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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 107 Session of  
2011

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INTRODUCED BY YOUNGBLOOD, BISHOP, BOBACK, CALTAGIRONE, D. COSTA,  
CRUZ, DONATUCCI, GINGRICH, JOSEPHS, KIRKLAND, KORTZ, MOUL,  
PASHINSKI, REICHLEY AND SABATINA, MARCH 3, 2011

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 3, 2011

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A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to  
2 conduct a study and submit a report to the General Assembly  
3 on the issue of general and comprehensive liability insurance  
4 for family day care homes.

5 WHEREAS, Thousands of working parents rely on family day care  
6 homes to provide safe and reliable child care for their  
7 children; and

8 WHEREAS, A "family day care home" is defined in section 1070  
9 of the act of June 13, 1967 (P.L.31, No.21), known as the Public  
10 Welfare Code, as "any home in which child day care is provided  
11 at any one time to four through six children who are not  
12 relatives of the caregiver"; and

13 WHEREAS, An individual operating a family day care home is  
14 required to apply for a registration certificate with the  
15 Department of Public Welfare every two years to self-certify  
16 that the provider is in compliance with law and regulations; and

17 WHEREAS, There are currently more than 3,600 registered  
18 family day care homes that can serve about 22,000 children; and

1       WHEREAS, Various proposals have called for requiring family  
2 day care home providers to obtain general liability insurance to  
3 operate as registered family day care homes in an effort to  
4 ensure compensation for families and financial protection from  
5 lawsuits for providers in cases involving injuries to children  
6 in family day care homes; and

7       WHEREAS, Concerns have been expressed regarding the impact of  
8 requiring general liability insurance with respect to costs,  
9 availability of the insurance and continued registration of  
10 family day care homes; therefore be it

11       RESOLVED, That the House of Representatives direct the  
12 Legislative Budget and Finance Committee to conduct a study and  
13 submit a report to the House of Representatives on the issue of  
14 general liability insurance for family day care homes; and be it  
15 further

16       RESOLVED, That the study be conducted and the report  
17 submitted within one year of the adoption of the resolution; and  
18 be it further

19       RESOLVED, That the study include, but not be limited to, the  
20 following:

21           (1) The availability of general liability insurance for  
22 family day care homes, the cost of the insurance and varying  
23 amounts of financial coverage.

24           (2) The number of registered family day care homes that  
25 currently have general liability insurance.

26           (3) Factors affecting the availability and cost of the  
27 insurance.

28           (4) The impact on family day care homes if general  
29 liability insurance is required for them to operate as  
30 family day care homes.

1           (5) Comments provided by the Department of Public  
2 Welfare, the Insurance Department, family day care home  
3 providers, consumers and insurance companies.

4           (6) Findings and recommendations addressing this issue.