

Act 46 of the 1989 Regular Session.

Act 46

HB1207

By: Representatives Cabe and Thicksten

"AN ACT TO CREATE A VOLUNTARY REGISTRY FOR DAY CARE FAMILY HOMES CURRENTLY EXEMPT UNDER THE CHILD CARE FACILITY LICENSING ACT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subchapter 2 of Chapter 78 of Title 20 of the Arkansas Code is hereby amended by adding an additional section at the end thereof to read as follows:

"20-78-218. Voluntary Registration.

A. There shall be created a voluntary registry of day care family homes that are not required by Arkansas Code 20-78-201 et seq. to be licensed by the Child Care Facility Review Board. Such registry shall be maintained by the Department of Human Services, Division of Children and Family Services.

B. Procedure for Registration. Day care family homes exempt from licensure may voluntarily register the Home with the registry established, operated and maintained by the Department of Human Services. A person wishing to participate in the Voluntary Registry shall make an application to the Department. Upon receipt of the application, the Department shall review the applicant's written application, qualifications and proposed operation to determine their compliance with registry rules and regulations. The Department shall issue a Certificate of Registration to the applicant which authorizes the applicant to operate a registered day care family home only upon final determination of an applicant's compliance with the rules and regulations established for registration.

C. The Department is authorized to establish such rules and regulations that a day care family home shall meet in order to be registered by the Department of Human Services. The Department shall have the right to enter and inspect a registered day care family home, if there is reason to believe that the home is in violation of the registry rules and regulations and to ensure compliance with the rules and regulations established by the Department.

D. Removal/Denial of Registration. If, after review of the submitted application, it is determined that the day care family home is not in compliance with the rules and regulations for registry as established by the Department, the Department shall immediately deny or remove the home from the registry. Upon removal from the registry, a day care family home may no longer be considered a registered home.

E. Right to Appeal. A person whose registration has been denied or is removed from the Voluntary Registry due to violation of rules and regulations, may appeal the action to the Department in accordance with Arkansas law and the State rules and regulations. The appeal does not stay the denial or removal from the registry.

F. Renewal of Registration. The registration of the day care family home shall be renewed every two years. The Department of Human Services shall have the right to investigate and inspect the premises when there is reason to believe violations exist and to make sure the home is still in compliance with the rules and regulations established for the voluntary registry of day care family homes.

G. Surrender of Registration. At any time the owner of the registered day care family home may voluntarily surrender his Certificate of Registration. Upon such surrender, that home shall be removed from the registry of day care family homes operated by the Department of Human Services."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: February 13, 1989

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