LEGISLATIVE COMMITTEE MINUTES

SB170

Bill as Introduced

SB 170-FN - AS INTRODUCED

2023 SESSION

23-0806
06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

This bill creates a definition for "small group child day care center" for child day care licensing.

This bill removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the national fire protection association's requirements for capacity.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 170-FN - AS INTRODUCED

23-0806
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Legislative Findings. The general court finds that modifying the existing family child care definitions would allow new child care businesses to be formed. The child care licensing unit (CCLU) recommended drafting a new category for small child care centers caring for less than 12 children in commercial locations. Creation of this new rule provides alignment with National Fire Protection Association (NFPA) life safety codes and provides a new option for providing small group child care in a commercial setting, while meeting the more flexible mixed age rules of family care settings.

2 New Subparagraph; Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV by inserting after subparagraph (h) the following new subparagraph:

(i) "Small group child day care center" means a child day-care agency in which child day care is provided for not more than 12 preschool children, whether or not the service is known as day nursery, nursery school, kindergarten, cooperative, child development center, day-care center, center for the developmentally disabled, progressive school, Montessori school, or by any other name.

3 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(a) and (b) to read as follows:

(a) "Family day care home" means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. [~~In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.~~]

(b) "Family group day care home" means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. [~~In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.~~]

4 Effective Date. This act shall take effect June 30, 2024.

LBA
23-0806
1/17/23

SB 170-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to small group child day care centers.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of Health and Human Services

2023 SESSION

23-0806
06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

This bill creates a definition for "small group child day care center" for child day care licensing.

This bill removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the national fire protection association's requirements for capacity.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Legislative Findings. The general court finds that modifying the existing family child care definitions would allow new child care businesses to be formed. The child care licensing unit (CCLU) recommended drafting a new category for small child care centers caring for less than 12 children in commercial locations. Creation of this new rule provides alignment with National Fire Protection Association (NFPA) life safety codes and provides a new option for providing small group child care in a commercial setting, while meeting the more flexible mixed age rules of family care settings.

2 New Subparagraph; Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV by inserting after subparagraph (h) the following new subparagraph:

(i) "Small group child day care center" means a child day-care agency in which child day care is provided for not more than 12 preschool children, whether or not the service is known as day nursery, nursery school, kindergarten, cooperative, child development center, day-care center, center for the developmentally disabled, progressive school, Montessori school, or by any other name.

3 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(a) and (b) to read as follows:

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4 Applicability. The provisions of this act shall apply to programs licensed on or after the effective date of this act. Also, this act shall not apply to programs already licensed before the effective date of this act. Those programs will continue to operate under prior law unless and until such time as their license is not timely renewed or no longer valid.

5 Effective Date. This act shall take effect June 30, 2024.

LBA
23-0806
Amended 4/20/23

SB 170-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-0843s)

AN ACT relative to small group child day care centers.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Department of Health and Human Services states this bill, as amended, will have no fiscal impact on state, county and local expenditures or revenues.

AGENCIES CONTACTED:

Department of Health and Human Services

SB 170-FN - AS AMENDED BY THE HOUSE

03/16/2023 0843s
8Jun2023... 1899h

2023 SESSION

23-0806
06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

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03/16/2023 0843s
8Jun2023... 1899h

23-0806
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Legislative Findings. The general court finds that modifying the existing family child care definitions would allow new child care businesses to be formed. The child care licensing unit (CCLU) recommended drafting a new category for small child care centers caring for less than 12 children in commercial locations. Creation of this new rule provides alignment with National Fire Protection Association (NFPA) life safety codes and provides a new option for providing small group child care in a commercial setting, while meeting the more flexible mixed age rules of family care settings.

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LBA
23-0806
Amended 4/20/23

SB 170-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-0843s)

AN ACT relative to small group child day care centers.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Department of Health and Human Services states this bill, as amended, will have no fiscal impact on state, county and local expenditures or revenues.

AGENCIES CONTACTED:

Department of Health and Human Services

SB 170-FN - VERSION ADOPTED BY BOTH BODIES

03/16/2023 0843s
8Jun2023... 1899h

2023 SESSION

23-0806
06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

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03/16/2023 0843s
8Jun2023... 1899h

23-0806
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

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(b) "Family group day care home" means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, ***provided that the after school and holiday increase in capacity is permitted by the state fire code and in compliance with any local ordinance.***

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5 Effective Date. This act shall take effect June 30, 2024.

LBA
23-0806
Amended 4/20/23

SB 170-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2023-0843s)

AN ACT relative to small group child day care centers.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Department of Health and Human Services states this bill, as amended, will have no fiscal impact on state, county and local expenditures or revenues.

AGENCIES CONTACTED:

Department of Health and Human Services

CHAPTER 218
SB 170-FN - FINAL VERSION

03/16/2023 0843s
8Jun2023... 1899h

2023 SESSION

23-0806
06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

This bill creates a definition for "small group child day care center" for child day care licensing.

This bill removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the national fire protection association's requirements for capacity.

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CHAPTER 218
SB 170-FN - FINAL VERSION

03/16/2023 0843s
8Jun2023... 1899h

23-0806
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

218:1 Legislative Findings. The general court finds that modifying the existing family child care definitions would allow new child care businesses to be formed. The child care licensing unit (CCLU) recommended drafting a new category for small child care centers caring for less than 12 children in commercial locations. Creation of this new rule provides alignment with National Fire Protection Association (NFPA) life safety codes and provides a new option for providing small group child care in a commercial setting, while meeting the more flexible mixed age rules of family care settings.

218:2 New Subparagraph; Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV by inserting after subparagraph (h) the following new subparagraph:

(i) "Small group child day care center" means a child day-care agency in which child day care is provided for not more than 12 preschool children, whether or not the service is known as day nursery, nursery school, kindergarten, cooperative, child development center, day-care center, center for the developmentally disabled, progressive school, Montessori school, or by any other name.

218:3 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(a) and (b) to read as follows:

(a) "Family day care home" means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, ***provided that the after school and holiday increase in capacity is permitted by the state fire code and in compliance with any local ordinance.***

(b) "Family group day care home" means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, ***provided that the after school and***

holiday increase in capacity is permitted by the state fire code and in compliance with any local ordinance.

