

HOUSE BILL 1574

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By: **Delegates Solomon, Addison, Bagnall, Coley, Ebersole, Forbes, Guyton, Hornberger, D. Jones, Kaufman, Lopez, Mireku-North, Palakovich Carr, and Tomlinson**

Introduced and read first time: February 13, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Child Care Providers – Licensing and Registration Alterations and Workgroup**
3 **to Study Illegally Provided Child Care**

4 FOR the purpose of requiring the State Department of Education to issue a warning to
5 child care providers for certain violations of a rule or regulation adopted by the
6 Department within a certain period of time; requiring the Department to establish a
7 unit with the dedicated purpose of processing and managing information about
8 criminal history records checks for applicants to child care providers; requiring the
9 unit to notify an individual who has submitted an application about the status and
10 result of the application within a certain time; providing for the handling of criminal
11 background history information; altering the requirements that the State Board of
12 Education must adopt for licensing and regulating family child care providers and
13 child care centers; requiring the Department to enter into an agreement with certain
14 child care providers with a certain Maryland EXCELS quality rating who violate
15 certain provisions of law or regulation; requiring the State Superintendent of Schools
16 to provide a certain notice and place on a certain list certain individuals who are
17 prohibited from employment by child care centers due to a failure to supervise
18 violation; establishing the Workgroup to Study Illegally Provided Child Care to study
19 and make recommendations on the scale and impacts of illegally provided child care
20 in the State; and generally relating to the rules and regulations governing the legal
21 provision of child care in the State.

22 BY repealing and reenacting, without amendments,
23 Article – Education
24 Section 1–101(a) and (f)
25 Annotated Code of Maryland
26 (2025 Replacement Volume and 2025 Supplement)

27 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 9.5–101 and 9.5–107
3 Annotated Code of Maryland
4 (2022 Replacement Volume and 2025 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Education
7 Section 9.5–106, 9.5–303, 9.5–306, 9.5–404, and 9.5–411
8 Annotated Code of Maryland
9 (2022 Replacement Volume and 2025 Supplement)

10 BY adding to
11 Article – Education
12 Section 9.5–118, 9.5–306.1, 9.5–411.1, and 9.5–411.2
13 Annotated Code of Maryland
14 (2022 Replacement Volume and 2025 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 1–101.

19 (a) In this article, unless the context requires otherwise, the following words have
20 the meanings indicated.

21 (f) “Department” means the State Department of Education.

22 9.5–101.

23 (a) In this title the following words have the meanings indicated.

24 (b) “Advertisement” means a communication that is intended to influence a
25 person to enter into an obligation or sign a contract for services.

26 (c) “Child care center” has the meaning stated in § 9.5–401 of this title.

27 (d) “Family child care home” has the meaning stated in § 9.5–301 of this title.

28 (e) “Large family child care home” has the meaning stated in § 9.5–301 of this
29 title.

30 (f) “License” means a license issued by the Department to operate a child care
31 center.

1 (g) "Registration" means a registration issued by the Department to a family child
2 care home or a large family child care home.

3 9.5–106.

4 (A) Subject to the hearing provisions of § 9.5–107 of this subtitle **AND EXCEPT AS**
5 **PROVIDED IN SUBSECTION (B) OF THIS SECTION:**

6 (1) If a licensee violates any provision of this title or of a rule or regulation
7 adopted under this title, the Department may suspend the license for a period not exceeding
8 1 year; and

9 (2) If a licensee or registrant violates any provision of this title or of a rule
10 or regulation adopted under this title, the Department may revoke the license or
11 registration.

12 (B) **IF A LICENSEE OR REGISTRANT VIOLATES A RULE OR REGULATION**
13 **ADOPTED UNDER THIS TITLE WITHIN THE FIRST YEAR OF ADOPTION BY THE**
14 **DEPARTMENT:**

15 (1) **FOR THE FIRST VIOLATION, THE DEPARTMENT SHALL WARN THE**
16 **LICENSEE OR REGISTRANT AND DISCUSS THE TERMS OF THE NEW RULE OR**
17 **REGULATION; AND**

18 (2) **FOR SUBSEQUENT VIOLATIONS, THE DEPARTMENT MAY IMPOSE**
19 **ON THE LICENSEE OR REGISTRANT A PENALTY AUTHORIZED UNDER THIS TITLE.**

20 9.5–107.

21 The Department may not suspend or revoke a license or registration unless the
22 Department gives to the licensee or registrant:

23 (1) Notice of the suspension or revocation at least 20 days before the
24 suspension or revocation;

25 (2) A statement of the grounds for the suspension or revocation; and

26 (3) An opportunity to be heard.

