

# SENATE BILL No. 182

February 23, 2017, Introduced by Senators HOPGOOD, HILDENBRAND and SCHUITMAKER and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1973 PA 116, entitled

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

by amending sections 7, 8, and 11b (MCL 722.117, 722.118, and 722.121b), section 8 as amended by 1980 PA 232 and section 11b as amended by 2010 PA 86, and by adding sections 4a, 5m, 7a, and 8c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 4A. AN APPLICANT, LICENSEE, OR LICENSEE DESIGNEE MUST  
2 PRESENT A VALID DRIVER LICENSE ISSUED UNDER THE MICHIGAN VEHICLE  
3 CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR AN OFFICIAL STATE  
4 PERSONAL IDENTIFICATION CARD ISSUED UNDER 1972 PA 222, MCL 28.291  
5 TO 28.300, IN ORDER TO OBTAIN OR RENEW A LICENSE FOR A CHILD CARE  
6 CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME UNDER THIS

1 ACT.

2 SEC. 5M. (1) THIS SECTION AND SECTIONS 5N TO 5S APPLY ONLY TO  
3 A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE  
4 HOME.

5 (2) A PERSON, PARTNERSHIP, FIRM, CORPORATION, ASSOCIATION,  
6 NONGOVERNMENTAL ORGANIZATION, OR GOVERNMENTAL ORGANIZATION SHALL  
7 NOT ESTABLISH OR MAINTAIN A CHILD CARE CENTER, GROUP CHILD CARE  
8 HOME, OR FAMILY CHILD CARE HOME UNLESS LICENSED BY THE DEPARTMENT.  
9 APPLICATION FOR A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR  
10 FAMILY CHILD CARE HOME LICENSE SHALL BE MADE ON FORMS PROVIDED, AND  
11 IN THE MANNER PRESCRIBED, BY THE DEPARTMENT, INCLUDING THE FEES  
12 REQUIRED UNDER SUBSECTION (10). BEFORE ISSUING OR RENEWING A CHILD  
13 CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME  
14 LICENSE, THE DEPARTMENT SHALL INVESTIGATE THE APPLICANT'S  
15 ACTIVITIES AND PROPOSED STANDARDS OF CARE AND SHALL MAKE AN ON-SITE  
16 VISIT OF THE PROPOSED OR ESTABLISHED CHILD CARE CENTER, GROUP CHILD  
17 CARE HOME, OR FAMILY CHILD CARE HOME. EXCEPT AS OTHERWISE PROVIDED  
18 IN THIS SUBSECTION AND SECTIONS 5Q AND 5R, IF THE DEPARTMENT IS  
19 SATISFIED AS TO THE NEED FOR A CHILD CARE CENTER, GROUP CHILD CARE  
20 HOME, OR FAMILY CHILD CARE HOME, AS TO ITS FINANCIAL STABILITY, AND  
21 THAT THE SERVICE, FACILITY, APPLICANT, LICENSEE, LICENSEE DESIGNEE,  
22 PROGRAM DIRECTOR, CHILD CARE STAFF MEMBER, OR ADULT MEMBER OF THE  
23 HOUSEHOLD IS CONDUCIVE TO THE WELFARE OF THE CHILDREN, THE  
24 DEPARTMENT SHALL ISSUE OR RENEW THE CHILD CARE CENTER, GROUP CHILD  
25 CARE HOME, OR FAMILY CHILD CARE HOME LICENSE. IF THE DEPARTMENT  
26 DETERMINES THAT A SERVICE, FACILITY, APPLICANT, LICENSEE, LICENSEE  
27 DESIGNEE, PROGRAM DIRECTOR, CHILD CARE STAFF MEMBER, OR ADULT

1 MEMBER OF THE HOUSEHOLD IS NOT CONDUCTIVE TO THE WELFARE OF THE  
2 CHILDREN, THE DEPARTMENT SHALL DENY THAT APPLICATION OR REVOKE THAT  
3 LICENSEE'S LICENSE ACCORDING TO SECTION 11.

4 (3) TO ASSESS WHETHER THE SERVICE, FACILITY, APPLICANT,  
5 LICENSEE, LICENSEE DESIGNEE, PROGRAM DIRECTOR, CHILD CARE STAFF  
6 MEMBER, OR ADULT MEMBER OF THE HOUSEHOLD IS CONDUCTIVE TO THE  
7 WELFARE OF THE CHILDREN, THE DEPARTMENT MAY UTILIZE AVAILABLE  
8 INFORMATION, INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

9 (A) INVESTIGATIVE REPORT, SUCH AS A LAW ENFORCEMENT REPORT AND  
10 A CHILDREN'S PROTECTIVE SERVICES REPORT.

