

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

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ROLL NUMBER

DESCRIPTION

3068

2001 HOUSE HUMAN SERVICES

HCR 3068

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3068

House Human Services Committee

Conference Committee

Hearing Date February 21, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		2730 to 3560
Tape 2	X		3000 to 3930
Committee Clerk Signature <i>Corinne Easton</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosh, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig

Chairman Price: Open hearing on HCR 3068.

Rep. Scott Kelsh: Presented bill. The resolution in front of you is self-explanatory. The whole problem that we identified was brought to life when a three year old boy was found abused by the provider. His father, the custodial parent, was under the impression that it was a licensed child care facility. We toyed with the idea of introducing this as a bill we thought deserved a little more careful study and gather input. I respectfully ask for a DO PASS.

Barb Tengesdal: NDAEYC, Child Care Provider Group. Because of the time frame we were unable to get NDAEYC here who is the primary sponsor of this resolution. We are in favor of this resolution for the fact that there are, as parents and consumers, some concerns about

self-certification of providers. There is relative care. Relative care is if you're taking care of your own children or someone that is related to you. We're not talking about that kind of care. Primarily a lot of our TANF parents participate in relative care. Then there is a section called self-certification or registered care that is if you take care of five children or less in your home you can be licensed if you chose to, but you can also go through standard compliance certification where they fill out a form, they ask them a few question, they send it in and they never have a regulatory visit. Then there is licensing of seven children or less, then groups of 18 children or less, and center which is over that many. What we're looking at is that initial group of five children or less which can still participate and get federal money from the federal food program. They can still get child care assistance dollars, but they don't have to have any type of monitoring. We would prefer this to be studied to look at a way of folding those group of providers into the system of licensing. We're not saying they have to meet the same regulations as licensed care. We would like that, but we know it probably won't be feasible. There are questions about it costing a lot more money. We have more money coming into our state, federal money coming in for child care and development fund - over \$4.2 million in the next two years above our current allotment. We do feel some of that money could come into play in meeting the needs of whatever extra licensing requirements or staffing it would take. What we would like to say "is there a minimum health and safety training they have to participate in". So incidents like Rep. Kelsh talked about at least there would be some form of training and education these people would be required to have annually that possibly eliminate some of the abuse and neglect. That is what this is - to study that. Possibly creating a system where self-certification moves in to licensing but they have a little bit less they would have to do than regular family care child care licensing and others.

Chairman Price: I'm thinking of the incidence where you have family friends that will take care of your children for the summer or whatever, but they are friends. How many times are we not going to get those types of arrangements if we don't do licensure?

Barb Tengesdal: There are certain regulations in which those types of things you don't have to be. If you're watching another family, say besides my own in the summer, we're not talking about that. We are talking about people who apply for licenses of self-compliance certification who are watching a variety of other children.

Chairman Price: But it would be required if you were going to access dollars under what you are suggesting.

Barb Tengesdal: To access child care assistance dollars? No, we're saying relative care can still continue as it is happening. Those kind of informal arrangements would fall into that.

Chairman Price: I'm just talking about a short term type of thing. I'm just concerned that we would restrict some arrangements, say with a life long friend. Is that something that would be fairly flexible in your view.

Barb Tengesdal: Absolutely, we're not trying to say that those type of arrangements that happen and need to be pulled and have some sort of government arrangement. We're talking about primarily people who know they are going into this, they are advertising themselves as registered providers. We're looking at what that is typically been seen as. We're not talking about an informal arrangement. That would be part of the study in our mind that we would say "what does qualify for this, what is the basic health and safety we're are trying to ensure". It gives parents an understanding, right now they don't understand what is registered.

Chairman Price: Close hearing on HCR 3068.

COMMITTEE WORK:

CHAIRMAN PRICE: Let's start with HCR 3068.

REP. WEISZ: We had a big debate on a bill that was going to eliminate self-certified and a couple of things came out at that time is that there isn't any higher incidents of problems being a self-certified in a license facility. From a rural perspective there is already an acute shortage of day care. That is the goal of this study is to look at eliminating self-certified. When we don't have a problem, I am really against going that route and that having even less day care available. The data they had back then was that there was no higher incident of any issuing dealing with abuse in the self-certified versus licensed facilities.

REP. CLEARY: I move a Do Passs.

REP. SANDVIG: Second.

CHAIRMAN PRICE: If the goal is the safety of the children, licensure doesn't guarantee it. Any other discussion?

