

**Position Statement on:**  
**Senate Bill 563, Printer's Number 1588**  
*Issued April 25, 2022*

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**Position**

*Recognizing the importance of functioning smoke alarm systems in protecting child and staff health and safety, the Pennsylvania Association for the Education of Young Children (PennAEYC), Trying Together, and First Up support Senate Bill 563 PN 1588. This unfunded mandate will have a cost for many family child care providers whose current reimbursement rates have not kept up with the pace of inflation, despite rate increases in 2021 and 2022 utilizing COVID-19 child care relief funds. We are strongly concerned about unfunded mandates, but will assist providers in utilizing shared buying services to reduce costs.*

**Bill Summary**

SB 563 amends the "Fire and Panic Act" to require family child care home providers to install interconnected (whether by hardwire, by Bluetooth or other means) smoke alarms on each floor of their home and in the basement and have a portable fire extinguisher in the kitchen and any other cooking areas.

The activation of each smoke alarm must result in an audible alarm for those inside the child care space with all doors closed. At the time of installation, the smoke alarm must be approved by a testing laboratory recognized by OSHA to test and certify smoke alarms.

The bill would take effect in 60 days, however family child care homes are provided 12 months after the effective date or until the expiration of their current certificate of compliance (whichever is longer) to comply.

**Background**

A family child care home or child care center may not be granted a certificate of compliance from DHS without providing a certificate of occupancy, which includes proof of compliance with fire safety laws and regulations. Current regulation requires fire safety and maintenance of smoke detectors to be monitored and enforced by local building code officers. SB 563 strengthens requirements to protect the staff and children in family child care homes.

**Recommendations and Rationale**

*To protect the safety of children and child care staff, family child care homes should have interconnected smoke alarm systems. Our organizations appreciated the opportunity to provide feedback last session during the drafting process and are pleased to see some of that feedback incorporated into this legislation.*

The importance of fire safety, including in home-based child care settings, cannot be understated. The unfortunate events of August 12, 2019 make clear the necessity to ensure that child care programs meet

health and safety standards and are using available technology to ensure fire safety. While this is the case, we appreciate the consideration given to providing appropriate time for family child care programs to implement the new requirements.

**Fiscal Impact to the Child Care Provider Community**

As written, many family child care providers would be responsible for purchasing or updating their smoke alarm devices. While the cost is not steep, the General Assembly must understand that this additional requirement is an unfunded mandate on child care providers, many of whose rates have not kept the pace of inflation. While rate increases were implemented in 2021 and 2022 utilizing COVID-19 child care relief funds, these dollars are one-time funding sources. In addition, reimbursement rates for family child care providers and child care centers remain inadequate and a permanent solution is necessary to cover the actual cost to provide care. We have strong concerns regarding unfunded mandates, but if passed, PennAEYC, Trying Together and First Up will seek to help providers with the cost by seeking out opportunities to purchase alarms in bulk through shared services arrangements.