CPAOM
CHILDCARE PROVIDERS ASSOCIATION OF MICHIGAN
A collective voice working to improve childcare in Michigan

Legislative Update
November 2021

Childcare Reform Package (HBs 5041-5048)

The Childcare Reform package, spearheaded by Representative O'Malley, was introduced in the House of Representatives in June. As a reminder, the bills will

- Allow providers an additional child slot by increasing the child-to-provider ratio to 7:1;
- Require ownership interest disclosure for childcare centers;
- Establish statewide Childcare Networks to serve as one-stop shops for providers;
- Create a contract model for infants and toddlers;
- Amend the state database of childcare providers so that records are need to be maintained for three years;
- Permit a 90-day grace period for providers to comply with new & health safety rules;
- Permit providers to maintain their licensing notebook online; and
- Permit the use of "mixed use" space for childcare centers.

After several House Committee hearings and testimony from various interested parties, the bills moved out of Committee and passed the full House on October 6 by an overwhelming majority of Representatives. Having passed over to the Senate, the legislative package was referred to the Committee on Families, Seniors & Veterans. We anticipate the Senate Committee to begin hearings and taking testimony on the legislation when lawmakers return after the Thanksgiving Holiday. A specific hearing timeline is to be determined.

12-18 Month Old Ratio Changes

Representative VanWoerkom held a series of four listening sessions with Childcare Providers this fall. The sessions provided somber feedback on the current state of the provider industry, highlighted burdensome regulations holding back progress and identified solutions needed.

One of the issues discussed in the sessions included 0 to 30-month old ratios for in-home providers. The current ratio for 12-18 month olds holds back many in-home providers from taking on new infants due to the breakdown constraints and in some cases prohibiting the acceptance of new children for 18-months or more.

Representative VanWoerkom will be introducing legislation to reconfigured the current ratios to a combination of the following:

- 0-12 months: no more than 2 children
- 12-30 months: no more than 4 children
- Over 30 months: no more than 7 children (if the ratio increase from 6:1 moves to 7:1 per the Childcare Reform 8-bill package)

The maximum ratio would be set at 7:1 if the aforementioned "Childcare Reform Package" legislation increasing the provider to child ratio becomes law. The impending legislation is being crafted to provide greater flexibility in the way providers manage their slots.

CPAOM is working directly with Representative VanWoerkom to help craft the legislation.

Clean Drinking Water Access Act (SBs 184-185)
Senate Bills 184-185 seek to add to the state's regulatory scheme of the Public School and Childcare Provider (Centers) industries and require more reporting, program/plan creation, training, and costly facility upgrades.

In summary the act will:

- Require, by Aug. 1, 2022, each "school/center" will have to develop a drinking water safety plan and make it available to the Department of Environment, Great Lakes, and Energy, parents and guardians and the general public on request.
    - The "plan" must include:
        - Location of each water outlet;
        - Location of where each water outlet will be maintained;
        - Location of where a water outlet will be shut off or rendered inoperable;
        - Annual water sampling and testing of filtered water at each outlet; and
        - Regular replacement of filters.
- Each "school/center" plan will need to be reviewed and updated every 5-years.
- The department will provide a sample template for the plan, make training available annually for testing/sampling water.
- There will be a fund set up "school and childcare center drinking water fund" and may issue grants to assist childcare centers in low-income geographic areas and schools with new installations, maintenance, costs associated with sampling/testing.

CPAOM's current opposition is not based on whether children need clean drinking water, but based on the "piled on" regulatory burden this places on centers, staff, and the added costs to comply in an already thinning margin industry. A large unintended consequence of the legislation is local building codes/enforcement. For example, many local municipalities require commercial buildings to completely upgrade their entire plumbing system if any portion of it is altered.

The first Committee Hearing was held on October 26, 2021. CPAOM submitted our card of "Opposition" to the legislation in it's current form. The Committee was prepared to vote the legislation out of the Senate Environmental Quality Committee on November 30th, however CPAOM's Board Members and lobby team met with the bill sponsors on November 10 to voice concerns.

We are happy to report success in slowing the bills movement by explaining our opposition, identifying the unintended consequences, and proposing solutions (e.g. Culligan bottled water delivery service, filtered water bottles, etc.).

The bill sponsors agreed with CPAOM and will take a closer look at the unintended consequences of a "one-size fits all" legislative package. Bill sponsors, Senators Ananich and VanderWall, will work with CPAOM on amendments and building code law changes to bring the legislation more in line with the current challenges of Childcare Centers.

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CPAOM is your on-the-ground support association in Lansing looking out for providers' best interest!