

BILL ANALYSIS

Senate Research Center

S.B. 1242
By: LaMantia
Health & Human Services
6/23/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when a childcare center receives an administrative penalty from the Health and Human Services Commission (HHSC), the director of that center is not allowed to train staff at the center for 24 months. Even if the childcare center selects a new director within that 24-month period, the new director is not allowed to train staff at the center in that time. This creates a financial burden on childcare centers as it requires the center to seek third party training for staff even if the center has had a positive change in leadership since the assessment of the disqualifying penalty.

S.B. 1242 will allow a newly designated director of a childcare center that received an administrative penalty from HHSC to start training staff immediately if the newly designated director was not the director at the childcare center when the center received that administrative penalty.

S.B. 1242 amends current law relating to training for employees and operators of certain childcare facilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.0421, Human Resources Code, by adding Subsection (g-1), as follows:

(g-1) Authorizes a person who is the director of a day-care center, notwithstanding Subsection (g) (relating to authorizing a certain person to provide training only if the Health and Human Services Commission (HHSC) has not taken an action under certain sections against the license, listing, or registration of the person or the home or center for which the person is a provider or director during the two-year period preceding date on which the person provides the training), to provide training under Section 42.0421 (Minimum Training Standards) regardless of whether HHSC imposed an administrative penalty under Section 42.078 (Administrative Penalty) against the day-care center if the person was not the director of the day-care center at the time HHSC imposed the penalty.

SECTION 2. Effective date: September 1, 2023.