218:4 Applicability. The provisions of this act shall apply to programs licensed on or after the effective date of this act. Also, this act shall not apply to programs already licensed before the effective date of this act. Those programs will continue to operate under prior law unless and until such time as their license is not timely renewed or no longer valid.

218:5 Effective Date. This act shall take effect June 30, 2024.

Approved: August 04, 2023
Effective Date: June 30, 2024

Amendments

5-0

Sen. Birdsell, Dist 19
February 23, 2023
2023-0674s
06/07

Amendment to SB 170-FN

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Applicability. The provisions of this act shall apply to programs licensed on or after the effective date of this act. Also, this act shall not apply to programs already licensed before the effective date of this act. Those programs will continue to operate under prior law, unless and until such time as their license is not timely renewed or no longer valid.

UNAPPROVED

Health and Human Services
March 8, 2023
2023-0843s
06/07

Amendment to SB 170-FN

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Applicability. The provisions of this act shall apply to programs licensed on or after the effective date of this act. Also, this act shall not apply to programs already licensed before the effective date of this act. Those programs will continue to operate under prior law unless and until such time as their license is not timely renewed or no longer valid.

Committee Minutes

SENATE CALENDAR NOTICE
Health and Human Services

Sen Regina Birdsell, Chair
Sen Kevin Avard, Vice Chair
Sen Jeb Bradley, Member
Sen Rebecca Whitley, Member
Sen Suzanne Prentiss, Member

Date: January 24, 2023

HEARINGS

Wednesday	02/01/2023
(Day)	(Date)

Health and Human Services	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**SB 86-FN**	relative to health care workforce development and making appropriations therefor.
9:15 a.m.	**SB 178-FN-A**	relative to certain specialty formulas under Medicaid.
9:30 a.m.	**SB 170-FN**	relative to small group child day care centers.
9:45 a.m.	**SB 176-FN**	relative to insurance coverage for pelvic floor therapy.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:
SB 86-FN
Sen. Rosenwald
SB 178-FN-A
Sen. Rosenwald | Sen. Whitley | Sen. Prentiss | Rep. McMahon
Rep. Nordgren | Rep. N. Murphy | Rep. Nutter-Upham

SB 170-FN

Sen. Perkins Kwoka	Sen. Watters	Sen. Gannon	Sen. Altschiller
Sen. Rosenwald	Sen. Soucy	Sen. Lang	Sen. Whitley
Sen. Chandley	Sen. Fenton	Sen. Prentiss	

SB 176-FN

Sen. Perkins Kwoka	Sen. Watters	Sen. Fenton	Sen. Altschiller
Sen. Whitley	Sen. Carson	Rep. Cannon	Rep. Grote

Cameron Lapine 271-2104

Regina Birdsell
Chairman

AMENDED
SENATE CALENDAR NOTICE
Health and Human Services

Sen Regina Birdsell, Chair
Sen Kevin Avard, Vice Chair
Sen Jeb Bradley, Member
Sen Rebecca Whitley, Member
Sen Suzanne Prentiss, Member

Date: January 24, 2023

HEARINGS

Wednesday	02/01/2023
(Day)	(Date)

Health and Human Services — Legislative Office Building 101 — 9:00 a.m.
(Name of Committee) (Place) (Time)

9:00 a.m.	**SB 86-FN**	relative to health care workforce development and making appropriations therefor.
9:15 a.m.	**SB 178-FN-A**	relative to certain specialty formulas under Medicaid.
9:30 a.m.	**SB 170-FN**	relative to small group child day care centers.
9:45 a.m.	**SB 176-FN**	relative to insurance coverage for pelvic floor therapy.
		The Committee will break at the conclusion of the hearing on SB 176-FN.
1:00 p.m.	**SB 172-FN**	allowing court-appointed guardians to receive Temporary Assistance to Needy Families benefits.
1:15 p.m.	**SB 173-FN**	relative to surprise medical bills.
1:30 p.m.	**SB 174**	relative to veterans access to health care.
1:45 p.m.	**SB 91**	relative to the qualifications of dentists to administer general anesthesia or deep sedation.
2:00 p.m.	**SB 171**	relative to the definition of youth recreational programs.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 86-FN

Sen. Rosenwald

SB 178-FN-A

Sen. Rosenwald	Sen. Whitley	Sen. Prentiss	Rep. McMahon
Rep. Nordgren	Rep. N. Murphy	Rep. Nutter-Upham	

SB 170-FN

Sen. Perkins Kwoka	Sen. Watters	Sen. Gannon	Sen. Altschiller
Sen. Rosenwald	Sen. Soucy	Sen. Lang	Sen. Whitley
Sen. Chandley	Sen. Fenton	Sen. Prentiss	

SB 176-FN

Sen. Perkins Kwoka	Sen. Watters	Sen. Fenton	Sen. Altschiller
Sen. Whitley	Sen. Carson	Rep. Cannon	Rep. Grote

SB 172-FN

Sen. Carson	Sen. D'Allesandro	Sen. Whitley	Sen. Rosenwald
Sen. Soucy	Rep. Long	Rep. McMahon	Rep. W. MacDonald

SB 173-FN

Sen. Carson	Sen. Bradley	Sen. Prentiss	

SB 174

Sen. Carson	Sen. D'Allesandro	Rep. Massimilla	Rep. Edwards
Rep. Moffett			

SB 91

Sen. Innis	Sen. Ward		

SB 171

Sen. Ricciardi	Sen. Perkins Kwoka	Sen. Watters	Sen. Whitley
Sen. Avard	Sen. Fenton	Sen. Rosenwald	Sen. Carson
Sen. Innis	Sen. Soucy	Sen. D'Allesandro	Sen. Prentiss
Sen. Birdsell	Sen. Chandley	Sen. Gannon	Sen. Pearl
Sen. Bradley	Sen. Altschiller	Rep. Rombeau	Rep. L. Gould

Cameron Lapine 271-2104

Regina Birdsell
Chairman

Senate Health and Human Services Committee

Cameron Lapine 271-2104

SB 170-FN, relative to small group child day care centers.

Hearing Date: February 1, 2023

Time Opened: 10:48 a.m. **Time Closed:** 11:26 a.m.

