

AMENDMENTS TO HOUSE BILL NO. 1742

Sponsor: REPRESENTATIVE WATSON

Printer's No. 2339

1 Amend Bill, page 1, lines 3 through 5, by striking out "in
2 departmental powers and" in line 3 and all of lines 4 and 5 and
3 inserting

4 in departmental powers and duties as to supervision, further
5 providing for definitions and providing for Keystone STARS
6 Program participants; and, in departmental powers and duties
7 as to licensing, further providing for definitions and for
8 fees and providing for Keystone STARS Program participants.

9 Amend Bill, page 1, lines 8 through 19; page 2, lines 1
10 through 25; by striking out all of said lines on said pages and
11 inserting

12 Section 1. The definitions of "child day care" and
13 "children's institutions" in section 901 of the act of June 13,
14 1967 (P.L.31, No.21), known as the Human Services Code, are
15 amended to read:

16 Section 901. Definitions.--As used in this article--

17 "Child [day] care" means care in lieu of parental care given
18 for part of the twenty-four hour day to a child under sixteen
19 years of age, away from the child's home but does not include
20 child [day] care furnished in a place of worship during
21 religious services.

22 "Children's institutions" means any incorporated or
23 unincorporated organization, society, corporation or agency,
24 public or private, which may receive or care for children, or
25 place them in foster family homes, either at board, wages or
26 free; or any individual who, for hire, gain or reward, receives
27 for care a child, unless he is related to such child by blood or
28 marriage within the second degree; or any individual, not in the
29 regular employ of the court or of an organization, society,
30 association or agency, duly certified by the department, who in
31 any manner becomes a party to the placing of children in foster
32 homes, unless he is related to such children by blood or
33 marriage within the second degree, or is the duly appointed
34 guardian thereof. The term shall not include a family child care

1 home or child [day] care center operated for profit and subject
2 to the provisions of Article X.

3 * * *

4 Section 2. The act is amended by adding a section to read:

5 Section 923. Keystone STARS Program Participants.--(a) Each
6 child care provider enrolled in the Keystone STARS Program
7 shall:

8 (1) conspicuously denote on its publicly accessible Internet
9 website, if operational, its designated STAR-level rating,
10 which shall include how many STARS out of four that the child
11 care provider has received;

12 (2) provide its STAR-level rating in writing to families at
13 the time of application and enrollment; and

14 (3) obtain a department-issued placard that denotes the
15 child care provider's participation in the Keystone STARS
16 Program and designated STAR-level rating.

17 (b) The department shall be responsible for issuing placards
18 to program participants. The department shall also be
19 responsible for designing placards in the following manner:

20 (1) The placards shall be clear, visible and readable by the
21 general public.

22 (2) In addition to any guidelines issued by the department
23 regarding the form of the placards, placards shall include the
24 following information:

25 (i) The name of the recipient child care provider.

26 (ii) The name of the department.

27 (iii) The date the department issued the placard.

28 (iv) The number of STARS out of four that the child care
29 provider has received.

30 (v) The address, phone number, publicly accessible Internet
31 website and e-mail address of the department.

32 (vi) The web address for the publicly accessible Internet
33 website of the department that provides information and
34 resources related to Keystone STARS Program.

35 (c) Placards shall be posted in any public-facing window on
36 or adjacent to the entrance of the child care provider or, if no
37 public-facing window exists, at the entrance of the child care
38 provider.

39 (d) A child care provider that fails to publicly display its
40 designated STAR-level rating or alters a department-issued
41 placard in an attempt to misrepresent the provider's STAR-level
42 rating may be subject to any penalties that the department deems
43 appropriate.

44 (e) The department shall ensure on an annual basis that the
45 STARS placard is posted and accurate.

46 Section 3. The definitions of "child day care," "child day
47 care center," "facility" and "family child care home" in section
48 1001 of the act are amended to read:

49 Section 1001. Definitions.--As used in this article--

50 * * *

51 "Child [day] care" means care in lieu of parental care given

1 for part of the twenty-four hour day to children under sixteen
2 years of age, away from their own homes, but does not include
3 child [day] care furnished in places of worship during religious
4 services.

