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HOUSE BILL NO. 1165

Offered January 26, 1998

A BILL to amend and reenact § 63.1-196 of the Code of Virginia, relating to licensed family day homes.

Patrons—Ruff, Byron, Davis, McDonnell and Nixon; Senator: Martin

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That § 63.1-196 of the Code of Virginia is amended and reenacted as follows:**

§ 63.1-196. Licenses required; posting of licenses; variances to regulations.

A. Every person who serves as or maintains a child-caring institution, a child day center, a child day center system, a child-placing agency, a family day home required to be licensed by § 63.1-195, a family day system, or an independent foster home, shall obtain the appropriate license from the Commissioner.

B. The Commissioner shall issue the following categories of licenses: (i) child-caring institution, (ii) child day center, (iii) child day center system, (iv) child-placing agency, (v) family day home, (vi) family day system, and (vii) independent foster home.

Any two or more such licenses may be issued for concurrent operation to the same person but each license shall be issued upon a separate form. Licenses issued under this chapter may be issued for periods of up to three successive years from the date of issuance, unless sooner revoked or surrendered.

C. The license and any other documents required by the Commissioner shall be posted in a conspicuous place on the licensed premises.

D. The Commissioner may grant a variance to a regulation when the Commissioner determines that (i) a licensee or applicant has demonstrated that the implementation of a regulation would impose a substantial financial or programmatic hardship and (ii) the variance would not adversely affect the safety and well-being of children in care. *In a county with a population of less than 40,000, the Commissioner may grant a variance to the minimum standards for licensed family day homes concerning ratios of adults to children when the Commissioner determines, with input from the director of the local department of social services, that (i) a licensee or applicant has demonstrated that the regulation regarding staffing ratios diminishes the availability of necessary child care and imposes financial hardship and (ii) the variance would not adversely affect the safety and well-being of children in care.*

INTRODUCED

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