Members of the Committee Present: Senators Birdsell, Avard, Bradley, Whitley and Prentiss

Members of the Committee Absent: None

Bill Analysis: This bill creates a definition for "small group child day care center" for child day care licensing.

This bill removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the national fire protection association's requirements for capacity.

Sponsors:

Sen. Perkins Kwoka	Sen. Watters	Sen. Gannon
Sen. Altschiller	Sen. Rosenwald	Sen. Soucy
Sen. Lang	Sen. Whitley	Sen. Chandley
Sen. Fenton	Sen. Prentiss	

Who supports the bill: In total, **111 individuals** signed in in support of SB 170-FN. The full sign in sheets are available upon request to the Legislative Aide, Cameron Lapine (cameron.lapine@leg.state.nh.us).

Who opposes the bill: In total, **18 individuals** signed in as opposed to SB 170-FN. The full sign in sheets are available upon request to the Legislative Aide, Cameron Lapine (cameron.lapine@leg.state.nh.us).

Who is neutral on the bill: In total, **3 individuals** signed in as neutral on SB 170-FN. The full sign in sheets are available upon request to the Legislative Aide, Cameron Lapine (cameron.lapine@leg.state.nh.us).

Summary of testimony presented in support:

Senator Rebecca Perkins Kwoka

Senate District 21

- Senator Perkins Kwoka said SB 170-FN creates a new licensing category for childcare facilities up to 12 children outside of a residential setting. She said finding a location for a new center is a big barrier.
- Sen. Perkins Kwoka said SB 170-FN also clarifies a Fire Code rule to allow school-aged children to be in facilities.
- Sen. Perkins Kwoka said there are 36,000 licensed childcare spots in New Hampshire, meeting 60% of the total need. She said 36% of families live in a childcare desert and are waiting for space.
- Senator Whitley said she had childcare difficulties for her son from the moment he was born. She asked how childcare issues were affecting women coming out of the COVID-19 pandemic.
    - Sen. Perkins Kwoka said women bore a disproportionate impact from the COVID-19 pandemic, and women stayed home to take care of children during school closures more so than men did. She said childcare is the workforce behind the workforce and the State should respond to businesses and their needs.
- Referencing Page 1, Line 12, Senator Avard asked what a progressive school is.
    - Sen. Perkins Kwoka said she was unsure but believed it was a name for a type of daycare. She said SB 170-FN was designed to be broadly inclusive.

Sean Toomey

State Fire Marshal

- Mr. Toomey said his office had been working with the various stakeholders for months to make sure SB 170-FN is aligned with the Fire Code and the Department of Health and Human Services' (DHHS) rules.
- Mr. Toomey said there was a concern about the staff-to-client ratios and that is a work in progress. He said the intention is to have the effective date be in June of 2024 in order to allow time for modifications if necessary.
- Senator Birdsell asked if SB 170-FN was a request of the Fire Marshal's Office.
    - Mr. Toomey said it was not, but the Office was asked to participate.

John Randolph

Harmony Homes Assisted Living

- Mr. Randolph said childcare is a frequent problem cited by the staff at Harmony Homes. He said they started to offer on-site childcare to address that need. He said the current rules are so rigid them were almost unable to open.
- Mr. Randolph said he understands the need for oversight but there needs to be more affordable, flexible childcare options in New Hampshire.

- Mr. Randolph said he has been able to add new staff because they offer on-site childcare.

Jennifer Legere

A Place To Grow

- Ms. Legere said SB 170-FN will preserve existing capacity and create new opportunities for childcare. She said that adding 12 children to each new small center will be beneficial to situations like workforce housing and the hospitality industry.
- Ms. Legere said there will not be an impact on in-home care for family care providers. She said any confusion would be sorted out in the rulemaking process.
- Ms. Legere said prior to the COVID-19 pandemic, there were over 2,000 children who were unable to be served. She said 29% of the workforce is unable to return to work because of childcare issues.

Rebecca Woitkowski

Kids Count Policy Coordinator, New Futures

- Ms. Woitkowski said it is vitally important to lessen the childcare crisis in New Hampshire. She said there are 54,000 children under the age of six who have two working parents. She said the number of childcare slots available cannot serve as many families as need care.
- Ms. Woitkowski said early care and education set strong foundations for children.
- Ms. Woitkowski said SB 170-FN is intentionally designed to allow low-income families another avenue to access childcare.
- Ms. Woitkowski said the average cost for an infant at a childcare center is $14,000 per year; in a home-based setting is it $10,000.
- Ms. Woitkowski said that SB 170-FN creates the missing middle for families. She said most families do not feel that they have a choice and go with a childcare center because it is what is available to them.
- Sen. Whitley asked what proportion of a typical working parent's income goes toward childcare.
    - Ms. Woitkowski said the average center-based childcare consumes 37% of a single parent's median income, or 12% of the income of a two-parent household's average income of $120,000 per year. She said the federal Department of Health and Human Services suggests that 7% of income should go towards childcare. She said she presumed the type of childcare created by SB 170-FN would be less expensive than a childcare center but more expensive than a family-based homecare.
- Sen. Whitley said expanding parental choice is important.
    - Ms. Woitkowski said that if you ask a working parent if they got into their first choice for childcare, the answer is usually no. She said that she went on a waitlist when she was pregnant and they never got to enroll at that center.
- Sen. Avard expressed a concern about the safety of children through the licensing and waiver provisions discussed.

- Ms. Woitkowski said that that had been her first question. She said that the stakeholders worked with DHHS to meet the health and safety requirements when creating the new category. She said that children are often left in unsafe conditions when there are not childcare options available. She said this is especially common when parents work non-traditional hours or overnight shifts.

- Sen. Birdsell asked what would happen if an older sibling went to school but needed afterschool care at the facility their younger sibling received full-day care at.
  - Ms. Woitkowski deferred the question to the Department.

