



## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
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## MEMORANDUM

**To:** The Honorable Marvin L. Abney  
 Chairman, House Finance Committee

The Honorable William J. Conley, Jr.  
 Chairman, Senate Finance Committee

**From:** Thomas A. Mullaney *Thomas A. Mullaney*  
 Executive Director/State Budget Officer

**Date:** March 25, 2019

**Subject:** Amendments to Article 4 of the FY 2020 Appropriations Act  
 (19-H-5151)

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The Governor requests that Article 4 entitled "Relating to Government Reorganization" be amended as follows.

Section 21 adds a chapter to Title 42, 42-12.5, to place authority for childcare licensing with the Department of Human Services. The new chapter largely duplicates current RIGL 42-72.1 but removes any references to the licensing of child-placing agencies, which remain with the Department of Children, Youth and Families. A drafting error in the language as proposed erroneously excluded language allowing for progressive penalties for noncompliance with any rule, regulation, or order relating to childcare providers. Accordingly, the Governor requests that the following language be inserted at page 144, after line 26:

(g) Except in those instances wherein there is a determination that there exists a danger to the public health, safety, or welfare or there is a determination that the childcare provider has committed a serious breach of State law, orders, or regulation, the director shall utilize progressive penalties for noncompliance of any rule, regulation or order relating to childcare providers. Progressive penalties could include written notice of noncompliance, education and training, suspending enrollment to the program, assessing fines, suspension of license, and revocation of license.

If you have any questions regarding this amendment, please feel free to call me at 222-6300.

TAM: 20-Amend-16

cc: Sharon Reynolds Ferland, House Fiscal Advisor  
 Stephen Whitney, Senate Fiscal Advisor