

REVISOR'S NOTE: Subsections (a) and (b) of this section formerly appeared as Article 88A, § 32E(c).

Subsection (c) of this section formerly appeared as the third sentence of Article 88A, § 32D.

The only changes are in style.

The second sentence of former Article 88A, § 32D, which provided that "there is established a system for registration of family day care homes", is deleted in light of subsection (a) of this section.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that, despite subsection (b)(4) of this section and the use of the term "registration", this Part V of this subtitle creates a license requirement and a licensing procedure. The Commission retained subsection (b)(4) of this section and the term "registration" solely because they were added to the Code by 1982 legislation.

Defined terms: "Day care provider" § 5-501
"Department" § 5-101 "Family day care" § 5-501
"Family day care home" § 5-501

5-551. RULES AND REGULATIONS.

(A) DUTY OF DEPARTMENT.

THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS THAT RELATE TO THE REGISTRATION OF FAMILY DAY CARE HOMES.

(B) UNIFORMITY WITH OTHER RULES AND REGULATIONS REQUIRED.

SO FAR AS PRACTICABLE, THE RULES AND REGULATIONS SHALL BE UNIFORM WITH THE RULES AND REGULATIONS ADOPTED BY OTHER STATE AGENCIES AS THOSE RULES AND REGULATIONS RELATE TO OTHER TYPES OF DAY CARE.

(C) REQUIRED SCOPE.

AT A MINIMUM, THE RULES AND REGULATIONS SHALL PROVIDE FOR:

(1) MINIMUM STANDARDS OF ENVIRONMENTAL HEALTH AND SAFETY, INCLUDING PROVISIONS FOR:

- (I) ADEQUATE AND SAFE PHYSICAL SURROUNDINGS;
- (II) THE PHYSICAL AND MENTAL HEALTH OF DAY CARE PROVIDERS; AND
- (III) INVESTIGATION OF ANY CRIMINAL RECORD OF A DAY CARE PROVIDER;