Dave Juvet

Senior Vice President for Public Policy, Business & Industry Association (BIA)

- Mr. Juvet said childcare is a critical issue for New Hampshire employers and came up at every roundtable the BIA held in 2022. He said it is recognized as an issue, like workforce housing, that has an impact on a business' ability to hire someone.
- Mr. Juvet said the New Hampshire economy is expanding faster than businesses can hire people. He said that has caused New Hampshire's low unemployment rate.
- Mr. Juvet said businesses are doing what they can to come up with family-friendly policies, like flexible work hours, but not all businesses can provide on-site childcare.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Melissa Clement

Chief, Childcare Licensing Unit, DHHS

- Ms. Clement said the issue addressed in SB 170-FN was initially brought forward as an amendment to HB 230 (2022) but there needed to be further consultations, so they stepped back and worked on SB 170-FN.
- Ms. Clement said SB 170-FN creates a new category for childcare for up to 12 children located in a place other than a home. She said the Department will make new rules for this new category specific to the needs of a small setting. She said that the current rules do not allow for 12 or fewer children in a non-home setting.
- Ms. Clement said it is not usually economically feasible to have a small facility outside of a home but there is a need in New Hampshire for multiple smaller centers.
- Ms. Clement said SB 170-FN aligns the statute with the Life Safety Code.
- Ms. Clement said family daycare homes with seven to nine children are technically out of alignment with the Life Safety Code, so the Department is proposing to automatically change their licensing category. She said it would affect 45 programs but the Department can make the change without an impact on the providers.
- Ms. Clement said the Department will work with the Fire Marshal on family group daycare centers with more than 12 children. She said there may need to be waivers given to allow them to continue to operate.
- Sen. Avard asked about the fiscal note.

- Ms. Clement said the Department was still working on the fiscal note worksheet but did not expect there to be a cost to the licensing unit, as they feel they have adequate staff in place.

- Sen. Birdsell asked what impact SB 170-FN would have on home daycares.
  - Ms. Clement said the family daycare statute allows for six pre-school-aged children plus three school-aged children. SB 170-FN would move them to just six children without an age restriction. She said the family group childcare statute allows nine children, and the Department would move over their license type.
- Sen. Birdsell asked if the change would come at a cost for providers.
  - Ms. Clement said it would not, because its an internal process for the Department.

Marianne Barter

Merrimack Valley Daycare Service

- Ms. Barter said she was neutral on SB 170-FN but had concerns.
- Ms. Barter said it was worrisome that family childcare centers would need a waiver for school-aged children. She said it was a concern because laws last a long time and it cannot be certain that the next Commissioner of DHHS will support issuing waivers.
- Ms. Barter said SB 170-FN adds another layer to an already burdensome regulatory structure. She said everyone supports the safety, happiness, and health of children but SB 170-FN will add another tier of things providers have to know, which will not benefit the industry.
- Ms. Barter said the differences created by SB 170-FN may be confusing to consumers. She said that people go to family childcare and childcare centers for specific, different reasons.

Melissa Clement

Speaking for a Second Time

- Sen. Birdsell asked what would happen if an older sibling went to school but needed afterschool care at the facility their younger sibling received full-day care at.
  - Ms. Clement said that the way the statute is currently written, six children are allowed plus up to three school-aged children. She said with the changes in SB 170-FN, anyone licensed as a family home childcare will become a family group childcare and have the ability to have nine children regardless of age or if they are an all-day child or an afterschool child. She said facilities will often save a spot for a child if they know they will need afterschool care once they become older.
  - Ms. Clement said DHHS was working with the State Fire Marshal's office to work out a waiver process around the Life Safety Code for where the existing rules do not meet perfectly with the reality. She said the Department does not want to restrict facilities' abilities to care for children as they currently do and will either upgrade a facility to a group license or work out a waiver.

cml
Date Hearing Report completed: February 7, 2023

Speakers

Senate Health & Human Services Committee
SIGN-IN SHEET

Date: Wednesday February 1st, 2023 **Time:** 9:30 a.m.

SB 170-FN AN ACT relative to small group child day care centers.

Name/Representing *(please print neatly)*	Support	Neutral	Oppose	Speaking?	Yes	No
Rep. Rebecca Perkins Kwoka (SD 11)	☑	☐	☐		☑	☐
Melissa Claimant DHHS (Provides Information)	☐	☐	☐		☒	☐
John Randolph Harmony Homes	☑	☐	☐		☑	☐
Jennifer Legare Applecrest Farm	☑	☐	☐		☑	☐
Jackie Cowell, Early Learning NH	☐	☑	☐		☑	☐
Marianne Barker, Merrimack Valley Daycare	☐	☑	☐		☑	☐
Rebecca Woitkuski - New Futures KIDS Count	☑	☐	☐		☑	☐
Forrest Rapier - Campaign for a Family Friendly Economy	☑	☐	☐		☐	☑
Sean Toomey, State Fire Marshal	☑	☐	☐		☑	☐
Dave Juret BIA	☒	☐	☐		☒	☐
	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐

Senate Remote Testify

Health and Human Services Committee Testify List for Bill SB170 on 2023-02-

Support: 104 Oppose: 18

Name	Title	Representing	Position
Lang, Senator Tim	An Elected Official	Senate District 2	Support
Landry, Jessica	A Member of the Public	Myself	Support
Rosenwald, Cindy	An Elected Official	SD 13	Support
soucy, donna	An Elected Official	SD 18	Support
Miller, Judy	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support
Curry, Kathryn	A Member of the Public	Myself	Support
Gilman, Meg	A Member of the Public	Myself	Support
Arrow, Jason	A Member of the Public	Myself	Support
Knowles, Gail	A Member of the Public	Myself	Support
Howard, Glendowlyn	A Member of the Public	Myself	Support
Lord, Kathleen	A Member of the Public	Myself	Support
McCray, Laurie A.	A Member of the Public	Myself	Support
Watters, Senator David	An Elected Official	Myself	Support
Hackmann, Kent	A Member of the Public	Myself	Support
Till, Mary	A Member of the Public	Myself	Support
Schatzle, Mary Alice	A Member of the Public	Myself	Support
Landry, Jessi	A Member of the Public	Myself	Support
anley, James	A Member of the Public	Myself	Support
emesch, Katherine	A Member of the Public	Myself	Support
Gustafson, Robin	A Member of the Public	Myself	Support
Stone, Carol	A Member of the Public	Myself	Support
Caron, Maria	A Member of the Public	Myself	Support
Parton, Rebecca	A Member of the Public	Myself	Support
Summers, Tina	A Member of the Public	Myself	Support
Heneghan, Robin	A Member of the Public	Myself	Support
bielecki, kathryn	A Member of the Public	Myself	Support
Plante, Jenny	A Member of the Public	Myself	Support
Brooks, Amy	A Member of the Public	Myself	Support
Thorn, Andrea	A Member of the Public	Myself	Support
White, Mollie-Ann	A Member of the Public	Myself	Support
Stolte, Patti	A Member of the Public	Myself	Support
Weberman, Lauren	A Member of the Public	Myself	Support
Dubois, Jillian	A Member of the Public	Myself	Support
Dubois, Brandon	A Member of the Public	Myself	Support
Muller, Andrea	A Member of the Public	Myself	Support
Langlois, Lori	A Member of the Public	Myself	Support
Ford, Sue	A Member of the Public	Myself	Support
BARTLETT, SUSAN	A Member of the Public	Myself	Support
Thomas, Janet	A Member of the Public	Myself	Support
Sheers, Laura	A Member of the Public	Myself	Support
sch, Elizabeth	A Member of the Public	Myself	Support
hewlin, Jennkce	A Member of the Public	Myself	Support
Briggs, Maggie	A Member of the Public	Myself	Support
Rapier, Forrest	A Member of the Public	Myself	Support
DeStefano, Kimberly	A Member of the Public	Myself	Support
Kelly, Rob	A Member of the Public	Myself	Support

