

By: West

S.B. No. 1798

A BILL TO BE ENTITLED

AN ACT

relating to the collection and reporting of child safety data in certain child-care facilities and establishing child safety standards in those facilities.

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

SECTION 1. Section 42.042, Human Resources Code, is amended by adding Subsection (m-1) to read as follows:

(m-1) The commissioner shall:

(1) use the data collected under Section 42.04211 to determine:

(A) the variables that negatively impact child safety; and

(B) the standards necessary to reduce the risk factors to children receiving care in nonresidential child-care facilities that provide care for less than 24 hours a day;

(2) establish standards, including staff-to-child ratios, to maximize child safety in nonresidential child-care facilities that provide care for less than 24 hours a day; and

(3) gradually implement the standards adopted under Subdivision (2).

SECTION 2. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04211 to read as follows:

Sec. 42.04211. COLLECTION OF DATA REGARDING CHILD INJURIES.

(a) Using existing resources, for each licensed nonresidential

1 child-care facility that provides care for less than 24 hours a day,  
2 the department shall:

3 (1) collect, compile, and report data, categorized by  
4 the age of each child, regarding serious and critical injuries,  
5 serious incidents, and child fatalities that occur in each  
6 facility; and

7 (2) routinely collect the following data to determine  
8 risk factors related to child injury, maltreatment, and child  
9 fatalities in each facility:

10 (A) the status of the facility's license;

11 (B) the education and certification obtained by  
12 caregivers and directors of the facility;

13 (C) staff-to-child ratios and group sizes in each  
14 classroom; and

15 (D) the facility's program capacity.

16 (b) The department shall publish the data collected under  
17 Subsection (a) on the department's Internet website for use by  
18 consumers and the public.

19 SECTION 3. (a) The executive commissioner of the Health and  
20 Human Services Commission shall adopt the rules required by Section  
21 [42.042\(m-1\)](#), Human Resources Code, as added by this Act, not later  
22 than September 1, 2018.

23 (b) The Health and Human Services Commission is not required  
24 to publish the staff-to-child ratio and group size data as required  
25 by Section [42.04211\(b\)](#), Human Resources Code, as added by this Act,  
26 until December 1, 2018.

27 SECTION 4. This Act takes effect September 1, 2017.