15.0792.03000

FISCAL NOTE

Requested by Legislative Council
02/12/2015

Amendment to: HB 1247

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Engrossed HB1247 requires the Department of Human Services to adopt rules to require every early childhood service provider and their staff who are responsible for children under the age of 1 to complete a Department approved sudden infant death syndrome prevention training course.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Engrossed HB1247 has no fiscal impact as the Department has already developed training on sudden infant death syndrome.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Debra A . McDermott
Agency: Human Services
Telephone: 328-3695
Date Prepared: 02/13/2015

15.0792.02000

FISCAL NOTE
Requested by Legislative Council
02/12/2015

Amendment to: HB 1247

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Engrossed HB1247 requires the Department of Human Services to adopt rules to require every early childhood service provider and their staff who are responsible for children under the age of 1 to complete a Department approved sudden infant death syndrome prevention training course.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Engrossed HB1247 has no fiscal impact as the Department has already developed training on sudden infant death syndrome.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Debra A . McDermott
Agency: Human Services
Telephone: 328-3695
Date Prepared: 02/13/2015

15.0792.01000

FISCAL NOTE
Requested by Legislative Council
01/13/2015

Bill/Resolution No.: HB 1247

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB1247 requires the Department of Human Services to develop training on safe sleep practices for infants and to make it part of the licensing requirements for early childhood providers that care for infants.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

HB1247 has no fiscal impact. The Department has already developed two trainings on infant sleep practices, "Safe Practices and Policies" and "Sudden Infant Death Syndrome". The "Safe Practices and Policies" course is included in child care training required by administrative rules. The course on "Sudden Infant Death Syndrome" is not required but could be added to the requirements without cost to the Department. Both courses are offered free to providers and staff in an on-line format.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Debra A . McDermott

Agency: Human Services

Telephone: 328-3695

Date Prepared: 01/14/2015

2015 HOUSE HUMAN SERVICES

HB 1247

2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1247
1/19/2015
Job #22138

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Explanation or reason for introduction of bill/resolution:

Relating to early childhood services training on safe sleep practices for infants.

Minutes:

Chairman Weisz opened the hearing on HB 1247.

Rep. Oversen: Introduced and supported HB 1247. (See Testimony #1) (Read the testimony of Tammy Czapiewski) (See Testimony #2) (Handout #3)

No opposition

Chairman Weisz closed the hearing.

2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1247
1/27/2015
Job #22666

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Explanation or reason for introduction of bill/resolution:

Relating to early childhood services training on safe sleep practices for infants.

Minutes: Attachment 1

Chairman Weisz: The only real change this bill would have is that it would be a requirement in the licensing?

Rep. Oversen: I'm passing around an amendment that I worked on with Jennifer Berry and she and the Dept. of Health are agreeable to. (See Attachment #1) It does include a small appropriation. Yes there is training available right now. The specific SIDS training is not required. Jen said they could work up some changes to the training to make it more appeasing to providers so that they might do it on an annual basis. The allocation for resources would be for things like sleep monitors for smaller providers that might not already have them.

Chairman Weisz: This shall be a part of the licensing requirement.

Rep. Oversen: Correct. The general state sleep training is already a part of their orientation package; the SIDS specific training is not. They have two separate programs.

Chairman Weisz: If they already have the programs why do they need money?

Rep. Oversen: The program shall include resources for providers and that is where the $10,000 comes in.

Chairman Weisz: The money is for the resources.

Rep. Oversen: Correct.

Chairman Weisz: They didn't think they could find that in there budget?

Rep. Oversen: I'm not particularly tied to the $10,000.

Chairman Weisz: Seems like the department could find the resources for them.

Rep. Porter: I wouldn't be able to support the amendment. Even looking at the bill and when the fiscal note says that everything is already in administrative rules and both courses are free to the providers and in an online format. I question the need for the bill in general when it is already covered.

Rep. Oversen: The original request from the mother was to make an administrative rule change to require providers to check on infants every 15 minutes. The department and providers don't want that and this was the middle ground. Maybe we need to change this to an annual requirement for training.

Rep. D. Anderson: Does the insurance provider provide some education on things like that? Nothing huh.