Taylor, Nick	A Member of the Public	Myself	Support
Doyon, Michael	A Member of the Public	Myself	Support
Roos-Unger, Ellen	A Member of the Public	Myself	Support
Rockwell, Sarah	A Member of the Public	Myself	Support
Sager, Cheryl	A Member of the Public	Myself	Supp
Maloney, Jeanine	A Member of the Public	Myself	Supp
Greene, Karen	A Member of the Public	Myself	Support
Katusiime, Viola	A Member of the Public	Myself	Support
Lowen, Roz	A Member of the Public	Myself	Support
Twitchell, Jane	A Member of the Public	Myself	Support
Veasey, Michelle	A Member of the Public	NH Businesses for Social Responsibility	Support
Myers, Jessica	A Member of the Public	Myself	Support
Cobb, Bill	A Member of the Public	Myself	Support
Leatherman, Kratz	A Member of the Public	Myself	Support
Rich, Martha	A Member of the Public	Myself	Support
Corell, Elizabeth	A Member of the Public	Myself	Support
Rinaldo, Regina	A Member of the Public	Myself	Support
Medina, Ashlee	A Member of the Public	Myself	Support
Schanda, Kimberly	A Member of the Public	Myself	Support
YOUNGCLAUS, MAY	A Member of the Public	Myself	Support
Bjork, Arthur	A Member of the Public	Myself	Support
Hatcher, Phil	A Member of the Public	Myself	Support
Doyon, Nadia	A Member of the Public	Myself	Support
DeMilner, Amanda	A Member of the Public	Myself	Support
Bell, Kathleen	A Member of the Public	Myself	Support
Grassie, Chuck	A Member of the Public	Myself	Support
Clark, Alissa	A Member of the Public	Myself	Support
Dodge, Corinne	A Member of the Public	Myself	Suppor
Edelson, Rachel	A Member of the Public	Myself	Suppo
Henningsen, Brianna	A Member of the Public	Myself	Support
Stroh, Lyndsey	A Member of the Public	Myself	Support
Swaminathan, Sneha	A Member of the Public	Myself	Support
Benson, Suzanne	A Member of the Public	Myself	Support
Rothkopf, Penelope-Ann	A Member of the Public	Myself	Support
Davis, Tod	A Member of the Public	Myself	Support
Torpey, Jeanne	A Member of the Public	Myself	Support
Baxter, Stephanie	A Member of the Public	Myself	Support
Petagna, Maria	A Member of the Public	Myself	Support
Carter, Lilian	A Member of the Public	Myself	Support
Miller, Virginia Lee	A Member of the Public	Myself	Support
Stephanie, S	A Member of the Public	Myself	Support
Wilkinson, Dana	A Member of the Public	Myself	Support
Cappy, Margaret	A Member of the Public	Myself	Support
Altschiller, Senator Debra	An Elected Official	Myself	Support
Bouchard, Donald	An Elected Official	Myself	Support
Fraser, Deborah	A Member of the Public	Myself	Support
Hill, Bonnie	A Member of the Public	Myself	Support
PALMER, HARRISON	A Member of the Public	Myself	Support
Fenton (SD 10), Senator Donovan	An Elected Official	Myself	Support
Ruedig, Reagan	A Member of the Public	Myself	Support
Hamer, Geoff	A Member of the Public	Myself	Support
Curley, Kenneth	A Member of the Public	Myself	Suppo
Meyer, Abigail	A Member of the Public	Myself	Suppo
Mohan, Kylie	A Member of the Public	Myself	Support
Parshall, Lucius	An Elected Official	Myself	Support
Meier, Joslyn	A Member of the Public	Myself	Support

Godavarthy, Srinadh	A Member of the Public	Myself	Support
Smith, Julie	A Member of the Public	Myself	Oppose
Garber, Krystal	A Member of the Public	Myself	Oppose
Doyon, Lisa	A Member of the Public	Myself	Oppose
ary, Debbie	A Member of the Public	Myself	Oppose
Cary, Sean	A Member of the Public	Myself	Oppose
Thornell, Kaile	A Member of the Public	Myself	Oppose
Thornell, James	A Member of the Public	Myself	Oppose
Chausse, Kaylene	A Member of the Public	Myself	Oppose
Marcoux, Karen	A Member of the Public	Myself	Oppose
Slater, Casey	A Member of the Public	Myself	Oppose
Lavoie, Joseph	A Member of the Public	Myself	Oppose
DOYON, TOM	A Member of the Public	Myself	Oppose
King, Jessica	A Member of the Public	Myself	Oppose
Lavoie, Caroline	A Member of the Public	Myself	Oppose
Barnes, Everett	A Member of the Public	Myself	Oppose
Candido, Hannah	A Member of the Public	Myself	Oppose
Boisvert, Jane	A Member of the Public	Myself	Oppose
King, Ormon	A Member of the Public	Myself	Oppose

Testimony

I am John Randolph, Owner of Harmony Homes Assisted Living in Durham NH. We currently have a staff of 90. As with most companies in New Hampshire we have worked very hard for the last few years to maintain the staff necessary to keep our business open. When we ask our staff for what is challenging them on a day-to-day basis we repeatedly hear the affordability and availability of housing and childcare.

