditions, first aid treatment, emergency
114 procedures, and pediatric cardiopulmonary resuscitation. The

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115 minimum standards must ~~shall~~ require that at least one staff
116 person trained in person in cardiopulmonary resuscitation, as
117 evidenced by current documentation of course completion, ~~must~~ be
118 present at all times that children are present.

119 ~~(c) Some type of communications system, such as a pocket~~
120 ~~pager or beeper, shall be provided to a parent whose child is in~~
121 ~~drop-in child care to ensure the immediate return of the parent~~
122 ~~to the child, if necessary.~~

123 (9) ADMISSIONS AND RECORDKEEPING.—

124 (a) Minimum standards shall include requirements for
125 preadmission and periodic health examinations, requirements for
126 immunizations, and requirements for maintaining emergency
127 information and health records on all children.

128 ~~(b) During the months of August and September of each~~
129 ~~year, each child care facility shall provide parents of children~~
130 ~~enrolled in the facility detailed information regarding the~~
131 ~~causes, symptoms, and transmission of the influenza virus in an~~
132 ~~effort to educate those parents regarding the importance of~~
133 ~~immunizing their children against influenza as recommended by~~
134 ~~the Advisory Committee on Immunization Practices of the Centers~~
135 ~~for Disease Control and Prevention.~~

136 ~~(c) During the months of April and September of each year,~~
137 ~~at a minimum, each facility shall provide parents of children~~
138 ~~enrolled in the facility information regarding the potential for~~
139 ~~a distracted adult to fail to drop off a child at the facility~~

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140 ~~and instead leave the child in the adult's vehicle upon arrival~~
141 ~~at the adult's destination. The child care facility shall also~~
142 ~~give parents information about resources with suggestions to~~
143 ~~avoid this occurrence. The department shall develop a flyer or~~
144 ~~brochure with this information that shall be posted to the~~
145 ~~department's website, which child care facilities may choose to~~
146 ~~reproduce and provide to parents to satisfy the requirements of~~
147 ~~this paragraph.~~

148 (b) ~~(d)~~ Because of the nature and duration of drop-in child
149 care, requirements for preadmission and periodic health
150 examinations and requirements for medically signed records of
151 immunization required for child care facilities shall not apply.
152 A parent of a child in drop-in child care shall, however, be
153 required to attest to the child's health condition and the type
154 and current status of the child's immunizations.

155 (c) ~~(e)~~ Any child shall be exempt from medical or physical
156 examination or medical or surgical treatment upon written
157 request of the parent or guardian of such child who objects to
158 the examination and treatment. However, the laws, rules, and
159 regulations relating to contagious or communicable diseases and
160 sanitary matters shall not be violated because of any exemption
161 from or variation of the health and immunization minimum
162 standards.

163 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure
164 that each child care facility has and implements a written plan

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for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child. ~~The written plan must include a program, to be implemented periodically for children of an appropriate age, which will assist the children in preventing and avoiding physical and mental abuse.~~

~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN. Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following areas: personnel requirements; staff to child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.~~

Section 3. Subsection (1) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1)(a) Any county whose licensing standards meet or exceed state minimum standards may:

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189 ~~1.(a)~~ Designate a local licensing agency to license child
190 care facilities in the county; or

191 ~~2.(b)~~ Contract with the department to delegate the
192 administration of state minimum standards in the county to the
193 department.

194 (b) The decision to designate a local licensing agency
195 under subparagraph (a)1. must be annually affirmed by a majority
196 vote of the county commission.

197 Section 4. Section 402.3115, Florida Statutes, is amended
198 to read:

199 402.3115 Elimination of duplicative and unnecessary
200 inspections; abbreviated inspections.—

201 (1) The Department of Children and Families and local
202 governmental agencies that license child care facilities shall
203 develop and implement a plan to eliminate duplicative and
204 unnecessary inspections of child care facilities, family day
205 care homes, and large family child care homes.

