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BILL



ANALYSIS

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Senate Bill 1242 (as introduced 9-11-12)  
Sponsor: Senator Judy K. Emmons  
Committee: Families, Seniors and Human Services

Date Completed: 9-27-12

### **CONTENT**

**The bill would amend the child care licensing Act to do the following:**

- **Refer to current certification, rather than certification within a given period, in a requirement that certain child care facilities have on duty a person certified in first aid and age-appropriate cardiopulmonary resuscitation (CPR).**
- **Extend this requirement to a family child care home.**
- **Allow licensees' confidential records about children and their families to be made available to the State Court Administrative Office for the purpose of reviewing court processes in cases in which a child died.**

#### First Aid & CPR Certification

Under the Act, a child caring institution, child care center, or group child care home must have on duty, at all times while the institution, center, or home is providing care to one or more children, at least one person who has been certified within the preceding 36 months in first aid and within the preceding 12 months in age-appropriate CPR. The certification must be by the American Red Cross, the American Heart Association, or an equivalent organization or institution approved by the Department of Human Services (DHS).

The bill would remove the time-frame requirement for certification in first aid and age-appropriate CPR and would require instead that a person be "currently certified" in those areas. It also would include a family child care home in the requirement to have on duty a person certified in first aid and CPR.

("Family child care home" means a private home in which one to six minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

"Group child care home" means a private home in which seven to 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family. "Child care center" means a facility, other than a private residence, receiving one or more preschool or school-age children for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child.

"Child caring institution" mean a child care facility that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the institution for that purpose, and that operates throughout the year.)

#### Availability of Confidential Records

The Act requires a licensee to keep records the DHS prescribes regarding each child in its control and care and to report to the Department, when requested, facts the DHS requires with reference to the children. Records regarding children and facts compiled about them and their parents and relatives are confidential, but are available to the following:

- A standing or select committee or appropriations subcommittee of either house of the Legislature having jurisdiction over child protective services matters.
- The Children's Ombudsman.

Under the bill, those records also would be available to the State Court Administrative Office's child welfare services division for the purpose of conducting internal reviews of court processes that occurred in cases in which a child died while under court jurisdiction.

MCL 722.112a & 722.120

Legislative Analyst: Patrick Affholter

#### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Frances Carley

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.