

PROGRAM BILL #35

Legislative Bill Drafting Commission
12088-01-6

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

SOCISELA
(Relates to safety in child day care
programs)

Soc Serv. child day care programs

AN ACT

to amend the social services law, in
relation to safety in child day care
programs

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s31 Espaillat	s27 Hoylman	s25 Montgomery	s56 Robach
s52 Akshar	s49 Farley	s09 Kaminsky	s40 Murphy	s10 Sanders
s46 Amedore	s17 Felder	s63 Kennedy	s54 Nozzolio	s23 Savino
s11 Avella	s02 Flanagan	s34 Klein	s58 O'Mara	s41 Serino
s42 Bonacic	s55 Funke	s28 Krueger	s62 Ortt	s29 Serrano
s04 Boyle	s59 Gallivan	s24 Lanza	s60 Panepinto	s51 Seward
s44 Breslin	s12 Gianaris	s39 Larkin	s21 Parker	s26 Squadron
s38 Carlucci	s22 Golden	s37 Latimer	s13 Peralta	s16 Stavisky
s14 Comrie	s47 Griffo	s01 LaValle	s30 Perkins	s35 Stewart- Cousins
s03 Croci	s20 Hamilton	s45 Little	s19 Persaud	
s50 DeFrancisco	s06 Hannon	s05 Marcellino	s61 Ranzenhofer	s53 Valesky
s32 Diaz	s36 Hassell- Thompson	s43 Marchione	s48 Ritchie	s08 Venditto
s18 Dilan		s07 Martins	s33 Rivera	s57 Young

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a034 DenDekker	a011 Jean-Pierre	a003 Murray	a076 Seawright
a092 Abinanti	a054 Dilan	a135 Johns	a133 Nojay	a087 Sepulveda
a084 Arroyo	a081 Dinowitz	a077 Joyner	a037 Nolan	a027 Simanowitz
a035 Aubry	a147 DiPietro	a094 Katz	a130 Oaks	a052 Simon
a120 Barclay	a115 Duprey	a074 Kavanagh	a069 O'Donnell	a036 Simotas
a106 Barrett	a004 Englebright	a142 Kearns	a051 Ortiz	a104 Skartados
a060 Barron	a109 Fahy	a040 Kim	a091 Otis	a099 Skouffis
a082 Benedetto	a071 Farrell	a131 Kolb	a132 Palmesano	a022 Solages
a042 Bichotte	a126 Finch	a105 Lalor	a002 Palumbo	a114 Stec
a079 Blake	a008 Fitzpatrick	a013 Lavine	a088 Paulin	a110 Steck
a117 Blankenbush	a124 Friend	a134 Lawrence	a141 Peoples- Stokos	a127 Stirpe
a098 Brabenec	a095 Galef	a050 Lentol	a058 Perry	a112 Tedisco
a026 Braunstein	a137 Gantt	a125 Lifton	a086 Pichardo	a101 Tenney
a044 Brennan	a007 Garbarino	a072 Linares	a089 Pretlow	a061 Thiele
a119 Brindisi	a148 Giglio	a102 Lopez	a073 Quart	a031 Titus
a138 Bronson	a080 Gjonaj	a123 Lupardo	a019 Ra	a055 Walker
a093 Buchwald	a066 Glick	a010 Lupinacci	a012 Raia	a146 Walter
a118 Butler	a023 Goldfeder	a121 Magee	a006 Ramos	a041 Weinstein
a103 Cahill	a150 Goodell	a129 Magnarelli	a043 Richardson	a024 Weprin
a065 Cancel	a075 Gottfried	a064 Malliotakis	a078 Rivera	a059 Williams
a062 Castorina	a005 Graf	a030 Markey	a056 Robinson	a113 Woerner
a145 Ceretto	a100 Gunther	a090 Mayer	a068 Rodriguez	a143 Wozniak
a047 Colton	a046 Harris	a108 McDonald	a067 Rosenthal	a070 Wright
a032 Cook	a139 Hawley	a014 McDonough	a025 Rozic	a096 Zebrowski
a144 Corwin	a083 Heastie	a017 McKeivitt	a116 Russell	a020
a085 Crespo	a028 Hevesi	a107 McLaughlin	a149 Ryan	a033
a122 Crouch	a048 Hixind	a038 Miller	a009 Saladino	
a021 Curran	a018 Hooper	a015 Montesano	a111 Santabarbara	
a063 Cusick	a128 Hunter	a136 Morelle	a016 Schimel	
a045 Cymbrowitz	a029 Hyndman	a057 Mosley	a039 Schimminger	
a053 Davila	a097 Jaffee			

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and 4 copies of memorandum in support (single house);
or 4 signed copies of bill and 8 copies of memorandum
in support (uni-bill).