27 **9.5–118.**

28 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
29 **INDICATED.**

1 **(2) (I) “APPLICANT” MEANS AN INDIVIDUAL WHO IS APPLYING FOR**
2 **A POSITION INVOLVING DIRECT CONTACT WITH CHILDREN IN A LICENSED CHILD**
3 **CARE CENTER, REGISTERED FAMILY CHILD CARE HOME, OR REGISTERED LARGE**
4 **FAMILY CHILD CARE HOME.**

5 **(II) “APPLICANT” INCLUDES A VOLUNTEER OR AN ADDITIONAL**
6 **ADULT WHO ASSISTS A CHILD CARE PROVIDER IN CARING FOR CHILDREN IN A**
7 **FAMILY CHILD CARE HOME OR A LARGE FAMILY CHILD CARE HOME.**

8 **(3) “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE**
9 **INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC**
10 **SAFETY AND CORRECTIONAL SERVICES.**

11 **(B) AN APPLICANT TO A FAMILY CHILD CARE HOME, A LARGE FAMILY CHILD**
12 **CARE HOME, OR A CHILD CARE CENTER SHALL SUBMIT TO A CRIMINAL HISTORY**
13 **RECORDS CHECK IN ACCORDANCE WITH § 5-555 OF THE FAMILY LAW ARTICLE.**

14 **(C) (1) (I) THE DEPARTMENT SHALL ESTABLISH A UNIT WITHIN THE**
15 **DEPARTMENT FOR THE DEDICATED PURPOSE OF PROCESSING AND MANAGING**
16 **INFORMATION ABOUT CRIMINAL HISTORY RECORDS CHECKS FOR APPLICANTS TO**
17 **PROVIDE CHILD CARE SERVICES.**

18 **(II) THE UNIT MAY BE STAFFED BY EXISTING EMPLOYEES IN**
19 **THE REGIONAL CHILD CARE LICENSING OFFICES THROUGHOUT THE STATE.**

20 **(2) (I) WITHIN 10 DAYS AFTER RECEIVING AN APPLICATION FOR A**
21 **CRIMINAL HISTORY RECORDS CHECK, THE UNIT SHALL ACKNOWLEDGE RECEIPT**
22 **AND NOTIFY THE INDIVIDUAL REGARDING THE STATUS OF THE APPLICATION.**

23 **(II) SUBJECT TO RECEIPT OF CRIMINAL HISTORY RECORDS**
24 **INFORMATION FROM THE CENTRAL REPOSITORY, WITHIN 30 DAYS AFTER**
25 **RECEIVING AN APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE UNIT**
26 **SHALL NOTIFY THE INDIVIDUAL REGARDING THE INDIVIDUAL’S ELIGIBILITY TO**
27 **PROVIDE CHILD CARE SERVICES IN A LICENSED OR REGISTERED CHILD CARE**
28 **PROGRAM.**

29 **(D) (1) A CRIMINAL HISTORY RECORDS CHECK OF AN INDIVIDUAL**
30 **APPROVED TO PROVIDE CHILD CARE SERVICES SHALL REMAIN VALID FOR 5 YEARS.**

31 **(2) (I) THE UNIT SHALL MAINTAIN A LIST OF INDIVIDUALS WHO**
32 **HAVE SUBMITTED CRIMINAL HISTORY RECORDS CHECKS IN ACCORDANCE WITH**
33 **THIS SECTION.**

1 **(II) THE UNIT MAY SHARE THE NAME AND STATUS OF AN**
2 **INDIVIDUAL ON THE LIST WITH:**

3 **1. A LICENSED CHILD CARE CENTER, REGISTERED**
4 **FAMILY CHILD CARE HOME, OR REGISTERED LARGE FAMILY CHILD CARE HOME AT**
5 **WHICH THE INDIVIDUAL SEEKS TO VOLUNTEER OR BE EMPLOYED; AND**

6 **2. THE INDIVIDUAL.**

7 **(3) THE UNIT SHALL, ON REQUEST BY AN INDIVIDUAL OR CHILD CARE**
8 **PROVIDER, PROVIDE WRITTEN NOTICE TO A LICENSED CHILD CARE CENTER,**
9 **REGISTERED FAMILY CHILD CARE HOME, OR REGISTERED LARGE FAMILY CHILD**
10 **CARE HOME THAT AN INDIVIDUAL WHO SEEKS TO BE EMPLOYED BY OR VOLUNTEER**
11 **WITH THE CHILD CARE PROVIDER HAS A VALID CRIMINAL HISTORY RECORDS CHECK**
12 **ON FILE WITH THE DEPARTMENT.**

13 **(E) (1) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY IN**
14 **ACCORDANCE WITH THIS SECTION:**

15 **(I) IS CONFIDENTIAL;**

16 **(II) MAY NOT BE REDISSEMINATED; AND**

17 **(III) MAY BE USED ONLY FOR THE PURPOSES STATED IN THIS**
18 **SECTION.**

19 **(2) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER**
20 **THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORDS**
21 **CHECK ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE**
22 **CRIMINAL PROCEDURE ARTICLE.**

23 9.5-303.

24 (a) The State Board shall adopt regulations that relate to the registration of
25 family child care homes and large family child care homes.

26 (b) So far as practicable, the regulations shall be uniform with the rules and
27 regulations adopted by other State agencies as those rules and regulations relate to other
28 types of child care.