Rep. Oversen: If the appropriation would kill the bill, I would rather that not happen. I think it is more important to the constituent and to me to have a law passed that talks about the importance of safe sleep training and requires our providers to have such training.

Rep. Hofstad: Why not a resolution rather than a bill?

Rep. Oversen: I didn't consider that an option. We didn't learn about the existing training practices until after the bill was introduced. I think there is an opportunity to increase the training. I would be amendable to do a resolution if the committee thinks that is a better option.

Chairman Weisz: Currently administrative rule does require safe practices and policies. The course on SIDS is not required, but could be. You could put in code what is already in rule. You could add the SIDS without any cost or any change in what is already happening. Is that an option?

Rep. Oversen: I think so if we just want to change it to requiring the sudden instant death syndrome training specifically as part of licensing requirements as opposed to the more general safe sleep and practices training.

Chairman Weisz: We'll have Austin draft something up.

2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1247
2/10/2015
Job #23551

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Minutes: Attachment 1

Chairman Weisz: Let's look at 1247. I believe we have some amendments. (See Attachment #1.)

Rep. Oversen: We are removing all of the existing language from lines 7-11 and replacing it with directing the department to change their rules to reflect this as opposed to putting into code. Requiring them to do the SIDS specific training which is an online training course and easy to access for the provider and all of their staff members within six months of licensure and for all new staff members coming on board.

Rep. Bert Anderson: I talked to the one daycare provider we have in Divide County and she is concerned that any time you start requiring more things all the time it's hard to hire someone. She can't get people to work. When you add more requirements people she tries to hire says, "I'm just not interested".

Rep. Oversen: This is a course they take on line and it is not strenuous or time consuming. I don't think this one adds a burden to providers like some may.

Rep. Rich Becker: Is a 30 minute question and answer session or do you have to study for days before getting online?

Rep. Oversen: From my understanding it is not something you study for days, but you walk through it and are asked questions as you go.

Rep. Rich Becker: It would be a 15-20 minute online test to pass?

Rep. Oversen: I don't know what the time limit is, but I don't think it is more than an hour.

Chairman Weisz: It is not a test, it is training.

Rep. Porter: Your last sentence in the amendment. How is that going to be handled within the department? Is it something they are doing now? It seems like you are adding a tracking requirement to the department. Who is going to track all that?

Rep. Oversen: I would have to pull up the section that this administrative code falls under, but there is a section that deals with what is required of a provider during licensure and what is required of all new providers. This will be added to the section that already exists.

Rep. Porter: The employer is already required to send individual personal information into the department on a new hire?

Rep. Oversen: Correct. Every employer has to do a background check and send the information to the department on a new hire.

Rep. Fehr: Is this for all childhood providers?

Rep.Oversen: The way it is written it would apply to all childcare providers. You could put it, "for those below two years of age".

Chairman Weisz: Not all childcare providers take infants. From that standpoint they shouldn't be required to have that training if they don't except them.

Rep. Oversen: We could amend it to say, "shall require licensee and any of the staff members who are responsible for the care or teaching of children under the age of two". The sections of code are 75030809 and 7503-08-10 and 12. The first section is specific staffing requirements and the second is specific to the qualifications to all staff members.

Rep. Porter: If we are going to restrict it down to the level where safe sleep practices are required because of the possibility of sudden infant death, then we should look at going down to 1 year of age.

Rep. D. Anderson: The definition of SIDS refers to an infant one and under.

Rep. Porter: Where is the specific mandate that says if you hire someone new that they have to have this set of training and have to mail that into the department to be recorded for that employee?

Rep. Oversen: Look at 75-03-08-12.

Chairman Weisz: Jennifer Berry's testimony does say that all licensed and all staff members must do the training. That is required, but I don't know about the reporting part.

Rep. Porter: Are they currently sending them in or are they having it available upon inspection at the facility?

Chairman Weisz: That is a legitimate question? We need to call the department for clarification. (Placed a call to the DHS) It just has to be on file, and they can look on line for the information. I would eliminate the last sentence in the amendment.