LBDC 05/04/16

1 Section 1. Paragraph (d) of subdivision 3 of section 390 of the social
2 services law, as amended by chapter 416 of the laws of 2000, is amended
3 to read as follows:

4 (d) (i) Where investigation or inspection reveals that a child day
5 care provider which must be licensed [or], registered or permitted is
6 not duly licensed, registered or permitted, the office of children and
7 family services, or for programs referenced in subdivision thirteen of
8 this section, the local governmental entity referenced in such subdivi-
9 sion, shall [advise the child day care provider] provide notice, in
10 writing, to the child day care provider indicating that the provider is
11 in violation of the licensing [or], registration or permitting require-
12 ments and shall take such further action as is necessary to cause the
13 provider to comply with the law, including directing an unlicensed [or],
14 unregistered or unpermitted provider to cease operation [In addition,
15 the office of children and family services shall] immediately.

16 (ii) The notice to the provider required by subparagraph (i) of this
17 paragraph shall advise parents and caregivers that the program is closed
18 for failure to comply with the applicable licensing, registration or
19 permitting requirements, as applicable, and shall be immediately posted
20 on the front door of the provider's premises in a prominent location and
21 on the provider's website, if one exists.

22 (iii) The office of children and family services, or for programs
23 referenced in subdivision thirteen of this section, the local govern-
24 mental entity referenced in such subdivision, shall also require the
25 provider to notify the parents or guardians of children receiving care
26 from the provider in writing that the provider is in violation of the
27 licensing [or], registration or permitting requirements and shall
28 require the provider to [notify] confirm in writing with the office of

1 children and family services or the local governmental entity referenced
2 in subdivision thirteen of this section, as applicable, that the provid-
3 er has done so.

4 (iv) Any provider who is directed to cease operations pursuant to this
5 paragraph shall be entitled to a hearing before the office of children
6 and family services, or for programs referenced in subdivision thirteen
7 of this section, the local governmental entity referenced in such subdi-
8 vision. If the provider requests a hearing to contest the directive to
9 cease operations, such hearing must be scheduled to commence as soon as
10 possible but in no event later than thirty days after the receipt of the
11 request [by the office of children and family services]. The provider
12 may not operate the center, home or program after being directed to
13 cease operations, regardless of whether a hearing is requested.

14 (v) If the provider does not cease operations, the office of children
15 and family services may impose a civil penalty pursuant to subdivision
16 eleven of this section, seek an injunction pursuant to section three
17 hundred ninety-one of this title, or both.

18 § 2. Subdivision 8 of section 390 of the social services law, as added
19 by chapter 750 of the laws of 1990, is amended to read as follows:

20 8. (a) The [department] office of children and family services shall
21 establish and maintain a [list of all current] searchable registry that
22 provides detailed information for all child day care programs registered
23 and licensed [child day care programs and a list of all programs whose
24 license or registration has been revoked, rejected, terminated, or
25 suspended] by the office of children and family services and all child
26 day care centers referenced in subdivision thirteen of this section that
27 are permitted by the local governmental entity referenced in such subdi-
28 vision. Such information shall be available to the public[, pursuant to

1 procedures developed by the department] on the office of children and
2 family services' website and shall be searchable by the name of the
3 person on the license, registration or permit as well as by the name of
4 the child day care program.

5 (b) (i) Such registry shall include comprehensible information about
6 the programs listed in paragraph (a) of this subdivision that are oper-
7 ating or suspended and any program that has been revoked in the last six
8 years. Such information shall include, but not necessarily be limited
9 to, the particular program's compliance and inspection history, and
10 whether the program's license, registration or permit has been revoked,
11 rejected, denied, limited or suspended and the reason or reasons there-
12 fore.

13 (ii) Such registry shall also contain information on programs that
14 have been found to be operating without the required license, registra-
15 tion or permit in accordance with paragraph (d) of subdivision three of
16 this section.