29 (c) At a minimum, the regulations shall provide for:

30 (1) Minimum standards of environmental health and safety, including
31 provisions for:

1 (i) Adequate and safe physical surroundings, including
2 requirements for window coverings in accordance with § 5–505 of the Family Law Article;

3 (ii) The physical and mental health of child care providers; [and]

4 (iii) Investigation of any criminal record of a child care provider; AND

5 **(IV) MAINTAINING EMERGENCY INFORMATION FROM A CHILD’S**
6 **PARENT OR GUARDIAN THAT IS UPDATED AS NEEDED AND REVIEWED BY THE**
7 **PARENT OR GUARDIAN AT LEAST ONCE EACH YEAR;**

8 (2) A thorough evaluation of each prospective family child care home, large
9 family child care home, and child care provider, to be completed before the Department
10 accepts an initial registration;

11 (3) An initial family child care registration that expires 2 years after its
12 effective date;

13 (4) A continuing family child care registration that:

14 (i) Upon application by the child care provider that meets the
15 requirements set by the Department, is issued to the provider before the end of the initial
16 registration period; and

17 (ii) Once issued, remains in effect until surrendered, suspended,
18 revoked, or replaced by a conditional registration;

19 (5) Reporting of any changed circumstances that relate to the
20 requirements, by the child care provider, at the time the change occurs;

21 (6) An orientation to be provided to prospective child care providers by the
22 Department before initial registration;

23 (7) Announced inspection by the Department of each registered family
24 child care home and large family child care home prior to issuance of an initial or continuing
25 registration to determine whether applicable requirements are being met;

26 (8) Unannounced inspection by the Department of each registered family
27 child care home and large family child care home at least once during each 12–month period
28 that an initial or continuing registration is in effect to determine whether safe and
29 appropriate child care is being provided;

30 (9) Procedures to be followed by the Department in response to a complaint
31 about a family child care home or large family child care home **THAT:**

1 **(I) MAKE USE OF A UNIFORM COMPLAINT INTAKE PROCESS;**
2 **AND**

3 **(II) IMPLEMENT A STANDARDIZED COMPLAINT PRIORITY GUIDE**
4 **THAT DIFFERENTIATES COMPLAINTS BY THE SERIOUSNESS OF THE ISSUE RAISED,**
5 **INCLUDING DEFINED RESPONSE TIMES FOR EACH LEVEL OF COMPLAINT;**

6 (10) A requirement that each registered child care provider shall hold a
7 current certificate indicating successful completion of approved:

8 (i) Basic first aid training through the American Red Cross or
9 through a program with equivalent standards; and

10 (ii) Cardiopulmonary resuscitation (CPR) training through the
11 American Heart Association or through a program with equivalent standards appropriate
12 for the ages of children for whom care is provided in the family child care home or large
13 family child care home;

14 (11) A requirement that the minimum age of a family child care teacher in
15 a registered large family child care home be at least 18 years old and that an individual not
16 be precluded from being a family child care teacher solely for being 18 years old;

17 (12) (i) A requirement that a family child care home or large family child
18 care home that receives notice of a contaminated drinking water supply from the family
19 child care home's or large family child care home's supplier of water, in accordance with §
20 9-410 of the Environment Article or otherwise, send notice of the drinking water
21 contamination to the parent or legal guardian of each child attending the family child care
22 home or large family child care home; and

23 (ii) A requirement that the notice sent by the family child care home
24 or large family child care home shall:

25 1. Be sent within 10 business days after receipt of the notice
26 of contamination from the family child care home's or large family child care home's water
27 supplier;

28 2. Be in writing;

29 3. Identify the contaminants and their levels in the family
30 child care home's or large family child care home's water supply; and

31 4. Describe the family child care home's or large family child
32 care home's plan for dealing with the water contamination problem until the family child
33 care home's or large family child care home's water is determined by the appropriate
34 authority to be safe for consumption; and

1 (13) A requirement that a family child care home or large family child care
2 home prohibit the administration of corporal punishment to discipline a child.

3 (d) The State Board shall adopt regulations that:

4 (1) Require a family child care provider to have a written emergency
5 preparedness plan for emergency situations that require evacuation, sheltering in place, or
6 other protection of children such as in the event of fire, natural disaster, or other
7 threatening situation that may pose a health or safety hazard to the children in the family
8 child care home or large family child care home;

9 (2) Require the plan under item (1) of this subsection to include:

10 (i) A designated relocation site and evacuation route;

11 (ii) Procedures for notifying parents or other adults responsible for
12 the child of the relocation;

13 (iii) Procedures to address the needs of individual children including
14 children with special needs;

15 (iv) Procedures for the reassignment of staff duties during an
16 emergency, as appropriate; and

17 (v) Procedures for communicating with local emergency
18 management officials or other appropriate State or local authorities; and

19 (3) Require a family child care provider to train staff and ensure that staff
20 are familiar with the plan.

21 9.5–306.

22 (a) A registration under this subtitle may be revoked, a child care provider may
23 appeal from the revocation, and the operation of an unregistered family child care home
24 may be enjoined.

25 (b) (1) Revocation, appeal, or injunction under this subtitle shall be in
26 accordance with Subtitle 1 of this title **AND SUBJECT TO § 9.5–306.1 OF THIS SUBTITLE.**

27 (2) Subject to paragraph (1) of this subsection, the State Superintendent or
28 the State Superintendent's designee shall exercise the authority granted to the
29 Department.

