

Legislative Analysis



LICENSING RECORDS AVAILABLE AT A FACILITY

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House Bill 5047 as reported from committee
Sponsor: Rep. Julie Calley
Committee: Families, Children and Seniors
Complete to 10-5-21

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 112 of 2022)

SUMMARY:

House Bill 5047 would amend 1973 PA 116, known as the child care licensing act, to modify provisions requiring an operator of a child care center, family child care home, or group child care home to maintain licensing records on the premises. Notably, if internet access were available at the facility, access to the records could be provided through the Department of Licensing and Regulatory Affairs (LARA) electronic database of licensing records.

Currently, an operator of a *child care center*, *family child care home*, or *group child care home*¹ must maintain a licensing notebook on its premises. The notebook has to be made available during the facility's hours of operation to parents or guardians who have children in the facility's care or who are considering placing their children in the facility's care.

Child care center means a facility that is not a private home that receives one or more children under 13 years of age for care for periods of less than 24 hours a day. Child care center includes a facility that provides care at least two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center.

Family child care home means a private home where up to six children are taken care of and supervised for compensation for periods of less than 24 hours at a time.

Group child care home means a private home where 7 to 12 children are provided that supervision and care.

The bill would require an operator of a child care center, family child care home, or group child care home to maintain *licensing records* on its premises in the form of a licensing notebook. The bill also would provide that, if the facility has access to the internet, access to records may be provided through LARA's electronic database of licensing records for the entity. The records would have to be made available to parents and guardians as under current law.

Currently, the licensing notebook must include the reports from all licensing inspections, renewal inspections, and corrective action plans. Under the bill, the licensing records maintained and made available as a licensing notebook or via internet access would have to include the original licensing study as well as all licensing inspections, renewal inspections, special investigation, and corrective action plan approval letters *for the past three years*. Under both current law and the bill, the licensing notebook must include a summary sheet outlining

¹For the full definitions of these terms, see <http://legislature.mi.gov/doc.aspx?mcl-722-111>

the reports that it contains. Currently, the information in the licensing notebook must be updated as provided by LARA. The bill would retain this provision and add that the information could be made available via internet access.

Finally, the bill would amend provisions that allow a parent or guardian to acknowledge that he or she is aware of the facility's licensing records information. The amendments would take into account the fact that, under the bill, that information may be provided through either the licensing notebook or LARA's electronic database.

MCL 722.113q

FISCAL IMPACT:

House Bill 5047 would not have a fiscal impact on any unit of state or local government.

POSITIONS:

A representative of the Grand Rapids Chamber testified in support of the bill. (9-28-21)

The following entities indicated support for the bill:

- Department of Licensing and Regulatory Affairs (9-21-21)
- Michigan Department of Education (9-21-21)
- Detroit Regional Chamber (9-21-21)
- Michigan Chamber (9-21-21)
- Northern Michigan Chamber Alliance (9-21-21)
- Talent 2025 (9-21-21)
- Michigan League for Public Policy (9-28-21)
- Childcare Providers Association of Michigan (9-21-21)

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