

March 18, 2020

Julie Richards, MBA  
Health & Human Services Child Care Regulation  
Director of Regional Operations  
701 W. 51st Street, MC E550  
Austin, Texas 78751

Re: Childcare for health care providers & first responders during the COVID-19 disaster.

Ms. Richards:

Pursuant to Governor Greg Abbott's proclamation certifying that COVID-19 poses an imminent threat of disaster in the State of Texas and declaring a state of disaster for all Texas counties, the Texas Hospital Association requests flexibilities to provide increased access to childcare for health care providers and first responders. While Texas health care providers and first responders are on the front lines in the fight against COVID-19, their children will require ongoing care and supervision – a problem exacerbated by the closure of numerous local schools.

To increase capacity and availability of childcare services throughout the State of Texas, we ask you to allow hospitals, healthcare facilities, and other hospital-and-facility-adjacent buildings to temporarily provide childcare services for health care providers and first responders during this declared disaster. This would require a temporary suspension of certain childcare, day, and group care center laws, rules and regulations related to the following:

- Licensing
- Inspection
- Reporting
- Testing
- Training
- Overnight and Sleeping
- Insurance
- Postings
- Bidding and Advertising
- Supervision
- Group Size, Staffing and Space
- Orientation
- Medication
- Background Checks
- Fees
- Certification
- Records

Several THA members indicate they can support temporary childcare services, either on-campus or nearby. These temporary, ad-hoc services will be staffed and managed by the local community – meaning there is no “one size fits all” solution. Some members have available space on-campus (e.g., an employee's health club with large rooms and outdoor activity areas), but many are looking to partner with others in the community (e.g., local churches; nearby medical offices with practices temporarily affected or suspended by the disaster), or looking to established childcare facilities

that are at their regulated capacities or are not permitted to provide care beyond normal workday hours (e.g., extended-hour and overnight care). Finally, many of the individuals providing this childcare will not possess the appropriate licensure, training, background checks, insurance, etc., mandated by Texas law.

Maximum flexibility will allow each community to develop solutions to fit their needs. For example, local communities may identify spaces available for childcare, such as libraries, municipal buildings, and churches not in regular use during the disaster, facilities may wish to charge for childcare services, and in no way should law enforcement's ability to investigate concerns over abuse or neglect be waived.

**THA requests a waiver from any applicable rules or regulations, except for reasonable provisions related to the safety and wellbeing of the child, for any short-term childcare service operating for no more than 8 weeks, and that provides care for the children of health care providers and first responders affected by this disaster. Additionally, the capacities of currently licensed childcare providers should be expanded during this same 8-week period. Finally, THA requests continuance of any financial or other childcare assistance during and after this disaster – no one should lose any assistance because they either keep their child home or utilize additional childcare during this disaster.**

THA believes communities will rally together and manage this issue – removing as many barriers as possible will help. Our members are prepared and ready to act. Please let me know a time we may connect via telephone to discuss and address any questions or concerns. Thank you for your time and consideration, and we look forward to working with you.

Sincerely,



Cesar J. Lopez  
clopez@tha.org