Rep. Oversen: I think we need to reword it. If we eliminate it then it eliminates that new staff have to do the training. We could say, "If a staff member is hired after licensure has been obtained, the department shall require that the staff member also completes the training within six months of their hire date".

Rep. Porter: When I look at the last sentence and that is the direction the committee is going then it should be limited to just the staff members caring for children under one and those training aspects. If a staff member is hired after licensure has been obtained, "the licensee shall complete the necessary training if that staff member is caring for children under the age of one, within six months of being hired."

Chairman Weisz: It is requiring that all staff members that all staff members need the training.

Rep. Porter: We dealt with this last time we were trying to write rules into the Century Code and it may be in our best interests to just state that the department shall do this and let them write their rules.

Chairman Weisz: That might be the best way to do it. Rep. Oversen, is that acceptable?

Rep. Oversen: Yes. In my quick thinking, "the department shall adopt rules to require all early childhood service providers caring or teaching for children under the age of one to complete the sudden infant death (inaudible) prevention training course within six months of licensure and hiring."

Chairman Weisz: You can leave the six months out because they will develop the rules.

Rep. Oversen: I motion movement.

Rep. Mooney: Second.

VOICE VOTE: MOTION CARRIED

Rep. Mooney: I move a Do Pass as amended.

Rep. Fehr: Second.

ROLL CALL VOTE: 12 y 1 n 0 absent

MOTION CARRIED

Bill Carrier: Rep. Fehr

15.0792.01001
Title.02000

Adopted by the Human Services Committee 2/10/15

February 10, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1247

Page 1, replace lines 7 through 11 with: "The department shall adopt rules to require each early childhood service provider and the provider's staff members who are responsible for the care or teaching of children under the age of one to complete a department approved sudden infant death syndrome prevention training course."

Renumber accordingly

Date: 2-10-15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1247

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: See description below

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Oversen Seconded By Rep. Mooney

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson	Voice Vote				
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr	Motion Carries				
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

The department shall adopt rules to require childcare providers and staff to take training on SIDS.

Date: 2-10-15
Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1247

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Mooney Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Mooney	✓	
Vice-Chair Hofstad	✓		Rep. Muscha	✓	
Rep. Bert Anderson		✓	Rep. Oversen	✓	
Rep. Dick Anderson	✓				
Rep. Rich S. Becker	✓				
Rep. Damschen	✓				
Rep. Fehr	✓				
Rep. Kiefert	✓				
Rep. Porter	✓				
Rep. Seibel	✓				

Total (Yes) 12 No 1

Absent 0

Floor Assignment Rep. Fehr

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1247: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1247 was placed on the Sixth order on the calendar.

Page 1, replace lines 7 through 11 with: "The department shall adopt rules to require each early childhood service provider and the provider's staff members who are responsible for the care or teaching of children under the age of one to complete a department approved sudden infant death syndrome prevention training course."

Renumber accordingly

2015 SENATE HUMAN SERVICES

HB 1247

2015 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

HB 1247
3/16/2015
24856

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Donald Mueller

Explanation or reason for introduction of bill/resolution:

A bill relating to early childhood services training on safe sleep practices for infants

Minutes:

Attach #1: Testimony by Kylie Oversen
Attach #2: Testimony by Tammy Czapiewski

Acronym Definition: SIDS - Sudden Infant Death Syndrome

Representative Kylie Oversen, District 42, introduced HB 1247 to the Senate Human Services Committee (attach #1) (2:20)

Senator Dever asked if the training is available online.

Representative Oversen answered yes.

Chairman Judy Lee stated SIDS rarely happens, but it does happen. She doesn't discount the need for training on this subject. The Department of Human Services provides training on the subject, so Chairman Judy Lee questioned if the Department was asked to do this rather than putting the requirement in statute.

Representative Oversen indicated the bill has changed a few times. There was previously a requirement for 15 minute checks on infants, and the House did not think that would be an effective way to address the issue. In conversations with Tammy Czapiewksi and the Department of Human Services, the requirement of training is what came forward.

Senator Warner asked if there was information regarding the turnover rate in the child care workforce, assuming it is high.

Representative Oversen does not know the answer. It is a stressful and typically low paying, and she believes the turnover is high.

