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February 6, 2014

Senator Kathy Campbell, Chair  
Health and Human Services Committee

RE: LB1050

Good afternoon, Madam Chair and members of the Health and Human Services Committee. My name is Jen Goettemoeller and I am here on behalf of First Five Nebraska to urge your support of LB1050 along with AM1827.

As Senator Campbell mentioned, this bill ensures that all child care providers who are required to be licensed by the State of Nebraska have a health and safety inspection prior to being issued a license. Current law allows for Family Child Care Home I providers to obtain licenses before undergoing basic health and safety inspections.

Specifically, current law allows applicants to self-certify that they are in compliance with all health and safety regulations and then gives the Department of Health and Human Services 60 days to complete the inspection after the license is granted.

This is in contrast to all other licensed child care providers in the state, including Family Child Care Home II providers that are required to have the inspection prior to the issuance of their license.

Likewise, AM1827 updates the law to include an inspection at the time of any amendment to a license due to a new owner or location for Family Home I providers, which will be consistent with Family Home II providers and Child Care Centers.

The difference between a Family Home I and a Family Home II is only a few children.

Family Child Care Home I's are licensed to provide a child care program in the licensee's residence to at least four but not more than eight children, except that a licensee may be approved to serve up to two additional school-age children during non-school hours if no more than two of the other children in care are under 18 months of age.

Family Child Care Home II's are licensed to provide a child care program for at least four, but not more than 12 children. A Family Child Care Home II may be located in the licensee's residence or another location.

As you can see, these child care programs are very similar and their licensing processes should be consistent as well.

When parents select a new Family Home I provider to care for their children, they may not be aware that the license was granted without an inspection and they likely consider the license to imply their children are in a safe and healthy place.

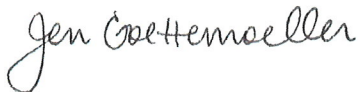
Although a significant majority of providers pass these inspections without incident, a small number of licenses have been granted to homes with unsafe and unsanitary conditions that are not easily remedied. As you can see in the attachment, some serious violations of health and safety requirements over the past six years have included no running water, no hot water, no electricity, fire safety hazards, no second exit, infestation of roaches/rodents, unlocked fire arms, etc. These are not small offenses, but serious issues from which Nebraska's kids need to be protected.

**When a license is issued from the State of Nebraska it should mean what it already implies to parents – that the state has done its due diligence and has deemed the location safe for kids.**

LB1050 will protect children and provide families the assurance that all licensed childcare providers meet basic health and safety standards upon licensure. And it will bring consistency into the law with the same health and safety requirements for all licensed providers in the state.

First Five Nebraska urges your support of LB1050 along with AM1827. Please advance it to the floor for full consideration.

Thank you,



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Attachment

**DATA ON DISCIPLINARY ACTIONS  
COMPLETED ON  
PROVISIONAL FAMILY CHILD CARE HOME I LICENSEES  
1/1/2008 THROUGH 12/31/2013**

<b>Serious Disciplinary Action*</b>	<b># of Actions</b>
Suspension of License	25
Revocation of License	15
Emergency Order – Suspension of License	5
Emergency Order – Revocation of License	2

\* These actions were initiated as a result of the home of the licensee being in serious violation of health and safety requirements: no running water, no hot water, no electricity, fire safety hazards, no second exit, infestation of roaches/rodents, unlocked fire arms, etc.

Had the Department been able to conduct a prior to license inspections, these conditions would have had to be remedied before a license could be issued. Children served in these Family Child Care Homes were at risk for serious health issues and injuries.

In addition, the Department completed the following negative and less serious disciplinary actions on Provisional Family Child Care Home I licensees:

**Negative Actions:**

- Licensing Agreement: 72
- Corrective Action Status: 5

**Disciplinary Actions**

- Civil Penalty with no other conditions: 6
- Limitations on License: 4

**LICENSE ISSUANCE TIMELINE**

Family Child Care Home I: If packet submitted to the Department is accurate and complete, a license is typically issued in 30 days.

Family Child Care Home II: If packet submitted to the Department is accurate and complete and the licensee is in compliance with Fire Safety and Child Care Licensing Regulations, a license is typically issued in 60 – 75 days.

The difference in the time needed to issue a license to a Family Child Care Home II is the time needed to make a referral and conduct the Fire Safety Inspection and the Inspection a Child Care Licensing Inspection