



**House
Legislative
Analysis
Section**

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CHILD CARE PROVIDER DATABASE

**House Bill 5371 as enrolled
Public Act 645 of 2002
Second Analysis (12-30-02)**

**Sponsor: Rep. Mary Ann Middaugh
House Committee: Family and Children
Services
Senate Committee: Families, Mental
Health, Human Services**

THE APPARENT PROBLEM:

The child care facility licensing act (Public Act 116 of 1973) requires that child care organizations be licensed. Child care programs in the state are regulated and licensed by the Bureau of Family Services - formerly the Bureau of Regulatory Services - within the Department of Consumer and Industry Services. According to the department, there are 4,857 child care centers; 3,286 group day care homes; and 11,475 family day care homes licensed in the state. The DCIS sets different licensure requirements for family day care, group day care, and child care, which are designed to ensure the safety and protection of children while in the care of child care organizations. The division also aims to help parents choose child care organizations that offer a friendly, safe environment and foster proper growth and development of children. To inform parents of local child care organizations, the department offers on its Internet web site a searchable database providing information on child care organizations. Legislation has been introduced to require the department to maintain the database.

THE CONTENT OF THE BILL:

House Bill 5371 would amend the child care facility licensing act to require the Department of Consumer and Industry Services (CIS) to establish and maintain a database of child care centers, family day care homes, and group day care homes as a central clearinghouse for persons seeking information on child care options.

At a minimum, the registry would include the name, address, telephone number, and the days and general hours of operation of a child care provider; a provider's license or registration number, including the effective and expiration dates; and the number and nature of any adverse action taken by the CIS against a child care provider.

The CIS would be required to make the database of child care providers available to the public on the department's web site, and inform the public about the database through press releases and other media avenues.

MCL 722.121b

BACKGROUND INFORMATION:

Currently, the department maintains on its Internet web site (www.michigan.gov/cis) information regarding the licensee, facility, and license. Consumers can find out contact information and other information regarding the license number, capacity of the facility, effective and expiration dates of the license, the period of operation, services offered, and whether or not any violations have occurred within the last year.

FISCAL IMPLICATIONS:

According to the Senate Fiscal Agency, the bill would have no fiscal impact on the state or local governments. (11-1-02)

ARGUMENTS:

For:

Though the department currently maintains a searchable database of day care organizations on its web site, it is not required to do so. The bill would place in statute a requirement that the department provide this information on its web site. This ensures that the information on child care organizations will be available and current.

In addition, the bill will better notify consumers of the availability of information on child care organizations. Many parents looking for child care

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for their children are simply not aware that the DCIS licenses child care organizations, or even what is required for licensure. The bill will ensure that parents are aware of and have access to the information needed to make informed decisions regarding the placement of their children. Posting such information provides parents with a system of check and balances, to make sure that the child care organization is acting within the scope of its license, which is necessary for the protection of their children.

Furthermore, in addition to the information already posted, the bill would require the department to include information regarding the hours of operation and more thorough information regarding any complaints and any adverse actions taken. Adding information regarding complaints and any adverse actions is extremely beneficial to parents. When placing a child in day care, the child's health, safety, and well being should be a paramount concern. Parents should have the right to know the circumstances surrounding any complaint prior to placing their child in a child care facility. In instances where the organization itself may not be completely forthright in disclosing such information, parents would be able to find that information through the department web site.

Against:

The bill is not needed. The department currently makes available on its web site much of the information required in the bill. If other information should be added to its database, efforts should be made to work with the department to include such information without enacting legislation requiring it to do so.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.