

Child Care Facilities—Sleep Surface Requirements; Restrictions on Persons in Child Care Facilities; Senate Sub. for HB 2304

Senate Sub. for HB 2304 amends the statute governing standards and regulation of maternity centers and child care facilities and the statute concerning restrictions on persons interacting with child care facilities.

The bill requires child care facilities to ensure the following requirements are met for children under 12 months of age:

- A child may be placed to sleep only on a surface and in an area approved for use as such by the Secretary of Health and Environment (Secretary); and
- The sleep surface is required to be free from soft or loose bedding, including blankets, bumpers, and pillows, as well as toys, including mobiles and other types of play equipment or devices.

Child care facilities are required to ensure that children over 12 months of age are placed to sleep only on a surface and in an area approved for use as such by the Secretary.

The Secretary is allowed to make exceptions to the above requirements where special health needs exist.

The above requirements are in addition to any rules and regulations adopted under the statute for safe sleep practices.

The bill also amends the law concerning restrictions on persons maintaining, residing, working, or volunteering in a child care facility by expanding the list of existing prohibitions to comply with new requirements for background checks found in the federal Child Care and Development Block Grant Act of 2014, also referred to as the Child Care and Development Fund Reauthorization. The expanded list of prohibitions includes individuals who have been convicted of arson; individuals who have been convicted or adjudicated of a crime that requires registration as a sex offender under the Kansas Offender Registration Act, as a sex offender in any other state, or as a sex offender on the National Sex Offender Registry; and individuals who have committed an act of physical, mental, or emotional abuse or neglect, or sexual abuse and are listed in any child abuse and neglect registries maintained by another state or the federal government that are similar to the Kansas Child Abuse and Neglect Registry maintained by the Department for Children and Families.