17 (c) Notwithstanding any other provision of law to the contrary, a
18 local governmental entity referenced in subdivision thirteen of this
19 section shall provide to the office of children and family services, in
20 the time and manner required by the office, any information on child day
21 care centers referenced in subdivision thirteen of this section that is
22 needed pursuant to the requirements of this subdivision for the
23 registry.

24 § 3. Subdivision 10 of section 390 of the social services law, as
25 amended by chapter 416 of the laws of 2000, is amended to read as
26 follows:

27 10. (a) Any home or facility providing child day care shall be oper-
28 ated in accordance with applicable statutes and regulations. Any

1 violation of applicable statutes or regulations shall be a basis to
2 deny, reject, limit, suspend[,] or revoke[, or terminate] a license or
3 registration.

4 (b) Consistent with articles twenty-three and twenty-three-A of the
5 correction law, and guidelines referenced in subdivision two of section
6 four hundred twenty-five of this article, if the office of children and
7 family services is made aware of the existence of a criminal conviction
8 or pending criminal charge concerning an operator of a family day care
9 home, group family day care home, school-age child care program, or
10 child day care center or concerning any assistant, employee or volunteer
11 in such homes, programs or centers, or any persons age eighteen or over
12 who reside in such homes, such conviction or charge may be a basis to
13 deny, limit, suspend, revoke, or reject[, or terminate] a license or
14 registration.

15 (c)(i) Before any license or registration issued pursuant to the
16 provisions of this section is suspended, limited or revoked[, before
17 registration pursuant to this section is suspended or terminated], or
18 when an application for such license or registration is denied or
19 [registration] rejected, the applicant for or holder of such registra-
20 tion or license is entitled, pursuant to section twenty-two of this
21 chapter and the regulations of the office of children and family
22 services, to a hearing before the office of children and family
23 services.

24 (ii) However, a license or registration [shall] may be [temporarily]
25 suspended or limited without a hearing upon written notice to the opera-
26 tor of the facility following a finding that suspension or limitation of
27 the license or registration is necessary to protect the public health[,
28 or an individual's safety or welfare, are in imminent danger.] or the

1 health and safety of children. Provided, however, that a finding that
2 suspension or limitation is necessary to protect the health and safety
3 of children in accordance with this subparagraph shall only be made if
4 the office of children and family services determines, as a result of a
5 violation of this section or the applicable regulations of the office of
6 children and family services, that:

7 (A) serious physical injury as defined in section 10.00 of the penal
8 law or death of a child occurred;

9 (B) a condition occurred or exists that places a child at risk of
10 serious physical, mental or emotional harm, or risk of death, serious or
11 protracted disfigurement or protracted impairment of physical or
12 emotional health;

13 (C) the provider refused to provide inspection staff with access to
14 the child day care program as is otherwise required or authorized by law
15 during the program's hours of operation; or

16 (D) the provider refused to provide timely access to information
17 regarding the program that is necessary to make determinations relating
18 to the health and safety of children in the care of the program or that
19 is required by state or federal law, rule or regulation if:

20 (1) the provider was given a reasonable period of time to produce such
21 information; and

22 (2) if the information required to be provided is dependent on a third
23 party providing such information, that the provider did not make reason-
24 able efforts to timely obtain such information.

25 (iii) The holder of a license or registrant is entitled to a hearing
26 before the office of children and family services to contest the [tempo-
27 rary] suspension or limitation. If the holder of a license or registrant
28 requests a hearing to contest the [temporary] suspension or limitation,

1 such hearing must be scheduled to commence as soon as possible but in no
2 event later than thirty days after the receipt of the request by the
3 office of children and family services. Suspension shall continue until
4 the condition requiring suspension or limitation is corrected or until a
5 hearing decision has been issued. If the office of children and family
6 services determines after a hearing that the [temporary] suspension or
7 limitation was proper, such suspension or limitation shall be extended
8 until the condition requiring suspension or limitation has been
9 corrected or until the license or registration has been revoked.