30 **9.5–306.1.**

31 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
32 **INDICATED.**

1 **(2) “MARYLAND EXCELS” MEANS THE TIERED QUALITY RATING AND**
2 **IMPROVEMENT SYSTEM FOR EARLY CARE AND EDUCATION PROGRAMS**
3 **ESTABLISHED BY THE DEPARTMENT.**

4 **(3) “PUBLISHED” MEANS A MARYLAND EXCELS STATUS**
5 **INDICATING THAT THE EARLY CARE AND EDUCATION PROGRAM HAS:**

6 **(I) MET THE MARYLAND EXCELS REQUIREMENTS FOR A**
7 **SPECIFIED QUALITY RATING; AND**

8 **(II) A QUALITY RATING PUBLISHED ON THE MARYLAND**
9 **EXCELS PUBLIC PORTAL FOR PUBLIC VIEWING.**

10 **(4) “QUALITY RATING” MEANS A DETERMINATION, REPRESENTED BY**
11 **A NUMBER FROM 1 THROUGH 5, THAT A PARTICIPATING PROGRAM HAS MET THE**
12 **CRITERIA APPLICABLE TO A PARTICULAR SET OF MARYLAND EXCELS STANDARDS.**

13 **(B) IF THE DEPARTMENT DETERMINES THAT A FAMILY CHILD CARE**
14 **PROVIDER WITH A PUBLISHED MARYLAND EXCELS QUALITY RATING HAS**
15 **VIOLATED A REQUIREMENT OF THIS TITLE OR A RULE OR REGULATION ADOPTED**
16 **UNDER THIS TITLE, THE DEPARTMENT IMMEDIATELY SHALL NOTIFY THE FAMILY**
17 **CHILD CARE PROVIDER OF THE VIOLATION.**

18 **(C) THE DEPARTMENT AND THE FAMILY CHILD CARE PROVIDER SHALL**
19 **ENTER INTO AN AGREEMENT THAT DESCRIBES:**

20 **(1) THE NATURE OF THE VIOLATION;**

21 **(2) THE ACTIONS TO BE TAKEN BY THE FAMILY CHILD CARE**
22 **PROVIDER TO BECOME COMPLIANT; AND**

23 **(3) A PLAN FOR FOLLOW-UP BY THE DEPARTMENT TO ENSURE THAT**
24 **THE FAMILY CHILD CARE PROVIDER HAS RETURNED TO AND REMAINS FULLY**
25 **COMPLIANT WITH THE REQUIREMENTS OF THIS TITLE OR A RULE OR REGULATION**
26 **THAT WAS PREVIOUSLY VIOLATED.**

27 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
28 **THE DEPARTMENT MAY REDUCE OR RESCIND A PUBLISHED MARYLAND EXCELS**
29 **QUALITY RATING IF THE FAMILY CHILD CARE PROVIDER:**

30 **(I) FAILS TO COMPLY WITH THE TERMS OF THE AGREEMENT OR**
31 **OTHERWISE FAILS TO CURE THE INITIAL VIOLATION; OR**

1 (II) FAILS OR REFUSES TO ENTER INTO AN AGREEMENT.

2 (2) IF THE DEPARTMENT DETERMINES THAT THE VIOLATION DID NOT
3 INVOLVE AN IMMEDIATE RISK TO CHILD SAFETY AND THE FAMILY CHILD CARE
4 PROVIDER TIMELY RETURNED TO COMPLIANCE, THE DEPARTMENT MAY NOT
5 REDUCE THE PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE FAMILY
6 CHILD CARE PROVIDER.

7 (E) IF THE DEPARTMENT REDUCED THE PUBLISHED MARYLAND EXCELS
8 QUALITY RATING OF A FAMILY CHILD CARE PROVIDER, WITHIN 30 DAYS OF THE
9 PROVIDER RETURNING TO COMPLIANCE BY FULFILLING THE TERMS OF THE
10 AGREEMENT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE
11 DEPARTMENT SHALL RESTORE THE PUBLISHED MARYLAND EXCELS QUALITY
12 RATING OF THE FAMILY CHILD CARE PROVIDER TO THE QUALITY RATING EARNED
13 BEFORE THE VIOLATION OCCURRED.

14 9.5-404.

15 (a) The State Board shall adopt rules and regulations for licensing and operating
16 child care centers.

17 (b) These rules and regulations shall:

18 (1) Ensure safe and sanitary conditions in child care centers;

19 (2) Ensure proper care, protection, and supervision of children in child care
20 centers, INCLUDING ESTABLISHING PROCEDURES TO BE FOLLOWED BY THE
21 DEPARTMENT IN RESPONSE TO A COMPLAINT ABOUT A CHILD CARE CENTER THAT:

22 (I) MAKE USE OF A UNIFORM COMPLAINT INTAKE PROCESS;
23 AND

24 (II) IMPLEMENT A STANDARDIZED COMPLAINT PRIORITY GUIDE
25 THAT DIFFERENTIATES COMPLAINTS BY THE SERIOUSNESS OF THE ISSUE RAISED,
26 INCLUDING DEFINED RESPONSE TIMES FOR EACH LEVEL OF COMPLAINT;

27 (3) Ensure the health of children in child care centers by:

28 (i) Monitoring children for signs and symptoms of child abuse;

