



Testimony Concerning HB 228–

Child Care Centers - Definition of Child Care

Submitted to the House Ways and Means

February 8, 2018

Position: Oppose

The Maryland State Family Child Care Association promotes quality child care for all Maryland’s children and ask that you join us in opposing HB 228, which attempts to exempt “sports businesses” from the child care regulations. This change could put many of Maryland’s children in precarious child care settings.

HB 228 incorporates the regulatory definition of child care into statute and modifies it to exclude “sports businesses.” The intent of the regulation was to exempt sports practices or lessons, but not all after school program activities offered by a business whose primary purpose is to offer sports training. This intent is made clear by a subsequent regulatory provision that includes in the definition of child care center “[a] facility providing specialized training in a specific discipline or subject that also offers a child-related service, such as, but not limited to, transportation, free play, meals or snacks, tutoring, or homework sessions....”

Many parents in Maryland work hours longer than the typical school-day and need before- and after-school child care for their elementary school children. Child care regulations set standards for health and safety in regulated programs, including child-to-staff ratios, supervision requirements and criminal background checks for staff. Current regulations provide exemptions from regulations for Girl Scout and Boy Scout meetings, sports practices and after school clubs. What is not exempt is a program that offers a sports or enrichment activity plus other services for children whose parents are at work, like transportation, snacks, homework time and play time. Someone must be responsible for supervising the children when they aren’t in the karate class. These “custodial care” services trigger the need for both the staff and facilities to meet licensing requirements to protect the health and safety of the children in care. Though these programs are offering a specific skill to a child, they are also caring for the children until their parents are able pick them up, and programs providing this range of services should not be exempt from being monitored for health and safety. If HB 228 passes, this may no longer be the case.

For these reasons, we ask that you give HB 228 an unfavorable report.