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Dear Members of the Children and Youth Committee;

My sixteen month old son Warren died in September '07 in a Dauphin county Family based day care facility. In dealing with this tragedy I have educated myself on the regulations regarding family run daycares. I was appalled to discover that these facilities, though they display registration certificates embossed with the seal of Pennsylvania, have little to no oversight or enforcement by the state Department of Public Welfare. In fact, there is more oversight over barber's licenses and puppy mills than for our children. I contacted Representative Payne, Senator Piccola and DPW to urge action to correct the following issues. House Bill 685 will make important strides to protect our children.

Most people are shocked to find out that only 15 out of every 100 family daycares are inspected annually, on a random basis, with the inspection being announced. A facility can go several years with NO oversight unless a complaint is filed against them. Of course a complaint usually means something wrong has already happened. In fact, the state does not perform any sort of inspection BEFORE a certificate of registration can be issued and a provider can open for business. NO trained personnel inspect the premises to ensure there is a safe environment with safe equipment. Upon clearance of criminal and child abuse background checks, a potential provider needs only to attend a one day orientation class and submit ONLY their signature that they are in compliance with some 37 plus pages of regulations regarding health and safety.

I was a 44 year old with much more life experience than many young mothers who are choosing daycare so they can work. Parents do not know what it is they don't know. It is difficult to find information about a facility's history. Parents are guided by recommendations from other parents or co-workers. I was unaware that the daycare home I entrusted

Warren to was cited twice in the past for supervising too many children. Regulation mandates six maximum, fewer if infants are being supervised. The day my son was fatally injured, there were 10 children present and she had been cited before for having 14 and 11 children supervised by only one adult. If I had been armed with this information this would have influenced my decision to choose a family run facility, rather than a day care center which has much more oversight by DPW.

The fact that this daycare had been allowed to continue to operate despite such gross disregard for the regulations is testament to the lack of DPW's enforcement authority which is restricted by statutes and laws as they are currently written, and by lack of funding for more oversight. Only in the most extreme circumstances can DPW revoke certification. Appeal processes can go on for several months while a facility can continue to operate. With the budget crunch, staffing to conduct pre-certification inspections and at least annual inspection is not likely to happen.

This bill proposed by Representative Payne, and its companion bill, Senate Bill 59, which passed the Senate unanimously and is now in the House Health and Human Services Committee, will mandate liability insurance and more disclosure to parents BEFORE enrollment regarding inspection history. The Senate version has additional language to broaden DPW's authority regarding emergency closures. I would recommend that HB 685 be amended to include the emergency closure language which DPW participated in crafting. Parents will be armed with information to make better judgments regarding daycare. Since the Department of Public Welfare does not have enough inspectors, insurance companies will, in their interest, inspect facilities to ensure a safe environment with safe equipment. Perhaps the outdated, ill-maintained equipment which contributed to Warren's death would have been discovered and removed.

Liability insurance also protects families who have no medical insurance or who are under insured. Even a broken arm can be a financial burden for a working family, let alone some catastrophic injury. Liability insurance protects the providers as well, and provider organizations are in favor of it. This type of insurance is required by most other small businesses and is not cost prohibitive, costing \$500 to 750 per year for a million dollar policy. This equates to \$14 a week for a \$750 dollar policy.

I passionately urge your support for this bill so that other families might be spared the loss my husband, myself, and Warren's sisters have suffered. Real change can only be effected through legislation. This bill is a start and much more needs to be done to protect our children who do not have a voice - surely Pennsylvania can do better.

Sincerely,

Victoria Dougherty