Tammy Czapiewski testified IN FAVOR of HB 1247 (attach #2)(4:40-5:50)

Senator Howard Anderson, Jr. asked Ms. Czapiewski if she knew whether or not the childcare provider had participated in the SIDS training offered by the Department of Human Services.

Ms. Czapiewski indicated to be licensed for child care, there is a requirement that the child care facility and staff must be trained within three months, but it is only a one-time training. She is now requesting that the training be done annually.

V. Chairman Oley Larsen asked with SIDS cases, asked how many are in day care, how many are in the homes.

Ms. Czapiewski responded that she does not have the numbers, but it appears it happens more often with daycares.

Kelly Dollinger, private citizen, and a paramedic in the State of North Dakota, testified IN FAVOR of HB 1247. He responds to the daycares with emergency response. If this bill is passed and it can help one or more children survive SIDS, we did a good thing happen.

OPPOSITION to HB 1247
No opposing testimony

NEUTRAL to HB 1247
Jennifer Barry, Early Childhood Services Administrator with the Department of Human Services, was called to the podium.

Chairman Judy Lee asked what requirements are there for licensure and if in statute or rule.

Ms. Barry answered the federal law requires states to require pre-licensure orientation training that does include Safe Infant Sleep training. We have a course called Basic Child Care, which is made up of seven courses, 12 hours total, and plan to expand to meet new federal requirements that include other topics. We believe we are in compliance with Safe Infant Sleep because it is covered under a training called Safe Practices and Policies. We do have a separate SIDS training developed that we could combine with Basic Child Care.

Chairman Judy Lee asked how often does some take the Safe Practices and Policy training.

Ms. Barry responded that it is required within 3 months of licensure or employment. They do not take this course annually, but they can take a refresher as part of their annual requirements, but we don't count it towards annual requirements unless three years have passed.

Chairman Judy Lee asked if the Department of Human Services could address the requirement of doing the Safe Sleep Practices module annually in administrative rule without it being in statute. Things change, including the federal rules. In order to be compliant with not only the federal rule, but with the intent which would be that there be

annual training, she questions if it could be in administrative rule. How long is the Safe Sleep Online program training?

Ms. Barry indicated the Safe Sleep Training is included in a 2 hour training called Safe Practices and Policies. There is a separate course that is optional which is a 1 hour training.

Chairman Judy Lee stated if the will of the legislature is a one-hour training be done annually, can you do this in rule without it being in statute. This is important, but detail and could it be done in rule.

Ms. Barry stated they could revise it in the administrative rule, and we anticipate a rule revision after the legislative session.

V. Chairman Oley Larsen indicated his daughter does daycare, and has had discussion of every 15 minutes to check on the child. Is this the SIDS training part, or something else?

Ms. Barry indicated this bill and this training is separate from the 15 minute recommendation. It was a previous draft for this bill that was removed. It was the direction of the Department of Human Services to remove that from draft rule language as there was so much discussion, especially home providers. It is a separate topic.

Senator Axness indicated the training is optional every three years, so someone could be potentially taking the training once. Are you confident that if this bill was not enacted and it could be developed in rules, that the Department of Human Services will look at requiring it more than just once for a license.

Ms. Barry stated the department will follow the intention of the legislature. If the intent that we would require a one-hour training, we would have to write that specific in rule.

Senator Howard Anderson, Jr. stated that one of the things we struggle is the affordability of child care. Few child cares will take children before six months. One hour doesn't seem like a restraint, but at some point, parents can't afford daycare, so sometimes parent choose to stay home or hire an unlicensed provider. Do you see the requirements that we are setting barriers to affordability of childcare?

Ms. Barry indicated we try to not put up barriers. She does not see the annual training as a burden to providers, as we already require 9 hours per year. This could be included in the annual training that they take. It wouldn't necessarily be an added burden.

Senator Dever asked if the training is available on your website. Could at-home parents watch this?

Ms. Barry indicated the training is not on the Department of Human Services website, but is available on the childcare aware of North Dakota website which serves as a training host. Parents could register and take the training.

Closed Public Hearing.