11 (B) MEDICAL REPORT.

12 (C) PUBLIC RECORD.

13 (D) CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD  
14 CARE HOME RECORD.

15 (E) INSPECTION OF THE CHILD CARE CENTER, GROUP CHILD CARE  
16 HOME, OR FAMILY CHILD CARE HOME.

17 (4) THE DEPARTMENT MAY USE INFORMATION OBTAINED UNDER SECTION  
18 5K TO OBTAIN REPORTS PREPARED INDEPENDENTLY FOR POLICE, LAW  
19 ENFORCEMENT, OR OTHER PURPOSES TO MAKE A DETERMINATION UNDER THIS  
20 SECTION.

21 (5) THE DEPARTMENT SHALL ISSUE A GROUP CHILD CARE HOME OR  
22 FAMILY CHILD CARE HOME LICENSE TO A PERSON WHO HAS SUCCESSFULLY  
23 COMPLETED AN ORIENTATION SESSION OFFERED BY THE DEPARTMENT AND WHO  
24 MEETS THE REQUIREMENTS OF THIS ACT. THE DEPARTMENT SHALL MAKE  
25 AVAILABLE TO GROUP CHILD CARE HOME OR FAMILY CHILD CARE HOME  
26 APPLICANTS FOR LICENSURE AN ORIENTATION SESSION REGARDING THIS ACT,  
27 THE RULES PROMULGATED UNDER THIS ACT, AND THE NEEDS OF CHILDREN IN

1 CHILD CARE BEFORE ISSUING A GROUP CHILD CARE HOME OR FAMILY CHILD  
2 CARE HOME LICENSE.

3 (6) EXCEPT AS PROVIDED IN SUBSECTION (2), THE DEPARTMENT SHALL  
4 ISSUE AN ORIGINAL OR RENEWAL LICENSE UNDER THIS ACT FOR A CHILD  
5 CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME NOT  
6 LATER THAN 6 MONTHS AFTER THE APPLICANT FILES A COMPLETED  
7 APPLICATION. RECEIPT OF THE APPLICATION IS CONSIDERED THE DATE THE  
8 APPLICATION IS RECEIVED BY THE DEPARTMENT. IF THE APPLICATION IS  
9 CONSIDERED INCOMPLETE BY THE DEPARTMENT, THE DEPARTMENT SHALL  
10 NOTIFY THE APPLICANT IN WRITING OR MAKE NOTICE ELECTRONICALLY  
11 AVAILABLE WITHIN 30 DAYS AFTER RECEIPT OF THE INCOMPLETE  
12 APPLICATION, DESCRIBING THE DEFICIENCY AND REQUESTING ADDITIONAL  
13 INFORMATION. IF THE DEPARTMENT IDENTIFIES A DEFICIENCY OR REQUIRES  
14 THE FULFILLMENT OF A CORRECTIVE ACTION PLAN, THE 6-MONTH PERIOD IS  
15 TOLLED UNTIL EITHER OF THE FOLLOWING OCCURS:

16 (A) UPON NOTIFICATION BY THE DEPARTMENT OF A DEFICIENCY, UNTIL  
17 THE DATE THE REQUESTED INFORMATION IS RECEIVED BY THE DEPARTMENT.

18 (B) UPON NOTIFICATION BY THE DEPARTMENT THAT A CORRECTIVE  
19 ACTION PLAN IS REQUIRED, UNTIL THE DATE THE DEPARTMENT DETERMINES  
20 THE REQUIREMENTS OF THE CORRECTIVE ACTION PLAN HAVE BEEN MET.

21 (7) THE DETERMINATION OF THE COMPLETENESS OF AN APPLICATION IS  
22 NOT AN APPROVAL OF THE APPLICATION FOR THE LICENSE AND DOES NOT  
23 CONFER ELIGIBILITY ON AN APPLICANT DETERMINED OTHERWISE INELIGIBLE  
24 FOR ISSUANCE OF A LICENSE.