That is why we decided to build affordable housing and on-site childcare. When we started to look into starting our own on-site childcare we found out that current rules and regulations were extremely rigid which almost stopped us from being able to start an on-site childcare. We totally understand childcare needs clear oversight but that State of NH needs more and affordable childcare and in order to do that we are going to have to get more creative on how we provide that childcare. The Department of Health and Human Services needs more flexibility on how childcare is licensed.

Affordable and available childcare is essential to allowing single parents and households making $15 to $22 hour returning to work. We have been able to add staff because of our on-site childcare which has helped stabilize our workforce.

Thank you for the opportunity to speak on the matter.

newfutures KIDS COUNT

February 1, 2023

The Honorable Regina Birdsell, Chair
Senate Health and Human Services Committee
Legislative Office Building, Room 101
Concord, NH 03301

RE: New Futures' Support for SB 170 relative to relative to small group child day care centers.

Dear Chair Birdsell, and Honorable Members of the Committee:

New Futures appreciates the opportunity to offer support of SB 170. New Futures is a nonpartisan, nonprofit organization that advocates, educates, and collaborates to improve the health and wellness of all New Hampshire residents. As New Hampshire's authorized Kids Count organization, New Futures also advocates for data-based policies that support Granite State families.

New Futures stands in strong support of SB 170 because it aims to address the child care crisis in New Hampshire by creating category of licensed care to help address our state's desperate needs. New Hampshire's child care system cannot serve all those in need without immediate and urgent policy change. Recent data indicates that 54,019 children under the age of 6 in New Hampshire are likely in need of care. This figure far exceeds the reported capacity of the child care system (36,494 children) and reported enrollment (25,776)[1].

SB 170 will help enable New Hampshire families access child care. The bill creates a category for child care that allows for small centers to be in a non-residential setting while using the flexible staffing models typical of family childcare. This new category for child care in NH will provide greater flexibility for opening and designing small centers in new or existing spaces outside of the home. Moreover, SB 170 was intentionally designed to enable low-income families to utilize child care scholarship within this category of care. The inclusion of child care scholarship into the design is critical to enable low-income families to access care who may be unable to afford care elsewhere. The average rate for infant care in a center-based setting is about 14,000 a year, while the same care in a in-home setting is about 10,000 a year. Supporting bills like SB 170 enables families of all socio-economic ranges to have not only access but more opportunities for choice in the type of care for their children.

New Hampshire's child care system is in crisis and it impacts both the economy and the health and wellness of our children. Access to child care is critical to the prevention and mitigation of the impacts of ACES. Children in quality child care settings, like those proposed in SB 170, increases the likelihood that children will experience safe, stable, nurturing relationships and environment – reducing the impacts of trauma[2].

SB 170 is an important step in creating a strong child care system and the foundation for a bright future for all New Hampshire's children and families. For these reasons, New Futures urges the committee to vote SB 170 Ought to Pass.

Respectfully submitted,

Rebecca Woitkowski

Rebecca Woitkowski, Esq. Kids Count Policy Director

[1] https://councilforthrivingchildren.org/uploads/attachments/cl80ffuy60iiaktkacgvsil94-9-13-22-ctc-final-as-of-9-12-2022.pdf

[2] https://www.cdc.gov/violenceprevention/pdf/preventingACES.pdf

A Place to Grow, LLC
436 Route 125
Brentwood, NH 03833
603.679.1660
jlegere@aplace2grow.com

Jan 31, 2023

Dear Members of the Senate Health and Human Services Committee,

My name is Jennifer Legere from A Place to Grow in Brentwood and I am working with Senator Kwoka on SB170. I am asking that you support SB170 with a recommendation of Ought to Pass.

I began writing SB170 last year in response to a gap I found in child care licensing rules and fire codes that could provide an opportunity to create a new category for childcare. John Randolph from Harmony Homes will provide testimony regarding this experience. I worked collaboratively drafting the bill language with Melissa Clement of child care licensing, Mitch Cady from the fire marshal's office, building inspectors, architects, and many stakeholders in the childcare community.

The bill, as presented, would not only preserve the existing capacity in licensed family care, but will serve to create a new opportunity to increase capacity for childcare in NH through the creation of small centers by adding childcare opportunities for 12 children in each new center created. The small centers that will be created out of the adoption of this bill would be beneficial in workforce housing units, rural areas, the hospitality industry, and for businesses like Harmony Homes and Carriage Hill Assisted Living.

This bill does not intend to impact the provision of care for school age childcare in the homes of family care providers. As childcare licensing and the fire marshal's office will testify, that this will be clarified as part of the licensing rules.

I recognize the absolute need to preserve every childcare space we have in the state and the need to provide opportunities for growth, as there are over 2000 children we are unable to serve, which means 29% of our workforce is unable to return to work.

I am asking that you support SB170 with a recommendation of Ought to Pass. Please accept this written testimony and talking points for your consideration.

Thank you for your time and consideration,

Jennifer Legere

NH SBA 2022 Woman Owned Business of the Year
NH Early Childhood Master Teacher Level 2
NH Early Childhood Administrator Level 2
Early Childhood Master Professional Program Consultant
Early Childhood Master Professional Workshop Trainer
Early Childhood Master Professional Individual Mentor

SB170 Increasing Childcare Capacity in NH

SB170 Adds a new category for childcare that allows for small centers to be located in a non-residential setting while using the flexible staffing models typical of family childcare. This new category for childcare in NH will provide greater flexibility for opening and designing small centers in new or existing spaces outside of the home.

SB170 will also modify family care model capacity rules to ensure they are in compliance with all current NH Life Safety requirements.

This legislation was developed and supported by the NH Child Care Licensing Unit and Fire Marshal's Office.

Bi-Partisan Support for the Bill with No Fiscal Impact

Small Group Child Day Care Center

This new rule provides an option for providing small group childcare in a commercial setting while meeting the more flexible mixed age rules of family care settings.

