



Bill Number: S.B. 1102

McComish Floor Amendment

Reference to: printed bill

Amendment drafted by: Marianne Yamnik

FLOOR AMENDMENT EXPLANATION

The McComish Floor amendment does the following:

- Allows child care facilities that use an educational philosophy that includes least restrictive environment as outlined to incorporate the minimum school facility adequacy guidelines if there are no conflicts with the requirements established by the Department of Health Services (DHS).
- Permits these facilities that provide day care services for infants to use floor bedding instead of cribs if the following requirements are met:
 - a) the bedding meets certain specifications for size and placement and adheres to cleanliness provisions;
 - b) the ratio in the resting area is at least one staff member to every four infants and requires staff to have CPR and First Aid certifications;
 - c) new staff members are supervised for the first 90 days of employment to ensure compliance with bedding requirements; and
 - d) the facilities give DHS 30-day notice before implementing the use of floor bedding.
- Outlines emergency evacuation procedures and allows DHS to require the use of cribs if a facility does not comply with these requirements.

Amendment explanation prepared by Marianne Yamnik

3/3/2014

MCCOMISH FLOOR AMENDMENT

SENATE AMENDMENTS TO S.B. 1102

(Reference to printed bill)

1 Page 10, between lines 13 and 14, insert:

2 "J. A CHILD CARE FACILITY THAT PROVIDES SERVICES UTILIZING THE PRACTICE
3 OF A DOCUMENTED EDUCATIONAL PHILOSOPHY INCLUDING LEAST RESTRICTIVE
4 ENVIRONMENT PURSUANT TO SECTION 36-883.05 MAY INCORPORATE THE MINIMUM SCHOOL
5 FACILITY ADEQUACY GUIDELINES PURSUANT TO SUBSECTION F OF THIS SECTION WHEN
6 SELECTING A FACILITY IF THE GUIDELINES DO NOT CONFLICT WITH FACILITY
7 REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF HEALTH SERVICES."

8 Page 18, after line 15, insert:

9 "Sec. 5. Title 36, chapter 7.1, article 1, Arizona Revised Statutes,
10 is amended by adding section 36-883.05, to read:

11 36-883.05. Child care facilities; infants; floor bedding;
12 requirements; emergency evacuation; notice; definitions

13 A. A CHILD CARE FACILITY THAT PROVIDES CHILD CARE SERVICES UTILIZING
14 THE PRACTICE OF A DOCUMENTED EDUCATIONAL PHILOSOPHY INCLUDING LEAST
15 RESTRICTIVE ENVIRONMENT FOR INFANTS AND MEETS THE REQUIREMENTS OF THIS
16 SECTION MAY USE FLOOR BEDDING IN THE FACILITY INSTEAD OF CRIBS.

17 B. FLOOR BEDDING PURSUANT TO SUBSECTION A OF THIS SECTION MUST MEET
18 ALL OF THE FOLLOWING REQUIREMENTS:

19 1. BE A MAT THAT MEETS THE FOLLOWING DIMENSIONS:

20 (a) IS NOT LESS THAN TWO INCHES AND NOT MORE THAN THREE INCHES THICK.

21 (b) IS NOT LESS THAN THREE FEET AND NOT MORE THAN FOUR FEET LONG.

22 (c) IS NOT LESS THAN TWO FEET AND NOT MORE THAN THREE FEET WIDE.

23 2. NOT BE ELEVATED OR RAISED IN ANY WAY.

24 3. BE COVERED WITH A WATERPROOF AND WASHABLE MATTRESS PAD, A WASHABLE
25 ZIP COVER AND AN INDIVIDUALLY ASSIGNED SHEET.

26 4. BE ASSIGNED TO AN INDIVIDUAL INFANT AND NOT SHARED WITH ANOTHER
27 INFANT.

28 5. BE TURNED OVER AT LEAST ONCE A WEEK.

1 6. BE PLACED AT LEAST EIGHTEEN INCHES APART, EIGHTEEN INCHES FROM ANY
2 WALL AND TWO FEET FROM ANY OTHER OBJECT.

3 7. BE PLACED ON A FLOOR THAT IS VACUUMED AND SANITIZED EVERY DAY AND,
4 IF THE FLOOR IS CARPETED, IS SHAMPOOED AT LEAST TWICE A MONTH.