25 (8) EXCEPT AS PROVIDED IN SUBSECTION (2), IF THE DEPARTMENT  
26 FAILS TO ISSUE, DENY, OR REFUSE TO RENEW A LICENSE TO A CHILD CARE  
27 CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME WITHIN THE

1 TIME REQUIRED BY THIS SECTION, THE DEPARTMENT SHALL RETURN THE  
2 APPLICATION FEE REQUIRED UNDER SUBSECTION (10) AND SHALL REDUCE THE  
3 APPLICATION FEE FOR THE APPLICANT'S NEXT RENEWAL APPLICATION, IF  
4 ANY, BY 15%. FAILURE TO ISSUE, DENY, OR REFUSE TO RENEW A LICENSE  
5 TO A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE  
6 HOME WITHIN THE TIME PERIOD REQUIRED UNDER THIS SECTION DOES NOT  
7 ALLOW THE DEPARTMENT TO OTHERWISE DELAY THE PROCESSING OF THE  
8 APPLICATION. A COMPLETED APPLICATION SHALL BE PLACED IN SEQUENCE  
9 WITH OTHER COMPLETED APPLICATIONS RECEIVED AT THAT SAME TIME. THE  
10 DEPARTMENT SHALL NOT DISCRIMINATE AGAINST AN APPLICANT IN  
11 PROCESSING OF AN APPLICATION BASED ON THE FACT THAT THE APPLICATION  
12 FEE WAS REFUNDED OR DISCOUNTED UNDER THIS SUBSECTION.

13 (9) IF, ON A CONTINUAL BASIS, INSPECTIONS PERFORMED BY A LOCAL  
14 HEALTH DEPARTMENT DELAY THE DEPARTMENT IN ISSUING OR DENYING A  
15 LICENSE FOR A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY  
16 CHILD CARE HOME UNDER THIS ACT WITHIN THE 6-MONTH PERIOD, THE  
17 DEPARTMENT MAY USE DEPARTMENT STAFF TO COMPLETE THE INSPECTION  
18 INSTEAD OF THE LOCAL HEALTH DEPARTMENT CAUSING THE DELAYS.

19 (10) THE DEPARTMENT SHALL ASSESS FEES AS PROVIDED IN THE  
20 FOLLOWING SCHEDULE:

21 (A) FAMILY CHILD CARE HOME LICENSE, \$50.00 FOR AN ORIGINAL  
22 LICENSE APPLICATION AND \$25.00 FOR RENEWAL.

23 (B) GROUP CHILD CARE HOME LICENSE, \$100.00 FOR AN ORIGINAL  
24 LICENSE APPLICATION AND \$50.00 FOR RENEWAL.

25 (C) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 1 TO 20,  
26 \$150.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$75.00 FOR RENEWAL.

27 (D) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 21 TO 50,

1 \$200.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$100.00 FOR  
2 RENEWAL.

3 (E) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 51 TO 100,  
4 \$250.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$125.00 FOR  
5 RENEWAL.

6 (F) CHILD CARE CENTER LICENSE WITH A CAPACITY OF OVER 100,  
7 \$300.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$150.00 FOR  
8 RENEWAL.

9 (11) THE DEPARTMENT SHALL USE THE FEES COLLECTED UNDER THIS  
10 SECTION ONLY TO FUND THE PROGRAM LICENSING CHILD CARE CENTERS,  
11 GROUP CHILD CARE HOMES, AND FAMILY CHILD CARE HOMES. FUNDS  
12 REMAINING AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE TO THE  
13 GENERAL FUND BUT SHALL REMAIN AVAILABLE TO FUND THE PROGRAM IN  
14 SUBSEQUENT YEARS.

15 (12) FEES DESCRIBED IN THIS SECTION ARE PAYABLE TO THE  
16 DEPARTMENT AT THE TIME AN APPLICATION IS SUBMITTED FOR ORIGINAL  
17 ISSUANCE OR RENEWAL. IF A LICENSE IS DENIED, REVOKED, OR REFUSED  
18 RENEWAL, THE DEPARTMENT SHALL NOT REFUND FEES PAID TO THE  
19 DEPARTMENT.