REP. DOSCH: Did I understand that some of these self-licensures can get federal dollars for food and stuff like that? I would assume that if they are getting federal money they would be licensed and being checked.

CHAIRMAN PRICE: Licensure doesn't guarantee the type of care your child gets, it has more to do with the license safety codes. When they go in to inspect, they're looking at egress windows and fire alarms and that type of thing. The only goal for licensure is that they would like to do more education. That certainly can be done for self-certified too. There is no guarantee your child is going to be safe as far as abuse.

REP. METCALF: Does that mean there is no background check for licensure?

Page 5
House Human Services Committee
Bill/Resolution Number HCR 3068
Hearing Date February 21, 2001

CHAIRMAN PRICE: The care check is a voluntary registration where they have their background check. If you are on the care check list, then you have been checked.

REP. SANDVIG: I don't think it would hurt to study this. What happened in Fargo was awful. I had the bill a couple of years ago and the Child Resources and Referral wanted me to put in dealing with licensing of facilities to see if we could avoid these problems.

CHAIRMAN PRICE: All those in favor signify by saying Aye. Call the roll on a **DO PASS**.

8 YES 6 NO 0 ABSENT CARRIED BY REP. CLEARY

Date: 2-21-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3068

House Human Services Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS (Consent Calendar)

Motion Made By Rep. Cleary Seconded By Rep. Sandvig

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price, Chairman	✓		Rep. Audrey Cleary	✓	
Rep. William Devlin, V, Chairman		✓	Rep. Ralph Metcalf	✓	
Rep. Mark Dosch	✓		Rep. Carol Niemcier	✓	
Rep. Pat Galvin		✓	Rep. Sally Sandvig	✓	
Rep. Frank Klein		✓			
Rep. Chet Pollert		✓			
Rep. Todd Porter		✓			
Rep. Wayne Tieman	✓				
Rep. Dave Weiler	✓				
Rep. Robin Weisz		✓			

Total (Yes) 8 No 6

Absent _____

Floor Assignment Rep. Cleary

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 21, 2001 12:21 p.m.

Module No: HR-32-4199
Carrier: Cleary
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3068: Human Services Committee (Rep. Price, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3068 was placed on the Tenth order on the calendar.

2001 SENATE HUMAN SERVICES

HCR 3068

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3068

Senate Human Services Committee

Conference Committee

Hearing Date March 14, 2001

Tape Number	Side A	Side B	Meter #
1		X	11
Committee Clerk Signature <i>Paul Kolodziejchuk</i>			

Minutes:

The hearing on HCR 3068 was opened.

ERLENE FRIESZ, Family Child Care, introduced the bill. (Written testimony)

BARB ARNOLD-TENGESDAL, ND Assoc., of Education of Young Children, supports resolution. (Written testimony) SENATOR MATHERN: Why are you proposing a study; why not a bill? MS. ARNOLD-TENGESDAL: We couldn't get it together and walked the fence. We thought it would be better to ease it in as a study. SENATOR KILZER: Are parents being deceived? MS. ARNOLD-TENGESDAL: We need user friendly language; registered license. Brochures are given to parents; word of mouth is our way of advertising.

KATHY HOGAN, Cass County Social Services, supports bill. The big issue will be the fiscal note. We do a child abuse neglect check, CPR, and first aid training is required for certified. Counties were intended to get 50% of licensure fee. Lack of funds gives us 30%. Licensing

Page 2

Senate Human Services Committee

Bill/Resolution Number HCR 3068

Hearing Date March 14, 2001

procedures fairly tight. Cass County runs 440 licensed homes. 165 self certified homes. A study resolution can put all this on the table to be discussed. Cass County has 10,000 children.

No other testimony. The hearing was closed on HCR 3068.

Discussion ensued. SENATOR MATHERN moved a DO PASS and placed on the Consent Calendar on HCR 3068. SENATOR FISCHER seconded the motion. Roll call vote carried 6-0-0. SENATOR MATHERN will carry the bill.

Roll Call Vote #: /

Date: 3/14/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3068 - 3045 - 3069

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass 3068 - 3045 - 3069 + placed on consent calendar

Motion Made By Sen Mathern Seconded By Sen Fischer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Mathern

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 16, 2001 2:56 p.m.

Module No: SR-46-5941
Carrier: T. Mathern
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3068: Human Services Committee (Sen. Lee, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3068 was placed on the Tenth order on the calendar.

2001 TESTIMONY

HCR 3068

