

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 47 (2025)

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Committee/Subcommittee hearing bill: Health & Human Services  
Committee

Representative McFarland offered the following:

**Amendment**

Remove lines 119-387 and insert:

3. The department shall ~~also~~ adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in

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## Amendment No.1

17 accordance with federal regulations and standards. The  
18 Department of Health shall consider meals to be provided through  
19 the AMP only if the program is actively participating in the  
20 AMP, is in good standing with the department, and the meals meet  
21 AMP requirements. Standards, at a minimum, shall allow for a  
22 credentialed director to supervise multiple before-school and  
23 after-school sites.

24 (2) PERSONNEL.—Minimum standards for child care personnel  
25 shall include minimum requirements as to:

26 (a) Good moral character based upon screening as defined  
27 in s. 402.302(15). This screening shall be conducted as provided  
28 in chapter 435, using the level 2 standards for screening  
29 provided set forth in that chapter, and include employment  
30 history checks, a search of criminal history records, sexual  
31 predator and sexual offender registries, and child abuse and  
32 neglect registry of any state in which the current or  
33 prospective child care personnel resided during the preceding 5  
34 years. The department shall complete the screening and provide  
35 the results to the child care facility within 3 business days  
36 from the receipt of the criminal history record check. If the  
37 department is unable to complete the screening within 3 business  
38 days, the department shall issue the current or prospective  
39 child care personnel a 45-day provisional-hire status while all  
40 required information is being requested and the department is  
41 awaiting results unless the department has reason to believe a

## Amendment No.1

42 disqualifying factor may exist. During the 45-day period, the  
43 current or prospective child care personnel must be under the  
44 direct supervision of a screened and trained staff member when  
45 in contact with children.

46 (e) Minimum training requirements for child care  
47 personnel.

48 1. Such minimum standards for training shall ensure that  
49 all child care personnel take an approved 40-clock-hour  
50 introductory course in child care, which course covers ~~at least~~  
51 the following topic areas:

52 a. State and local rules and regulations which govern  
53 child care.

54 b. Health, safety, and nutrition.

55 c. Identifying and reporting child abuse and neglect.

56 d. Child development, including typical and atypical  
57 language, cognitive, motor, social, and self-help skills  
58 development.

59 e. Observation of developmental behaviors, including using  
60 a checklist or other similar observation tools and techniques to  
61 determine the child's developmental age level.

62 f. Specialized areas, including computer technology for  
63 professional and classroom use and early literacy and language  
64 development of children from birth to 5 years of age, as  
65 determined by the department, for owner-operators and child care  
66 personnel of a child care facility.

## Amendment No.1

67 g. Developmental disabilities, including autism spectrum  
68 disorder and Down syndrome, and early identification, use of  
69 available state and local resources, classroom integration, and  
70 positive behavioral supports for children with developmental  
71 disabilities.

72 h. Online training coursework, provided at no cost by the  
73 department, to meet minimum training standards for child care  
74 personnel.

75  
76 Within 90 days after employment, child care personnel shall  
77 begin training to meet the training requirements. Child care  
78 personnel shall successfully complete such training within 1  
79 year after the date on which the training began, as evidenced by  
80 passage of an in-person or online a competency examination.

81 Successful completion of the 40-clock-hour introductory course  
82 shall articulate into community college credit in early  
83 childhood education, pursuant to ss. 1007.24 and 1007.25.

84 Exemption from all or a portion of the required training shall  
85 be granted to child care personnel based upon educational  
86 credentials or passage of competency examinations. Child care  
87 personnel possessing a 2-year degree or higher that includes 6  
88 college credit hours in early childhood development or child  
89 growth and development, or a child development associate  
90 credential or an equivalent state-approved child development  
91 associate credential, or a child development associate waiver

## Amendment No.1

92 certificate shall be automatically exempted from the training  
93 requirements in sub-subparagraphs b., d., and e.

94 ~~2. The introductory course in child care shall stress, to~~  
95 ~~the extent possible, an interdisciplinary approach to the study~~  
96 ~~of children.~~

97 2.3. The introductory course shall cover recognition and  
98 prevention of shaken baby syndrome; prevention of sudden infant  
99 death syndrome; recognition and care of infants and toddlers  
100 with developmental disabilities, including autism spectrum  
101 disorder and Down syndrome; and early childhood brain  
102 development within the topic areas identified in this paragraph.

103 3.4. On an annual basis in order to further their child  
104 care skills and, if appropriate, administrative skills, child  
105 care personnel who have fulfilled the requirements for the child  
106 care training shall be required to take an additional 1  
107 continuing education unit of approved inservice training, or 10  
108 clock hours of equivalent training, as determined by the  
109 department.

110 4.5. Child care personnel shall be required to complete  
111 0.5 continuing education unit of approved training or 5 clock  
112 hours of equivalent training, as determined by the department,  
113 in early literacy and language development of children from  
114 birth to 5 years of age one time. The year that this training is  
115 completed, it shall fulfill the 0.5 continuing education unit or

## Amendment No.1

116 5 clock hours of the annual training required in subparagraph 3.  
117 ~~4.~~

118 ~~5.6.~~ Procedures for ensuring the training of qualified  
119 child care professionals to provide training of child care  
120 personnel, including onsite training, shall be included in the  
121 minimum standards. It is recommended that the state community  
122 child care coordination agencies (central agencies) be  
123 contracted by the department to coordinate such training when  
124 possible. Other district educational resources, such as  
125 community colleges and career programs, can be designated in  
126 such areas where central agencies may not exist or are  
127 determined not to have the capability to meet the coordination  
128 requirements set forth by the department.