20 (13) AS USED IN THIS SECTION:

21 (A) "COMPLETED APPLICATION" MEANS AN APPLICATION COMPLETE ON  
22 ITS FACE AND SUBMITTED WITH ANY APPLICABLE FEES AS WELL AS ANY  
23 OTHER INFORMATION, RECORDS, APPROVAL, SECURITY, OR SIMILAR ITEM  
24 REQUIRED BY LAW OR RULE FROM A LOCAL UNIT OF GOVERNMENT, A FEDERAL  
25 AGENCY, A STATE DEPARTMENT OR AGENCY OF ANOTHER STATE, OR A PRIVATE  
26 ENTITY BUT NOT FROM ANOTHER DEPARTMENT OR AGENCY OF THIS STATE. A  
27 COMPLETED APPLICATION DOES NOT INCLUDE A HEALTH INSPECTION

1 PERFORMED BY A LOCAL HEALTH DEPARTMENT.

2 (B) "CONDUCTIVE TO THE WELFARE OF THE CHILDREN" MEANS:

3 (i) THE SERVICE AND FACILITY COMPLY WITH THIS ACT AND THE  
4 ADMINISTRATIVE RULES PROMULGATED UNDER THIS ACT.

5 (ii) THE DISPOSITION, TEMPERAMENT, CONDITION, AND ACTION OF  
6 THE APPLICANT, LICENSEE, LICENSEE DESIGNEE, PROGRAM DIRECTOR, CHILD  
7 CARE STAFF MEMBER, AND MEMBER OF THE HOUSEHOLD PROMOTE THE SAFETY  
8 AND WELL-BEING OF THE CHILDREN SERVED.

9 Sec. 7. ~~A provisional~~ AN ORIGINAL license shall be issued to a  
10 new CHILD CARE organization during the first 6 months of operation.  
11 AN ORIGINAL LICENSE EXPIRES 6 MONTHS AFTER THE DATE OF ISSUANCE.  
12 THE RENEWAL OF AN ORIGINAL LICENSE IS CONTINGENT UPON THE  
13 SUBMISSION OF A NEW APPLICATION AND APPROVAL BY THE DEPARTMENT. At  
14 the end of the FIRST 6 months of operation, the department shall  
15 either ~~issue~~ RENEW AS a regular license ~~or renew~~ or refuse to renew  
16 the ~~provisional~~ ORIGINAL license as provided in section 11 OR  
17 MODIFY TO A PROVISIONAL LICENSE AS PROVIDED UNDER SECTION 7A(3). A  
18 ~~provisional license may be issued to a child care organization~~  
19 ~~which is temporarily unable to conform to the rules. A provisional~~  
20 ~~license shall expire 6 months from the date of issuance and may be~~  
21 ~~issued not more than 4 times. The issuance of a provisional license~~  
22 ~~shall be contingent upon the submission to the department of an~~  
23 ~~acceptable plan to overcome the deficiency present in the child~~  
24 ~~care organization within the time limitations of the provisional~~  
25 ~~licensing period.~~

26 SEC. 7A. (1) A PROVISIONAL LICENSE MAY BE ISSUED TO A CHILD  
27 CARE ORGANIZATION THAT IS TEMPORARILY UNABLE TO CONFORM TO THE

1 RULES. THE ISSUANCE OF A PROVISIONAL LICENSE SHALL BE CONTINGENT  
2 UPON THE SUBMISSION TO THE DEPARTMENT OF AN ACCEPTABLE PLAN TO  
3 OVERCOME THE DEFICIENCY PRESENT IN THE CHILD CARE ORGANIZATION  
4 WITHIN THE TIME LIMITATIONS OF THE PROVISIONAL LICENSING PERIOD.

5 (2) A PROVISIONAL LICENSE EXPIRES 6 MONTHS AFTER THE DATE OF  
6 ISSUANCE AND MAY BE ISSUED NOT MORE THAN 3 TIMES. THE RENEWAL OF A  
7 PROVISIONAL LICENSE SHALL BE CONTINGENT UPON THE SUBMISSION OF A  
8 NEW APPLICATION AND APPROVAL BY THE APPROPRIATE DEPARTMENT. AT THE  
9 END OF THE 6 MONTHS, THE DEPARTMENT SHALL EITHER ISSUE A REGULAR  
10 LICENSE, REFUSE TO RENEW THE LICENSE AS PROVIDED IN SECTION 11, OR  
11 MODIFY TO A PROVISIONAL LICENSE AS PROVIDED IN THIS SECTION.

