

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 182**

A bill to amend 1973 PA 116, entitled

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

by amending sections 7, 8, and 11b (MCL 722.117, 722.118, and 722.121b), section 8 as amended by 1980 PA 232 and section 11b as amended by 2010 PA 86, and by adding sections 4a, 5m, 7a, and 8c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 4A. AN APPLICANT, LICENSEE, OR LICENSEE DESIGNEE MUST**
2 **PRESENT A VALID DRIVER LICENSE OR A VALID STATE OR FEDERAL**
3 **GOVERNMENT-ISSUED IDENTIFICATION CARD IN ORDER TO OBTAIN OR RENEW A**
4 **LICENSE FOR A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY**
5 **CHILD CARE HOME UNDER THIS ACT.**

6 **SEC. 5M. (1) THIS SECTION AND SECTIONS 5N TO 5S APPLY ONLY TO**

1 A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE
2 HOME.

3 (2) A PERSON, PARTNERSHIP, FIRM, CORPORATION, ASSOCIATION,
4 NONGOVERNMENTAL ORGANIZATION, OR GOVERNMENTAL ORGANIZATION SHALL
5 NOT ESTABLISH OR MAINTAIN A CHILD CARE CENTER, GROUP CHILD CARE
6 HOME, OR FAMILY CHILD CARE HOME UNLESS LICENSED BY THE DEPARTMENT.
7 APPLICATION FOR A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR
8 FAMILY CHILD CARE HOME LICENSE SHALL BE MADE ON FORMS PROVIDED, AND
9 IN THE MANNER PRESCRIBED, BY THE DEPARTMENT, INCLUDING THE FEES
10 REQUIRED UNDER SUBSECTION (10). BEFORE ISSUING OR RENEWING A CHILD
11 CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME
12 LICENSE, THE DEPARTMENT SHALL INVESTIGATE THE APPLICANT'S
13 ACTIVITIES AND PROPOSED STANDARDS OF CARE AND SHALL MAKE AN ON-SITE
14 VISIT OF THE PROPOSED OR ESTABLISHED CHILD CARE CENTER, GROUP CHILD
15 CARE HOME, OR FAMILY CHILD CARE HOME. EXCEPT AS OTHERWISE PROVIDED
16 IN THIS SUBSECTION AND SECTIONS 5Q AND 5R, IF THE DEPARTMENT IS
17 SATISFIED AS TO THE NEED FOR A CHILD CARE CENTER, GROUP CHILD CARE
18 HOME, OR FAMILY CHILD CARE HOME, AS TO ITS FINANCIAL STABILITY, AND
19 THAT THE SERVICE, FACILITY, APPLICANT, LICENSEE, CHILD CARE STAFF
20 MEMBER, OR MEMBER OF THE HOUSEHOLD IS CONDUCIVE TO THE WELFARE OF
21 THE CHILDREN, THE DEPARTMENT SHALL ISSUE OR RENEW THE CHILD CARE
22 CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME LICENSE.
23 IF THE DEPARTMENT DETERMINES THAT A SERVICE, FACILITY, APPLICANT,
24 LICENSEE, CHILD CARE STAFF MEMBER, OR MEMBER OF THE HOUSEHOLD IS
25 NOT CONDUCIVE TO THE WELFARE OF THE CHILDREN, THE DEPARTMENT SHALL
26 DENY THAT APPLICATION OR REVOKE THAT LICENSEE'S LICENSE ACCORDING
27 TO SECTION 11.

1 (3) TO ASSESS WHETHER THE SERVICE, FACILITY, APPLICANT,
2 LICENSEE, CHILD CARE STAFF MEMBER, OR MEMBER OF THE HOUSEHOLD IS
3 CONDUCIVE TO THE WELFARE OF THE CHILDREN, THE DEPARTMENT MAY
4 UTILIZE AVAILABLE INFORMATION, INCLUDING, BUT NOT LIMITED TO, ANY
5 OF THE FOLLOWING:

6 (A) INVESTIGATIVE REPORT, SUCH AS A LAW ENFORCEMENT REPORT AND
7 A CHILDREN'S PROTECTIVE SERVICES REPORT.

8 (B) MEDICAL REPORT.

9 (C) PUBLIC RECORD.

10 (D) CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD
11 CARE HOME RECORD.

