

By: Monson of the Senate
and
Seikel of the House

An Act relating to children; amending 10 O.S. 1991, Section 402, as last amended by Section 15, Chapter 414, O.S.L. 1998 (10 O.S. Supp. 1998, Section 402), which relates to child care facilities licensing; clarifying, modifying and adding definitions; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 1991, Section 402, as last amended by Section 15, Chapter 414, O.S.L. 1998 (10 O.S. Supp. 1998, Section 402), is amended to read as follows:

Section 402. As used in the Oklahoma Child Care Facilities Licensing Act:

1. "Child" or "minor" means any person who has not attained the age of eighteen (18) years;

2. "Child care facility" means any public or private residential facility, child placing agency, foster family home, group home, ~~day~~ child care center, part-day child care program, ~~or~~ family ~~day~~ child care home, or large family child care home providing either full-time or part-time care for children away from their own homes, ~~and which is owned or controlled by a political subdivision, a corporation, an unincorporated organization or association, or individual;~~

3. "Child placing agency" means a child welfare agency licensed to place children in foster family homes, group homes or adoptive homes;

4. "Full-time care" means continuous care given to a child beyond a minimum period of twenty-four (24) hours;

5. "Foster family home" means a family home, other than the home of a parent, stepparent, grandparent, brother, sister, uncle, or aunt, which provides full-time care for five or fewer children;

6. "Foster parent eligibility assessment" includes a criminal background investigation, including, but not limited to, a national criminal history records search based upon the submission of fingerprints, a home assessments assessment, and any other assessment required by the Department of Human Services, the Department of Juvenile Justice, or any child-placing agency pursuant to the provisions of the Oklahoma Foster Care and Out-of-Home Placement Act. A foster parent eligibility assessment shall be similar to the procedures used by the Oklahoma Department of Public Safety for determining suitability of an individual for employment as a highway patrol officer;

7. "Group ~~homes~~ home" means ~~homes~~ a home providing full-time care and community-based services for more than five, ~~children~~ but ~~less~~ fewer than thirteen children;

8. ~~"Day care" means the provision of care and supervision of a child who resides in its own home or with relatives but is in the care of another person for part of the day who is conducting a family day care home or persons conducting a day care center;~~

9. "Family ~~day~~ child care home" means a ~~licensed or approved~~ family home which provides care and ~~protection~~ supervision for seven or fewer children for part of the twenty-four-hour day. The term "family ~~day~~ child care home" shall not include informal arrangements which parents make independently with neighbors, friends, and others, or with caretakers in the child's own home;

9. "Large family child care home" means a residential family home which provides care and supervision for eight to twelve children for part of the twenty-four-hour day;

10. "Day Child care center" means a ~~licensed or approved~~ facility which provides care and supervision for ~~eight or more~~

children and which operates for more than thirty (30) hours per week. The term "~~day~~ child care center" shall not include informal arrangements which parents make independently with neighbors, friends, and others, or with caretakers in the child's own home;

11. "Part-day child care program" means a ~~licensed~~ facility which provides care and supervision for ~~eight or more~~ children and which operates for more than fifteen (15) but less than thirty (30) hours per week;

12. "Department" means the Department of Human Services;

13. "Commission" means the Commission for Human Services, the policy-making and general supervisory body of the Department; and

14. "Division" means the division of the Department of Human Services of the State of Oklahoma assigned responsibilities pursuant to the provisions of the Oklahoma Child Care Facilities Licensing Act.

SECTION 2. This act shall become effective November 1, 1999.

Passed the Senate the 23rd day of February, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____ ,
1999.

Speaker of the House of
Representatives