

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 309 Session of  
2019

INTRODUCED BY MEHAFFIE, SOLOMON, A. DAVIS, LONGIETTI,  
SCHLOSSBERG, MILLARD, MURT, RABB, BERNSTINE, FREEMAN, HILL-  
EVANS, CIRESI, NEILSON, OTTEN, KORTZ, HOHENSTEIN, BOYLE AND  
MALAGARI, FEBRUARY 1, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JANUARY 14, 2020

## AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in departmental powers and  
4 duties as to supervision, providing for Keystone STARS  
5 Program participants; and, in departmental powers and duties  
6 as to licensing, further providing for fees, providing for  
7 Keystone STARS Program participants and further providing for  
8 definition.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. The act of June 13, 1967 (P.L.31, No.21), known  
12 as the Human Services Code, is amended by adding a section to  
13 read:

14 Section 923. Keystone STARS Program Participants.--(a) Each  
15 child care provider enrolled in the Keystone STARS Program  
16 shall:

17 (1) conspicuously denote on its publicly accessible Internet  
18 website, if operational, its designated STAR-level rating,  
19 which shall include how many STARS out of four that the child

care provider has received;

(2) provide its STAR-level rating in writing to families at the time of application and enrollment; and

(3) obtain a department-issued placard that denotes the child care provider's participation in the Keystone STARS Program and designated STAR-level rating.

(b) The department shall be responsible for issuing placards to program participants. The department shall also be responsible for designing placards in conformance with the following:

(1) The placards shall be clear, visible and readable by the general public.

(2) In addition to any guidelines issued by the department regarding the form of the placards, placards shall include the following information:

(i) The name of the recipient child care provider.

(ii) The name of the department.

(iii) The date the department issued the placard.

(iv) The number of STARS out of four that the child care provider has received.

(v) The address, phone number, publicly accessible Internet website and e-mail address of the department.

(vi) The web address for the publicly accessible Internet website of the department that provides information and resources related to the Keystone STARS Program.

(c) Placards shall be posted in any public-facing window on or adjacent to the entrance of the child care provider or, if no public-facing window exists, at the entrance of the child care provider.

(d) The department shall ensure on an annual basis that the

1 placard is posted and accurate.

2 (e) A child care provider that fails to publicly display its  
3 designated STAR-level rating or alters a department-issued  
4 placard in an attempt to misrepresent its STAR-level rating may <--  
5 be cited for noncompliance by the department and may be subject  
6 to a one STAR level rating for two years. SHALL FOR A FIRST <--  
7 CITATION FOR NONCOMPLIANCE RECEIVE A WRITTEN WARNING FROM THE  
8 DEPARTMENT. THE FOLLOWING SHALL APPLY:

9 (1) AFTER CITATION FOR A FIRST VIOLATION, THE DEPARTMENT  
10 SHALL RETURN IN SIX MONTHS TO ENSURE COMPLIANCE. IF THE CHILD  
11 CARE PROVIDER REMAINS NONCOMPLIANT, THE CHILD CARE PROVIDER  
12 SHALL LOSE ONE STAR IN ITS STAR-LEVEL RATING.

13 (2) IF A CHILD CARE PROVIDER WAS NONCOMPLIANT UNDER CLAUSE  
14 (1), THE DEPARTMENT SHALL RETURN AGAIN IN SIX MONTHS TO ENSURE  
15 COMPLIANCE. IF THE CHILD CARE PROVIDER REMAINS NONCOMPLIANT, THE  
16 CHILD CARE PROVIDER SHALL BE SUBJECT TO A ONE STAR-RATING FOR  
17 ONE YEAR OR UNTIL IT BECOMES COMPLIANT.

18 Section 2. Section 1006 of the act is amended to read:

19 Section 1006. Fees.--Annual licenses shall be issued when  
20 the proper fee, if required, is received by the department and  
21 all the other conditions prescribed in this act are met. For  
22 personal care homes, the fee shall be an application fee. The  
23 fees shall be:

Facility	Annual Fee
Adult day care center	\$ 15
Mental health establishment	50
Personal care home-- 0 - 20 beds	15
-- 21 - 50 beds	20
-- 51 - 100 beds	30
--101 beds and above	50

1 No fee shall be required for the annual license in the case of  
2 [day] child care centers, family child care homes, boarding  
3 homes for children or for public or nonprofit mental  
4 institutions.

