

REGULATORY FLEXIBILITY ANALYSIS
(FORMERLY SMALL BUSINESS IMPACT STATEMENT)

SECTION A**Date:** March 16, 2022**Agency Submitting Proposed Regulation:** Office of Early Childhood**Proposed Regulation Title:** Child Care Centers and Group Child Care Homes

Prior to or concomitant with the posting of a notice pursuant to C.G.S. § 4-168a, as amended by Public Act 16-32, each agency shall prepare a regulatory flexibility analysis. Agencies must complete this document and upload it into the eRegulations System prior to posting the Notice of Intent described in C.G.S. § 4-168(a)(1). This document will automatically publish to eregulations.ct.gov at the time the filing agency posts the Notice of Intent.

Reminder: Pursuant to C.G.S. § 4-168a(c), prior to the adoption of any proposed regulation that may have an adverse impact on small businesses, each agency shall notify the Department of Economic and Community Development and the joint standing committee of the General Assembly having cognizance of matters relating to commerce of its intent to adopt the proposed regulation.

Scope and Objectives of the Proposed Regulation (mandatory for all filers):

The purpose of this regulation is to amend the regulations governing child care centers and group child care homes to establish requirements for programs that exclusively serve school age children pursuant to the mandates of Public Act 10-90, eliminate the requirement to petition the Office to administer certain medications, require group child care homes to have a staff on site who is certified in cardiopulmonary resuscitation, provide clarity of existing requirements, establish requirements in line with national recommendations, identify specific first aid courses that are acceptable, establish requirements that address childhood nutrition, change staff child ratio requirements for two year olds, change group size requirements for certain situations, reduce the requirements for school age head teachers, require employment history checks for new staff, establish requirements in accordance with PA 22-81, establish requirements to satisfy the mandates of the reauthorization of the Child Care and Development Block Grant (CCDBG) and make technical revisions.

Please check the appropriate box:

- The regulatory action will not have an effect on small businesses. *If you check this box, do not complete SECTION B.*
- The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses. *If you check this box, complete SECTION B.*
- The regulatory action may have an adverse effect on small businesses, but no alternatives considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. *Note: alternatives considered may include those listed in C.G.S. § 4-168a(b)(6). If you check this box, complete SECTION B.*
- The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare. *If you check this box, complete SECTION B.*

SECTION B

For regulatory actions which affect or may affect small businesses, please provide responses to the following:

Types of Businesses Potentially Affected by the Proposed Regulation:

Licensed Child Care Centers and Group Child Care Homes

Total Number of Small Businesses Potentially Subject to the Proposed Regulation:

Approximately 1,372

Will small businesses, in order to comply with the proposed regulation, have additional requirements as listed in C.G.S. § 4-168a(b)(4)? If so, identify the requirements and provide an explanation for each.

Requires programs to conduct employment history checks on all prospective program staff

Requires program staff to complete online health and safety training (this will be developed by OEC and free)

Requires group child care homes to have a CPR trained staff present during all operational hours (there are only approximately 21 group child care homes licensed that would be impacted by this requirement; child care centers already have this as a requirement)

Requires programs that prepare food to maintain a copy of a food inspection report issued by local health department

The injuries that must be reported to the OEC has been expanded to include a diagnosed fracture, diagnosed second or third degree burn, and a diagnosed concussion

Policies and procedures for sleep arrangements shall now be put in writing and posted in the areas where infants sleep. The parent(s) shall also be informed of such policies and procedures

Video recordings created at the program shall be maintained for at least 30 days

NOTE: The proposed regulation reduces many requirements placed on licensed child care centers and group child care homes.

Has the agency communicated with small businesses or small business organizations in developing the proposed regulation and the regulatory flexibility analysis, if applicable? If so, to what extent?

Yes. The OEC made the draft language accessible on line and sought feedback from all interested stakeholders via an electronic survey. All feedback collected was taken into consideration when drafting this proposed regulation.

Does the proposed regulation provide alternative compliance methods for small businesses that will accomplish the objectives of applicable statutes while minimizing the adverse impact on small businesses? If so, to what extent?

Yes. In many cases the regulations require programs to maintain documentation on site and available for review upon inspection or request rather than requiring programs to submit to the OEC on an ongoing basis.