

House Amendment 1141

PAG LIN

1 1 Amend House File 416 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. CHILD CARE REGISTRATION == LEGISLATIVE
1 5 INTENT. It is the intent of the general assembly to
1 6 improve the safety and quality of home-based child
1 7 care in the state by increasing the number of child
1 8 care providers who are required to register under
1 9 chapter 237A and increasing the staff and resources of
1 10 the department of human services committed to
1 11 addressing home-based child care.
1 12 Sec. _____. Section 237A.1, subsections 6 and 7,
1 13 Code 2007, are amended to read as follows:
1 14 6. "Child care home" means a person or program
1 15 providing child care to ~~five three~~ or fewer children
1 16 at any one time that is not registered to provide
1 17 child care under this chapter, as authorized under
1 18 section 237A.3.
1 19 7. "Child development home" means a person or
1 20 program registered under section 237A.3A that may
1 21 provide child care to ~~six~~ four or more children at any
1 22 one time.
1 23 Sec. _____. Section 237A.3, subsection 1, Code 2007,
1 24 is amended to read as follows:
1 25 1. A person or program providing child care to
1 26 ~~five three~~ children or fewer at any one time is a
1 27 child care home provider and is not required to
1 28 register under section 237A.3A as a child development
1 29 home. However, the person or program may register as
1 30 a child development home.
1 31 Sec. _____. Section 237A.3, Code 2007, is amended by
1 32 adding the following new subsection:
1 33 NEW SUBSECTION. 3. a. A child care home provider
1 34 shall provide information to the parents, guardians,
1 35 and custodians of the children receiving child care
1 36 that the provider is not registered as a child
1 37 development home provider and that the number of
1 38 children that can be cared for at any one time by the
1 39 provider is limited to three or fewer.
1 40 b. In addition, the information shall expressly
1 41 state that corporal punishment by a child care
1 42 provider is prohibited and list all the forms of
1 43 corporal punishment identified in section 237A.18.
1 44 The information shall also explain to the parent how
1 45 to file a complaint with the department against the
1 46 child care home.
1 47 c. The information shall be provided to parents,
1 48 guardians, and custodians either in writing at the
1 49 time of enrollment with the provider or be
1 50 conspicuously posted at the main entrance to the child
2 1 care home where it can be read by parents and any
2 2 member of the public.
2 3 Sec. _____. Section 237A.5, subsection 2, paragraph
2 4 a, subparagraph (3), Code 2007, is amended by adding
2 5 the following new subparagraph subdivision:
2 6 NEW SUBPARAGRAPH SUBDIVISION. (f) The person has
2 7 been determined through an investigation by the
2 8 department of a complaint, a child abuse assessment,
2 9 or the existence of a criminal record to have
2 10 inflicted corporal punishment as described in section
2 11 237A.18 on an individual receiving child care from the
2 12 person.
2 13 Sec. _____. NEW SECTION. 237A.18 CORPORAL
2 14 PUNISHMENT.
2 15 A child care provider shall not inflict corporal
2 16 punishment on an individual receiving care from the
2 17 provider. For the purposes of this section, "corporal
2 18 punishment" includes but is not limited to spanking,
2 19 slapping, shaking, punishment which is humiliating or
2 20 frightening, using restraints, or enclosing a child in
2 21 a locked area. A child care provider who has
2 22 inflicted corporal punishment on an individual
2 23 receiving care from the provider, as determined
2 24 through an investigation by the department of a

2 25 complaint, a child abuse assessment, or existence of a
2 26 criminal record, may be subject to prohibition of
2 27 involvement with child care in accordance with section
2 28 237A.5.

2 29 Sec. ____ EFFECTIVE DATE == IMPLEMENTATION.

2 30 1. The following provisions of this Act take
2 31 effect October 1, 2008:

2 32 a. The provision amending section 237A.1,
2 33 subsections 6 and 7.

2 34 b. The provision amending section 237A.3,
2 35 subsection 1.

2 36 2. The department shall adopt administrative
2 37 rules, assist child care providers, and expand
2 38 staffing to support the implementation of the change
2 39 in the numbers of children for which child care homes
2 40 and child development homes may provide child care on
2 41 October 1, 2008, as provided in this Act, in
2 42 accordance with the funding made available for that
2 43 purpose.>

2 44 #2. Title page, by striking lines 1 through 3 and
2 45 inserting the following: <An Act revising the
2 46 requirements for child care registration and providing
2 47 an effective date.>

2 48 #3. By renumbering as necessary.

2 49

2 50

3 1

3 2 COMMITTEE ON HUMAN RESOURCES

3 3 SMITH of Marshall, Chairperson

3 4 HF 416.302 82

3 5 jp/cf/6283