

Testimony from Steve and Alecia Patrick, proponent for SB447
February 1st, 2010

We are Steve and Alecia Patrick of Overland Park, KS. Senate Bill SB447 is a bill that we support and have been working on for almost a year.

On April 13th 2009 our lives were completely destroyed with the death of our only child, Ava. Ava was attending her first day at a new daycare and we were lead to believe that this particular daycare was a decent and licensed daycare. Ava loved babies and in this particular daycare there was a hand built fence in the basement that separated the babies from the toddlers. We have pieced that morning together and determined that Ava pulled a chair over to the fence to see the babies and lost her footing, falling on top of the fence. Our beautiful and only daughter died as a result of strangulation. After her death we learned many things about this particular daycare that shocked and appalled us. We trust that if Senate Bill SB447 was in place before our daughter's death, she would be alive today.

We believe the following:

- Children need to be within sight AND hearing distance of their childcare provider. If our daycare provider would have been near Ava, she would be alive today. It takes a child 6-8 minutes to die due to strangulation and the way Ava was positioned on the fence allowed her the freedom of her voice.
- All Kansas daycares need to be licensed and receive at least the required yearly inspection. If our daycare provider would have been licensed and inspected yearly, she would have been shut down for lying on her reapplication for a registered status. On her application for 2008, she stated that she did have a basement but it would not be used for the daycare. The basement is where she housed 95% of the daycare. She additionally would have been shut down for being over-the-limit on children. Right now a registered daycare is allowed to watch no more than 6 children. On this particular day, she had 14 in her care.
- Current "discipline" procedures for daycares that violate the rules and regulations dictated by KDHE need to be strengthened. Our provider had 225 pages of complaints and violations over her 15 years in business and was still allowed to keep her registered status and run her daycare. She proceeded to operate her daycare unlawfully after our daughter's death and only received small fines for this direct violation.

Our daughter's death was completely unnecessary and highly preventable, as are many child deaths that occur in Kansas daycares. By putting SB447 into law, we will not only strengthen the daycare guidelines for the State of Kansas, but we will start protecting our children instead of the daycare providers.

Steve and Alecia Patrick