2015 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

HB 1247
3/16/2015
24880

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Donald Mueller

Explanation or reason for introduction of bill/resolution:

A bill relating to early childhood services training on safe sleep practices for infants

Minutes: "Click to enter attachment information."

The Senate Human Services Committee met on March 16, 2015 for committee work on HB 1247. Recording Job Number 24880, time begin 0.35.

Chairman Judy Lee indicated the only amendment requested was the training to be conducted annually.

Senator Howard Anderson, Jr. sensed through the Hearing discussion that the committee was leaning similar to 1149 to direct Department of Human Services to adopt rules versus statute.

Chairman Judy Lee prefers rules because you can change it better, but the bill does state "shall adopt rules to require each provider and staff member to complete department approved programs," so it isn't specific in that regard. Chairman Judy Lee was pleased to hear the training was available online. She is not resisting this. She has a problem with bills that involve one constituent.

Senator Warner stated his interest in the question of high turnover being so high, training on an annual basis may be adequate. He suspects that a fair number of staff don't even last three months into employment, when the current law states the training must be completed. **Senator Warner** Moved a DO AMEND HB 1247 for annual training.

Chairman Judy Lee asked where the word "annually should be inserted - line 9, or line 10. Chairman Judy Lee assigned the intern, Femi, to determine the appropriate place to add annual training.

The motion was seconded by **Senator Axness**. No discussion.

Roll Call Vote to Amend

5 Yes, 1 No, 0 Absent. Motion passes.

Senator Warner moved a DO PASS Engrossed HB 1247 AS AMENDED. The motion was seconded by **Senator Axness**.

Discussion
Senator Dever doesn't think the bill is necessary but does not want to lead the charge against the bill. **Chairman Judy Lee** agrees.

Roll Call Vote to DO PASS AS AMENDED
4 Yes, 2 No, 0 Absent. Motion passes.

Senator Warner will carry HB 1247 to the floor.

15.0792.02001
Title.03000

Adopted by the Human Services Committee

March 16, 2015

3/16/15

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1247

Page 1, line 7, replace "each" with "an"

Page 1, line 9, after "to" insert "annually"

Renumber accordingly

Date: 03/16 2015
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1247

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 15.0792.02001 Amend for Annual Training Title 03000

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Warner Seconded By Sen. Axness

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larsen (V-Chair)	✓		Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.		✓			
Senator Dick Dever	✓				

Total (Yes) 5 No 1

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 03/16 2015
Roll Call Vote #: 2

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB1247

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 15.0792.02001 Title 03000

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Senator Warner Seconded By Senator Axness

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larsen (V-Chair)		✓	Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.		✓			
Senator Dick Dever	✓				

Total (Yes) 4 No 2

Absent 0

Floor Assignment Senator Warner

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1247, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1247 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "each" with "an"

Page 1, line 9, after "to" insert "annually"

Renumber accordingly

2015 TESTIMONY

HB 1247

#1

Testimony - House Bill 1247
House Human Services Committee
January 19, 2015

Chairman Weisz and members of the House Human Services committee, my name is Kylie Oversen and I represent District 42 in Grand Forks. I am here to testify in support of HB 1247, which requires the department of human services to develop and implement a training program for all early childhood service providers on current safe sleep practices for infants.

It is my understanding that the department does have a training program in place for providers that is included in a larger package of training requirements. I will be talking with Jennifer Barry to discuss options for improving this training and possibly requiring annual training for all staff members. Add SIDS training as required

This bill was brought forward at the request of a mother, Tammy Czapiewski, whose 6 month old daughter passed away while in daycare, in 2012. Her request is that this bill be passed and the training requirements improved in memory of her daughter, Addison, so that no parents have to endure the same heartbreak that she and her husband, Pete, did.

Mr. Chairman and members of the committee, I urge to you favorably consider HB 1247 and I would be happy to answer any questions that you have.