12 (E) INSPECTION OF THE CHILD CARE CENTER, GROUP CHILD CARE
13 HOME, OR FAMILY CHILD CARE HOME.

14 (4) THE DEPARTMENT MAY USE INFORMATION OBTAINED UNDER SECTION
15 5K TO OBTAIN REPORTS PREPARED INDEPENDENTLY FOR POLICE, LAW
16 ENFORCEMENT, OR OTHER PURPOSES TO MAKE A DETERMINATION UNDER THIS
17 SECTION.

18 (5) THE DEPARTMENT SHALL ISSUE A GROUP CHILD CARE HOME OR
19 FAMILY CHILD CARE HOME LICENSE TO A PERSON WHO HAS SUCCESSFULLY
20 COMPLETED AN ORIENTATION SESSION OFFERED BY THE DEPARTMENT AND WHO
21 MEETS THE REQUIREMENTS OF THIS ACT. THE DEPARTMENT SHALL MAKE
22 AVAILABLE TO GROUP CHILD CARE HOME OR FAMILY CHILD CARE HOME
23 APPLICANTS FOR LICENSURE AN ORIENTATION SESSION REGARDING THIS ACT,
24 THE RULES PROMULGATED UNDER THIS ACT, AND THE NEEDS OF CHILDREN IN
25 CHILD CARE BEFORE ISSUING A GROUP CHILD CARE HOME OR FAMILY CHILD
26 CARE HOME LICENSE.

27 (6) EXCEPT AS PROVIDED IN SUBSECTION (2), THE DEPARTMENT SHALL

1 ISSUE AN ORIGINAL OR RENEWAL LICENSE UNDER THIS ACT FOR A CHILD
2 CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME NOT
3 LATER THAN 6 MONTHS AFTER THE APPLICANT FILES A COMPLETED
4 APPLICATION. RECEIPT OF THE APPLICATION IS CONSIDERED THE DATE THE
5 APPLICATION IS RECEIVED BY THE DEPARTMENT. IF THE APPLICATION IS
6 CONSIDERED INCOMPLETE BY THE DEPARTMENT, THE DEPARTMENT SHALL
7 NOTIFY THE APPLICANT IN WRITING OR MAKE NOTICE ELECTRONICALLY
8 AVAILABLE WITHIN 30 DAYS AFTER RECEIPT OF THE INCOMPLETE
9 APPLICATION, DESCRIBING THE DEFICIENCY AND REQUESTING ADDITIONAL
10 INFORMATION. IF THE DEPARTMENT IDENTIFIES A DEFICIENCY OR REQUIRES
11 THE FULFILLMENT OF A CORRECTIVE ACTION PLAN, THE 6-MONTH PERIOD IS
12 TOLLED UNTIL EITHER OF THE FOLLOWING OCCURS:

13 (A) UPON NOTIFICATION BY THE DEPARTMENT OF A DEFICIENCY, UNTIL
14 THE DATE THE REQUESTED INFORMATION IS RECEIVED BY THE DEPARTMENT.

15 (B) UPON NOTIFICATION BY THE DEPARTMENT THAT A CORRECTIVE
16 ACTION PLAN IS REQUIRED, UNTIL THE DATE THE DEPARTMENT DETERMINES
17 THE REQUIREMENTS OF THE CORRECTIVE ACTION PLAN HAVE BEEN MET.

18 (7) THE DETERMINATION OF THE COMPLETENESS OF AN APPLICATION IS
19 NOT AN APPROVAL OF THE APPLICATION FOR THE LICENSE AND DOES NOT
20 CONFER ELIGIBILITY ON AN APPLICANT DETERMINED OTHERWISE INELIGIBLE
21 FOR ISSUANCE OF A LICENSE.

22 (8) EXCEPT AS PROVIDED IN SUBSECTION (2), IF THE DEPARTMENT
23 FAILS TO ISSUE, DENY, OR REFUSE TO RENEW A LICENSE TO A CHILD CARE
24 CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE HOME WITHIN THE
25 TIME REQUIRED BY THIS SECTION, THE DEPARTMENT SHALL RETURN THE
26 APPLICATION FEE REQUIRED UNDER SUBSECTION (10) AND SHALL REDUCE THE
27 APPLICATION FEE FOR THE APPLICANT'S NEXT RENEWAL APPLICATION, IF