5 "Child [day] care center" means any premises operated for
6 profit in which child [day] care is provided simultaneously for
7 seven or more children who are not relatives of the operator,
8 except such centers operated under social service auspices.

9 * * *

10 "Facility" means an adult day care center, child [day] care
11 center, family child care home, boarding home for children,
12 mental health establishment, personal care home, assisted living
13 residence, nursing home, hospital or maternity home, as defined
14 herein, except to the extent that such a facility is operated by
15 the State or Federal governments or those supervised by the
16 department or licensed pursuant to the act of July 19, 1979
17 (P.L.130, No.48), known as the "Health Care Facilities Act."

18 "Family child care home" means a home where child [day] care
19 is provided at any time to no less than four children and no
20 more than six children who are not relatives of the caregiver.

21 * * *

22 Section 4. Section 1006 of the act is amended to read:

23 Section 1006. Fees.--Annual licenses shall be issued when
24 the proper fee, if required, is received by the department and
25 all the other conditions prescribed in this act are met. For
26 personal care homes, the fee shall be an application fee. The
27 fees shall be:

28 Facility	Annual Fee
29 Adult day care center	\$ 15
30 Mental health establishment	50
31 Personal care home-- 0 - 20 beds	15
32 -- 21 - 50 beds	20
33 -- 51 - 100 beds	30
34 --101 beds and above	50

35 No fee shall be required for the annual license in the case of
36 [day] child care centers, family child care homes, boarding
37 homes for children or for public or nonprofit mental
38 institutions.

39 Section 5. The act is amended by adding a section to read:

40 Section 1018.1. Keystone STARS Program Participants.--(a)
41 Each child care center and family child care home enrolled in
42 the Keystone STARS Program shall:

43 (1) conspicuously denote on its publicly accessible Internet
44 website, if operational, its designated STAR-level rating,
45 which shall include how many STARS out of four that the child
46 care center or family child care home has received;

47 (2) provide its STAR-level rating in writing to families at
48 the time of application and enrollment; and

49 (3) obtain a department-issued placard that denotes the
50 child care center's or family child care home's participation in
51 the Keystone STARS Program and designated STAR-level rating.

1 (b) The department shall be responsible for issuing placards
2 to program participants. The department shall also be
3 responsible for designing placards in the following manner:

4 (1) The placards shall be clear, visible and readable by the
5 general public.

6 (2) In addition to any guidelines issued by the department
7 regarding the form of the placards, placards shall include the
8 following information:

9 (i) The name of the recipient child care center or family
10 child care home.

11 (ii) The name of the department.

12 (iii) The date the department issued the placard.

13 (iv) The number of STARS out of four that the child care
14 center or family child care home has received.

15 (v) The address, phone number, publicly accessible Internet
16 website and e-mail address of the department.

17 (vi) The web address for the publicly accessible Internet
18 website of the department that provides information and
19 resources related to Keystone STARS Program.

20 (c) Placards shall be posted in any public-facing window on
21 or adjacent to the entrance of the child care center or family
22 child care home or, if no public-facing window exists, at the
23 entrance of the child care center or family child care home.

24 (d) A child care center or family child care home that fails
25 to publicly display its designated STAR-level rating or alters a
26 department-issued placard in an attempt to misrepresent the
27 facility's STAR-level rating may be subject to any penalties
28 that the department deems appropriate.

29 (e) The department shall ensure on an annual basis that the
30 STARS placard is posted and accurate.

31 Section 6. Section 1051 of the act is amended to read:

32 Section 1051. Definition.--As used in this subarticle--

33 "Private institution" means any of the following facilities
34 by whatever term known and irrespective of the age group served:
35 Mental hospital, institution for the mentally defective, [day]
36 child care center, nursing home, hospital, personal care home,
37 assisted living residence and other similar institution which is
38 operated for profit and which requires a license issued by the
39 department.

40 Section 7. This act shall take effect in 180 days.