10 § 4. Paragraph (a) of subdivision 11 of section 390 of the social
11 services law, as amended by chapter 416 of the laws of 2000, is amended
12 to read as follows:

13 (a) (i) The office of children and family services shall adopt regu-
14 lations establishing civil penalties of no more than [five hundred] two
15 thousand dollars per day to be assessed against child day care centers,
16 school age child care programs, group family day care homes or family
17 day care homes for violations of this section, sections three hundred
18 ninety-a and three hundred ninety-b of this title and any regulations
19 promulgated thereunder. The regulations establishing civil penalties
20 shall specify the violations subject to penalty based on the severity of
21 the violation. Provided, however, that such regulations shall provide
22 that:

23 (A) a civil penalty of no more than one thousand dollars per day for a
24 first time offense and no more than two thousand dollars per day for
25 subsequent offenses may be assessed for a violation of this section or
26 of a regulatory requirement of the office of children and family
27 services which harms a child or places a child at risk of death, serious

1 or protracted disfigurement, or protracted impairment of physical or
2 emotional health;

3 (B) a civil penalty of no more than five hundred dollars per day for a
4 first time offense and no more than one thousand dollars per day for
5 subsequent offenses may be assessed for a violation of this section or
6 of a regulatory requirement of the office of children and family
7 services which places a child at risk of physical, mental or emotional
8 harm; and

9 (C) a civil penalty of no more than two hundred dollars per day for a
10 second offense in an eighteen month period, and no more than four
11 hundred dollars per day for subsequent offenses may be assessed for a
12 violation of this section or of a regulatory requirement of the office
13 of children and family services that is not included in clause (A) or
14 (B) of this subparagraph.

15 (ii) The office of children and family services shall adopt regu-
16 lations establishing civil penalties of no more than two thousand five
17 hundred dollars per day to be assessed against child day care providers
18 who operate child day care centers or group family day care homes with-
19 out a license or who operate family day care homes, school-age child
20 care programs, or child day care centers required to be registered with-
21 out obtaining such registration.

22 (iii) In addition to any other civil or criminal penalty provided by
23 law, the office of children and family services shall have the power to
24 assess civil penalties in accordance with its regulations adopted pursu-
25 ant to this subdivision after a hearing conducted in accordance with
26 procedures established by regulations of the office of children and
27 family services. Such procedures shall require that notice of the time
28 and place of the hearing, together with a statement of charges of

1 violations, shall be served in person or by certified mail addressed to
2 the school age child care program, group family day care home, family
3 day care home, or child day care center at least thirty days prior to
4 the date of the hearing. The statement of charges shall set forth the
5 existence of the violation or violations, the amount of penalty for
6 which the program may become liable[,] and the steps which must be taken
7 to rectify the violation, and where applicable, a statement that a
8 penalty may be imposed regardless of rectification. A written answer to
9 the charges of violations shall be filed with the office of children and
10 family services not less than ten days prior to the date of hearing with
11 respect to each of the charges and shall include all material and rele-
12 vant matters which, if not disclosed in the answer, would not likely be
13 known to the office of children and family services.

14 (iv) The hearing shall be held by the commissioner of the office of
15 children and family services or the commissioner's designee. The burden
16 of proof at such hearing shall be on the office of children and family
17 services to show that the charges are supported by a preponderance of
18 the evidence. The commissioner of the office of children and family
19 services or the commissioner's designee, in his or her discretion, may
20 allow the child day care center operator or provider to attempt to prove
21 by a preponderance of the evidence any matter not included in the
22 answer. Where the child day care provider satisfactorily demonstrates
23 that it has rectified the violations in accordance with the requirements
24 of paragraph (c) of this subdivision, no penalty shall be imposed except
25 as provided in paragraph (c) of this subdivision.

26 (v) Nothing herein shall prohibit the office of children and family
27 services from forgiving or reducing a civil penalty in the event that a

1 violation is rectified, or as part of the enforcement or fair hearing
2 process.

3 § 5. Subparagraph (ii) of paragraph (c) of subdivision 11 of section
4 390 of the social services law, as amended by chapter 117 of the laws of
5 2010, is amended to read as follows:

6 (ii) [Clause] Subparagraph (i) of this paragraph notwithstanding,
7 rectification shall not preclude the imposition of a penalty pursuant to
8 this subdivision where:

9 (A) the child day care provider has operated a child day care center
10 or group family day care home without a license, has refused to seek a
11 license for the operation of such a center or home, or has continued to
12 operate such a center or home after denial of a license application,
13 revocation of an existing license or suspension of an existing license;

14 (B) the child day care provider has operated a family day care home,
15 school-age child care program or child day care center required to be
16 registered without being registered, has refused to seek registration
17 for the operation of such home, program or center or has continued to
18 operate such a home, program or center after denial of a registration
19 application, revocation of an existing registration or suspension of an
20 existing registration;

21 (C) there has been a total or substantial failure of the facility's
22 fire detection or prevention systems or emergency evacuation procedures;