NDLA, H HMS - Crabtree, Vicky #2

From: Oversen, Kylie
Sent: Monday, January 19, 2015 10:44 AM
To: NDLA, H HMS - Crabtree, Vicky
Subject: Fwd: Hearing

Testimony from Tammy Czapiewski -- HB 1247

If you could to the proper addressing of chairman, etc. I would appreciate it. It is important to me that this bill regarding mandated safe sleep training becomes a law. I would also love to be a part of helping define guidelines for safe sleep practices. My six month old daughter passed away at daycare while sleeping. After doing a lot of research, I have learned that there are many other states with well-defined safe sleep practices and I would like ND to establish safe sleep practices as well. While a few states have specific time intervals to check on sleeping infants, many states require for providers to supervise infants visually at all times. I would like to see ND providers checking on sleeping infants 4 times per hour or have a monitor in the room with the sleeping infant. While I would love to be at this hearing in person today, I am unable to be there since I just delivered my new born baby. My baby will be going to a provider who will be in the same room as my daughter when she sleeps and while I know this isn't a requirement of her, it will give me peace of mind knowing that she will be monitored at all times. I sincerely thank you for taking the time to listen to my testimony any look forward to hearing if this bill gets signed into a law. I am advocating for this in memory of my daughter and feel it is important for all providers to get training in safe sleep practices. Thank you again for your time. Sincerely, Addison's mommy and advocate, Tammy Czapiewski

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Date: Sat, 17 Jan 2015 12:34:32 -0600
Subject: Re: Hearing
From: kylie.oversen@gmail.com
To: t_czapiewski@hotmail.com

Hi Tammy -

Just take care of yourself -- tomorrow night or Monday is fine. The chairman assured me he will hold the hearing open until Tuesday morning.

Thanks!

Kylie

On Sat, Jan 17, 2015 at 11:33 AM, Tammy Czapiewski <t_czapiewski@hotmail.com> wrote:
Kylie,
I will get you written testimony by tomorrow. Something came up at the hospital and I will be spending another day here. I am happy that you will read my testimony for me and truly appreciate it. Hopefully the craziness will slow down at some point today but Inassure you will

have the testimony by tomorrow. Thank you.
-Tammy

Date: Thu, 15 Jan 2015 16:31:44 -0600
Subject: Hearing
From: kylie.oversen@gmail.com
To: t_czapiewski@hotmail.com

Hi Tammy -

First of all, Congratulations! Diane showed me pictures of your lovely baby girl :) What a wonderful thing! I hope you and baby are doing well.

I just wanted to give you a heads up that the hearing was already scheduled for this coming Monday. If you have comments you'd like me to include, please let me know. I'm happy to read them for you. Alternatively, I'm likely going to ask our Chairman to hold off on the bill for a week, to give you and others a chance to be ready for the hearing. I can't promise he will do it, but I will try.

Hope you're enjoying restful time with your daughter.

Kylie

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Kylie Michelle Oversen
North Dakota State Representative
Grand Forks, ND
701-484-2524

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HB1247
January 19, 2015
Handout #3

Safe Infant Sleep Resources and Requirements
Prepared by Jennifer Barry, Early Childhood Services Administrator, N.D. Dept. of Human Services
House Human Service Committee
January 19, 2015

Available Training

Safe Practices and Policies

- Required for all licensed and self-declared providers and all staff members of licensed programs
- Prepares trainees to identify and carry out the safety procedures that meet the changing developmental needs of children, including safe infant sleep practices
- Online format, no cost to trainees

Sudden Infant Death Syndrome

- Optional for providers and staff as approved training for annual training requirements
- Prepares trainees to identify and demonstrate proper techniques for preventing Sudden Infant Death Syndrome in child care settings
- Online format, no cost to trainees

Orientation

- Safe infant sleep is covered by licensers during orientation of providers, as it relates to licensing rules.

Rules for licensed and self-declared providers regarding safe infant sleep

(1) The provider shall ensure that infants are placed on their back initially when sleeping to lower the risk of sudden infant death syndrome, unless the infant's parent has provided a note from the infant's medical provider specifying otherwise. The infant's face must remain uncovered when sleeping.

(2) The provider shall ensure that infants sleep in a crib with a firm mattress or in a portable crib with the manufacturer's pad that meets consumer product safety commission standards.

(3) The provider shall ensure that if an infant falls asleep while not in a crib or portable crib, the infant must be moved immediately to a crib or portable crib, unless the infant's parent has provided a note from the infant's medical provider specifying otherwise.