129 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain  
130 occasional or part-time support staff, including, but not  
131 limited to, swimming instructors, piano teachers, dance  
132 instructors, and gymnastics instructors.

133 ~~7.8.~~ The child care operator shall be required to take  
134 basic training in serving children with disabilities within 5  
135 years after employment, either as a part of the introductory  
136 training or the annual 8 hours of inservice training.

137 (f) Periodic health examinations for child care facility  
138 drivers.

139 (7) SANITATION AND SAFETY.—

## Amendment No.1

140 (a) Minimum standards must ~~shall~~ include requirements for  
141 sanitary and safety conditions, first aid treatment, emergency  
142 procedures, and pediatric cardiopulmonary resuscitation. The  
143 minimum standards must ~~shall~~ require that at least one staff  
144 person trained in person in cardiopulmonary resuscitation, as  
145 evidenced by current documentation of course completion, ~~must~~ be  
146 present at all times that children are present.

147 ~~(c) Some type of communications system, such as a pocket~~  
148 ~~pager or beeper, shall be provided to a parent whose child is in~~  
149 ~~drop-in child care to ensure the immediate return of the parent~~  
150 ~~to the child, if necessary.~~

151 (9) ADMISSIONS AND RECORDKEEPING.—

152 (a) Minimum standards shall include requirements for  
153 preadmission and periodic health examinations, requirements for  
154 immunizations, and requirements for maintaining emergency  
155 information and health records on all children.

156 ~~(b) During the months of August and September of each~~  
157 ~~year, each child care facility shall provide parents of children~~  
158 ~~enrolled in the facility detailed information regarding the~~  
159 ~~causes, symptoms, and transmission of the influenza virus in an~~  
160 ~~effort to educate those parents regarding the importance of~~  
161 ~~immunizing their children against influenza as recommended by~~  
162 ~~the Advisory Committee on Immunization Practices of the Centers~~  
163 ~~for Disease Control and Prevention.~~

Amendment No.1

~~(c) During the months of April and September of each year, at a minimum, each facility shall provide parents of children enrolled in the facility information regarding the potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The child care facility shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which child care facilities may choose to reproduce and provide to parents to satisfy the requirements of this paragraph.~~

~~(b)-(d)~~ Because of the nature and duration of drop-in child care, requirements for preadmission and periodic health examinations and requirements for medically signed records of immunization required for child care facilities shall not apply. A parent of a child in drop-in child care shall, however, be required to attest to the child's health condition and the type and current status of the child's immunizations.

~~(c)-(e)~~ Any child shall be exempt from medical or physical examination or medical or surgical treatment upon written request of the parent or guardian of such child who objects to the examination and treatment. However, the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption

## Amendment No.1

189 from or variation of the health and immunization minimum  
190 standards.

191 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure  
192 that each child care facility has and implements a written plan  
193 for the daily provision of varied activities and active and  
194 quiet play opportunities appropriate to the age of the child.  
195 ~~The written plan must include a program, to be implemented~~  
196 ~~periodically for children of an appropriate age, which will~~  
197 ~~assist the children in preventing and avoiding physical and~~  
198 ~~mental abuse.~~

199 ~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF~~  
200 ~~MILDLY ILL CHILDREN. Minimum standards shall be developed by the~~  
201 ~~department, in conjunction with the Department of Health, for~~  
202 ~~specialized child care facilities for the care of mildly ill~~  
203 ~~children. The minimum standards shall address the following~~  
204 ~~areas: personnel requirements; staff-to-child ratios; staff~~  
205 ~~training and credentials; health and safety; physical facility~~  
206 ~~requirements, including square footage; client eligibility,~~  
207 ~~including a definition of "mildly ill children"; sanitation and~~  
208 ~~safety; admission and recordkeeping; dispensing of medication;~~  
209 ~~and a schedule of activities.~~

210 (18) TRANSFER OF OWNERSHIP.—

211 (a) One week before ~~prior to~~ the transfer of ownership of  
212 a child care facility or family child ~~day~~ care home, the

Amendment No.1

transferor shall notify the parent or caretaker of each child of the impending transfer.

**Section 3. Subsections (1) and (3) of section 402.306, Florida Statutes, are amended to read:**

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1)(a) Any county whose licensing standards meet or exceed state minimum standards may:

1.(a) Designate a local licensing agency to license child care facilities in the county; or

2.(b) Contract with the department to delegate the administration of state minimum standards in the county to the department.

(b) The decision to designate a local licensing agency under subparagraph (a)1. must be annually affirmed by a majority vote of the county commission.

(3) The department and local licensing agencies, or the designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and the names and addresses of licensed child care facilities, school readiness program providers, and, where applicable pursuant to

Amendment No.1

s. 402.313, licensed or registered family child ~~day~~ care homes. This information shall also include the number of deaths, serious injuries, and instances of substantiated child abuse that have occurred in child care settings each year; research and best practices in child development; and resources regarding social-emotional development, parent and family engagement, healthy eating, and physical activity.

**Section 4. Section 402.3115, Florida Statutes, is amended to read:**

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

(1) The Department of Children and Families and local governmental agencies that license child care facilities shall develop and implement a plan to eliminate duplicative and unnecessary inspections of child care facilities, family child care homes, and large family child care homes.

(2) (a) ~~In addition,~~ The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family child care homes, and large family child care homes that meet all of the following conditions:

1. Have been licensed for at least 2 consecutive years.

2. Have had no Class 1 or Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.

Amendment No.1

262        3. Have received at least two full onsite renewal  
263 inspections in the most recent 2 years.

264        4. Do not have any current uncorrected violations.

265        5. Do not have any open regulatory complaints or active  
266 child protective services investigations.