12 (3) THE DEPARTMENT MAY MODIFY THE LICENSE OF A CHILD CARE  
13 ORGANIZATION TO A PROVISIONAL LICENSE WHEN THE LICENSEE WILLFULLY  
14 AND SUBSTANTIALLY VIOLATES THIS ACT, THE RULES PROMULGATED UNDER  
15 THIS ACT, OR THE TERMS OF THE LICENSE. A LICENSE CANNOT BE MODIFIED  
16 UNLESS THE LICENSEE IS GIVEN WRITTEN NOTICE OF THE GROUNDS OF THE  
17 PROPOSED MODIFICATION. IF THE PROPOSED MODIFICATION IS NOT  
18 APPEALED, THE LICENSE WILL BE MODIFIED. THE PROPOSED MODIFICATION  
19 MUST BE APPEALED WITHIN 30 DAYS AFTER RECEIPT BY WRITING THE  
20 DIRECTOR OR DIRECTOR'S DESIGNEE. UPON RECEIPT OF THE APPEAL, THE  
21 DIRECTOR OR DIRECTOR'S DESIGNEE MUST INITIATE THE PROVISIONS OF  
22 CHAPTERS 4 AND 5 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969  
23 PA 306, MCL 24.271 TO 24.292. NOTICE OF A HEARING MUST BE GIVEN TO  
24 THE LICENSEE BY PERSONAL SERVICE OR DELIVERY TO THE PROPER ADDRESS  
25 BY CERTIFIED MAIL NOT LESS THAN 2 WEEKS BEFORE THE DATE OF THE  
26 HEARING. THE DECISION OF THE DIRECTOR MUST BE MADE AS SOON AS  
27 PRACTICABLE AFTER THE HEARING AND FORWARDED TO THE LICENSEE BY



1 CERTIFIED MAIL NOT MORE THAN 10 DAYS AFTER THAT. THE FORMAL NOTICE  
2 AND HEARING REQUIREMENT IN THIS SUBSECTION DOES NOT APPLY IF THE  
3 LICENSEE AND THE DEPARTMENT COMPLY WITH SUBSECTION (4).

4 (4) THE DEPARTMENT MAY IMMEDIATELY MODIFY A LICENSE WITHOUT  
5 PROVIDING WRITTEN NOTICE OF THE GROUNDS OF THE PROPOSED ACTION OR  
6 GIVING THE LICENSEE 30 DAYS TO APPEAL IF THE LICENSEE, IN WRITING,  
7 DOES THE FOLLOWING:

8 (A) WAIVES THE REQUIREMENT THAT THE DEPARTMENT PROVIDE WRITTEN  
9 NOTICE OF THE GROUNDS FOR THE PROPOSED ACTION.

10 (B) WAIVES THE 30-DAY TIME FRAME IN WHICH TO SUBMIT A WRITTEN  
11 APPEAL TO THE PROPOSED ACTION.

12 (C) WAIVES THE RIGHT TO IMPLEMENT THE PROVISIONS OF CHAPTERS 4  
13 AND 5 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306,  
14 MCL 24.271 TO 24.292.

15 (5) AS USED IN THIS SECTION:

16 (A) "SUBSTANTIALLY VIOLATES" MEANS REPEATED VIOLATIONS OR  
17 NONCOMPLIANCE OF THIS ACT, A RULE PROMULGATED UNDER THIS ACT, OR  
18 THE TERMS OF A LICENSE THAT JEOPARDIZES THE HEALTH, SAFETY, CARE,  
19 TREATMENT, MAINTENANCE, OR SUPERVISION OF INDIVIDUALS RECEIVING  
20 SERVICES OR, IN THE CASE OF AN APPLICANT, INDIVIDUALS WHO MAY  
21 RECEIVE SERVICES.

22 (B) "WILLFULLY VIOLATES" MEANS, AFTER RECEIVING A COPY OF THE  
23 ACT, THE RULES PROMULGATED UNDER THE ACT AND, FOR A LICENSE, A COPY  
24 OF THE TERMS OF A LICENSE, OR A PREVIOUS CITATION FOR A VIOLATION  
25 OF THIS ACT OR A RULE PROMULGATED UNDER THIS ACT, A LICENSEE OR AN  
26 APPLICANT KNEW OR HAD REASON TO KNOW THAT HIS OR HER CONDUCT WAS A  
27 VIOLATION OF THE ACT, RULES PROMULGATED UNDER THE ACT, OR THE TERMS

1 **OF A LICENSE.**

2       Sec. 8. (1) A regular license ~~shall be~~ **IS** effective for 2  
3 years after the date of issuance unless revoked ~~pursuant to~~ **OR**  
4 **REFUSED RENEWAL AS PROVIDED IN** section 11 or modified to a  
5 provisional ~~status based on evidence of noncompliance with this act~~  
6 ~~or the rules promulgated under this act.~~ **AS PROVIDED IN SECTION 7A.**  
7 The license shall be ~~reinstated~~ **RENEWED** biennially on application  
8 and approval. A license shall specify in general terms the kind of  
9 child care ~~program~~ **ORGANIZATION** the licensee may undertake, and the  
10 number, and ages of children that can be received and maintained.

