

Amendment No. 294

Assembly Amendment to Assembly Bill No. 109

(BDR 38-271)

Proposed by: Assembly Committee on Health and Human Services**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

EWR/RBL



Date: 4/11/2013

A.B. No. 109—Revises the qualifications and training required for certain persons who operate or are employed by a child care facility.
(BDR 38-271)



ASSEMBLY BILL NO. 109—ASSEMBLYMEN BOBZIEN, ELLIOT ANDERSON,
KIRKPATRICK, EISEN; AND DIAZ

FEBRUARY 13, 2013

JOINT SPONSORS: SENATORS DENIS AND SMITH

Referred to Committee on Health and Human Services

SUMMARY—Revises the qualifications and training required for certain persons who operate or are employed by a child care facility. (BDR 38-271)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public welfare; setting forth the required qualifications of a licensee of a child care facility, or a person appointed by the licensee, who is responsible for the daily operation, administration or management of the child care facility; revising the amount of training that persons who are employed at certain child care facilities must complete for certain years; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Health to adopt licensing standards for child care facilities. (NRS 432A.077) The Board currently requires each director of a child care facility, other than a facility that provides care for ill children, an accommodation facility, a special needs facility or a family or group home, to be at least 21 years of age and to meet certain requirements for education and experience. (NAC 432A.300) **Section 1** of this bill requires a licensee of a child care facility, or a person appointed by the licensee, who is responsible for the daily operation, administration or management of a child care facility to: (1) be at least 21 years of age; (2) have certain verified experience or training in business administration; (3) apply to the Nevada Registry and annually renew his or her registration with the Nevada Registry; and (4) meet certain increased requirements for education and experience. **Section 3** of this bill provides that these requirements do not apply to a person who has been approved as a director before the effective date of this bill if that person obtains a waiver from the Health Division of the Department of Health and Human Services or, if that person does not obtain such a waiver, until January 1, 2016.

Existing law requires any person who is employed in a child care facility, other than a facility that provides care for ill children, to complete at least 15 hours of training annually. (NRS 432A.1775) **Section 2** of this bill increases the amount of training required for ~~these persons~~ *each person employed in a child care facility that provides care for more than 12 children, other than a facility that provides care for ill children*, each year between January 1, 2014, and January 1, 2016. On and after January 1, 2016, **section 2** requires each

~~such person who is employed in a child care facility, other than a facility that provides care for all children,~~ to complete at least 24 hours of training annually.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 432A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A licensee of a child care facility, or a person appointed by the licensee, who is responsible for the daily operation, administration or management of a child care facility must:

(a) Be at least 21 years of age and:

(1) Hold an associate's degree or a higher degree in early childhood education and have at least 1,000 hours of verifiable experience in a child care facility;

(2) Hold an associate's degree or a higher degree in any field other than early childhood education, have completed at least 15 semester hours in early childhood education or related courses and have at least 2,000 hours of verifiable experience in a child care facility;

(3) Hold a high school diploma or, if approved by the Administrator of the Health Division, a general educational development certificate, have completed at least 15 semester hours in early childhood education or related courses and have at least 3,000 hours of experience in a child care facility;

(4) Hold a current credential as a "Child Development Associate" with an endorsement for preschool age children or infants or toddlers, as appropriate, which has been issued by the Council for Professional Recognition, or its successor organization, ~~have completed at least 12 semester hours in early childhood education or related courses,~~ and have at least ~~4,000~~ 2,000 hours of verifiable experience in a child care facility; or

(5) Have a combination of education and experience which, in the judgment of the Administrator of the Health Division, is equivalent to that required by subparagraph (1), (2), (3) or (4);

(b) Have at least 1,000 verifiable hours in an administrative position or have completed a course or other training in business administration; and

(c) Within 90 days after the licensee or person appointed by the licensee commences service as the director of a child care facility, apply to the Nevada Registry or its successor organization, and annually renew his or her registration before the date on which it expires.

2. As used in this section, "Nevada Registry" means the organization that operates the statewide system of career development and recognition created to:

(a) Acknowledge and encourage professional achievement in the early childhood care and education workforce in this State;

(b) Establish a professional development system in this State for the field of early childhood care and education;

(c) Approve and track all informal training in the field of early childhood care and education in this State; and

(d) Act as a statewide clearinghouse of information concerning the field of early childhood care and education.

1 **Sec. 2.** NRS 432A.1775 is hereby amended to read as follows:

2 432A.1775 **1.** Each person who is employed in a child care facility ~~that~~ that
3 provides care for more than 12 children, other than in a facility that provides care
4 for ill children, shall complete :

5 (a) *Before January 1, 2014*, at least 15 hours of training ~~each year~~ ;

6 (b) *On or after January 1, 2014, and before January 1, 2015, at least 18*
7 *hours of training;*

8 (c) *On or after January 1, 2015, and before January 1, 2016, at least 21*
9 *hours of training; and*

10 (d) *On or after January 1, 2016, 24 hours of training each year.*

11 **2.** Except as otherwise provided in subsection 1, each person who is
12 employed in any child care facility, other than in a facility that provides care for
13 ill children, shall complete at least 15 hours of training each year.

14 **3.** At least 2 hours of ~~such~~ the training ~~required by subsection~~ subsections
15 1 and 2 each year must be devoted to the lifelong wellness, health and safety of
16 children and must include training relating to childhood obesity, nutrition and
17 physical activity.

18 **Sec. 2.5.** NRS 432A.220 is hereby amended to read as follows:

19 432A.220 Any person who operates a child care facility without a license
20 issued pursuant to NRS 432A.131 to 432A.220, inclusive, and section 1 of this act
21 is guilty of a misdemeanor.

22 **Sec. 3.** A person who, before the effective date of this act and in accordance
23 with regulations adopted by the State Board of Health, was approved as the director
24 of a child care facility is not required to comply with the requirements set forth in
25 section 1 of this act:

26 1. If the person obtains a waiver from the Health Division of the Department
27 of Health and Human Services; or

28 2. If the person does not obtain such a waiver until January 1, 2016.

29 **Sec. 4.** This act becomes effective upon passage and approval.