1 ANY, BY 15%. FAILURE TO ISSUE, DENY, OR REFUSE TO RENEW A LICENSE
2 TO A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY CHILD CARE
3 HOME WITHIN THE TIME PERIOD REQUIRED UNDER THIS SECTION DOES NOT
4 ALLOW THE DEPARTMENT TO OTHERWISE DELAY THE PROCESSING OF THE
5 APPLICATION. A COMPLETED APPLICATION SHALL BE PLACED IN SEQUENCE
6 WITH OTHER COMPLETED APPLICATIONS RECEIVED AT THAT SAME TIME. THE
7 DEPARTMENT SHALL NOT DISCRIMINATE AGAINST AN APPLICANT IN
8 PROCESSING OF AN APPLICATION BASED ON THE FACT THAT THE APPLICATION
9 FEE WAS REFUNDED OR DISCOUNTED UNDER THIS SUBSECTION.

10 (9) IF, ON A CONTINUAL BASIS, INSPECTIONS PERFORMED BY A LOCAL
11 HEALTH DEPARTMENT DELAY THE DEPARTMENT IN ISSUING OR DENYING A
12 LICENSE FOR A CHILD CARE CENTER, GROUP CHILD CARE HOME, OR FAMILY
13 CHILD CARE HOME UNDER THIS ACT WITHIN THE 6-MONTH PERIOD, THE
14 DEPARTMENT MAY USE DEPARTMENT STAFF TO COMPLETE THE INSPECTION
15 INSTEAD OF THE LOCAL HEALTH DEPARTMENT CAUSING THE DELAYS.

16 (10) THE DEPARTMENT SHALL ASSESS FEES AS PROVIDED IN THE
17 FOLLOWING SCHEDULE:

18 (A) FAMILY CHILD CARE HOME LICENSE, \$50.00 FOR AN ORIGINAL
19 LICENSE APPLICATION AND \$25.00 FOR RENEWAL.

20 (B) GROUP CHILD CARE HOME LICENSE, \$100.00 FOR AN ORIGINAL
21 LICENSE APPLICATION AND \$50.00 FOR RENEWAL.

22 (C) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 1 TO 20,
23 \$150.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$75.00 FOR RENEWAL.

24 (D) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 21 TO 50,
25 \$200.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$100.00 FOR
26 RENEWAL.

27 (E) CHILD CARE CENTER LICENSE WITH A CAPACITY OF 51 TO 100,

1 \$250.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$125.00 FOR
2 RENEWAL.

3 (F) CHILD CARE CENTER LICENSE WITH A CAPACITY OF OVER 100,
4 \$300.00 FOR AN ORIGINAL LICENSE APPLICATION AND \$150.00 FOR
5 RENEWAL.

6 (11) THE DEPARTMENT SHALL USE THE FEES COLLECTED UNDER THIS
7 SECTION ONLY TO FUND THE PROGRAM LICENSING CHILD CARE CENTERS,
8 GROUP CHILD CARE HOMES, AND FAMILY CHILD CARE HOMES. FUNDS
9 REMAINING AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE TO THE
10 GENERAL FUND BUT SHALL REMAIN AVAILABLE TO FUND THE PROGRAM IN
11 SUBSEQUENT YEARS.

12 (12) FEES DESCRIBED IN THIS SECTION ARE PAYABLE TO THE
13 DEPARTMENT AT THE TIME AN APPLICATION IS SUBMITTED FOR ORIGINAL
14 ISSUANCE OR RENEWAL. IF A LICENSE IS DENIED, REVOKED, OR REFUSED
15 RENEWAL, OR AN APPLICATION IS REJECTED AS PROVIDED IN SECTION
16 15(4), THE DEPARTMENT SHALL NOT REFUND FEES PAID TO THE DEPARTMENT.

17 (13) AS USED IN THIS SECTION:

18 (A) "COMPLETED APPLICATION" MEANS AN APPLICATION COMPLETE ON
19 ITS FACE AND SUBMITTED WITH ANY APPLICABLE FEES AS WELL AS ANY
20 OTHER INFORMATION, RECORDS, APPROVAL, SECURITY, OR SIMILAR ITEM
21 REQUIRED BY LAW OR RULE FROM A LOCAL UNIT OF GOVERNMENT, A FEDERAL
22 AGENCY, A STATE DEPARTMENT OR AGENCY OF ANOTHER STATE, OR A PRIVATE
23 ENTITY BUT NOT FROM ANOTHER DEPARTMENT OR AGENCY OF THIS STATE. A
24 COMPLETED APPLICATION DOES NOT INCLUDE A HEALTH INSPECTION
25 PERFORMED BY A LOCAL HEALTH DEPARTMENT.