- Promotes an increase small centers by aligning safety requirements with those of successful and similarly sized family care settings.
- Aligns policies between agencies and ensures safety in childcare environments.



Need 2000 more spaces

Group Sizes in Family Care

Aligns policies between agencies and ensures safety in childcare environments.

- Proposed revisions to RSA 170-E:2 (a) and (b) for family care settings creates alignment with state fire code life safety requirements.
- Supported by CCLU and Fire Marshal's office



3% providers are family care

Increase Capacity

- Reduces cost for start-up by removing unnecessary requirements for centers with <12 children
- Easier to identify and attract and staff by aligning training requirements
- 46% of people live in childcare deserts where there are three children waiting for every one available space
- Need at least 1% more spaces in childcare to fill outstanding needs.



46% families live in childcare deserts



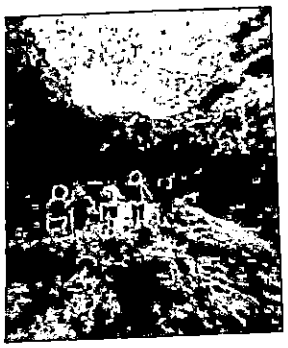
29% more parents available to work

Good for Business

- Increases opportunities for business-related childcare because more buildings will meet requirements, including possibilities of adding small centers in work force housing developments
- Provides additional childcare opportunities for 29% more children with parents available to join the workforce
- Nearly doubles earning potential for childcare workers becoming independent owners opening small centers ($16/hr vs $200 a week/6 kids)

Pioneering the Way

Creating New Opportunities



Students out for a nature walk at Harmony Homes

Harmony Homes

Business Goal: Employee Recruitment and Retention

Harmony Homes in Durham recognized that there was a complex problem with recruiting and retaining the workforce needed to support their assisted care facility. They approached the problem head on by building 10 one bedroom apartments and providing on site childcare employees. New employees can begin working immediately and not have to wait to begin because there are no openings for child care in the region. It took over a year to open the childcare because the space did not meet the conventional rules for family care or center based care. This new rule would have allowed the center to open within months instead of a year. Since August, Harmony Homes has hired three new employees using the childcare services.

A Place to Grow at Autumn Circle

Business Goal: Increase Income and Improving Quality of Life

Destiny Carter recently opened a family childcare franchise, A Place to Grow, out of her home in Plaistow and has already purchased a second location to build a larger center. Destiny left her job earning $18 an hour and has the potential to more than double her income as an independent business owner providing family care. She will be able to work from home and raise her own child while providing high quality care for others. By franchising with A Place to Grow, a NH franchise provider, Destiny received hundreds of hours of training in early childhood education and business management practices ensuring her ability to succeed as a new business owner.



Destiny and her son we g new students to their backyard

Workforce Housing and Childcare Partnerships

Goal: Supporting working families by providing access to quality childcare and affordable housing



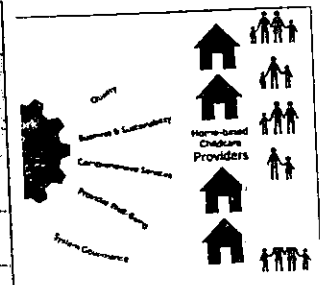
NH Workforce Housing designed by TF Moran

Communities can strategically reserve spaces inside workforce housing developments for the purpose of childcare for residents. Currently only 71% of children with all available parents are in the workforce and 12% of all children in NH, birth through age 5, are from families with incomes below the federal poverty line. Providing a supportive living arrangement which includes childcare will allow more parents to re-enter the workforce.

Home Grown in the Upper Valley

Goal: Building a comprehensive childcare network

The Upper Valley applied for PDG funds as a community effort to respond to the Infant and Toddler childcare crisis. Their grant request targets family childcare as a delivery tool for high quality programming. Goals include building a comprehensive family childcare network that has a board, governance policies, strategic plan and staffed network facilitator. The other focus is to support start-up of new providers and increase quality and participation in the state's QRIS system. This project is inspired by the national "Home Grown" project, a national collaborative of funders committed to improving the quality of and access to home-based child care.



Upper Valley plans for creating a family childcare network

SB170

TIONS

AND

ANSWERS

Licensing rules are established using external rules such as building codes and fire codes to ensure safety of all childcare programs

Fire Codes and building codes establish requirements for capacity, location, and safety features

Licensed Capacity Calculations will NOT change

License type will be determined by location and licensed capacity.

Centers may change their license type or choose to change their capacity as a result of these rule changes

Mixed ages of children, including school age children, will continue to be permitted.

TBD CCLU and Fire Marshal during rules revision

This rule revision will ensure consistent execution of child care rules and fire codes across the state and ensures the safety of our young children

SB170

QUESTIONS

AND

ANSWERS

Q	A
I am a family child care home licensed for 9 children. How will this bill effect me?	As a family care provider you may become a family group provider and retain your licensed capacity for 9 children. You may still have mixed ages including school age children.
I am a family group provider licensed for 17 children, how will this bill effect me?	This capacity would fall under licensed centers. You would have the option of reducing capacity to 12 children and remaining a family group provider or changing to a licensed center.
I am a licensed group center for 14 children in a commercial location. How will this bill effect me?	You can remain a licensed center for 14 children or you could consider reducing capacity to 12 and licensing under the new law to a small group child day care center. This rule would give you greater flexibility for mixed age groups and less restrictive fire code requirements.

Cameron Lapine

m: Nick Taylor <Director@seacoastwhc.org>
Sent: Tuesday, January 31, 2023 5:12 PM
Subject: Support of SB 170

Caution! This message was sent from outside your organization.

Dear Members of the Senate Health and Human Services Committee,

I'm writing in support of Senate Bill 170. I serve as the Executive Director of the Workforce Housing Coalition of the Greater Seacoast. We are a nonprofit organization dedicated to advancing housing options attainable to our workforce in the greater seacoast region.

The need for this legislation initially came to our attention when a workforce housing project in our region sought to provide on-site child care, but ran into regulatory barriers that limited the opportunity for small group child care. This workforce housing project was attempting to address two of the biggest barriers to increasing our workforce and unnecessary regulations threatened to halt that progress.

