

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1365

H.P. 927

House of Representatives, April 23, 2015

### An Act Regarding Licensed Children's Programs

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MALABY of Hancock.  
Cosponsored by Senator BRAKEY of Androscoggin and  
Representative: SANDERSON of Chelsea.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §7701, sub-§§4 and 5** are enacted to read:

3 **4. Division.** As used in section 7707, "division" means the Department of Health  
4 and Human Services, Division of Licensing and Regulatory Services.

5 **5. Reportable incident.** As used in section 7707, "reportable incident" means:

6 A. A child's death that occurs while the child is in the care of an entity required to  
7 report under section 7707, subsection 1; and

8 B. An injury or trauma to a child that occurs while the child is in the care of an entity  
9 required to report under section 7707, subsection 1 and results in the transportation of  
10 the child to a hospital by emergency medical services personnel.

11 **Sec. 2. 22 MRSA §7707** is enacted to read:

12 **§7707. Reportable incidents**

13 **1. Reporting requirements.** A child care facility licensed pursuant to section  
14 8301-A, subsection 2; a family child care provider certified pursuant to section 8301-A,  
15 subsection 3; and a nursery school licensed pursuant to section 8402 shall report  
16 reportable incidents in accordance with this section.

17 **2. Notification by next business day.** An entity required to report pursuant to  
18 subsection 1 shall submit a division-approved reportable incident form to the division by  
19 the next business day after a reportable incident occurred. The form must include at least  
20 the following information:

21 A. The date of the reportable incident;

22 B. The time the reportable incident occurred;

23 C. The name of the entity;

24 D. The name of the entity's contact person;

25 E. A description of the reportable incident;

26 F. The condition of the child;

27 G. The name of the child;

28 H. The action taken by the entity; and

29 I. The involvement of a fire or police department, emergency medical services or  
30 other entity.

31 **3. Rules.** The department may adopt rules necessary to implement the reporting of  
32 reportable incidents. Rules adopted pursuant to this subsection are routine technical rules  
33 as defined in Title 5, chapter 375, subchapter 2-A.

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## SUMMARY

This bill requires licensed child care facilities, certified family child care providers and licensed nursery schools to report incidents that result or could result in serious harm to the physical or mental health, safety or well-being of a child being served by these entities. Incidents must be reported to the Department of Health and Human Services, Division of Licensing and Regulatory Services. The bill requires written notification by the next business day after the incident occurred.