

HOUSE BILL NO. 120

INTRODUCED BY T. HENRY

BY REQUEST OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS PERTAINING TO DAY-CARE PROVIDERS; EXEMPTING CERTAIN DAY-CARE PROVIDERS WITH A 2-YEAR OR 3-YEAR LICENSE FROM MANDATORY ANNUAL UNANNOUNCED VISITS BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; REVISING THE PAYMENT RATE FOR ELIGIBLE CHILDREN; AMENDING SECTIONS 52-2-713 AND 52-2-733, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 52-2-713, MCA, is amended to read:

"52-2-713. Payments for eligible children. The department shall pay a ~~daily~~ rate established by the department and appropriated by the legislature to a day-care facility licensed or registered by the department for each child receiving day-care service and certified eligible by the department to receive day-care services."

Section 2. Section 52-2-733, MCA, is amended to read:

"52-2-733. Periodic visits to facilities by department -- investigations -- consultation with licensees and registrants. (1) The department or its authorized representative shall make periodic visits to all licensed day-care centers to ensure that minimum standards are maintained.

(2) The department may investigate and inspect the conditions and qualifications of any day-care center, group day-care home, or family day-care home seeking or holding a license or registration certificate under the provisions of this part.

(3) The department shall visit and inspect at least 20% of all registered family day-care homes and group day-care homes in each of the governor's planning regions annually.

(4) ~~(A) The With the exception of a day-care center that has been granted a 3-year license under 52-2-721, the THE~~ SUBJECT TO SUBSECTION (4)(B), THE department shall make annual unannounced visits to day-care centers THAT ARE LICENSED ON AN ANNUAL BASIS. AND

(B) THE DEPARTMENT MAY MAKE ANNUAL UNANNOUNCED VISITS TO DAY-CARE CENTERS THAT HAVE BEEN

1 GRANTED 2-YEAR OR 3-YEAR LICENSES UNDER 52-2-721 OR THAT HAVE SUCCESSFULLY PASSED INSPECTIONS FOR 10
2 CONSECUTIVE YEARS.

3 (5) Upon request of the department, the state fire prevention and investigation program of the department
4 of justice shall inspect any day-care facility for which a license or registration certificate is applied for or issued
5 and shall report its findings to the department.

6 (6) Upon request, the department shall give consultation to every licensee and registrant who desires
7 to upgrade the services of the licensee's or registrant's program.

8 (7) This section may not be construed to require the department to conduct an inspection of each
9 day-care facility applying for a registration certificate under the provisions of this part."

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11 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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