



HOUSE BILL No. 5765

September 14 1994 Introduced by Reps Shugars and Jaye and referred to the Committee on Public Health

A bill to amend section 3 of Act No 116 of the Public Acts of 1973, entitled

An act to provide for the protection of children through the licensing and regulation of child care organizations to provide for the establishment of standards of care for child care organizations to provide penalties and to repeal certain acts and parts of acts '

as amended by Act No 232 of the Public Acts of 1980, being section 722 113 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 3 of Act No 116 of the Public Acts of
2 1973 as amended by Act No 232 of the Public Acts of 1980 being
3 section 722 113 of the Michigan Compiled Laws is amended to read
4 as follows

5 Sec 3 (1) The rules promulgated by the department shall
6 be used by the department of public health the fire marshal
7 division of the department of state police and local authorities

1 in the inspection of and reporting on child care organizations
2 covered by this act The inspection of the health and fire
3 safety of child care organizations shall be completed by depart-
4 ment staff or by the department of public health, the fire
5 marshal division of the department of state police local author-
6 ities upon request of the department, or pursuant to subsection
7 (2)

8 (2) If an inspection is not conducted pursuant to subsection
9 (1) a person owning or operating or who proposes to own or oper-
10 ate a child care organization may enter a contract with a local
11 authority or other person qualified to conduct an inspection pur-
12 suant to subsection (1) and pay for that inspection after an
13 inspection is completed pursuant to this subsection A person
14 may receive a provisional license if the proposed child care
15 organization passes the inspection and the other requirements of
16 this act are met

17 (3) The rules promulgated by the department for foster
18 family homes and foster family group homes shall be used by a
19 licensed child placing agency or an approved governmental unit
20 when investigating and certifying a foster family home or a
21 foster family group home

22 (4) Inspection reports completed by state agencies, local
23 authorities, and child placing agencies ~~—~~ shall be furnished to
24 the department and shall become a part of its evaluation for
25 licensing of organizations covered by this act After careful
26 consideration of the reports and consultation where necessary
27 the department shall assume responsibility for the final

1 determination of the issuance denial revocation or provisional
2 nature of licenses issued to nongovernmental organizations A
3 report of findings shall be furnished to the licensee A license
4 shall be issued to a specific person or organization at a spe-
5 cific location, shall be nontransferable, and shall remain the
6 property of the department

7 (5) THIS SECTION DOES NOT APPLY TO A PUBLIC PRIVATE OR
8 PAROCHIAL SCHOOL BUILDING, IN WHICH CARE IS PROVIDED TO
9 SCHOOL-AGE CHILDREN FOR PERIODS OF LESS THAN 24 HOURS A DAY
10 EITHER BEFORE OR AFTER SCHOOL, THAT MEETS THE HEALTH AND FIRE
11 SAFETY REQUIREMENTS PRESCRIBED BY THE SCHOOL CODE OF 1976, ACT
12 NO 451 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 380 1 TO
13 380 1852 OF THE MICHIGAN COMPILED LAWS