

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE APRIL 25, 2013

AMENDED IN SENATE APRIL 18, 2013

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 766**

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**Introduced by Senator Yee**

February 22, 2013

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An act to amend Section 1596.656 of, and to add Chapter 3.37 (commencing with Section 1596.69) to Division 2 of, the Health and Safety Code, relating to child care, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 766, as amended, Yee. Ancillary day care centers.

Existing law requires a person 18 years of age or older who provides child care or child care supervision in an ancillary day care center, as defined, to be registered as a trustline provider, as specified. *A person is prohibited from being a trustline provider if he or she is not eligible to obtain a child care license.* Existing law requires the State Department of Social Services to charge a fee to each trustline applicant who provides care in an ancillary day care center that is equal to the total amount required by the department to process applications and maintain the trustline registry for these providers. Under existing law, moneys collected by the department to implement the trustline provisions are continuously appropriated to the department without regard to fiscal year for expenditure to implement the trustline provisions.

This bill would, in addition, require a person who is otherwise responsible for engaging with children cared for in an ancillary day care center to be registered as a trustline provider.

The bill would require an ancillary day care center to comply with certain requirements, including ~~the requirements to maintain specified care provider-child ratios and ensure~~ *ensuring* the presence, at all times, of at least one care provider who is 18 years of age or older.

By increasing the funds ~~appropriated~~ *paid* to the department for purposes of the trustline registry, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1596.656 of the Health and Safety Code  
2 is amended to read:

3 1596.656. (a) A person 18 years of age or older, who provides  
4 child care or child care supervision, or is otherwise responsible  
5 for engaging with children cared for in an ancillary day care center,  
6 as defined in Section 1596.60, shall be registered pursuant to  
7 Sections 1596.603 and 1596.605. Nothing in this chapter shall be  
8 construed to prevent a person under 18 years of age from being  
9 employed in an ancillary day care center.

10 (b) Notwithstanding any provision of law to the contrary, if a  
11 person 18 years of age or older is denied trustline registration by  
12 the department pursuant to Section 1596.605 or 1596.607, or if  
13 the department revokes a person’s trustline registration pursuant  
14 to Section 1596.608, that person shall be ineligible for employment  
15 in a position providing child care or child care supervision in an  
16 ancillary day care center.

17 (c) If an existing employee providing child care or child care  
18 supervision in an ancillary day care center, or a prospective  
19 employee seeking employment in a position that provides child  
20 care or child care supervision in an ancillary day care center,  
21 submits an application to the department to become a registered  
22 trustline child care provider, that existing or prospective employee  
23 shall be deemed to be in compliance with the requirements of this  
24 section and permitted to work in a position providing child care  
25 or child care supervision pending the department’s review of his  
26 or her trustline application. The existing or prospective employee  
27 shall become ineligible for employment providing child care or  
28 child care supervision in an ancillary day care center if the

1 department denies his or her trustline application and any right to  
2 appeal the department's denial has been exhausted or has expired.

3 SEC. 2. Chapter 3.37 (commencing with Section 1596.69) is  
4 added to Division 2 of the Health and Safety Code, to read:

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CHAPTER 3.37. ANCILLARY DAY CARE CENTERS

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8 1596.69. An ancillary day care center, as defined in Section  
9 1596.60, shall comply with all of the following requirements:

10 ~~(a) Maintain the following ratios:~~

11 ~~(1) No more than four infants to each care provider for children~~  
12 ~~0 to 17 months of age, inclusive.~~

13 ~~(2) No more than 10 children to each care provider for children~~  
14 ~~18 months to 6 years of age, inclusive.~~

15 ~~(3) No more than 15 children to each care provider for children~~  
16 ~~7 to 17 years of age, inclusive.~~

17 ~~(b)~~

18 ~~(a) Ensure the presence, at all times, of at least one care provider~~  
19 ~~who is 18 years of age or older.~~

20 ~~(c) Ensure that any substitute care providers, or staff responsible~~  
21 ~~to engage with children that are present in the ancillary day care~~  
22 ~~center are registered pursuant to Sections 1596.603 and 1596.605.~~

23 ~~(d)~~

24 ~~(b) Ensure that at least one care provider present in the center~~  
25 ~~has received health and safety training, including training in~~  
26 ~~pediatric first aid and current training in pediatric cardiopulmonary~~  
27 ~~resuscitation.~~

28 ~~(e)~~

29 ~~(c) Establish health and safety protocols and inform staff and~~  
30 ~~parents of the established protocols, which may include, but are~~  
31 ~~not limited to, notifying parents of incidents at the center and use~~  
32 ~~of emergency medical services.~~