26 (B) "CONDUCTIVE TO THE WELFARE OF THE CHILDREN" MEANS:

27 (i) THE SERVICE AND FACILITY COMPLY WITH THIS ACT AND THE

1 ADMINISTRATIVE RULES PROMULGATED UNDER THIS ACT.

2 (ii) THE DISPOSITION, TEMPERAMENT, CONDITION, AND ACTION OF
 3 THE APPLICANT, LICENSEE, LICENSEE DESIGNEE, PROGRAM DIRECTOR, CHILD
 4 CARE STAFF MEMBER, AND MEMBER OF THE HOUSEHOLD PROMOTE THE SAFETY
 5 AND WELL-BEING OF THE CHILDREN SERVED.

6 Sec. 7. ~~A provisional~~ **AN ORIGINAL** license shall be issued to a
 7 new **CHILD CARE** organization during the first 6 months of operation.
 8 **AN ORIGINAL LICENSE EXPIRES 6 MONTHS AFTER THE DATE OF ISSUANCE.**
 9 **THE RENEWAL OF AN ORIGINAL LICENSE IS CONTINGENT UPON THE**
 10 **SUBMISSION OF A NEW APPLICATION AND APPROVAL BY THE DEPARTMENT.** At
 11 the end of the **FIRST** 6 months of operation, the department shall
 12 either ~~issue~~ **RENEW AS** a regular license ~~or renew~~ or refuse to renew
 13 the ~~provisional~~ **ORIGINAL** license as provided in section 11 **OR**
 14 **MODIFY TO A PROVISIONAL LICENSE AS PROVIDED UNDER SECTION 7A(3).** A
 15 ~~provisional license may be issued to a child care organization~~
 16 ~~which is temporarily unable to conform to the rules. A provisional~~
 17 ~~license shall expire 6 months from the date of issuance and may be~~
 18 ~~issued not more than 4 times. The issuance of a provisional license~~
 19 ~~shall be contingent upon the submission to the department of an~~
 20 ~~acceptable plan to overcome the deficiency present in the child~~
 21 ~~care organization within the time limitations of the provisional~~
 22 ~~licensing period.~~

23 **SEC. 7A. (1) A PROVISIONAL LICENSE MAY BE ISSUED TO A CHILD**
 24 **CARE ORGANIZATION THAT IS TEMPORARILY UNABLE TO CONFORM TO THE**
 25 **RULES. THE ISSUANCE OF A PROVISIONAL LICENSE SHALL BE CONTINGENT**
 26 **UPON THE SUBMISSION TO THE DEPARTMENT OF AN ACCEPTABLE PLAN TO**
 27 **OVERCOME THE DEFICIENCY PRESENT IN THE CHILD CARE ORGANIZATION**

1 WITHIN THE TIME LIMITATIONS OF THE PROVISIONAL LICENSING PERIOD.

2 (2) A PROVISIONAL LICENSE EXPIRES 6 MONTHS AFTER THE DATE OF
3 ISSUANCE AND MAY BE ISSUED NOT MORE THAN 3 TIMES. THE RENEWAL OF A
4 PROVISIONAL LICENSE SHALL BE CONTINGENT UPON THE SUBMISSION OF A
5 NEW APPLICATION AND APPROVAL BY THE APPROPRIATE DEPARTMENT. AT THE
6 END OF THE 6 MONTHS, THE DEPARTMENT SHALL EITHER ISSUE A REGULAR
7 LICENSE, REFUSE TO RENEW THE LICENSE AS PROVIDED IN SECTION 11, OR
8 MODIFY TO A PROVISIONAL LICENSE AS PROVIDED IN THIS SECTION.