29 (ii) Instructing licensees and staff concerning child abuse detection
30 and reporting;

1 **(III) REQUIRING THE MAINTENANCE OF EMERGENCY**
2 **INFORMATION FROM A CHILD’S PARENT OR GUARDIAN THAT IS UPDATED AS NEEDED**
3 **AND REVIEWED BY THE PARENT OR GUARDIAN AT LEAST ONCE EACH YEAR;**

4 ~~[(iii)]~~ **(IV)** Monitoring health practices to help prevent the spread of
5 disease;

6 ~~[(iv)]~~ **(V)** Monitoring the care of infants and children with special
7 needs; and

8 ~~[(v)]~~ **(VI)** Prohibiting the administration of corporal punishment to
9 discipline a child;

10 (4) Promote the sound growth and development of children in child care
11 centers;

12 (5) Promote proper nutrition and developmentally appropriate practices
13 by:

14 (i) Establishing training and policies promoting breast-feeding;

15 (ii) 1. Requiring compliance with the United States Department
16 of Agriculture Child and Adult Care Food Program standards for beverages served to
17 children, except that milk that is not nonfat or low fat may be ordered by a health care
18 practitioner or requested by a parent or guardian; and

19 2. Prohibiting beverages other than infant formula that
20 contain added sweetener or caffeine; and

21 (iii) Setting limits on screen time;

22 (6) Carry out otherwise the purposes and requirements of this subtitle,
23 including, **WHEN NECESSARY, BY ENFORCEMENT THROUGH:**

24 **(I)** **THE** imposition of intermediate sanctions to ensure compliance;

25 **(II)** **ALTERATIONS IN THE MARYLAND EXCELS QUALITY**
26 **RATING IN ACCORDANCE WITH § 9.5–411.1 OF THIS SUBTITLE; AND**

27 **(III)** **INDIVIDUALIZED PENALTIES IN ACCORDANCE WITH §**
28 **9.5–411.2 OF THIS SUBTITLE;**

29 (7) Prohibit a child from remaining at a child care center for more than 14
30 hours in 1 day unless the Department issues an exception for that child based on guidelines
31 set by the State Superintendent;

1 (8) (i) Require that a child care center have in attendance at all times
2 at least 1 individual who is responsible for supervision of children, including children on
3 field trips, and who holds a current certificate indicating successful completion of approved:

4 1. Basic first aid training through the American Red Cross
5 or through a program with equivalent standards; and

6 2. Cardiopulmonary resuscitation (CPR) training through
7 the American Heart Association or through a program with equivalent standards
8 appropriate for the ages of children for whom care is provided in the child care center; and

9 (ii) Require that a child care center serving more than 20 children
10 have in attendance certificate holders described in item (i) of this item in a ratio of
11 certificate holders to children set by the Department;

12 (9) Require that [the minimum age of a child care teacher in a child care
13 center be] **A CHILD CARE TEACHER IN A CHILD CARE CENTER:**

14 **(I) BE** at least 18 years old and [an individual] may not be
15 precluded from being a child care teacher solely for being 18 years old;

16 **(II) COMPLETE ACTIVE SUPERVISION TRAINING WITHIN 90**
17 **DAYS AFTER BEING HIRED AS A CHILD CARE TEACHER; AND**

18 **(III) MEET EXPERIENTIAL AND EDUCATIONAL REQUIREMENTS**
19 **THAT REQUIRE NOT MORE THAN 6 MONTHS OR 750 HOURS OF WORK WITH YOUNG**
20 **CHILDREN IN A SUPERVISORY SETTING;**

21 (10) (i) Require that a child care center that receives notice of a
22 contaminated drinking water supply from the child care center's supplier of water, in
23 accordance with § 9-410 of the Environment Article or otherwise, send notice of the
24 drinking water contamination to the parent or legal guardian of each child attending the
25 child care center; and

26 (ii) Require that the notice sent by the child care center shall:

27 1. Be sent within 10 business days after receipt of the notice
28 of contamination from the child care center's water supplier;

29 2. Be in writing;

30 3. Identify the contaminants and their levels in the center's
31 water supply; and

1 4. Describe the child care center’s plan for dealing with the
2 water contamination problem until the child care center’s water is determined by the
3 appropriate authority to be safe for consumption;

4 (11) (i) Require a child care center to have a written emergency
5 preparedness plan for emergency situations that require evacuation, sheltering in place, or
6 other protection of children, such as in the event of fire, natural disaster, or other
7 threatening situation that may pose a health or safety hazard to the children in the child
8 care center;

9 (ii) Require the plan under item (i) of this item to include:

10 1. A designated relocation site and evacuation route;

11 2. Procedures for notifying parents or other adults
12 responsible for the child of the relocation;

13 3. Procedures to address the needs of individual children,
14 including children with special needs;

15 4. Procedures for the reassignment of staff duties during an
16 emergency, as appropriate; and

17 5. Procedures for communicating with local emergency
18 management officials or other appropriate State or local authorities; and

19 (iii) Require a child care center to train staff and ensure that staff are
20 familiar with the plan;

21 (12) Require a child care center to have window coverings in accordance with
22 § 5–505 of the Family Law Article; and

23 (13) Subject to subsection (c) of this section, establish probationary
24 employment qualifications for an individual who is applying for the first time to be a child
25 care teacher in a child care center in the State that serves preschool or school–age children
26 who are at least 3 years old.

