

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 379 Session of
2001

INTRODUCED BY MUNDY, SHANER, DeLUCA, WALKO, MANDERINO, NICKOL, WANSACZ, CALTAGIRONE, ORIE, CAPPABIANCA, BARRAR, DeWEESE, YOUNGBLOOD, GEORGE, BELARDI, COY, TRAVAGLIO, FICHTER, STURLA, LAUGHLIN, BELFANTI, BUXTON, SAINATO, BISHOP, HENNESSEY, STABACK, SOLOBAY, RUBLEY, KIRKLAND, THOMAS, EACHUS, McCALL, SEMMEL, GRUITZA, STEELMAN, FRANKEL, TIGUE, HERMAN, RUFFING, TRICH, HALUSKA, MICHLOVIC, WOJNAROSKI, PISTELLA, TULLI, YUDICHAK, SCRIMENTI, HARHAI, TANGRETTI, SURRA, CURRY, M. COHEN, MAITLAND, L. I. COHEN, BEBKO-JONES, FREEMAN, PIPPY, C. WILLIAMS, CIVERA, JOSEPHS AND HORSEY, JANUARY 31, 2001

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JANUARY 31, 2001

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," providing for unannounced
4 inspections.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
8 as the Public Welfare Code, is amended by adding a section to
9 read:

10 Section 215. Regulations for Inspections Without Prior
11 Notice.--(a) For the purpose of conducting an inspection of a
12 child day care center or group child day care home as defined by
13 this act or by regulation, without prior notice, the department
14 shall be authorized to apply specific core health and safety
15 regulations that it has determined, if not enforced, would pose

1 a significant risk to the health and safety of a child. At all
2 times, the department shall retain the authority to enforce all
3 department regulations that pertain to the child day care
4 facility or agency.

5 (b) The department shall promulgate regulations that specify
6 the core health and safety regulations that it may apply for the
7 purpose of conducting an inspection without prior notice. Core
8 health and safety regulations shall include, but not be limited
9 to, regulations pertaining to staff-to-child ratios, group
10 sizes, prevention of disease, equipment safety, sanitation and
11 food handling.

12 (c) The department shall conduct at least one inspection
13 annually during operational hours without prior notice of child
14 day care centers and group child day care homes to determine the
15 standard of care being administered to the children for whom
16 child day care is provided.

17 (d) The department shall promulgate regulations to implement
18 this section.

19 Section 2. This act shall take effect in one year.