5 Section 3. The act is amended by adding a section to read:

6 Section 1019. Keystone STARS Program Participants.--(a)  
7 Each child care center and family child care home enrolled in  
8 the Keystone STARS Program shall:

9 (1) conspicuously denote on its publicly accessible Internet  
10 website, if operational, its designated STAR-level rating,  
11 which shall include how many STARS out of four that the child  
12 care center or family child care home has received;

13 (2) provide its STAR-level rating in writing to families at  
14 the time of application and enrollment; and

15 (3) obtain a department-issued placard that denotes the  
16 child care center's or family child care home's participation in  
17 the Keystone STARS Program and designated STAR-level rating.

18 (b) The department shall be responsible for issuing placards  
19 to program participants. The department shall also be  
20 responsible for designing placards in conformance with the  
21 following:

22 (1) The placards shall be clear, visible and readable by the  
23 general public.

24 (2) In addition to any guidelines issued by the department  
25 regarding the form of the placards, placards shall include the  
26 following information:

27 (i) The name of the recipient child care center or family  
28 child care home.

29 (ii) The name of the department.

30 (iii) The date the department issued the placard.

1     (iv) The number of STARS out of four that the child care  
2 center or family child care home has received.

3     (v) The address, phone number, publicly accessible Internet  
4 website and e-mail address of the department.

5     (vi) The web address for the publicly accessible Internet  
6 website of the department that provides information and  
7 resources related to the Keystone STARS Program.

8     (c) Placards shall be posted in any public-facing window on  
9 or adjacent to the entrance of the child care center or family  
10 child care home or, if no public-facing window exists, at the  
11 entrance of the child care center or family child care home.

12     (d) The department shall ensure on an annual basis that the  
13 placard is posted and accurate.

14     (e) A child care center or family child care home that fails  
15 to publicly display its designated STAR-level rating or alters a  
16 department-issued placard in an attempt to misrepresent its  
17 STAR-level rating may be cited for noncompliance by the

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18 department and may be subject to a one STAR level rating for two  
19 years. SHALL FOR A FIRST CITATION FOR NONCOMPLIANCE RECEIVE A

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20 WRITTEN WARNING FROM THE DEPARTMENT. THE FOLLOWING SHALL APPLY:

21     (1) AFTER CITATION FOR A FIRST VIOLATION, THE DEPARTMENT  
22 SHALL RETURN IN SIX MONTHS TO ENSURE COMPLIANCE. IF THE CHILD  
23 CARE CENTER OR FAMILY CHILD CARE HOME REMAINS NONCOMPLIANT, THE  
24 CHILD CARE CENTER OR FAMILY CHILD CARE HOME SHALL LOSE ONE STAR  
25 IN ITS STAR-LEVEL RATING.

26     (2) IF A CHILD CARE CENTER OR FAMILY CHILD CARE HOME WAS  
27 NONCOMPLIANT UNDER CLAUSE (1), THE DEPARTMENT SHALL RETURN AGAIN  
28 IN SIX MONTHS TO ENSURE COMPLIANCE. IF THE CHILD CARE CENTER OR  
29 FAMILY CHILD CARE HOME REMAINS NONCOMPLIANT, THE CHILD CARE  
30 CENTER OR FAMILY CHILD CARE HOME SHALL BE SUBJECT TO A ONE STAR-

1 RATING FOR ONE YEAR OR UNTIL IT BECOMES COMPLIANT.

2 Section 4. Section 1051 of the act is amended to read:

3 Section 1051. Definition.--As used in this subarticle--

4 "Private institution" means any of the following facilities  
5 by whatever term known and irrespective of the age group served:

6 Mental hospital, institution for the mentally defective, [day]

7 child care center, nursing home, hospital, personal care home,

8 assisted living residence and other similar institution which is

9 operated for profit and which requires a license issued by the

10 department.

11 Section 5. This act shall take effect in 180 days.