

1999 ASSEMBLY BILL 222

March 23, 1999 - Introduced by Representatives KELSO, STONE, GROTHMAN, HUTCHISON, OLSEN, GOETSCH, SERATTI, CULLEN and ALBERS, cosponsored by Senators DARLING and SCHULTZ. Referred to Committee on Children and Families.

1 **AN ACT to amend** 48.67 and 49.155 (1d) (a) of the statutes; **relating to:** requiring
2 day care providers and employes and volunteers of day care providers who
3 provide care and supervision for children to receive training in the prevention
4 of sudden infant death syndrome.

Analysis by the Legislative Reference Bureau

Under current law, no person may for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day unless that person obtains a license to operate a day care center from the department of health and family services (DHFS). To obtain a license to operate a day care center, a person must meet the minimum requirements for the issuance of a license established by DHFS by rule. Also, under current law, a school board may establish and provide day care programs for children. A day care program established by a school board must meet the standards for a licensed day care center established by DHFS by rule. In addition, under current law, a county department of human services or social services must certify a day care provider who is not required to be licensed by DHFS in order for the day care provider to be eligible for reimbursement for child care provided from child care subsidy funding provided under the Wisconsin works (W-2) program. To be certified as a day care provider under the W-2 program, a person must meet the minimum requirements for certification established by the department of workforce development (DWD) by rule.

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This bill requires DHFS, in establishing the minimum requirements for the issuance of licenses to day care centers that provide care and supervision for children under one year of age, to include a requirement that all licensees and all employes and volunteers of a licensee who provide care and supervision for children receive training in the most current medically accepted methods of preventing sudden infant death syndrome. Similarly, the bill requires DWD, in establishing the requirements for certification of day care providers under the W-2 program, to include a requirement that all providers and all employes and volunteers of a provider receive that training.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.67 of the statute is amended to read:

2 **48.67 Rules governing child welfare agencies, day care centers, foster**
3 **homes, treatment foster homes, group homes, shelter care facilities and**
4 **county departments.** The department shall promulgate rules establishing
5 minimum requirements for the issuance of licenses to, and establishing standards
6 for the operation of, child welfare agencies, day care centers, foster homes, treatment
7 foster homes, group homes, shelter care facilities and county departments. These
8 rules shall be designed to protect and promote the health, safety and welfare of the
9 children in the care of all licensees. The department shall consult with the
10 department of commerce and the department of public instruction before
11 promulgating these rules. In establishing the minimum requirements for the
12 issuance of licenses to day care centers that provide care and supervision for children
13 under one year of age, the department shall include a requirement that all licensees
14 who are individuals and all employes and volunteers of a licensee who provide care
15 and supervision for children receive, before the date on which the license is issued
16 or the employment or volunteer work commences, whichever is applicable, training

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1 in the most current medically accepted methods of preventing sudden infant death
2 syndrome.

3 **SECTION 2.** 49.155 (1d) (a) of the statutes is amended to read:

4 49.155 (1d) (a) The department shall promulgate rules establishing standards
5 for the certification of child care providers under s. 48.651. In establishing the
6 requirements for certification under this paragraph of a child care provider who
7 provides care and supervision for children under one year of age, the department
8 shall include a requirement that all providers and all employes and volunteers of a
9 provider who provide care and supervision for children receive, before the date on
10 which the provider is certified or the employment or volunteer work commences,
11 whichever is applicable, training in the most current medically accepted methods of
12 preventing sudden infant death syndrome. In establishing the requirements for
13 certification as a Level II certified family day care provider, the department may not
14 include a any other requirement for training for providers.

15 (END)