11       (2) **THE DEPARTMENT MAY ACCEPT A LICENSEE'S WRITTEN REQUEST TO**  
12 **CLOSE A LICENSE IF THE DEPARTMENT DOES NOT HAVE AN ACTIVE**  
13 **INVESTIGATION AGAINST THE LICENSEE OR IS NOT PURSUING REVOCATION OR**  
14 **REFUSAL TO RENEW AS PROVIDED IN SECTION 11.**

15       (3) **A CERTIFICATION OF REGISTRATION ISSUED BY THE DEPARTMENT**  
16 **BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS**  
17 **SUBSECTION SHALL BE REISSUED AS A LICENSE. THE REISSUANCE SHALL BE**  
18 **COMPLETED IN THE MANNER DETERMINED BY THE DEPARTMENT WITHIN 1 YEAR**  
19 **AFTER THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

20       **SEC. 8C. A LICENSE SHALL BE ISSUED TO A SPECIFIC PERSON OR**  
21 **ORGANIZATION AT A SPECIFIC LOCATION, SHALL BE NONTRANSFERABLE, AND**  
22 **SHALL REMAIN THE PROPERTY OF THE DEPARTMENT.**

23       Sec. 11b. (1) The department shall establish and maintain a  
24 database of child care centers, family child care homes, and group  
25 child care homes. ~~as a central clearinghouse for persons seeking~~  
26 ~~information on child care options.~~ The database shall include, at a  
27 minimum, all of the following information:

1 (a) The name, address, and telephone number of the child care  
2 center, family child care home, or group child care home.

3 (b) The days and general hours of operation of the child care  
4 center, family child care home, or group child care home.

5 (c) The license ~~or registration~~ number, effective date, ~~and~~  
6 expiration date, **AND DATE OF THE LAST INSPECTION** of the child care  
7 center, family child care home, or group child care home.

8 (d) The number and nature of any adverse action taken against  
9 the child care center, family child care home, or group child care  
10 home by the department.

11 (e) The number and nature of any special investigations  
12 regarding the child care center, family child care home, or group  
13 child care home conducted by the department. ~~that the department~~  
14 ~~classifies as high risk.~~ This information shall remain in the  
15 database as long as the licensee ~~or registrant~~ is licensed ~~or~~  
16 ~~registered~~ under this act. ~~For the purpose of this subdivision,~~  
17 ~~"special investigation that the department classifies as high risk"~~  
18 ~~means an investigation in which the department becomes aware that 1~~  
19 ~~or more of the conditions listed in section 8(3)(a) to (c) of the~~  
20 ~~child protection law, 1975 PA 238, MCL 722.628, exist.~~

21 ~~Information that, upon completion of a special~~  
22 ~~investigation as described in subdivision (e), the department made~~  
23 ~~a determination that there were no substantiated rule violations.~~  
24 ~~This information may be included in the same manner as information~~  
25 ~~provided under section 3f(5).~~

26 (2) The department shall make the **FOLLOWING** database  
27 **INFORMATION** available to the public on the internet **FOR PERSONS**

1 SEEKING INFORMATION ON CHILD CARE OPTIONS, without charge, through  
2 that department's website: -

3 (A) THE ITEMS LISTED IN SUBSECTION (1) (A) TO (C).

4 (B) THE RESULTS OF ANY MONITORING INSPECTIONS CONDUCTED IN THE  
5 PAST 3 YEARS AND INFORMATION ON CORRECTIVE ACTIONS TAKEN, IF  
6 APPLICABLE.

7 (C) THE RESULTS OF ANY SUBSTANTIATED COMPLAINT INVESTIGATIONS  
8 CONDUCTED IN THE PAST 5 YEARS AND INFORMATION ON CORRECTIVE ACTIONS  
9 TAKEN.

10 (3) The department shall inform the public, through press  
11 releases or other media avenues, of the information available ~~in~~  
12 ~~the database established under subsection (1) and how to access~~  
13 ~~that database.~~ AS PROVIDED UNDER SUBSECTION (2).

14 Enacting section 1. This amendatory act takes effect 90 days  
15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect  
17 unless all of the following bills of the 99th Legislature are  
18 enacted into law:

19 (a) Senate Bill No. 181.

20

21 (b) Senate Bill No. 182.

22