

SUBJECT: Establishing minimum wellbeing standards for certain childcare facilities

COMMITTEE: Human Services — committee substitute recommended

VOTE: 7 ayes — Frank, Hinojosa, Clardy, Deshotel, Klick, Meza, Miller

1 nay — Noble

1 absent — Rose

SENATE VOTE: On final passage, April 11 — 26-5 (Bettencourt, Birdwell, Hughes, Paxton, Schwertner)

WITNESSES: *On House companion bill, HB 1808:*  
For — Kimberly Avila Edwards, Texas Pediatric Society, Texas Medical Association, American Heart Association, Texas Public Health Coalition, Partnership for a Healthy Texas; David Feigen, Texans Care for Children; Kimberly Kofron, Texas Association for the Education of Young Children; (*Registered, but did not testify:* Rachel Cooper, Center for Public Policy Priorities; Will Francis, National Association of Social Workers-Texas Chapter; Greg Hansch, National Alliance on Mental Illness Texas; Marshall Kenderdine, Texas Academy of Family Physicians; Knox Kimberly, Upbring; Jamie Olson, Feeding Texas; Michelle Romero, Texas Medical Association; Joel Romo, The Cooper Institute; Melanie Rubin, Dallas Early Education Alliance; Jason Sabo, Children at Risk; Nataly Saucedo, United Ways of Texas; Tim Schauer, Community Health Choice; Kyle Ward, Texas PTA; Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Tracy Castro; Robert Gross; Audrey Spanko)

Against — None

On — Jean Shaw, Texas Health and Human Services Commission

BACKGROUND: Human Resources Code sec. 42.042(e) requires the executive commissioner of the Health and Human Services Commission to establish

certain minimum standards relating to children's health, safety, and welfare for licensed childcare facilities and registered family homes.

DIGEST:

CSSB 952 would require the minimum standards for daycare centers and registered family homes established by the executive commissioner of the Health and Human Services Commission (HHSC) to be consistent with:

- the American Academy of Pediatrics standards for physical activity and screen time as published in the fourth edition of "Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs;" and
- the nutrition standards in the Child and Adult Care Food Program administered by the Department of Agriculture.

Daycare centers and registered family homes would not be required to participate in or comply with the reporting requirements of the Child and Adult Care Food Program.

If HHSC determined that the economic impact of requiring a daycare center or registered family home to comply with these minimum standards was sufficiently great that compliance was impractical, HHSC could require the daycare center or registered family home to meet the minimum standards through an alternative method.

The bill would take effect September 1, 2019, and HHSC's executive commissioner would have to adopt rules to implement this bill as soon as practicable after that date.

SUPPORTERS  
SAY:

CSSB 952 would align the minimum standards for physical activity, screen time, and nutrition in Texas daycare centers and registered family homes with nationally recognized best practices. Many experts note that early care and education programs play a critical role in helping kids stay active and eat healthily.

The bill would not overregulate or burden childcare facilities; rather, it would improve the minimum standards for the wellbeing of children

already prescribed by current law. Many daycare centers and registered family homes already comply with and go beyond the standards proposed by this bill.

**OPPONENTS  
SAY:**

CSSB 952 would allow for the unnecessary regulation of private daycare centers and registered family homes. State lawmakers should not dictate the standards for physical activity, screen time, and nutrition that daycare centers and registered family homes must follow. Parents can find childcare facilities that abide by certain standards if they choose to do so.