We hear from businesses in our region constantly that are struggling to hire the workforce that they need. The two most common reasons cited in our conversations are housing and child care. We are excited about the possibility of expanding the model of on-site child care at workforce housing developments, which will unlock a much needed boost to our workforce.

I hope you will support this legislation.

Thank you for your consideration,
Nick

--
Nick Taylor
Executive Director
Workforce Housing Coalition of the Greater Seacoast
C: 781-698-8545

February 1, 2023

As a family child care provider, I would like you to understand the impact it would have if this bill moves forward. It has been my experience that when a family chooses family child care, it is when they have their first child. When the parents decide to start trying for another, I always plan my openings to accommodate the sibling. When the oldest child goes off to kindergarten, the younger child remains in my care. Parents are elated to be able to depend on me to care for their older child when that child's school is closed, for parent conferencing, teachers' workshops, winter, spring, and summer vacations, and we can't forget snow days! If I could not care for their older children during these days, their parents would have to take time off from their work. Some parents do not have that many days allotted to them. This bill would force parents to seek alternate care for their child, splitting their children up, and having to go to two different places to drop off and pick up, and that is IF the parent can find a place that is willing and able to accept a child only on when school is closed. I don't know if you have heard of the child care staffing crisis but most centers do not have enough staff to accommodate their own family's siblings, and most have long waitlists! Summer camp programs may be an option for some families, but most parents feel that six and seven are too young and do not want that for their children. The parent and child already have a relationship of trust, and by taking this option away would hurt the child as much as the parent. These three children that the bill is referring to are children aged six and up. They do not add any additional risks, such as in the case of a fire. They are all capable of exiting without assistance. Please veto this bill and allow parents to be in charge of what is best for their children. Parents need options, and family child care is an excellent option for families that are already established there.

Lisa Doyon

Manchester, NH

603-512-4484

Voting Sheets

Senate Health and Human Services Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 170-FN

Hearing date: 2/1/23

Executive Session date: 3/8/23

Motion of: Amend 0674s **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X	X		X	
Sen. Avard, Vice Chair	X			X	
Sen. Bradley	X			X	
Sen. Whitley	X		X	X	
Sen. Prentiss	X			X	

Motion of: OTP/A **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X	X		X	
Sen. Bradley	X			X	
Sen. Whitley	X		X	X	
Sen. Prentiss	X			X	

Motion of: Consent **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X		X	X	
Sen. Bradley	X	X		X	
Sen. Whitley	X			X	
Sen. Prentiss	X			X	

Reported out by: Sen. Birdsell

Notes:

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, March 8, 2023

THE COMMITTEE ON Health and Human Services

to which was referred **SB 170-FN**

AN ACT relative to small group child day care centers.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0843s

Senator Regina Birdsell
For the Committee

SB 170-FN creates a definition for "small group child day care center" for child day care licensing and removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the National Fire Protection Association's requirements for capacity. The Committee Amendment creates a grandfather clause to ensure that existing licensed programs can continue to accept school-aged siblings, for example. This bill will help find a middle-ground option for childcare between small home daycares and larger childcare centers, a space that working families in New Hampshire need.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

SB 170-FN, relative to small group child day care centers.
Ought to Pass with Amendment, Vote 5-0.
Senator Regina Birdsell for the committee.

SB 170-FN creates a definition for "small group child day care center" for child day care licensing and removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the National Fire Protection Association's requirements for capacity. The Committee Amendment creates a grandfather clause to ensure that existing licensed programs can continue to accept school-aged siblings, for example. This bill will help find a middle-ground option for childcare between small home daycares and larger childcare centers, a space that working families in New Hampshire need.

General Court of New Hampshire - Bill Status System

Docket of SB170

Docket Abbreviations

Bill Title: relative to small group child day care centers.

Official Docket of **SB170.:**

Date	Body	Description
1/20/2023	S	**Introduced** 01/19/2023 and Referred to Health and Human Services; **SJ 5**
1/24/2023	S	**Hearing:** 02/01/2023, Room 101, LOB, 09:30 am; **SC 8**
3/8/2023	S	Committee Report: Ought to Pass with Amendment **#2023-0843s**, 03/16/2023; Vote 5-0; CC; **SC 13**
3/16/2023	S	Sen. Murphy Moved to Remove SB 170 from the Consent Calendar; 03/16/2023; **SJ 10**
3/16/2023	S	Committee Amendment **#2023-0843s**, AA, VV; 03/16/2023; **SJ 10**
3/16/2023	S	**Ought to Pass with Amendment** 2023-0843s, MA, VV; OT3rdg; 03/16/2023; **SJ 10**
3/21/2023	H	Introduced (in recess of) 03/16/2023 and referred to Special Committee on Childcare
5/4/2023	H	Public Hearing: 05/10/2023 10:30 am LOB 104
5/4/2023	H	Full Committee Work Session: 05/10/2023 11:15 am LOB 104
5/10/2023	H	Full Committee Work Session: 05/17/2023 10:00 am LOB 104
5/11/2023	H	Executive Session: 05/17/2023 10:15 am LOB 104
5/19/2023	H	Committee Report: Ought to Pass with Amendment **#2023-1899h** 05/17/2023 (Vote 9-0; CC)
6/8/2023	H	Amendment **#2023-1899h**: AA VV 06/08/2023 **HJ 15** P. 16
6/8/2023	H	**Ought to Pass with Amendment** 2023-1899h: MA VV 06/08/2023 **HJ 15** P. 16
6/15/2023	S	Sen. Birdsell Moved to Concur with the House Amendment, MA, VV; 06/15/2023; **SJ 19**
7/19/2023	H	Enrolled (in recess of) 06/29/2023 **HJ 17** P. 18
7/18/2023	S	Enrolled Adopted, VV, (In recess 06/29/2023); **SJ 20**
8/9/2023	S	Signed by the Governor on 08/04/2023; Chapter 0218; Effective 06/30/2024

NH House NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 170-FN **Senate Committee:** HHS

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

X - amendment # 0674s ___ - amendment #_____

X - amendment # 0843s ___ - amendment #_____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment #_____ ___ - amendment #_____

___ - amendment #_____ ___ - amendment #_____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

X as amended by the senate X as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Laplante 8/19/23

Committee Aide **Date**

Senate Clerk's Office AK