INTRODUCED BY CEPHAS, GALLOWAY, ROZZI, YOUNGBLOOD, HILL-EVANS,
SANCHEZ, DELLOSO, SHUSTERMAN, HOWARD, McCLINTON AND SCHWEYER,
JUNE 15, 2020

REFERRED TO COMMITTEE ON HEALTH, JUNE 15, 2020

AN ACT

Providing for COVID-19 child care personal protective equipment; and imposing duties on the Department of Human Services and the Department of Health.

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

Section 1. Short title.

This act shall be known and may be cited as the COVID-19 Child Care Personal Protective Equipment Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Child day care center." The premises in which care is provided at any one time for seven or more children unrelated to the operator of the premises.

"COVID-19." The novel coronavirus as identified in the declared disaster emergency.

"Declared disaster emergency." The proclamation of disaster
emergency issued by the Governor on March 6, 2020, published at
50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
disaster emergency.

"Department." The Department of Human Services of the
Commonwealth.

"Facility." A child day care center, family child day care
home or group child day care home.

"Family child day care home." A home, other than a child's
own home, operated for profit or not-for-profit, in which care
is provided for the child and at any one time to four, five or
six children unrelated to the operator of the home.

"Group child day care home." The premises in which care is
provided at one time for more than six but fewer than 16 older
school-age level children or more than six but fewer than 13
children of another age level who are unrelated to the operator
of the premises. The term includes a facility located in a
residence or other premises.

"Personal protective equipment." Equipment worn to minimize
exposure to hazards that cause serious injuries or illnesses.

Section 3. Statewide minimum requirements.

(a) Authorization.--The department, in consultation with the
Department of Health and in accordance with the Centers for
Disease Control and Prevention guidelines, shall establish
Statewide minimum requirements for a facility to safely operate
during the COVID-19 pandemic and reduce the risk of
transmission.

(b) Contents.--The requirements under this section shall
include, but not be limited to, the following:

(1) The type of personal protective equipment to be worn.
(2) How and from where personal protective equipment shall be procured.

(3) Sanitation and personal hygiene measures.

(4) Any other requirements that reasonably serve to reduce the risk of transmission and comply with the Department of Health and Centers for Disease Control and Prevention guidelines.

(c) Adoption.--A facility operating in this Commonwealth shall adopt the requirements under this section.

Section 4. Inspections.

The department shall conduct in-person inspections to verify compliance with the requirements under section 3.

Section 5. Training.

The department shall develop and provide virtual training for a facility operating in this Commonwealth on the use of personal protective equipment in accordance with the requirements under section 3.

Section 6. Compliance.

A facility operating in this Commonwealth that violates the requirements under section 3 shall immediately suspend its operations and may not be permitted to continue its operations until the facility is compliant with the requirements under section 3.

Section 7. Rules and procedures.

The department may promulgate rules and procedures necessary to administer this act.

Section 8. Expiration.

This act shall expire upon the termination or expiration under 35 Pa.C.S. § 7301(c) (relating to general authority of Governor) of the declared disaster emergency.
Section 9. Effective date.

This act shall take effect immediately.