9 (3) THE DEPARTMENT MAY MODIFY THE LICENSE OF A CHILD CARE
10 ORGANIZATION TO A PROVISIONAL LICENSE WHEN THE LICENSEE WILLFULLY
11 AND SUBSTANTIALLY VIOLATES THIS ACT, THE RULES PROMULGATED UNDER
12 THIS ACT, OR THE TERMS OF THE LICENSE. A LICENSE CANNOT BE MODIFIED
13 UNLESS THE LICENSEE IS GIVEN WRITTEN NOTICE OF THE GROUNDS OF THE
14 PROPOSED MODIFICATION. IF THE PROPOSED MODIFICATION IS NOT
15 APPEALED, THE LICENSE WILL BE MODIFIED. THE PROPOSED MODIFICATION
16 MUST BE APPEALED WITHIN 30 DAYS AFTER RECEIPT BY WRITING THE
17 DIRECTOR OR DIRECTOR'S DESIGNEE. UPON RECEIPT OF THE APPEAL, THE
18 DIRECTOR OR DIRECTOR'S DESIGNEE MUST INITIATE THE PROVISIONS OF
19 CHAPTERS 4 AND 5 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969
20 PA 306, MCL 24.271 TO 24.292. NOTICE OF A HEARING MUST BE GIVEN TO
21 THE LICENSEE BY PERSONAL SERVICE OR DELIVERY TO THE PROPER ADDRESS
22 BY CERTIFIED MAIL NOT LESS THAN 2 WEEKS BEFORE THE DATE OF THE
23 HEARING. THE DECISION OF THE DIRECTOR MUST BE MADE AS SOON AS
24 PRACTICABLE AFTER THE HEARING AND FORWARDED TO THE LICENSEE BY
25 CERTIFIED MAIL NOT MORE THAN 10 DAYS AFTER THAT. THE FORMAL NOTICE
26 AND HEARING REQUIREMENT IN THIS SUBSECTION DOES NOT APPLY IF THE
27 LICENSEE AND THE DEPARTMENT COMPLY WITH SUBSECTION (4).

1 (4) THE DEPARTMENT MAY IMMEDIATELY MODIFY A LICENSE WITHOUT
2 PROVIDING WRITTEN NOTICE OF THE GROUNDS OF THE PROPOSED ACTION OR
3 GIVING THE LICENSEE 30 DAYS TO APPEAL IF THE LICENSEE, IN WRITING,
4 DOES THE FOLLOWING:

5 (A) WAIVES THE REQUIREMENT THAT THE DEPARTMENT PROVIDE WRITTEN
6 NOTICE OF THE GROUNDS FOR THE PROPOSED ACTION.

7 (B) WAIVES THE 30-DAY TIME FRAME IN WHICH TO SUBMIT A WRITTEN
8 APPEAL TO THE PROPOSED ACTION.

9 (C) WAIVES THE RIGHT TO IMPLEMENT THE PROVISIONS OF CHAPTERS 4
10 AND 5 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306,
11 MCL 24.271 TO 24.292.

12 (5) AS USED IN THIS SECTION:

13 (A) "SUBSTANTIALLY VIOLATES" MEANS REPEATED VIOLATIONS OR
14 NONCOMPLIANCE OF THIS ACT, A RULE PROMULGATED UNDER THIS ACT, OR
15 THE TERMS OF A LICENSE THAT JEOPARDIZES THE HEALTH, SAFETY, CARE,
16 TREATMENT, MAINTENANCE, OR SUPERVISION OF INDIVIDUALS RECEIVING
17 SERVICES OR, IN THE CASE OF AN APPLICANT, INDIVIDUALS WHO MAY
18 RECEIVE SERVICES.

19 (B) "WILLFULLY VIOLATES" MEANS, AFTER RECEIVING A COPY OF THE
20 ACT, THE RULES PROMULGATED UNDER THE ACT AND, FOR A LICENSE, A COPY
21 OF THE TERMS OF A LICENSE, OR A PREVIOUS CITATION FOR A VIOLATION
22 OF THIS ACT OR A RULE PROMULGATED UNDER THIS ACT, A LICENSEE OR AN
23 APPLICANT KNEW OR HAD REASON TO KNOW THAT HIS OR HER CONDUCT WAS A
24 VIOLATION OF THE ACT, RULES PROMULGATED UNDER THE ACT, OR THE TERMS
25 OF A LICENSE.

26 Sec. 8. (1) A regular license ~~shall be~~ IS effective for 2
27 years after the date of issuance unless revoked ~~pursuant to~~ OR

1 **REFUSED RENEWAL AS PROVIDED IN** section 11 or modified to a
 2 provisional status ~~based on evidence of noncompliance with this act~~
 3 ~~or the rules promulgated under this act.~~ **AS PROVIDED IN SECTION 7A.**

4 The license shall be ~~reinstated~~ **RENEWED** biennially on application
 5 and approval. A license shall specify in general terms the kind of
 6 child care ~~program~~ **ORGANIZATION** the licensee may undertake, and the
 7 number, and ages of children that can be received and maintained.