23 (D) the child day care provider or an assistant, employee or volunteer
24 has failed to provide adequate and competent supervision;

25 (E) the child day care provider or an assistant, employee or volunteer
26 has failed to provide adequate sanitation;

27 (F) the child day care provider or an assistant, employee, volunteer
28 or, for a family day care home or group family day care home, a member

1 of the provider's household, has injured a child in care, unreasonably
2 failed to obtain medical attention for a child in care requiring such
3 attention, used corporal punishment against a child in care or abused or
4 maltreated a child in care;

5 (G) the child day care provider has violated the same statutory or
6 regulatory standard more than once within a [six] eighteen month period;

7 (H) the child day care provider or an assistant, employee or volunteer
8 has failed to make a report of suspected child abuse or maltreatment
9 when required to do so pursuant to section four hundred thirteen of this
10 article; [or]

11 (I) the child day care provider or an assistant, employee or volunteer
12 has submitted to the office of children and family services a forged
13 document as defined in section 170.00 of the penal law; or

14 (J) the child day care provider violated a statutory or regulatory
15 requirement not otherwise contained in this subparagraph that resulted
16 in harm or risk to a child in accordance with the standards contained in
17 clauses (A) or (B) of subparagraph (i) of paragraph (a) of this subdivi-
18 sion.

19 § 6. Paragraph (e) of subdivision 11 of section 390 of the social
20 services law, as added by chapter 117 of the laws of 2010, is amended to
21 read as follows:

22 (e) (i) The office of children and family services shall deny or reject
23 a new application for licensure or registration made by a day care
24 provider whose license or registration was previously suspended or
25 revoked or [terminated] whose renewal was denied or rejected based on a
26 violation of statute or regulation for a period of [two] three years
27 from the date that the revocation [or termination] or suspension of the
28 license or registration became finally effective[, unless such] or the

1 date the renewal was denied or rejected, whichever is earlier. Provided
2 however, the application may be approved if the office determines, in
3 its discretion, that such approval [of the application] will not in any
4 way jeopardize the health, safety or welfare of children in the center,
5 program or home. For the purposes of this paragraph, the date that the
6 revocation [or termination] became finally effective shall be, as appli-
7 cable:

8 (A) the date that the revocation [or termination] became effective
9 based on the notice of revocation [or termination];

10 (B) the date that the hearing decision was issued upholding the revo-
11 cation [or termination];

12 (C) the date of issuance of a final court order affirming the revoca-
13 tion [or termination] or affirming a hearing decision that upheld the
14 revocation [or termination]; or

15 (D) another date mutually agreed upon by the office of children and
16 family services and the provider.

17 (ii) (A) Such office shall deny or reject a new application or the
18 renewal of an application for licensure or registration made by a day
19 care provider who is enjoined or otherwise prohibited by a court order
20 from operation of a day care center, group family day care home, family
21 day care home or school-age child care program without a license or
22 registration for a period of [two] three years from the date of the
23 court order unless the court order specifically enjoins the provider
24 from providing day care for a period longer than [two] three years, in
25 which case the office shall deny or reject any new application made by
26 the provider while the provider is so enjoined.

27 (B) Such office shall deny or reject a new application for licensure
28 or registration made by a day care provider who is assessed a second

1 civil penalty by such office for having operated a day care center,
2 group family day care home, family day care home or school-age child
3 care program without a license or registration for a period of [two]
4 five years from the date of the second fine. For the purposes of this
5 paragraph, the date of the second fine shall be either the date upon
6 which the day care provider signs a stipulation agreement to pay the
7 second fine or the date upon which a hearing decision is issued affirm-
8 ing the determination of such office to impose the second fine, as
9 applicable.

10 (iii) A day care provider who surrenders the provider's license or
11 registration while such office is engaged in enforcement seeking suspen-
12 sion[,] or revocation [or termination] of such provider's license or
13 registration pursuant to the regulations of such office, shall be deemed
14 to have had their license or registration revoked [or terminated] and
15 shall be subject to the prohibitions against licensing or registration
16 pursuant to subparagraph (i) of this paragraph for a period of [two]
17 three years from the date of surrender of the license or registration.

