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SB-722 Daycare facilities: incidental medical services plans. (2023-2024)

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Senate Bill No. 722

CHAPTER 631

An act to add Section 1596.802 to the Health and Safety Code, relating to daycare facilities.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 722, Ochoa Bogh. Daycare facilities: incidental medical services plans.

Existing law, the California Child Day Care Facilities Act, administered by the State Department of Social Services, provides for the licensure and regulation of child daycare facilities, as defined. Existing regulations impose various requirements on child daycare facilities, including, among others, the administration of medication to children. A willful or repeated violation of these provisions is a misdemeanor.

This bill would require the department, on or before January 1, 2025, to create a template form for plans of operations and incidental medical services plans. The bill would also require the department, upon completion of these template forms, to revise its regulations, notices, practices, and bulletins to eliminate any requirement that an incidental medical services plan or amended plan of operation be approved before a child with exceptional needs, as defined, is allowed to attend a child daycare or child development program. The bill would authorize a licensed child daycare facility that submits to the department a completed incidental medical services plan using the template form described above to enroll a child prior to departmental approval of the plan.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1596.802 is added to the Health and Safety Code, to read:

1596.802. Notwithstanding any other law, on or before January 1, 2025, the department shall do all of the following:

(a) Create a template form for plans of operations.

(b) Create a template form for incidental medical services plans.

(c) Upon completion of the templates described in subdivisions (a) and (b), revise its regulations, notices, practices, and bulletins to eliminate any requirement that an incidental medical services plan or amended plan of operation be approved before a child with exceptional needs as defined in Section 8205 of the Education Code is allowed to attend a child daycare or child development program.

(d) A licensed child daycare facility that submits to the department a completed incidental medical services plan using the form created pursuant to subdivision (b) may enroll a child prior to departmental approval of the plan.