

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 30

Session of  
2001

INTRODUCED BY DENT, HELFRICK, STOUT, COSTA AND CORMAN,  
JANUARY 23, 2001

REFERRED TO AGING AND YOUTH, JANUARY 23, 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," further defining  
4 "facility"; defining "group child day care home"; and further  
5 providing for fees and for regulations of the Department of  
6 Public Welfare.

7 The General Assembly finds and declares as follows:

8 (1) That home-based child day care, care provided in  
9 family child day-care homes and group child day-care homes  
10 comprise a significant segment of regulated child day care in  
11 use in this Commonwealth. Further, it is found that many  
12 parents choose home-based child day care for their children  
13 due to the in-home, noninstitutional environment within which  
14 their child is cared for.

15 (2) That it is in the best interest of the general  
16 public to ensure that home-based child day care will continue  
17 to be available and that any policies or regulations of this  
18 Commonwealth that may severely limit parental choice by  
19 reducing the amount of home-based child day care will be

contrary to the intent of the General Assembly.

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

Section 1. The definition of "facility" in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended December 21, 1988 (P.L.1883, No.185), is amended and the section is amended by adding a definition to read:

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

\* \* \*

"Facility" means an adult day care center, child day care center, family day care home, group child day care home, boarding home for children, mental health establishment, personal care home, nursing home, hospital or maternity home, as defined herein, and shall not include those operated by the State or Federal governments or those supervised by the department.

"Group child day care home" means any home in which:

(1) the operator resides; and

(2) child day care is provided at one time for more than six but fewer than sixteen older school-age level children who are unrelated to the operator or for more than six but fewer than thirteen children of another age level who are unrelated to the operator.

\* \* \*

Section 2. Section 1006 of the act, amended December 21, 1988 (P.L.1883, No.185), is amended to read:

Section 1006. Fees.--Annual licenses shall be issued when the proper fee, if required, is received by the department and all the other conditions prescribed in this act are met. For

1 personal care homes, the fee shall be an application fee. The  
2 fees shall be:

3 Facility	Annual Fee
4 Adult day care center	\$ 15
5 Mental health establishment	50
6 Personal care home-- 0 - 20 beds	15
7 -- 21 - 50 beds	20
8 -- 51 - 100 beds	30
9 --101 beds and above	50

10 No fee shall be required for the annual license in the case  
11 of child day care centers, family day care homes, group child  
12 day care homes, boarding homes for children or for public or  
13 nonprofit mental institutions.

14 Section 3. Section 1021 of the act is amended to read:

15 Section 1021. Regulations.--(a) The department is hereby  
16 authorized and empowered to adopt regulations establishing  
17 minimum standards for building, equipment, operation, care,  
18 program and services and for the issuance of licenses.

19 (b) Regulations pertaining to group child day care homes  
20 shall establish the minimum and reasonable standards of safety  
21 and care which shall be required in group child day care homes;  
22 shall ensure that care is provided in an in-home, non-  
23 institutional environment; and shall recognize the primary goal  
24 of ensuring the health, safety and well-being of the children in  
25 care and the vital role which parents and guardians play in  
26 monitoring the care provided in group child day care homes.

27 Section 4. Section 1076 of the act, added December 5, 1980  
28 (P.L.1112, No.193), is amended to read:

29 Section 1076. Regulations.--The department is hereby  
30 authorized and empowered to adopt regulations establishing

1 minimum and reasonable standards for the operation of family day  
2 care homes and the issuance of registration certificates. These  
3 regulations will establish the minimum standards of safety and  
4 care which will be required in family day care homes; will  
5 ensure that care is provided in an in-home, non-institutional  
6 environment; and will recognize the primary goal of ensuring the  
7 health, safety and well-being of the children in care and the  
8 vital role which parents and guardians play in monitoring the  
9 care provided in family day care homes.

10 Section 5. This act shall take effect in 60 days.