18 § 7. Subdivision 11 of section 390 of the social services law is
19 amended by adding a new paragraph (f) to read as follows:

20 (f) The office of children and family services shall deny a new appli-
21 cation for licensure or registration or the renewal of an application
22 for licensure or registration made by a child day care provider who
23 operated a program referenced in subdivision thirteen of this section
24 and whose permit was previously revoked or suspended or whose renewal
25 was denied or rejected based on a violation of statute or regulation for
26 a period of three years from the date that the revocation or suspension
27 of the permit became finally effective or the date the renewal was
28 denied or rejected. For the purposes of this paragraph, the date that

1 the revocation or suspension became finally effective shall be based on
2 an application of the provisions enumerated in paragraph (e) of this
3 subdivision, as applicable.

4 § 8. Section 390 of the social services law is amended by adding a new
5 subdivision 11-a to read as follows:

6 11-a. When an enforcement action for suspension or revocation is
7 commenced against a child care provider that owns multiple programs, the
8 office of children and family services is authorized to assess the
9 health and safety of the children in the other programs owned by such
10 provider within two business days.

11 § 9. Subdivision 13 of section 390 of the social services law, as
12 amended by chapter 160 of the laws of 2003, is amended to read as
13 follows:

14 13. Notwithstanding any other provision of law[,] to the contrary:

15 (a) this section, except for this subdivision and, where applicable,
16 paragraph [(a-1) of subdivision two-a] (d) of subdivision three, subdi-
17 vision eight and paragraph (f) of subdivision eleven of this section,
18 shall not apply to child day care centers in the city of New York[.];

19 (b) the applicable regulatory standard for child day care centers
20 referenced in paragraph (a) of this subdivision shall not be less strin-
21 gent than the applicable safety regulations for child day care centers
22 contained in title eighteen of the New York codes, rules and regu-
23 lations; and

24 (c) the office of children and family services may direct the local
25 governmental entity that has oversight over the child day care centers
26 referenced in paragraph (a) of this subdivision to take any action
27 consistent with the provisions of this section when necessary to protect
28 the public health or child health or safety in accordance with the stan-

1 ard detailed in subparagraph (ii) of paragraph (c) of subdivision ten
2 of this section in relation to child day care centers referenced in
3 paragraph (a) of this subdivision.

4 § 10. Section 390-i of the social services law, as added by section 1
5 of part Q of chapter 56 of the laws of 2014, is amended to read as
6 follows:

7 § 390-i. Notice of inspection report, limitation, suspension or revo-
8 cation. 1. In every child day care program that is licensed or regis-
9 tered pursuant to section three hundred ninety of this title, the child
10 day care provider shall immediately post and maintain in a prominent
11 place[, a] visible to parents or caregivers:

12 (a) A notice, to be provided by the office of children and family
13 services, that shall state the date the most recent child care
14 inspection occurred and provide information for parents and caregivers
15 regarding how to obtain information from such office regarding the
16 results of the inspection; and

17 (b) The provider's most recent compliance history as shown on the
18 office of children and family services website.

19 2. In every child day care program that is licensed or registered
20 pursuant to section three hundred ninety of this title and every child
21 day care center referenced in subdivision thirteen of section three
22 hundred ninety of this title, the child day care provider shall imme-
23 diately post and maintain in a prominent place, visible to parents or
24 caregivers, any notice issued to the provider of the suspension, revoca-
25 tion or limitation of the program. A notice of suspension or limitation
26 must remain posted for a period of at least thirty days and at least
27 until such time as the condition requiring suspension or limitation has
28 been deemed corrected by the office of children and family services or

1 the local governmental entity referenced in subdivision thirteen of
2 section three hundred ninety of this title, or in the event that the
3 condition is not deemed corrected, until the program's license, regis-
4 tration or permit has been revoked.

5 3. If possible, the child day care provider shall also post [such] all
6 the information and notices listed in subdivisions one and two of this
7 section on the child day care program's website. [Such child day care
8 programs shall post and maintain, in a prominent place, such program's
9 most recent compliance history as shown on the office of children and
10 family services website.]

11 § 11. This act shall take effect immediately, provided, however, that:

12 a. Sections one, three, four, five, six, eight, and nine of this act
13 shall take effect on the ninetieth day after it shall have become a law;

14 b. Section ten of this act shall take effect twelve months after it
15 shall have become a law;

16 c. Sections two and seven of this act shall take effect eighteen
17 months after it shall have become a law; and

18 d. The office of children and family services is authorized to promul-
19 gate any rule or regulation necessary for the timely implementation of
20 this act.