27 (c) (1) The probationary employment qualifications established under
28 subsection (b)(13) of this section shall allow an individual to be employed as a child care
29 teacher during a probationary period if the individual:

30 (i) 1. Is enrolled in approved pre–service training;

31 2. Successfully completes the required 90 hours of the
32 approved pre–service training within 6 months after being hired; and

33 3. Holds an associate degree or a bachelor’s degree in:

- 1 A. Early childhood education;
- 2 B. Elementary education;
- 3 C. Child development;
- 4 D. Home economics;
- 5 E. Nursing;
- 6 F. Social work;
- 7 G. Special education; or
- 8 H. A related field approved by the Department; or

9 (ii) 1. Is enrolled in approved pre-service training;

10 2. Has successfully completed at least 45 hours of the
11 approved pre-service training at the time the child care center hires the individual;

12 3. Successfully completes the remaining hours of the
13 pre-service training within 6 months after being hired; and

14 4. Holds an associate degree or a bachelor's degree in a field
15 other than a field listed under item (i)3 of this paragraph.

16 (2) If, at the end of the 6-month probationary period, an individual
17 described in paragraph (1) of this subsection has not completed the required pre-service
18 training, the child care center shall, with no further cause, terminate the individual or
19 reassign the individual to a nonteaching position.

20 9.5-411.

21 (a) Subject to the hearing requirements of this section, the Department may deny
22 a license or letter of compliance to any applicant or deny approval for a change under §
23 9.5-408 of this subtitle if the applicant or proposed change does not meet the requirements
24 of this subtitle.

25 (b) **(1)** Subject to the hearing requirements of this section and § 9.5-415 of this
26 subtitle **AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, the State
27 Superintendent may suspend or revoke a license or letter of compliance if the licensee:

28 **[(1)] (I)** Violates a provision of this subtitle or any rule or regulation
29 adopted under it; or

1 **[(2)] (II)** Does not meet the current requirements for a new license or
2 letter of compliance.

3 **(2) IF A LICENSEE OR LETTER HOLDER VIOLATES A RULE OR**
4 **REGULATION ADOPTED UNDER THIS TITLE WITHIN THE FIRST YEAR OF ADOPTION**
5 **BY THE DEPARTMENT:**

6 **(I) FOR THE FIRST VIOLATION, THE DEPARTMENT SHALL**
7 **WARN THE LICENSEE OR LETTER HOLDER AND DISCUSS THE TERMS OF THE NEW**
8 **RULE OR REGULATION; AND**

9 **(II) FOR SUBSEQUENT VIOLATIONS, THE DEPARTMENT MAY**
10 **IMPOSE ON THE LICENSEE OR LETTER HOLDER A PENALTY AUTHORIZED UNDER**
11 **THIS TITLE.**

12 (c) (1) Except as otherwise provided in subsection (d) of this section, before
13 any action is taken under this section, the State Superintendent shall give the individual
14 against whom the action is contemplated an opportunity for a public hearing before the
15 State Superintendent.

16 (2) The hearing notice to be given to the individual shall be sent at least 10
17 days before the hearing.

18 (3) The individual may be represented at the hearing by counsel.

19 (d) (1) (i) The State Superintendent may suspend the license or letter of
20 compliance to operate a child care center on an emergency basis when the State
21 Superintendent determines that this action is required to protect the health, safety, or
22 welfare of a child in the child care center.

23 (ii) When the State Superintendent suspends a license or letter of
24 compliance on an emergency basis, the State Superintendent shall deliver written notice of
25 the suspension to the licensee stating the regulatory basis for the suspension.

26 (2) (i) Upon delivery of the emergency suspension notice, the licensee
27 or letter holder shall cease immediately operation of the child care center.

28 (ii) The licensee or letter holder may request a hearing before the
29 State Superintendent.

30 (3) (i) If a hearing is requested by the licensee or letter holder, the State
31 Superintendent shall hold a hearing within 7 calendar days of the request for a hearing.
32 The hearing shall be held in accordance with the Administrative Procedure Act.

33 (ii) Within 7 calendar days of the hearing a decision concerning the
34 emergency suspension shall be made by the State Superintendent.

1 (4) If the emergency suspension order is upheld by the State
2 Superintendent, the licensee or letter holder shall continue to cease operations until it is
3 determined that the health, safety, or welfare of a child in the child care center is no longer
4 threatened.

5 (5) Any person aggrieved by a decision of the State Superintendent to
6 uphold an emergency suspension may appeal that decision directly to the circuit court in
7 the county in which the child care center is located.

8 (e) The State Superintendent may petition the circuit court in the county in which
9 the child care center is located to enjoin the activities and operations of a person who
10 operates a child care center without a license or letter of compliance as required by this
11 subtitle, including when a license or letter of compliance has been denied, revoked, or
12 suspended in accordance with this subtitle.

13 **9.5-411.1.**

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (2) "MARYLAND EXCELS" HAS THE MEANING STATED IN § 9.5-306.1
17 OF THIS TITLE.

