

By: Miller, Thompson of Harris

H.B. No. 2664

Substitute the following for H.B. No. 2664:

By: Frank

C.S.H.B. No. 2664

A BILL TO BE ENTITLED

AN ACT

1
2 relating to nutrition and fitness standards for certain child-care
3 facilities and training for employees at those facilities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 42.042, Human Resources Code, is amended
6 by adding Subsections (s), (t), (u), and (v) to read as follows:

7 (s) The executive commissioner by rule shall adopt minimum
8 standards that apply to day-care centers, group day-care homes, and
9 registered family homes for nutrition and daily dietary
10 requirements, physical activity, and time spent using or viewing
11 electronic devices. The minimum standards under this subsection
12 must be consistent with:

13 (1) the nutrition and meal pattern standards in the
14 Child and Adult Care Food Program administered by the Department of
15 Agriculture; and

16 (2) American Academy of Pediatrics standards for
17 physical activity and screen time as published in Caring for Our
18 Children: National Health and Safety Performance Standards;
19 Guidelines for Early Care and Education Programs, 3rd Edition.

20 (t) The executive commissioner shall review any subsequent
21 amendments to the standards described by Subsection (s) and
22 determine whether the rules adopted under that subsection should be
23 amended to incorporate the new standards.

24 (u) A day-care center, group day-care home, or registered

1 family home is not required to participate in or comply with the
2 reporting requirements of the Child and Adult Care Food Program
3 administered by the Department of Agriculture.

4 (v) The executive commissioner by rule shall require
5 day-care centers, group day-care homes, and registered family homes
6 to provide to parents, guardians, or caregivers of children
7 enrolled at the facility information on:

8 (1) sample healthy meals and snacks; and

9 (2) food allergies and choking hazards.

10 SECTION 2. Section 42.0421(a), Human Resources Code, is
11 amended to read as follows:

12 (a) The minimum training standards prescribed by the
13 executive commissioner under Section 42.042(p) for an employee,
14 director, or operator of a day-care center, group day-care home, or
15 registered family home must include:

16 (1) 24 hours of initial training that must be
17 completed not later than the 90th day after the employee's first day
18 of employment for an employee of a day-care center who has no
19 previous training or less than two years of employment experience
20 in a regulated child-care facility, eight hours of which must be
21 completed before the employee is given responsibility for a group
22 of children;

23 (2) 24 hours of annual training for each employee of a
24 day-care center or group day-care home, excluding the director,
25 which must include at least six hours of training in one or more of
26 the following areas:

27 (A) child growth and development;

- 1 (B) guidance and discipline;
- 2 (C) age-appropriate curriculum; ~~and~~
- 3 (D) teacher-child interaction; and
- 4 (E) child nutrition and age-appropriate indoor
- 5 and outdoor activities; and

6 (3) 30 hours of annual training for each director of a
7 day-care center or group day-care home, or operator of a registered
8 family home, which must include at least six hours of training in
9 one or more of the following areas:

- 10 (A) child growth and development;
- 11 (B) guidance and discipline;
- 12 (C) age-appropriate curriculum; ~~and~~
- 13 (D) teacher-child interaction; and
- 14 (E) child nutrition and age-appropriate indoor
- 15 and outdoor activities.

16 SECTION 3. Section 2308.3155(b), Government Code, is
17 amended to read as follows:

18 (b) The commission shall adopt rules to administer the Texas
19 Rising Star Program, including:

20 (1) guidelines for rating a child-care provider who
21 provides child care to a child younger than 13 years of age,
22 including infants and toddlers, enrolled in the subsidized program;
23 ~~and~~

24 (2) guidelines for rating a child-care provider on:
25 (A) nutrition, lunch provision, and menu
26 planning; and

27 (B) indoor and outdoor activities;

1 (3) a scoring methodology that credits a provider for
2 participating in, and remaining in good standing with, the Child
3 and Adult Care Food Program administered by the Department of
4 Agriculture; and

5 (4) a timeline and process for regularly reviewing and
6 updating the quality standards used to determine the rating system
7 that includes the commission's consideration of input from
8 interested parties regarding those standards.

9 SECTION 4. As soon as practicable after the effective date
10 of this Act, the executive commissioner of the Health and Human
11 Services Commission and the Texas Workforce Commission shall adopt
12 the rules necessary to implement the changes in law made by this
13 Act.

14 SECTION 5. This Act takes effect September 1, 2017.