

# HOUSE BILL No. 1943

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2; IC 12-17.2-3.5.

**Synopsis:** Minimum standards for child care providers. Provides that a child care provider is ineligible to receive reimbursement through the federal Child Care Development Fund voucher program unless the provider meets certain standards. (The introduced version of this bill was prepared by the board for the coordination of child care regulation.)

**Effective:** July 1, 2001.

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**Budak, Summers, Dickinson,  
Becker**

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January 17, 2001, read first time and referred to Committee on Human Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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## HOUSE BILL No. 1943



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-7-2-199.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: **Sec. 199.3. "Voucher agent", for**  
4 **purposes of IC 12-17.2-3.5, has the meaning set forth in**  
5 **IC 12-17.2-3.5-2.**

6 SECTION 2. IC 12-7-2-199.5 IS ADDED TO THE INDIANA  
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2001]: **Sec. 199.5. "Voucher payment", for**  
9 **purposes of IC 12-17.2-3.5, has the meaning set forth in**  
10 **IC 12-17.2-3.5-3.**

11 SECTION 3. IC 12-17.2-3.5 IS ADDED TO THE INDIANA CODE  
12 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2001]:

14 **Chapter 3.5. Eligibility of Child Care Provider to Receive**  
15 **Reimbursement Through Voucher Program**

16 **Sec. 1. This chapter applies to all child care providers regardless**  
17 **of whether a provider is required to be licensed or registered under**



1 this article.

2 **Sec. 2.** As used in this chapter, "voucher agent" means a person  
3 who contracts with the division to process applications and  
4 reimbursement for the federal Child Care Development Fund  
5 voucher program administered under 45 CFR 98 and 45 CFR 99.

6 **Sec. 3.** As used in this chapter, "voucher payment" means  
7 payment for child care through the federal Child Care  
8 Development Fund voucher program administered under 45 CFR  
9 98 and 45 CFR 99.

10 **Sec. 4.** A provider who:

- 11 (1) has been convicted of a felony; or  
12 (2) fails to meet the requirements set forth in sections 5  
13 through 12 of this chapter;  
14 is ineligible to receive a voucher payment.

15 **Sec. 5.** A provider shall have working smoke detectors that meet  
16 the standards adopted by rule for smoke detectors in licensed child  
17 care homes in the area of the facility where the provider provides  
18 child care.

19 **Sec. 6. (a)** A provider who is an individual shall have an annual  
20 intradermal tuberculosis test.

21 **(b)** A provider shall assure that all individuals who are at least  
22 eighteen (18) years of age and who:

- 23 (1) if the provider provides child care in the provider's home,  
24 reside with the provider; and  
25 (2) are employed at the facility where the provider provides  
26 child care;  
27 have an annual intradermal tuberculosis test.

28 **(c)** A provider shall provide the results of the tests required  
29 under subsections (a) and (b) to the voucher agent.

30 **Sec. 7.** A provider shall have written plans for notifying parents  
31 regarding the following:

- 32 (1) Illness, serious injury, or death of the provider.  
33 (2) Care in an emergency.  
34 (3) Emergency evacuation.

35 The plan required under subdivision (3) must be posted in a  
36 conspicuous location in the provider's facility.

37 **Sec. 8.** A provider who is an individual shall maintain current  
38 certification in:

- 39 (1) infant and child CPR; and  
40 (2) first aid.

41 **Sec. 9.** A provider shall have at least one (1) working telephone  
42 in each facility where the provider provides child care.

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**Sec. 10. A provider shall conduct monthly documented fire drills in accordance with Article 13 of the Indiana fire code in each facility where the provider provides child care.**

**Sec. 11. A provider shall provide for a safe environment by ensuring that the following items are placed in areas that are inaccessible to the children in the provider's care:**

- (1) Firearms and ammunition.**
- (2) Poisons, chemicals, bleach, and cleaning materials.**

**Sec. 12. (a) A provider shall, at the provider's expense, provide to the voucher agent a copy of a limited criminal history for:**

- (1) the provider;**
- (2) if the provider provides child care in the provider's home, any individual who resides with the provider and who is:
  - (A) at least eighteen (18) years of age; or**
  - (B) less than eighteen (18) years of age but has previously been waived from juvenile court to adult court; and****
- (3) any individual who is employed at the facility where the provider provides child care.**

**(b) In addition to the requirement under subsection (a), a provider shall report to the voucher agent any:**

- (1) police investigations;**
- (2) arrests; and**
- (3) criminal convictions;**

**not listed on a limited criminal history provided under subsection (a) regarding any of the persons listed in subsection (a).**

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