18 (3) "PUBLISHED" HAS THE MEANING STATED IN § 9.5-306.1 OF THIS
19 TITLE.

20 (4) "QUALITY RATING" HAS THE MEANING STATED IN § 9.5-306.1 OF
21 THIS TITLE.

22 (B) IF THE DEPARTMENT DETERMINES THAT A CHILD CARE CENTER WITH
23 A PUBLISHED MARYLAND EXCELS QUALITY RATING HAS VIOLATED A
24 REQUIREMENT OF THIS TITLE OR A RULE OR REGULATION ADOPTED UNDER THIS
25 TITLE, THE DEPARTMENT IMMEDIATELY SHALL NOTIFY THE OPERATOR OF THE
26 CHILD CARE CENTER OF THE VIOLATION.

27 (C) THE DEPARTMENT AND THE OPERATOR OF THE CHILD CARE CENTER
28 SHALL ENTER INTO AN AGREEMENT THAT DESCRIBES:

29 (1) THE NATURE OF THE VIOLATION;

30 (2) THE ACTIONS TO BE TAKEN BY THE CHILD CARE CENTER TO
31 BECOME COMPLIANT; AND

1 **(3) A PLAN FOR FOLLOW-UP BY THE DEPARTMENT TO ENSURE THAT**
2 **THE CHILD CARE CENTER HAS RETURNED TO AND REMAINS FULLY COMPLIANT WITH**
3 **REQUIREMENTS OF THIS TITLE OR A RULE OR REGULATION THAT WAS PREVIOUSLY**
4 **VIOLATED.**

5 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
6 **THE DEPARTMENT MAY REDUCE OR RESCIND A PUBLISHED MARYLAND EXCELS**
7 **QUALITY RATING IF THE CHILD CARE CENTER:**

8 **(I) FAILS TO COMPLY WITH THE TERMS OF THE AGREEMENT OR**
9 **OTHERWISE FAILS TO CURE THE INITIAL VIOLATION; OR**

10 **(II) FAILS OR REFUSES TO ENTER INTO AN AGREEMENT.**

11 **(2) IF THE DEPARTMENT DETERMINES THAT THE VIOLATION DID NOT**
12 **INVOLVE AN IMMEDIATE RISK TO CHILD SAFETY AND THE CHILD CARE CENTER**
13 **TIMELY RETURNED TO COMPLIANCE, THE DEPARTMENT MAY NOT REDUCE THE**
14 **PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE CHILD CARE CENTER.**

15 **(E) IF THE DEPARTMENT REDUCES THE PUBLISHED MARYLAND EXCELS**
16 **QUALITY RATING OF A CHILD CARE CENTER, WITHIN 30 DAYS AFTER THE CENTER**
17 **RETURNS TO COMPLIANCE BY FULFILLING THE TERMS OF THE AGREEMENT**
18 **REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL**
19 **RESTORE THE PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE CHILD**
20 **CARE CENTER TO THE QUALITY RATING EARNED BEFORE THE VIOLATION**
21 **OCCURRED.**

22 **(F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE ABILITY**
23 **OF THE STATE SUPERINTENDENT TO SUSPEND A LICENSE OR LETTER OF**
24 **COMPLIANCE ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY, OR**
25 **WELFARE OF CHILDREN IN ACCORDANCE WITH § 9.5-411 OF THIS SUBTITLE.**

26 **9.5-411.2.**

27 **(A) IN THIS SECTION, “FAILURE TO SUPERVISE” MEANS THE FAILURE OF AN**
28 **INDIVIDUAL RESPONSIBLE FOR OVERSEEING THE WELL-BEING OF CHILDREN TO**
29 **MONITOR PROPERLY OR PROTECT THE CHILDREN IN THE INDIVIDUAL’S CARE.**

30 **(B) IF THE STATE SUPERINTENDENT DETERMINES THAT AN INDIVIDUAL**
31 **MAY NOT BE EMPLOYED BY A CHILD CARE OPERATOR DUE TO A FINDING OF A**
32 **FAILURE TO SUPERVISE, THE STATE SUPERINTENDENT SHALL PROVIDE WRITTEN**
33 **NOTICE TO THE INDIVIDUAL AND THE CHILD CARE CENTER OPERATOR THAT**
34 **INCLUDES:**

1 **(1) A STATEMENT OF THE FINDING; AND**

2 **(2) THE REASONS FOR THE FINDING.**

3 **(C) THE DEPARTMENT SHALL MAINTAIN A LIST OF INDIVIDUALS WHO ARE**
4 **PROHIBITED FROM EMPLOYMENT IN A CHILD CARE CENTER DUE TO A FAILURE TO**
5 **SUPERVISE UNDER SUBSECTION (B) OF THIS SECTION.**

6 **(D) (1) AN INDIVIDUAL PROHIBITED FROM EMPLOYMENT ON THE LIST**
7 **UNDER SUBSECTION (C) OF THIS SECTION MAY REQUEST A CONDUCT**
8 **REASSESSMENT AND REMOVAL FROM THE LIST IF THE INDIVIDUAL:**