5 C. THE RATIO OF STAFF MEMBERS TO RESTING INFANTS IN THE RESTING AREA
6 MUST BE AT LEAST ONE STAFF MEMBER TO EVERY FOUR INFANTS. A STAFF MEMBER IN
7 THE RESTING AREA MUST BE SUPERVISED FOR THE FIRST NINETY DAYS OF EMPLOYMENT
8 TO ENSURE THE STAFF MEMBER'S PROPER USE OF THE FLOOR BEDDING PURSUANT TO THIS
9 SECTION. ANY STAFF MEMBER IN THE RESTING AREA SHALL HAVE CURRENT
10 CERTIFICATION IN CARDIOPULMONARY RESUSCITATION AND FIRST AID.

11 D. IF AN EMERGENCY REQUIRING EVACUATION OCCURS, THE INFANT NURSERY
12 STAFF SHALL PLACE THE INFANTS IN AN EVACUATION CRIB AND MOVE THE INFANTS IN
13 THE CRIB TO A DESIGNATED EVACUATION ASSEMBLY AREA. EVACUATION CRIBS MUST BE
14 STORED NOT MORE THAN TEN FEET FROM THE EXTERIOR EXIT. IF STORED ON THE
15 OUTSIDE OF THE BUILDING, AN EVACUATION CRIB MUST BE PROTECTED FROM WEATHER.
16 ON ARRIVAL AT THE DESIGNATED EVACUATION ASSEMBLY AREA, ALL INFANTS MUST BE
17 PHYSICALLY ACCOUNTED FOR AGAINST THE SIGN-IN LOG AND THE RESULTS REPORTED TO
18 THE DIRECTOR OF THE CHILD CARE FACILITY IMMEDIATELY. THE INFANT NURSERY
19 SUPERVISOR IS RESPONSIBLE FOR BRINGING ALL ATTENDANCE SHEETS, CHILD ROSTERS
20 AND INFORMATION SHEETS TO THE EVACUATION ASSEMBLY AREA. THE CHILD CARE
21 FACILITY STAFF SHALL TAKE APPROPRIATE SUPPLIES DURING THE EVACUATION TO
22 PROTECT THE CHILDREN, IF POSSIBLE, DURING INCLEMENT WEATHER.

23 E. A FACILITY SHALL PROVIDE THE DEPARTMENT WRITTEN NOTICE THIRTY DAYS
24 BEFORE IMPLEMENTING THE USE OF FLOOR BEDDING PURSUANT TO THIS SECTION.

25 F. IF A LICENSED FACILITY DOES NOT COMPLY WITH THE REQUIREMENTS OF
26 THIS SECTION, THE DEPARTMENT MAY REQUIRE THE INSTALLATION OF CRIBS.

27 G. A CHILD CARE FACILITY THAT PROVIDES SERVICES UTILIZING THE PRACTICE
28 OF A DOCUMENTED EDUCATIONAL PHILOSOPHY INCLUDING LEAST RESTRICTIVE
29 ENVIRONMENT MAY INCORPORATE THE MINIMUM SCHOOL FACILITY ADEQUACY GUIDELINES
30 PURSUANT TO SECTION 15-2011 WHEN SELECTING A FACILITY IF THE GUIDELINES DO

1 NOT CONFLICT WITH FACILITY REQUIREMENTS ESTABLISHED BY THE ARIZONA DEPARTMENT
2 OF HEALTH SERVICES.

3 H. FOR THE PURPOSES OF THIS SECTION:

4 1. 'INFANT' MEANS EITHER:

5 (a) A CHILD TWELVE MONTHS OR YOUNGER.

6 (b) A CHILD EIGHTEEN MONTHS OR YOUNGER IF NOT WALKING.

7 2. 'RESTING AREA' MEANS A SPACE WITHIN THE CLASSROOM SEPARATE FROM THE
8 ACTIVITY AREA THAT CONTAINS ONLY THE FLOOR BEDDING, INFANTS AND STAFF
9 MEMBERS.”

10 Amend title to conform

3/3/14
10:20 AM
S: MY/tf