(4) Water beds, adult beds, sofas, pillows, soft mattresses, and other soft surfaces are prohibited as infant sleeping surfaces.

(5) The provider shall ensure that all items are removed from and that no toys or objects are hung over or attached to the crib or portable crib when an infant is sleeping or preparing to sleep. With written parental permission, the provider may place one individual infant blanket or sleep sack, a pacifier, and a security item that does not pose a risk of suffocation to the infant in the crib or portable crib while the infant is sleeping or preparing to sleep.

(6) The provider shall ensure that mattresses and sheets are properly fitted. The provider shall ensure that sheets and mattress pads are changed whenever they become soiled or wet, when cribs are used by different infants.

(7) The provider shall check on sleeping infants regularly or have a monitor in the room with the sleeping infant.

Safe Infant Sleep Resources and Requirements
Prepared by Jennifer Barry, Early Childhood Services Administrator, N.D. Dept. of Human Services
House Human Service Committee
January 19, 2015

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#1

1-27-15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1247

Page 1, line 2, after "infants" insert "and to provide an appropriation"

Page 1, line 7, after "services" insert ", in collaboration with the department of health, "

Page 1, line 8, replace "Once developed, the department shall include the training program" with "The program shall include resources for providers and shall be included"

Page 1, after line 11, insert:

"**SECTION 2. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.** There is appropriated $10,000, or so much of that amount as may become available, from federal, private, and other funds, to the Department of Human Services for purposes of development and implementation of the safe sleep training program and for safe sleep resources for providers."

Renumber accordingly

2-10-15 #1

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1247

Page 1, replace lines 7 through 11 with " As part of the licensure requirements for an early childhood services provider, the department shall require the licensee and any of the licensee's staff members who are responsible for the care or teaching of children to complete, within six months of licensure, a department-approved sudden infant death syndrome prevention training course. If a staff member is hired after licensure has been obtained, the licensee shall provide evidence to the department that staff member has completed the training within six months of being hired. "

Attach #1
HB 1247
03/16/2015
J#24856

Testimony - House Bill 1247
Senate Human Services Committee
March 16, 2015

Senator Lee and members of the Senate Human Services committee, my name is Kylie Oversen and I represent District 42 in Grand Forks. I am here to testify in support of HB 1247, which requires the department of human services to adopt rules to require childcare providers caring for infants to complete a training program on sudden infant death syndrome (SIDS) prevention.

All providers undergo general safety training, which includes a small component on safe sleep practices. The department currently does have a specific SIDS prevention training program in place that is available to meet annual training requirements. However, it is an optional program at this time.

This bill was brought forward at the request of a mother, Tammy Czapiewski, whose 6 month old daughter passed away while in daycare, in 2012. Her request is that this bill be passed and the training requirements improved in memory of her daughter, Addison, so that no parents have to endure the same heartbreak that she and her husband, Pete, did. Tammy is here and will also share her testimony with you today.

We also request that the bill be amended to state that the SIDS prevention training should be required annually. The safe sleep practices sometimes change and only requiring the training once is not entirely effective.

Madame Chair and members of the committee, I urge to you favorably consider HB 1247 and I would be happy to answer any questions that you have.

Attach #2
HB 1247
03/16/2015
J#24856

March 15, 2015

Chairman Lee and members of the Human Services Committee,

My name is Tammy Czapiewski and I am testifying in support of HB 1247.

An annual training program for safe sleep practices for infants is extremely important for childcare providers to attend.

This bill is very important to me and I am testifying in memory of my daughter, Addison, who passed away on her third day of daycare. She was just six months old. On July 25, 2012, my daughter was laid down for a nap while she was awake and fussy. She was not checked on for 45 minutes and there was no monitor in the room. I believe if the licensed provider that I entrusted to care for my daughter that day had gone through a safe sleep training program for infants that Addison would still be with me today and would be a three year old instead of forever six months old.

I encourage you and your committee to join me in being not only Addison's advocate, but an advocate for all infants in North Dakota, and give HB 1247 a "do pass" recommendation.

Thank you for your time. I will stand for any questions.

Tammy Czapiewski