9 **(I) SUBMITS A WRITTEN REQUEST TO THE DEPARTMENT,**
10 **INCLUDING ANY DOCUMENTATION REQUIRED BY THE DEPARTMENT;**

11 **(II) COMPLETES ACTIVE SUPERVISION TRAINING APPROVED BY**
12 **THE DEPARTMENT; AND**

13 **(III) COMPLETES ANY OTHER CORRECTIVE ACTIONS REQUIRED**
14 **BY THE DEPARTMENT.**

15 **(2) IF AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION**
16 **COMPLETES THE REQUIREMENTS ESTABLISHED BY THE DEPARTMENT TO THE**
17 **SATISFACTION OF THE STATE SUPERINTENDENT, THE INDIVIDUAL SHALL BE**
18 **REMOVED FROM THE LIST UNDER SUBSECTION (C) OF THIS SECTION AND ELIGIBLE**
19 **FOR EMPLOYMENT AT A CHILD CARE CENTER.**

20 **(E) IF THE STATE SUPERINTENDENT DETERMINES THAT A VIOLATION OF**
21 **THIS TITLE OR A RULE OR REGULATION ADOPTED UNDER THIS TITLE FOR A FAILURE**
22 **TO SUPERVISE WAS DUE ONLY TO THE CONDUCT OF AN INDIVIDUAL PROHIBITED**
23 **FROM EMPLOYMENT UNDER SUBSECTION (B) OF THIS SECTION, THE STATE**
24 **SUPERINTENDENT MAY NOT SANCTION THE CHILD CARE CENTER FOR THE**
25 **VIOLATION.**

26 **(F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE ABILITY**
27 **OF THE STATE SUPERINTENDENT TO SUSPEND A LICENSE OR LETTER OF**
28 **COMPLIANCE ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY, OR**
29 **WELFARE OF CHILDREN IN ACCORDANCE WITH § 9.5-411 OF THIS SUBTITLE.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That:

31 (a) There is a Workgroup to Study Illegally Provided Child Care.

1 (b) The Workgroup consists of the following members:

2 (1) two members of the Senate of Maryland, appointed by the President of
3 the Senate;

4 (2) two members of the House of Delegates, appointed by the Speaker of
5 the House;

6 (3) the State Superintendent of Schools, or the Superintendent's designee;

7 (4) the Secretary of Human Services, or the Secretary's designee;

8 (5) one representative of the Maryland Family Network, designated by the
9 Executive Director of the Maryland Family Network;

10 (6) one representative of the Maryland State Child Care Association,
11 designated by the President of the Maryland State Child Care Association;

12 (7) one representative of the Maryland State Family Child Care
13 Association, designated by the President of the Maryland State Family Child Care
14 Association;

15 (8) one representative of the Maryland Head Start Association, designated
16 by the President of the Maryland Head Start Association;

17 (9) one representative of the Latino Child Care Association of Maryland,
18 Inc., designated by the President of the Latino Child Care Association of Maryland, Inc.;
19 and

20 (10) the following members appointed by the Governor:

21 (i) two parents of children enrolled in the Child Care Scholarship
22 Program;

23 (ii) two representatives from child care providers that:

24 1. serve children under the age of 5 years; and

25 2. accept scholarships from the Child Care Scholarship
26 Program;

27 (iii) one representative of a labor union that represents child care
28 workers;

29 (iv) two representatives of law enforcement; and

1 (v) two nonvoting representatives of national child care policy
2 organizations with expertise in state child care financing models.

3 (c) The State Superintendent of Schools shall designate the chair of the
4 Workgroup.

5 (d) The State Department of Education shall provide staff for the Workgroup.

6 (e) A member of the Workgroup:

7 (1) may not receive compensation as a member of the Workgroup; but

8 (2) is entitled to reimbursement for expenses under the Standard State
9 Travel Regulations, as provided in the State budget.

10 (f) The Workgroup shall study and make recommendations about the scale and
11 impacts of illegally provided child care in the State, including:

12 (1) the number, geographic location, socioeconomic status, race, ethnicity,
13 and disability status of children who lack access to safe, regulated child care;

14 (2) the impact of illegally provided care on family child care homes, large
15 family child care homes, child care centers, and the child care industry as a whole;

16 (3) barriers to registration or licensure for child care providers and the best
17 practices to remove identified barriers, including greater assistance to providers, improved
18 communication between regulators and providers, or regulatory or statutory changes;

19 (4) the distinct, documented risks to the health and safety of children of
20 illegally provided child care and potential health and safety risks that illegally provided
21 child care could pose to children; and

22 (5) any legal changes necessary to prevent illegally provided child care,
23 including any statutory or regulatory changes necessary to ease the investigation and
24 enforcement of existing State law.

25 (g) (1) On or before January 1, 2027, the Workgroup shall submit an interim
26 report on its findings and recommendations to the Governor and, in accordance with §
27 2–1257 of the State Government Article, the General Assembly.

28 (2) On or before December 1, 2028, the Workgroup shall submit a final
29 report on its findings and recommendations to the Governor and, in accordance with §
30 2–1257 of the State Government Article, the General Assembly.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2026. Section 2 of this Act shall remain effective for a period of 3 years and, at the end of

1 June 30, 2029, Section 2 of this Act, with no further action required by the General
2 Assembly, shall be abrogated and of no further force and effect.