206 (2) (a) ~~In addition,~~ The department and the local
207 governmental agencies shall develop and implement an abbreviated
208 inspection plan for child care facilities, family day care
209 homes, and large family child care homes that meet all of the
210 following conditions:

211 1. Have been licensed for at least 2 consecutive years.

212 2. Have not had a ~~no~~ Class 1 deficiency, as defined by
213 rule, for at least 2 consecutive years.

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214 3. Have not had more than three of the same or Class 2
215 deficiencies, as defined by rule, for at least 2 consecutive
216 years.

217 4. Have received at least two full onsite renewal
218 inspections in the most recent 2 years.

219 5. Do not have any current uncorrected violations.

220 6. Do not have any open regulatory complaints or active
221 child protective services investigations.

222 (b) The abbreviated inspection must include those elements
223 identified by the department and the local governmental agencies
224 as being key indicators of whether the child care facility
225 continues to provide quality care and programming and must be
226 updated every 5 years.

227
228 (4) The department shall revise the plan under subsection
229 (1) as necessary to maintain the validity and effectiveness of
230 inspections.

231 Section 5. Subsection (1) of section 402.316, Florida
232 Statutes, is amended to read:

233 402.316 Exemptions.—

234 (1) The provisions of ss. 402.301-402.319, except for the
235 requirements regarding screening of child care personnel, shall
236 not apply to a child care facility which is an integral part of
237 church or parochial schools, or a child care facility that
238 solely provides child care to eligible children as defined in s.

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239 402.261(1)(c), conducting regularly scheduled classes, courses
240 of study, or educational programs accredited by, or by a member
241 of, an organization which publishes and requires compliance with
242 its standards for health, safety, and sanitation. However, such
243 facilities shall meet minimum requirements of the applicable
244 local governing body as to health, sanitation, and safety and
245 shall meet the screening requirements pursuant to ss. 402.305
246 and 402.3055. Failure by a facility to comply with such
247 screening requirements shall result in the loss of the
248 facility's exemption from licensure.

249 (2) The provisions of ss.402.301-402.319 shall not apply
250 to a child care facility or family day care home if the child
251 care facility or family day care home has a certificate issued
252 by the United States Department of Defense or by the United
253 States Coast Guard to provide child care and has completed
254 background screening by the United States Department of Defense
255 pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and
256 received a favorable suitability and fitness determination. If
257 the child care facility or family day care home elects to serve
258 children not eligible for care under the Department of Defense
259 Instruction 6060.02, the child care facility or family day care
260 home must be licensed under Ch. 402.

261
262 ~~(3)-(2) Any county or city with state or local child care~~
263 ~~licensing programs in existence on July 1, 1974, will continue~~

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264 ~~to license the child care facility facilities as covered by such~~
265 ~~programs, notwithstanding the exemption provisions of subsection~~
266 ~~(1), but desiring to be licensed, is authorized to do so by~~
267 ~~submitting an application to the department or local licensing~~
268 ~~agency pursuant to s. 402.308(4) until and unless the licensing~~
269 ~~agency makes a determination to exempt them.~~

270 (4)-(3) The department and the local licensing agency
271 pursuant to s. 402.308(4) shall adopt rules to administer and
272 implement the provisions of this section, including but not
273 limited to, any assessments of previous licensure history. Any
274 ~~child care facility covered by the exemption provisions of~~
275 ~~subsection (1), but desiring to be included in this act, is~~
276 ~~authorized to do so by submitting notification to the~~
277 ~~department. Once licensed, such facility cannot withdraw from~~
278 ~~the act and continue to operate.~~

281 -----
282 **T I T L E A M E N D M E N T**

283 Remove lines 27-30 and insert:

284 facilities; amending s. 402.316, F.S.; providing that
285 certain child care facilities are exempt from
286 specified requirements; authorizing certain exempt
287 child care facilities desiring licensure to submit an
288 application for licensure to the department or a local

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289 | licensing agency; requiring the department and the
290 | local licensing agency to adopt rules; amending s.
291 | 627.70161, F.S.; defining