File #: Res 0563-2024, **Version:** B

Res. No. 563-B

Resolution calling upon the New York State Assembly to pass, A.3899A, and the Governor to sign, S.6225/A.3899A, which would tighten regulations, enhance inspections, and provide training and resources to day care providers and parents to ensure the safety of children in child day care homes, programs, and facilities across New York State

By Council Members Sanchez, Lee, Brannan, Rivera, Abreu, Menin, Ossé, Avilés, Won, Brooks-Powers, Ayala, Marte, Banks, Hanks, Nurse, Krishnan, Restler, Feliz, Brewer, Cabán, Hudson, Gutiérrez, Louis, Schulman, Joseph, De La Rosa, Dinowitz and the Public Advocate (Mr. Williams)

Whereas, On September 15, 2023, a tragic incident occurred at a Bronx day care center resulting in the death of one-year-old Nicholas Feliz Dominici, and the hospitalization of three other children after they ingested fentanyl; and

Whereas, The tragedy has raised grave concerns about the existing safety and inspection regulations around home-based child day care facilities in New York City (NYC); and

Whereas, In the home-based day care center, authorities found a kilogram of fentanyl around the mats that children used for napping, along with three “kilo presses” - a device commonly used by drug dealers to package substantial quantities of drugs - two of which were stored in a closet and one in the bedroom of one of the daycare’s tenants; and

Whereas, According to reports, the NYC Department of Health and Mental Hygiene (DOHMH) conducted its routine inspection at the day care center less than a week before the incident occurred, and the inspection yielded no violations; and

Whereas, In a news conference, DOHMH Commissioner, Dr. Ashwin Vasan, admitted that childcare center inspectors are not trained in identifying potential hazards like illicit drugs, recognizing the need for policy changes to ensure the safety of children within day care facilities; and

Whereas, In acknowledging the need for comprehensive and immediate action to enhance child safety in home-based daycare settings, New York State Senator Gustavo Rivera and New York State Assembly Member George Alvarez have introduced S.6225/A.3899A, which would amend the social services law to increase transparency around the rights of parents and/or legal guardians to inspect day care centers which their children attend; and

Whereas, The proposed bill mandates that home-based child day care providers annually update and openly display the number of household members living in the premises of the home-based child day care facility and provide the most up-to-date information to an inspector, parent, legal guardian, or relative of the child upon request; and

Whereas, Additionally, the bill requires all inspections of child day care provider premises to include a thorough visual inspection of every room and closet in the home or facility; and

Whereas, Moreover, all child day care providers would be required to display a toll-free telephone number and email for the Office of Children and Family Services (OCFS) alongside their license; and

Whereas, The proposed bill will also allow child day care providers to provide and maintain onsite opioid antagonists, accessible for use during emergencies related to opioid overdoses; and

Whereas, Furthermore, the Department of Health, the Office of Addiction Services and Supports, and OCFS would be required to provide information on overdose prevention training and free opioid antagonists to child day care providers and parents; and

Whereas, If passed, this bill would address existing inadequacies in the current home-based day care system through stringent regulations to prevent the unauthorized presence of dangerous substances and individuals, the creation of opioid overdose prevention and education programs, and establish parents' rights to transparency, serving as a crucial first step in ensuring the safety of children; and

Whereas, S.6225 passed the New York State Senate on June 11, 2025; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Assembly to pass,

A.3899A, and the Governor to sign, S.6225/A.3899A, which would tighten regulations, enhance inspections, and provide training and resources to day care providers and parents to ensure the safety of children in child day care homes, programs, and facilities across New York State.

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