

1 ENGROSSED HOUSE
2 BILL NO. 4298

By: Pae of the House

3 and

4 Reinhardt of the Senate

5
6 An Act relating to children; amending 10 O.S. 2021,
7 Section 404, which relates to the Oklahoma Child Care
8 Facilities Licensing Act; permitting electronic
9 notice; and providing an effective date.

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

11 SECTION 1. AMENDATORY 10 O.S. 2021, Section 404, is
12 amended to read as follows:

13 Section 404. A. 1. The Department of Human Services, in
14 consultation with the Oklahoma Commission on Children and Youth,
15 shall appoint advisory committees of representatives of child care
16 facilities and others to recommend minimum requirements and
17 desirable standards for promulgation by the Department.

18 2. Committee members shall be appointed for a three-year term,
19 with a two-consecutive-term limit. The committees shall include
20 representation for all categories of facilities licensed by the
21 Department and shall be comprised as follows:

22 a. the Residential Children's Services subcommittee shall
23 include at a minimum:

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- 1 (1) a representative of a statewide organization
2 representing children in care arrangements
3 outside their own home,
- 4 (2) a representative of a statewide organization
5 providing residential services to youth in state
6 custody,
- 7 (3) a recipient or former recipient of youth services
8 for children in state custody,
- 9 (4) a representative of a statewide organization
10 promoting adoption services,
- 11 (5) a parent or guardian providing foster care to a
12 child or children in state custody,
- 13 (6) a representative from a nonpublic, long-term
14 residential care facility for children in state
15 custody,
- 16 (7) a representative from an organization promoting
17 the interests of Native American children in
18 state custody,
- 19 (8) a provider of medical services for children,
- 20 (9) a practicing behavioral health services provider,
- 21 (10) a representative from an agency providing child-
22 placing services, and
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1 (11) other appropriate representatives at the
2 discretion of the Department of Human Services
3 and Commission on Children and Youth,

4 b. the Child Care Centers subcommittee shall include at a
5 minimum:

6 (1) a representative of a statewide organization
7 advocating for children in care arrangements
8 outside their own home,

9 (2) a representative of a statewide organization
10 conducting programs for school-age children,

11 (3) a parent or guardian with a child attending a
12 licensed child care facility,

13 (4) a representative of a licensed child care
14 facility in a rural area,

15 (5) a representative of a statewide organization
16 advocating for licensed child care facilities
17 owned or operated by Native Americans,

18 (6) a representative of a licensed child care
19 facility in an urban/suburban area,

20 (7) a representative of a statewide organization
21 advocating for programs provided under the Head
22 Start program,

1 (8) a representative with knowledge of child care
2 programs offered by career technology center in
3 this state,

4 (9) a representative of a statewide organization
5 advocating for early childhood education
6 programs,

7 (10) a representative of a statewide organization
8 providing resources and referrals to child care
9 facilities,

10 (11) a provider of medical services for children, and

11 (12) other appropriate representatives at the
12 discretion of the Department of Human Services
13 and Commission on Children and Youth,

14 c. the Child Care Homes subcommittee shall include at a
15 minimum:

16 (1) a representative of a statewide organization
17 advocating for children in care arrangements
18 outside their own home,

19 (2) a parent or guardian with a child receiving care
20 at a licensed child care home,

21 (3) a representative of a licensed child care home in
22 a rural area,

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- (4) a representative of a statewide organization advocating for licensed child care facilities owned or operated by Native Americans,
- (5) a representative of a licensed child care home in an urban/suburban area,
- (6) a representative of a statewide organization advocating for early childhood education programs,
- (7) a representative of a statewide organization providing resources and referrals to child care facilities,
- (8) a provider of medical services for children, and
- (9) other appropriate representatives at the discretion of the Department of Human Services and Commission on Children and Youth, and

d. the Quality Rating and Improvement System subcommittee shall include representatives of child care centers and child care homes currently licensed by the State and other members as determined by the Department of Human Services and the Commission on Children and Youth.

3. The Department shall create a Child Care Facility Peer Review Board whose purpose shall be to participate in the Department's grievance process. A majority of the Board shall be

1 representatives of child care facilities. The Department shall
2 promulgate rules specifying the duties of the Child Care Facility
3 Peer Review Board in the grievance process.

4 4. The advisory committee shall designate two people to serve
5 on the Department's Stars Administrative Review Panel. At least one
6 designee shall be the owner or operator of a licensed child care
7 center.

8 B. Child care facilities shall not allow children to be left
9 alone in the care of any person under eighteen (18) years of age
10 without supervision or sixteen (16) years of age with supervision as
11 delineated by the Department's rules. Child care centers and family
12 child care homes shall not:

13 1. Use soft or loose bedding, including, but not limited to,
14 blankets, in sleeping equipment or in sleeping areas used only for
15 infants;

16 2. Allow toys or educational devices in sleeping equipment or
17 in a sleeping area used only for infants; or

18 3. Place a child in sleeping equipment or in a sleeping area
19 which has not been previously approved for use as such by the
20 Department.

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

1 D. Such rules shall not be promulgated until after consultation
2 with the State Department of Health, the State Department of
3 Education, the Oklahoma State Bureau of Investigation, the State
4 Fire Marshal, the Commission on Children and Youth, the Oklahoma
5 Department of Mental Health and Substance Abuse Services and any
6 other agency deemed necessary by the Department. Not less than
7 sixty (60) days' notice, electronically, or as requested by regular
8 mail, shall be given to all current licensees before any changes are
9 made in such rules.

10 E. In order to improve the standards of child care, the
11 Department shall advise and cooperate with licensees, the governing
12 bodies and staff of licensed child care facilities and assist the
13 staff through advice of progressive methods and procedures, and
14 suggestions for the improvement of services.

15 F. The Department may participate in federal programs for child
16 care services, and enter into agreements or plans on behalf of the
17 state for that purpose, in accordance with federal laws and
18 regulations.

19 SECTION 2. This act shall become effective November 1, 2026.
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