

# HOUSE BILL NO. 4342

March 23, 2023, Introduced by Reps. Neeley, Aiyash, Rogers, Pohutsky, Rheingans, O'Neal, Hill, Glanville, Wegela, Young, Brixie, Scott, Haadsma, Roth, Hood, Grant, Hope, Paiz, Fitzgerald, Andrews, Wilson, Liberati, Stone, Dievendorf, Byrnes, VanderWall, Steckloff, Edwards, Koleszar, Coleman, Morse, Miller, DeBoer, Bezotte, Neyer, Markkanen, Churches, Farhat, Skaggs and Puri and referred to the Committee on Health Policy.

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,"

(MCL 722.111 to 722.128) by adding sections 3j, 3k, and 3l.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           **Sec. 3j. Within 2 years after the effective date of the**  
2 **amendatory act that added this section, each child care center**  
3 **shall do all of the following in a manner consistent with the**

1 drinking water management plan created under section 3i:

2 (a) Post a conspicuous sign near each water outlet and  
3 drinking fountain indicating whether the outlet is intended to  
4 provide water for human consumption. If the water outlet or  
5 drinking fountain is intended to provide water for human  
6 consumption but is unfiltered, the sign must also state that the  
7 water is unfiltered and could contain lead.

8 (b) Ensure that any water furnished to children for human  
9 consumption by the child care center is from a filtered faucet or  
10 other filtered source that is certified to meet NSF/ANSI standard  
11 53 for lead reduction and NSF/ANSI standard 42 for particulate  
12 removal, or from a water delivery service.

13 (c) Make available to the public and notify each parent or  
14 guardian of each child enrolled in the child care center of the  
15 availability of both of the following:

16 (i) All water sampling and testing results.

17 (ii) All filter and filter cartridge replacement dates for each  
18 filtered bottle-filling station, filtered faucet, filtered pitcher,  
19 or other filtered source.

20 Sec. 3k. If a child care center is located in a school  
21 building that complies with the clean drinking water access act,  
22 the child care center is considered to comply with sections 3i and  
23 3j.

24 Sec. 3l. (1) The department of licensing and regulatory  
25 affairs, in coordination with the department of environment, Great  
26 Lakes, and energy, shall assist each child care center in  
27 maintaining compliance by providing all of the following:

28 (a) A template for the drinking water management plan required  
29 under section 3i.

1 (b) A template for tracking filter and filter cartridge  
2 replacement dates and water inspection results.

3 (c) Guidance documents on all of the following:

4 (i) Factors that a child care center should consider when  
5 selecting filtered bottle-filling stations, filtered faucets, and  
6 filters.

7 (ii) How to shut off or render permanently inoperable a water  
8 outlet identified under section 3i(1)(c).

9 (iii) How to flush a building's cold water plumbing before  
10 installing new filtered bottle-filling stations and filtered  
11 faucets.

12 (iv) Common filtered bottle-filling station or filtered faucet  
13 installation and operation errors and how to avoid them.

14 (2) The department of licensing and regulatory affairs shall  
15 provide training for child care center staff on filter cartridge  
16 use, installation, and maintenance and water sampling protocol.  
17 Training under this subdivision may be provided as a webinar or  
18 incorporated into existing training programs. Within 2 years after  
19 the effective date of the amendatory act that added this section,  
20 and every 5 years thereafter, all child care center staff  
21 responsible for providing or overseeing children's access to  
22 drinking water shall participate in training provided by the  
23 department of licensing and regulatory affairs under this  
24 subsection.

25 (3) The department shall provide and make available the  
26 guidance documents required under subsection (1)(c) not later than  
27 6 months after the effective date of the amendatory act that added  
28 this section. Before the department provides the guidance  
29 documents, the department shall issue the guidance documents as

1 **proposed guidance documents on its website and allow for a 30-day**  
2 **public comment period.**

3       Enacting section 1. This amendatory act does not take effect  
4 unless all of the following bills of the 102nd Legislature are  
5 enacted into law:

6       (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4341 (request no.  
7 00364'23 \*).

8       (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4340 (request no.  
9 00365'23 \*).