



Ohio House Health Committee

Opponent Testimony on HB 561

Ohio Association of Child Care Providers

Chair Schmidt, Vice Chair Deeter, Ranking Member Somani, and Members of the Committee:

Thank you for the opportunity to provide testimony in opposition to House Bill 561 on behalf of the Ohio Association of Child Care Providers (OACCP), which represents the directors and business owners of more than 600 licensed child care centers across the state.

Our members are small business owners, early childhood professionals, and caregivers who serve thousands of working families across Ohio. We are the “workforce behind the workforce”, supporting parents so they can contribute to their communities and employers each day. We share a deep commitment to parental involvement and transparency, but we must also ensure that policies protect children, support providers, and respect practical realities on the ground.

HB 561, despite its stated intent, creates serious unintended consequences that will harm child care providers, undermine public health safeguards, and impose burdensome regulatory risks, particularly for small, locally owned programs that form the backbone of Ohio’s child care system.

1. Mandated Notifications: One-Size-Fits-All Government Messaging

The bill requires providers to proactively inform parents not only of immunization requirements, but also of all exemptions.

While transparency is important, this provision represents unnecessary government micromanagement of how private child care businesses communicate with families. Providers already comply with state rules and work directly with parents to meet enrollment requirements. Mandating specific language elevates form over function and creates liability risks if a provider unintentionally omits or misstates required wording.

These tasks, while well-intentioned, may place additional strain on programs already navigating complex regulations. It is a clear example of the state dictating speech requirements to small businesses, rather than allowing flexibility and professional judgment.

2. Restrictions on Provider Discretion

This bill strips child care operators of their ability to set policies dependent on the population that they serve. Child care centers are not just businesses, they are responsible for vulnerable populations, including infants and children with medical conditions and compromised immune systems.

3. Temporary Child Care Disruptions Will Lead to Increased Workforce Absences

HB 561 could also increase Ohio’s child care access challenges and cause disruption to Ohio’s workforce. Exposure to communicable diseases, especially to a vulnerable population such as during early childhood, means closures of classrooms or buildings. This means parents will miss additional days of work due to no child care access.

4. Permanent Reduced Child Care Access

Providers that accept PFCC funding are only paid for hours in which a child attends. Therefore during temporary closures the additional unpaid operational days will destabilize an already vulnerable child care system in Ohio. This could lead to permanent closures or reduced access to PFCC slots.

Rural and underserved areas are especially vulnerable. In these communities losing even one provider can leave families without child care options.

5. Complaint System and Punitive Enforcement: Excessive Government Penalties

HB 561 creates a complaint process with a rigid 14-day investigation timeline and mandates severe penalties, including license suspension or revocation, for noncompliance within 30 days.

This approach is disproportionate and invites abuse:

- It creates a “gotcha” enforcement environment where minor paperwork errors could threaten a provider’s livelihood.
- The 14-day timeline is unrealistic for thorough investigations, especially for state and county agencies already stretched thin.
- Automatic escalation to license revocation is a heavy-handed penalty that ignores due process and the complexity of real-world compliance and the need for child care access for working families.

For small businesses operating on thin margins, the risk of losing a license over administrative issues is not just burdensome, it is existential.

Request for a Pathway Forward

Currently as written, HB 561 increase regulatory complexity, increases child care access concerns and therefore workforce absences and threatens program licenses. This bill may unintentionally drive providers out of the market, reduce available child care slots and make it harder for working families to find care.

In light of these concerns, we respectfully ask the committee to consider removing child care centers from the bill since they are a private business, unlike a public school. At a minimum, child care centers that wish to continue enrolling only vaccinated children should continue to have that option, provided it is clearly communicated to families and done with transparency.

Members of the Committee, thank you for your consideration and for your commitment to supporting Ohio’s children, families, and child care professionals.