THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 320 Session of 2001

INTRODUCED BY TARTAGLIONE, WAGNER, MELLOW, STOUT, MUSTO, BODACK, SCHWARTZ, KUKOVICH, O'PAKE, KASUNIC, COSTA AND LOGAN, FEBRUARY 6, 2001

REFERRED TO AGING AND YOUTH, FEBRUARY 6, 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 health and
4   safety grants for licensed child day-care providers; and
5   making an appropriation.

6   The General Assembly of the Commonwealth of Pennsylvania

7 hereby enacts as follows:

8   Section 1. Article VII of the act of June 13, 1967 (P.L.31,

9 No.21), known as the Public Welfare Code, is amended by adding a

10 subarticle to read:

11   (f) Health and Safety Grants

12   for Licensed Child Day Care Providers

13   Section 781. Declaration of Policy.--The General Assembly

14 finds and declares as follows:

15   (1) It is a fundamental concern of parents of children and

16 the people of this Commonwealth that child day care centers and

17 family day care homes provide a healthy and safe environment to

18 children.

19   (2) It is essential that children's day care environments be

1 enhanced to provide maximum health and safety.

2   (3) It is in the best interest of the health and safety of

3 children and families who use day care facilities to provide

4 grants to eligible child day care providers for projects or

5 improvements to facilities which enhance the health and safety

6 of children.

7   Section 782. Definitions.--As used in this subarticle:

8   "Child day care" means care in lieu of parental care given

9 for part of the twenty-four hour day to children away from their

10 own homes.

11   "Child day care center" means any premises operated for

12 profit in which child day care is provided simultaneously for

13 seven or more children who are not relatives of the operator,

14 except such centers operated under social service auspices.

15   "Facility" means a child day care center or family day care

16 home licensed by the department.

17   "Family day care home" means any home in which child day care

18 is provided at any one time to four through six children who are

19 not relatives of the caregiver.

20   "Grant program" means the Child Care Provider Health and

21 Safety Grant Program established under section 783.

22   Section 783. Health and Safety Grants for Child Day Care

23 Centers.--A Child Care Provider Health and Safety Grant Program

24 is hereby established within the department. Through this

25 program, the department shall provide grants, under its

26 licensing jurisdiction, to eligible child day care or family day

27 care home providers for financial assistance for projects which

28 improve or enhance a safe and healthy environment for child day

29 care.

30   Section 784. Application for Grant.--A person who maintains

1 or operates a licensed child day care center or family day care

2 home may apply to the department for a grant for the child day

3 care facility. Application forms shall be developed and

4 furnished on request by the department.

5 Section 785. Eligibility Criteria.--(a) The department

6 shall establish, through rules and regulations, the criteria for

7 eligibility for the grant program. The criteria shall require,

8 among other things, that the grant fund activities, which

9 include, but are not limited to, resolving newly identified

10 fire, health and safety issues necessary for the facility to

11 provide care to children in a safer and healthier environment,

12 including:

13 (1) Lead paint abatement in areas exposed to children.

14 (2) Necessary upgrading or installation of an interconnected

15 automatic fire detection alarm system that is smoke sensing or

16 water sprinkling when the existing system is deemed no longer in

17 the best interest and safety of children.

18 (3) Necessary upgrading or enclosure of unsafe or dangerous

19 areas or playgrounds, which are used primarily to provide care

20 to children.

21 (4) Necessary upgrading or installation of running water in

22 rooms used primarily to provide care to children.

23 (5) Necessary upgrading of facilities to enhance access to

24 children with special needs.

25 (b) The maximum grant for which a facility is eligible under

26 the grant program is three thousand dollars ($3,000).

27 (c) The department is solely responsible for the selection

28 of grantees and award of grants under this subarticle.

29 Section 786. Penalties and Enforcement.--(a) A child day

30 care provider which terminates the ownership, operation and

1 maintenance of a facility within twenty-four months after

2 receipt of a grant for that facility under this subarticle shall

3 be responsible for repayment of grant moneys to the department.

4 Child day care providers which continue to own, operate and

5 maintain a child day care facility beyond twenty-four months

6 after receipt of a grant for that facility shall not be

7 responsible for repayment of grant moneys to the department.

8 (b) The department shall have the right to enter, inspect

9 and verify that moneys received through the grant program have

10 been used for the eligible projects or improvements requested in

11 the provider's grant application. Where it is found that grant

12 moneys were not used for projects or improvement of facilities

13 as requested, the provider is responsible for repayment of all

14 moneys received through the grant program.

15 Section 787. Rules and Regulations.--The department shall

16 adopt rules and regulations necessary to implement the

17 provisions of this subarticle.

18 Section 2. The sum of $100,000, or as much thereof as may be

19 necessary, is hereby appropriated to the Department of Public

20 Welfare for the fiscal year July 1, 2001, to June 30, 2002, for

21 the allocation of health and safety grants to licensed day-care

22 providers.

23 Section 3. This act shall take effect July 1, 2001, or

24 immediately, whichever is later.