

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2779 Session of 2010

INTRODUCED BY LENTZ, BELFANTI, BRADFORD, BRIGGS, DONATUCCI,
FRANKEL, GINGRICH, GRUCELA, HORNAMAN, JOHNSON, MAHONEY, MANN,
MURT, READSHAW, SIPTROTH, K. SMITH, VULAKOVICH, WATERS,
WATSON AND YOUNGBLOOD, OCTOBER 18, 2010

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, OCTOBER 18, 2010

AN ACT

1 Imposing a duty on operators and staff persons at certain
2 facilities to contact the parents of children enrolled at the
3 facility under certain circumstances; and providing for
4 administrative fine and for powers and duties of Department
5 of Public Welfare.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Child Day
10 Care Parent First Alert Act.

11 Section 2. Definitions.

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

15 "Child." A person who is under 16 years of age.

16 "Child day care." Care in lieu of parental care given for
17 part of a 24-hour day to children away from their own homes. The
18 term does not include such care furnished in places of worship

1 during religious services.

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

5 "Custodial child-care facility." A child day-care center as
6 defined under section 1001 of the act of June 13, 1967 (P.L.31,
7 No.21), known as the Public Welfare Code, or nursery school
8 licensed or regulated by the Commonwealth.

9 "Department." The Department of Public Welfare of the
10 Commonwealth.

11 "Established arrival time." The time specified in an
12 original agreement signed by an operator and the parent of a
13 child that specifies the child's arrival and departure times.

14 "Facility." A child day-care center, custodial child-care
15 facility, family child day-care home or group child day-care
16 home.

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

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

27 "Operator." The legal entity or a person designated by a
28 legal entity to serve as director or primary staff person of a
29 facility.

30 "Parent." The biological or adoptive mother or father or the

1 guardian of a child.

2 "Staff person." A person included in the regulatory ratio
3 who is responsible for child-care activities.

4 Section 3. Parent first alert.

5 The operator or staff person employed by a facility shall
6 attempt to contact the parent of a child who is enrolled at the
7 facility within 30 minutes of the established arrival time for
8 the enrolled child if the child does not arrive as expected and
9 the parent has not notified the operator or staff person. The
10 operator or staff person shall utilize the home and work
11 telephone numbers of the enrolling parent as provided for in 55
12 Pa. Code § 3290.124(b)(3) (relating to emergency contact
13 information).

14 Section 4. Administrative fine.

15 An operator or staff person employed by a facility who fails
16 to comply with the requirements of section 3 shall be subject to
17 an administrative fine of \$100.

18 Section 5. Rules and regulations.

19 The department shall promulgate rules and regulations within
20 120 days of the effective date of this section to administer
21 this act.

22 Section 6. Effective date.

23 This act shall take effect in 120 days.