

FILED MAR 6 1979

SENATE FILE  
BY TINSMAN

368

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act establishing a pilot project in cooperation with counties  
2 for mandatory registration of family child care homes.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

SF 368  
HUMAN RESOURCES

1 Section 1. NEW SECTION. 237A.3B MANDATORY REGISTRATION  
2 OF CHILD CARE HOMES PILOT PROJECT.

3 1. DEFINITION. For the purposes of this section unless  
4 the context otherwise requires:

5 a. "Relative" means a person who by blood, marriage, or  
6 adoption is a parent, grandparent, brother, sister,  
7 stepfather, stepmother, stepbrother, stepsister, uncle, aunt,  
8 or first cousin.

9 b. "Resource and referral agency" means a child care  
10 resource and referral service grantee under section 237A.26.

11 2. PILOT PROJECT. a. The department shall implement a  
12 pilot project applying the provisions of this section to  
13 family child care homes located in the pilot project counties.  
14 The pilot project shall be established in counties where there  
15 is interest among child care providers and consumers in  
16 implementing the pilot project. The department shall work  
17 with those resource and referral agencies which are receiving  
18 state grants in identifying such counties.

19 b. In order for a county to participate in the pilot  
20 project, the county's board of supervisors must adopt a  
21 resolution requesting that the department include the county  
22 in the pilot project for mandatory registration of the family  
23 child care homes located in the county. The period of  
24 operation of the pilot project in a county shall be three  
25 years and may be extended at the end of the period if the  
26 county board of supervisors adopts a resolution requesting  
27 that the department extend the pilot project for another three  
28 years.

29 c. During the fiscal year beginning July 1, 2001, the  
30 department shall implement the pilot project in one county in  
31 each of the department's five regions. In addition, the  
32 department may implement the pilot project in up to five other  
33 counties in the state. If a county complies with the  
34 participation requirement in paragraph "b", a county  
35 participating in the pilot project under section 237A.3A may

1 also participate in the pilot project under this section.

2 d. If a definition in section 237A.1, a provision in  
3 section 237A.3, or an administrative rule adopted under this  
4 chapter is in conflict with this section, this section and the  
5 rules adopted to implement this section shall apply to the  
6 pilot project.

7 2. Notwithstanding section 237A.3, in a pilot project  
8 county, a person who operates or establishes a family child  
9 care home must apply to the department for registration under  
10 this chapter. All other requirements under this chapter  
11 applicable to family child care home registration shall be  
12 applicable to the family child care homes operating in a pilot  
13 project county. However, a person residing in a pilot project  
14 county may provide child care without registration to not more  
15 than four children in addition to the person's own children,  
16 if each of the additional children is a relative of the  
17 person.

18 3. The department shall work closely with the resource and  
19 referral agency for a county in implementing the pilot project  
20 in that county. In order to implement the pilot project in an  
21 orderly manner that is not burdensome, during the first year  
22 of operating the pilot project in a county, the department may  
23 stagger the dates of initial registration of family child care  
24 homes. In a pilot project county, the department shall  
25 continue to apply the department's administrative goal of  
26 making an inspector visit to at least twenty percent of  
27 registered family child care homes in a year. However, in  
28 meeting that goal in a pilot project county the department  
29 shall not include those site visits made in response to a  
30 complaint.

31 4. The department shall work with resource and referral  
32 agencies in preparing an annual progress report for submission  
33 to the governor and general assembly concerning the pilot  
34 project. The department may report more frequently as deemed  
35 necessary. The annual report shall be submitted on or before

1 December 15.

2

EXPLANATION

3 This bill amends Code chapter 237A to require the  
4 department of human services to establish a pilot project for  
5 mandatory registration of the family child care homes located  
6 in the pilot project counties.

7 The department is required to work with child care resource  
8 and referral agencies in identifying appropriate counties that  
9 have an interest in participating. In order to participate,  
10 the county board of supervisors must adopt a resolution  
11 requesting that the department include the county in the pilot  
12 project. The duration of the project in a county is a three-  
13 year period, subject to extension by adoption of resolution by  
14 the county board of supervisors requesting renewal for a  
15 three-year period. The department is required to implement  
16 the pilot project in at least one county in each of the  
17 department's five regions and may implement the project in  
18 five additional counties. A county participating in the  
19 existing pilot project under Code section 237A.3A for levels  
20 of care for child care homes may also participate in this  
21 pilot project.

22 Current law allows family child care home registration to  
23 be optional. In a pilot project county, a family child care  
24 home provider would be required to apply for registration with  
25 the state. However, the bill allows a person to provide child  
26 care without registration to not more than four children in  
27 addition to the person's own children, provided each of the  
28 additional children are relatives as defined by the bill.

29 The department is required to work closely with child care  
30 resource and referral service agencies in implementing the  
31 pilot project. During the first year of implementation in a  
32 county, the department may stagger the dates of initial  
33 registration of family child care homes. The department is to  
34 submit an annual report to the governor and general assembly  
35 and may report more frequently.