

131st Legislature
***Senate of
Maine***
Senate District 6

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Good afternoon, Senator Baldacci, Representative Meyer, and distinguished members of the Health and Human Services Joint Standing Committee My name is Marianne Moore I proudly represent Senate District 6, which includes all of Washington County along with 16 Communities in Eastern Hancock County as well

I am here to introduce LD 1729, “*An Act to Reduce Childcare Provider Regulation*”

As Legislators traveling the State, we continue to hear about the shortage of childcare availability Time and time again when we discuss the State’s workforce shortage, childcare availability quickly becomes a point of discussion to get folks back to work With the help of the Maine Policy Institute, I put in this bill to propose modifications to the Childcare Regulations in an effort to modify current regulations and open opportunities for expansion without endangering our children

This bill amends the laws related to childcare providers as follows

- 1 It establishes the Childcare Appeal Review Panel to review and make determinations of disputes between the Department of Health and Human Services (DHHS) and a childcare facility, family childcare provider or nursery school relating to compliance with licensing or certification, complaints and disputes This gives providers recourse who believe the department or licensing board is acting unfairly against their facility
- 2 It requires the department to establish payment rates for childcare services that are at least equal to (rather than “up to”) the 75th percentile of local market rates and requires that payment rates for childcare services for children with special needs be higher (rather than “may be”) than the 75th percentile
- 3 It establishes a license for a period of 5 years to a childcare facility or family childcare provider that has been continuously in operation for at least 5 years and has completed satisfactory inspections
- 4 It limits an inspection as a result of a complaint to the substance of the complaint itself

- 5 It authorizes conditional employment for up to 90 days for an individual working in a childcare facility
- 6 It authorizes a recipient of a childcare subsidy provided by the department to pay the difference (out of pocket) between the amount of the subsidy and the amount charged by the childcare provider
- 7 It amends the definitions of "family childcare provider," "nursery school" and "small childcare facility" to increase the minimum number of children from 3 to 5 without licensure. In addition, if a family provider is caring for their own children, they may watch up to 4 other children without needing certification. (Allowing a neighborhood babysitter to watch four children without becoming a licensed provider is truly the least the State can do to support the availability of childcare. The latest report from the National Center on Early Childhood Quality Assurance, published in July 2022, found that 28 states set the threshold for licensure at 4 or more children which are not under the provider's guardianship.)
- 8 It removes the authority of the department to publish certain information regarding an investigation on the department's publicly accessible website
- 9 It requires the department to develop a plan for a sliding scale of income and subsidy to eliminate the so-called welfare cliff
- 10 It requires the department to amend its rules for childcare facilities and family childcare providers in order to change staff-child ratios and change requirements relating to inspections and the licensing process, among other changes

We have heard time and time again during previous testimonies how onerous the licensing process is as it relates to childcare providers. My hope with this bill is to make changes to the regulations in a way to encourage more participation in this much needed vocation.

I ask for your support and will attempt to answer any questions.

Thank you!