

# HOUSE BILL 392

O4, F1, O3  
HB 396/20 – W&M

(PRE-FILED)

1lr0704

---

By: **Delegate Guyton**

Requested: July 8, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Child Care Centers – Early Childhood Screening and Assistance**

3 FOR the purpose of requiring the State Department of Education to develop certain  
4 guidelines for developmental screenings for certain children; requiring, beginning on  
5 a certain date, certain child care centers to offer to certain parents or guardians  
6 evaluations for certain children entering the center based on the guidelines;  
7 requiring an employee of the center to provide certain information and assistance to  
8 certain parents or guardians under certain circumstances; requiring the center to  
9 provide a certain evaluation and certain assistance a certain number of times per  
10 year; authorizing a center to meet a certain requirement in a certain manner;  
11 providing for a certain immunity for certain employees; providing for the application  
12 of this Act; and generally relating to early childhood developmental screenings and  
13 assistance.

14 BY adding to

15 Article – Education

16 Section 9.5–413.1

17 Annotated Code of Maryland

18 (2018 Replacement Volume and 2020 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 **9.5–413.1.**

23 **(A) THIS SECTION APPLIES TO CHILD CARE CENTERS THAT ARE REQUIRED**  
24 **TO BE LICENSED OR HOLD A LETTER OF COMPLIANCE UNDER THIS SUBTITLE.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) ON OR BEFORE JANUARY 1, 2022, THE DEPARTMENT SHALL ESTABLISH**  
2 **GUIDELINES FOR EARLY CHILDHOOD DEVELOPMENTAL SCREENINGS FOR**  
3 **CHILDREN UNDER THE AGE OF 3 YEARS TO BE USED BY CHILD CARE CENTERS TO:**

4           **(1) ASSESS A CHILD’S PROGRESS THROUGH FOUNDATIONAL EARLY**  
5 **CHILDHOOD DEVELOPMENT MILESTONES; AND**

6           **(2) SCREEN FOR POTENTIAL DISABILITIES.**

7           **(C) (1) BEGINNING JULY 1, 2022, EACH CHILD CARE CENTER SHALL**  
8 **OFFER THE PARENT OR GUARDIAN OF EACH CHILD UNDER THE AGE OF 3 YEARS WHO**  
9 **ENTERS CARE AT THE CENTER TO EVALUATE THE CHILD USING THE GUIDELINES**  
10 **DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION.**

11           **(2) IF A PARENT OR GUARDIAN ACCEPTS THE OFFER FOR THE CHILD**  
12 **TO BE EVALUATED, AN EMPLOYEE OF THE CHILD CARE CENTER SHALL SHARE THE**  
13 **RESULTS OF THE EVALUATION WITH THE PARENT OR GUARDIAN.**

14           **(3) AN EMPLOYEE OF THE CHILD CARE CENTER SHALL MAKE THE**  
15 **FOLLOWING INFORMATION AVAILABLE TO THE PARENT OR GUARDIAN OF EACH**  
16 **CHILD UNDER THE AGE OF 3 YEARS AT THE CENTER:**

17           **(I) INFORMATION ABOUT THE MARYLAND INFANTS AND**  
18 **TODDLERS PROGRAM; AND**

19           **(II) CONTACT INFORMATION FOR THE LOCAL LEAD AGENCY**  
20 **RESPONSIBLE FOR THE ADMINISTRATION OF THE MARYLAND INFANTS AND**  
21 **TODDLERS PROGRAM.**

22           **(4) IF A PARENT OR GUARDIAN EXPRESSES INTEREST IN CONTACTING**  
23 **THE LOCAL LEAD AGENCY FOR THE ADMINISTRATION OF THE MARYLAND INFANTS**  
24 **AND TODDLERS PROGRAM, AN EMPLOYEE OF THE CHILD CARE CENTER SHALL**  
25 **OFFER ASSISTANCE IN CONTACTING THE AGENCY, INCLUDING ARRANGING FOR A**  
26 **REPRESENTATIVE OF THE AGENCY TO COME TO THE CENTER TO PROVIDE**  
27 **ASSISTANCE TO THE CHILD.**

28           **(D) (1) EACH CHILD CARE CENTER SHALL OFFER THE EVALUATION AND**  
29 **ASSISTANCE DESCRIBED IN SUBSECTION (C) OF THIS SECTION TO PARENTS AND**  
30 **GUARDIANS AT LEAST TWO TIMES EACH YEAR.**

31           **(2) A CHILD CARE CENTER MAY MEET THE REQUIREMENTS OF THIS**  
32 **SUBSECTION BY COMMUNICATING THE EXISTENCE OF THE EVALUATION AND**  
33 **ASSISTANCE DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION IN PLAIN**

1 LANGUAGE IN A MANNER THAT A PARENT OR GUARDIAN IS LIKELY TO SEE.

2 (E) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, AN EMPLOYEE  
3 WHO OFFERS AN EVALUATION UNDER THIS SECTION IN GOOD FAITH TO A CHILD IN  
4 ACCORDANCE WITH THE DEPARTMENT'S GUIDELINES IS IMMUNE FROM CIVIL  
5 LIABILITY.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2021.