

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1800

By: David

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6 AS INTRODUCED

7 An Act relating to child care facilities; creating a
8 child care facility review board; stating purpose of
9 board; providing membership of board; providing term
10 limits for certain members; providing for selection
11 of chair and vice chair; directing the Commission for
12 Human Services to promulgate certain rules; requiring
13 certain notification; directing the chair to call
14 meetings; requiring certain consideration; requiring
15 certain recommendation; clarifying intent of review
16 board; providing for codification; and providing an
17 effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 404.2 of Title 10, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created a child care facility review board.
The purpose of the review board shall be to review non-emergency
child care facility license revocations, suspensions, or denials.

B. The review board shall consist of five members as follows:

1. The State Fire Marshal, or designee;

1 2. Two (2) licensed child care facility operators appointed by
2 the Director of the Department of Human Services;

3 3. One representative of the Department of Human Services
4 appointed by the Director of the Department of Human Services; and

5 4. One representative of the State Department of Health
6 appointed by the State Commissioner of Health.

7 C. Members appointed pursuant to paragraphs 1 through 4 of
8 subsection B of this section shall serve for two (2) year terms.
9 The members shall select a chair and vice chair from among its
10 membership.

11 D. The Commission for Human Services shall promulgate rules
12 specifying what constitutes a non-emergency child care facility
13 license revocation, suspension, or denial.

14 E. The Director of the Department of Human Services shall
15 notify the chair of the review board of any recommendations for a
16 non-emergency child care facility license revocation, suspension, or
17 denial within five (5) business days of a recommendation. The chair
18 shall call a meeting of the review board as necessary to review such
19 recommendations.

20 F. The review board shall provide written notice to a child
21 care facility within thirty (30) days prior to any meeting called to
22 review a non-emergency revocation, suspension, or denial of the
23 child care facility's license. At the meeting, the review board
24 shall consider any evidence presented by the Department of Human

1 Services and the child care facility surrounding the alleged
2 violations of child care facility regulations.

3 G. At the conclusion of the meeting, the review board shall
4 deliberate and submit a recommendation to the Department of Human
5 Services stating whether or not the review board advises the
6 revocation, suspension, or denial of the child care facility's
7 license.

8 H. The decisions of the review board shall be nonbinding on the
9 Department and are intended to be advisory only.

10 SECTION 2. This act shall become effective November 1, 2012.

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