Day Care Licensing Gets Support

By GAYDEN COOPER
Adviser Staff Writer

A large crowd last night at City Hall showed overwhelming support by show of hands in favor of mandatory licensing of child day care institutions.

Louisiana is the only state in the nation without such a law, and leads the nation in the number of working mothers with preschool children.

People gathered at a packed public hearing heard experts in various phases of child care speak on the need for licensing in Louisiana. About 90 percent of the audience is associated with child care facilities. The remaining 10 percent are parents and teachers.

The recent death of a local infant in a Lafayette facility, added to indictments of three persons for alleged cruelty to children in another local day care center here, placed an extra fire under the meeting.

Health aspects

Local pediatrician Dr. C.E. Hamilton cited a study of hepatitis outbreaks in New Orleans where the majority of the cases were traced to day care.

"There are quality day care centers in the state, but regretfully there are also facilities which sadly lack in meeting the psychological, educational and nutritional needs of our children," said Hamilton, adding that "the licensing law that exists is absolutely toothless and worthless.

According to Karen Kelso, a nurse with the Department of Health, hepatitis outbreaks have more than doubled since the old mandatory licensing law was revoked in 1980, with more than 25 percent being directly traced to day care facilities.

Kelso said hepatitis is easily transmitted among children as it is spread through oral and fecal matter. She also cited several other diseases that have increased and were related to the children's facilities.

Hamilton pointed out that "we license everything from beauticians to morticians, plus the dog-catcher, so why is it that we ignore the facilities which care for our children?"

He said that usually to advance people must go forward, but in this case they should go backwards to pre-1980 days and reinstitute the laws that protected their children.

Legislation

Licensing comes under the Department of Health and Human Resources which has no real power to enforce it and has no right to enter an unlicensed facility to investigate complaints. Louisiana currently leaves licensing as an option to the facilities.

Laws will be introduced in the legislative season beginning in April for mandatory licensing that gives a strong power of enforcement to the DHHR, according to Judy Watts, president-elect of the Louisiana Association for the Education of Young Children (LAEYC).

The LAEYC is working with several other organizations across the state to push for the law.

"There are three purposes to the proposed law: to define the institutions to be covered; to authorize the DHHR to develop and implement regulations; and to describe enforcement procedures," said Watts.

She is also chairwoman of a Senate advisory committee on child welfare, as well as being a child day care operator in the New Orleans area.

Major changes in the new law are a proposed advisory panel which brings the public into decision-making, and a

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prosecution shift from the criminal court to the civil where it is hoped the legal procedure will be implemented quicker. Also, with the exception of child abuse, infractions of the proposed law would be more of a civil than a criminal nature.

The law would cover institutions in the fields of child day care, residential (offering 24 hour care), foster care, adoption, and maternity homes, with adult daycare requirements being offered under a different bill, Watts explained. Members in the advisory panel would represent each type of institution as well as parents, pediatricians, and various state offices such as the Attorney General and the DHHR.

A parent's view

"Licensing is not a cure-all, but it does give us parents an easier choice in selecting facilities, knowing that all must meet certain minimum requirements," said Fernand Webber, a single parent with a child in a Metairie day care center.

Webber spoke of a center where his child was left soaked with urine for long periods and where on one occasion he arrived to pick up his child and found his child covered with fecal matter from diarrhea. Though the owner of the center claimed to be both licensed and registered with the state, and was located on a busy highway, the state did not know of her existence, according to Webber.

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