

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1553

By: Marlatt

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6 AS INTRODUCED

7 An Act relating to child care facilities; amending 10
8 O.S. 2011, Section 404, as last amended by Section 3,
9 Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2015, Section
10 404), which relates to minimum requirements;
11 authorizing child care facilities to use certain
12 entities for certain purposes; requiring Department
13 to match certain criteria; directing promulgation of
14 rules; providing for codification; and providing an
15 effective date.

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

19 SECTION 1. AMENDATORY 10 O.S. 2011, Section 404, as last
20 amended by Section 3, Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2015,
21 Section 404), is amended to read as follows:

22 Section 404. A. 1. The Department of Human Services shall
23 appoint advisory committees of representatives of child care
24 facilities and others to:

- a. prepare minimum requirements and desirable standards
for promulgation by the Department, and

1 b. provide advice regarding concerns brought by child
2 care facilities or referred by the Department to
3 assist facilities in meeting minimum requirements.

4 2. Committee members shall be appointed for a three-year term,
5 with a two-consecutive-term limit. A majority of any committee
6 appointed to prepare requirements and standards for child care
7 facilities shall be representatives of child care facilities.

8 3. The advisory committee shall create a Child Care Facility
9 Peer Review Board whose purpose shall be to participate in the
10 Department's grievance process. The Department shall promulgate
11 rules specifying the duties of the Child Care Facility Peer Review
12 Board in the grievance process.

13 B. Child care facilities shall not allow children to be left
14 alone in the care of any person under eighteen (18) years of age.

15 C. The Department shall promulgate rules establishing minimum
16 requirements and desirable standards as may be deemed necessary or
17 advisable to carry out the provisions of the Oklahoma Child Care
18 Facilities Licensing Act.

19 D. Such rules shall not be promulgated until after consultation
20 with the State Department of Health, the State Department of
21 Education, the Oklahoma State Bureau of Investigation, the State
22 Fire Marshal, and any other agency deemed necessary by the
23 Department. Not less than sixty (60) days' notice, by regular mail,
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1 shall be given to all current licensees before any changes are made
2 in such rules.

3 E. In order to improve the standards of child care, the
4 Department shall advise and cooperate with licensees, the governing
5 bodies and staff of licensed child care facilities and assist the
6 staff through advice of progressive methods and procedures, and
7 suggestions for the improvement of services. The Department may
8 permit licensed child care facilities to contract with private
9 entities for the purposes of training and certification of child
10 care facilities.

11 F. The Department may participate in federal programs for child
12 care services, and enter into agreements or plans on behalf of the
13 state for that purpose, in accordance with federal laws and
14 regulations.

15 G. No licensed child care facility shall have its differential
16 quality and improvement rating changed by the Department without
17 prior approval by the Child Care Advisory Committee.

18 H. The Department shall promulgate rules to implement the
19 provisions of this section.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 436 of Title 10, unless there is
22 created a duplication in numbering, reads as follows:

23 A. The Department of Human Services shall ensure that
24 eligibility criteria for child care subsidies issued by the

1 Department are the same criteria provided by the Child Care
2 Development and Block Grant Act of 2014, P.L. 113-76.

3 B. The Department shall promulgate rules to implement the
4 provisions of this section.

5 SECTION 3. This act shall become effective November 1, 2016.

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