

HB 2814 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Meeting Dates: 2/20, 3/25

WHAT THE MEASURE DOES:

The measure allows the Department of Early Learning and Care (DELIC) to waive certification requirements for child care facilities if DELIC determines that conditions or safeguards exist to protect the welfare of children and the consumer interests of children and parents.

Detailed Summary:

- Allows DELIC to waive certification requirements for child care facilities upon good cause, and if DELIC is satisfied that sufficient conditions or safeguards exist that protect the welfare of the children and the consumer interests of children and parents.
- Removes the current limit of children by age group that may be cared for by facilities whose license allows them to care for a maximum of 10 children.
- Directs the Early Learning Council to adopt rules specifying the number of children per age group allowed to receive care at registered child care facilities.
- Permits the Early Learning Council to limit the maximum number of children that may receive care at registered child care facilities to fewer than 10 based on the children's ages.
- Declares an emergency, effective on passage.

REVENUE: *No revenue impact.*

FISCAL: *Has minimal fiscal impact.*

ISSUES DISCUSSED:

- Number of children in each age group allowed in certain facilities.
- Process of granting waivers.

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

[ORS 329A.250 to 329A.450](#) establish requirements for child care facilities, including requirements for certification and registration of child care facilities, including requirements that child care facilities be certified by the Department of Early Learning and Care (DELIC). [The Child Care Licensing Division \(CCLD\)](#), a division of DELIC, issues three different types of child care facility licenses: registered family child care homes, certified family child care homes, and certified centers for infants, toddlers, and school-age children.

Registered family and certified family child care homes are generally located in residential homes, and certified child care centers are generally located in commercial or nonresidential settings.

[Registered family child care homes](#) are child care facilities that may care for a maximum of 10 children in a provider's own residence. Currently, [ORS 329A.330](#) limits the number of children per age group that may be cared for by registered family child care homes. Of the 10 children in care, a maximum of six can be preschool-age or younger, and of these six, only two children can be under 24 months of age.

[Certified family child care homes](#), defined in [OAR 414-350-0000](#), may care for up to 16 children in a residential home and must adhere to additional licensing requirements.

PRELIMINARY