8 (2) **THE DEPARTMENT MAY ACCEPT A LICENSEE'S WRITTEN REQUEST TO**
 9 **CLOSE A LICENSE IF THE DEPARTMENT DOES NOT HAVE AN ACTIVE**
 10 **INVESTIGATION AGAINST THE LICENSEE OR IS NOT PURSUING REVOCATION OR**
 11 **REFUSAL TO RENEW AS PROVIDED IN SECTION 11.**

12 (3) **A CERTIFICATION OF REGISTRATION ISSUED BY THE DEPARTMENT**
 13 **BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS**
 14 **SUBSECTION SHALL BE REISSUED AS A LICENSE. THE REISSUANCE SHALL BE**
 15 **COMPLETED IN THE MANNER DETERMINED BY THE DEPARTMENT WITHIN 1 YEAR**
 16 **AFTER THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

17 **SEC. 8C. A LICENSE SHALL BE ISSUED TO A SPECIFIC PERSON OR**
 18 **ORGANIZATION AT A SPECIFIC LOCATION, SHALL BE NONTRANSFERABLE, AND**
 19 **SHALL REMAIN THE PROPERTY OF THE DEPARTMENT.**

20 Sec. 11b. (1) The department shall establish and maintain a
 21 database of child care centers, family child care homes, and group
 22 child care homes. ~~as a central clearinghouse for persons seeking~~
 23 ~~information on child care options.~~ The database shall include, at a
 24 minimum, all of the following information:

25 (a) The name, address, and telephone number of the child care
 26 center, family child care home, or group child care home.

27 (b) The days and general hours of operation of the child care

1 center, family child care home, or group child care home.

2 (c) The license ~~or registration~~ number, effective date, and
3 expiration date, **AND DATE OF THE LAST INSPECTION** of the child care
4 center, family child care home, or group child care home.

5 (d) The number and nature of any adverse action taken against
6 the child care center, family child care home, or group child care
7 home by the department.

8 (e) The number and nature of any special investigations
9 regarding the child care center, family child care home, or group
10 child care home conducted by the department. ~~that the department~~
11 ~~classifies as high risk.~~ This information shall remain in the
12 database as long as the licensee ~~or registrant~~ is licensed ~~or~~
13 ~~registered~~ under this act. ~~For the purpose of this subdivision,~~
14 ~~"special investigation that the department classifies as high risk"~~
15 ~~means an investigation in which the department becomes aware that 1~~
16 ~~or more of the conditions listed in section 8(3)(a) to (c) of the~~
17 ~~child protection law, 1975 PA 238, MCL 722.628, exist.~~

18 ~~Information that, upon completion of a special~~
19 ~~investigation as described in subdivision (c), the department made~~
20 ~~a determination that there were no substantiated rule violations.~~
21 ~~This information may be included in the same manner as information~~
22 ~~provided under section 3f(5).~~

23 (2) The department shall make the **FOLLOWING** database
24 **INFORMATION** available to the public on the internet **FOR PERSONS**
25 **SEEKING INFORMATION ON CHILD CARE OPTIONS**, without charge, through
26 that department's website: -

27 **(A) THE ITEMS LISTED IN SUBSECTION (1) (A) TO (C) .**

1 (B) THE RESULTS OF ANY MONITORING INSPECTIONS CONDUCTED IN THE
2 PAST 3 YEARS AND INFORMATION ON CORRECTIVE ACTIONS TAKEN, IF
3 APPLICABLE.

4 (C) THE RESULTS OF ANY SUBSTANTIATED COMPLAINT INVESTIGATIONS
5 CONDUCTED IN THE PAST 3 YEARS AND INFORMATION ON CORRECTIVE ACTIONS
6 TAKEN.

7 (3) The department shall inform the public, through press
8 releases or other media avenues, of the information available ~~in~~
9 ~~the database established under subsection (1) and how to access~~
10 ~~that database.~~ **AS PROVIDED UNDER SUBSECTION (2).**

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
14 unless all of the following bills of the 99th Legislature are
15 enacted into law:

16 (a) Senate Bill No. 180.

17 (b) Senate Bill No. 181.