

## INTERPRETATIVE GUIDE

### CHANGES

EFFECTIVE 07/01/2016

Changes are in italics.

#### UPDATE #1:

##### ■ 470 IAC 3-1.1-28 Initial licensure-P.11-12

Authority: IC 12-13-5-3

Affected: IC 5-2-12; IC 12-17.2

Sec. 28. (a) An applicant for a child care home license shall do the following:

(6) Submit a water quality test as required by section 47(b) of this rule.

#### ○ Assessment Method:

The initial assessment of this rule is determined by review of documentation. The following documentation should be reviewed either prior to an on-site compliance visit or at the initial visit:

- Application
- Proof of orientation session attendance
- Attestation statement regarding convictions and arrest
- Medical statement
- If applicable, water test – documented annual water quality tests indicating the water is free of coliform bacteria and any other known contaminant that is above safe drinking water standards (good for 60 days prior to initial application received date)
- If applicable, statement from design professional
- If applicable, approval by the local fire inspector
- Verification of education (high school diploma or GED)

Following the document review, an on-site compliance visit shall be conducted prior to making a recommendation on the application.

*If a water test is positive, the water system must have 2 water samples taken. The samples shall be between 24 and 48 hours apart and both be negative before being considered a safe water system. A positive water test is grounds for emergency closure.*

## UPDATE #2 -

### ■ 470 IAC 3-1.1-28.5 Annual inspection-P. 12-13

Authority: IC 12-13-5-3

Affected: IC 5-2-12; IC 12-17.2

Sec. 28.5. (a) The COFC will send a letter of request to the licensee for an information update which includes the name of the licensee, the name of the caregiver, the address and phone number of the child care home, and the license expiration date.

(6) Water quality test as required by section 47(b) of this rule.

#### ◆ Intent:

The annual inspection visit provides the opportunity to ensure that the child care home continues to meeting the licensing laws and rules.

#### ○ Assessment Method:

An unannounced on-site inspection shall be conducted during the hours that the home operates to allow observation of the care of the children. The inspection checklist shall be administered. Documentation of the following shall be observed to ensure annual updates:

- Tuberculin screenings
- Criminal history checks
- Sex abuse registry checks
- Notification of local fire departments, a verbal statement from the licensee is acceptable
- First aid, CPR, and Universal Precautions training
- Water test – documented annual water quality tests indicating the water is free of coliform bacteria and any other known contaminant that is above safe drinking water standards

BCC shall check the files of all new children since the last inspection and all children under the age of 3. All staff files shall be checked.

*If a water test is positive, the water system must have 2 water samples taken. The samples shall be between 24 and 48 hours apart and both be negative before being considered a safe water system. A positive water test is grounds for emergency closure.*

## UPDATE #3 -

### ■ 470 IAC 3-1.1-29 Relicensure-P.13-15

Authority: IC 12-13-5-3

Affected: IC 5-2-12; IC 12-17.2

Sec. 29. (a) The licensee shall submit to the COFC the following prior to relicensure:

(5) Water quality testing as required by section 47(b) of this rule.

◆ Intent:

To provide opportunity to receive essential information from the licensee regarding the home and to allow CDFR to determine if the licensee continues to comply with the terms of the license

○ Assessment Method:

The assessment of this rule is conducted by review of documentation. The following documentation should be reviewed either prior to the on-site compliance visit or at the renewal visit:

- If applicable, water test – documented annual water quality tests indicating the water is free of coli form bacteria and any other known contaminant that is above safe drinking water standards

BCC shall check all children's and staff files at the renewal visit. Following the document review, an announced, on-site compliance visit shall be conducted prior to making a recommendation on the application.

***The announced visit shall be conducted between the first day of the quarter and the last day of the quarter but will not be scheduled on a specific day with the licensee.***

***If a water test is positive, the water system must have 2 water samples taken. The samples shall be between 24 and 48 hours apart and both be negative before being considered a safe water system. A positive water test is grounds for emergency closure.***

**UPDATE #4 -**

**■ 470 IAC 3-1.1-29.5 License provisions-P.15-16**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-5-12

Sec. 29.5

(g) Whenever an applicant applies for multiple licenses located within the same structure or building, each home must meet the requirements of licensure as independent homes.

▲ Threshold of Compliance:

Each location must be a stand-alone structure. This includes separate phone numbers for each location. A facility can choose to have the same business number at all locations but the home phone numbers must be unique to that location. The home phone number may be a cell phone as long as the cell phone is at the home during child care hours.

***Each home must meet the Indiana Fire Prevention and Building Safety Commission requirements for a single family dwelling. This includes cooking facilities (kitchen), bathing facilities (tub or shower), potable water supply (safe drinking water), heat (with control of the thermostat), separate electrical service panel (either within the building or located at the service entrance), and smoke alarms (interconnected within each unit).***

**UPDATE #5 –**

- 470 IAC 3-1.1-32 Documentation requirements- P.16-19  
Authority: IC 12-13-5-3

(14) Written plan of evacuation for the child care home in case of emergency.

◆ Intent:

To ensure that children and staff can efficiently exit the home in case of fire or other emergency.

○ Assessment Method:

Review the home's written evacuation plan and the fire drill records for the past two years to determine if fire drills have been held during every quarter.

***“Other emergencies” shall include natural disasters and man-caused events such as violence at a child care facility.***

***The plan shall include: child care providers have in place procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions. Child care providers shall have in place procedures for staff and volunteer emergency preparedness training and practice drills.***

**UPDATE #6 -**

- 470 IAC 3-1.1-33.5 Staff orientation, training, and development-P.21 &22  
Authority: IC 12-13-5-3  
Affected: IC 12-17.2

○ Assessment Method:

Review documentation of training and/ or interview staff to determine if training has been received. For first aid, ***Universal Precautions*** and CPR training documentation with a date is

required. Staffing patterns should be reviewed to ensure that a CPR trained staff person is always present during the hours of operation.

▲Threshold of Compliance:

Training in first aid and CPR require dates to allow determination of timeframes on the training. The other training also requires a date be recorded in order that attendance can be verified if needed. ***OSHA requires that all staff and volunteers working with children complete Universal Precautions training annually. Training must be conducted by someone with current Universal Precautions training and approved by the agency.***

**UPDATE #7 -**

■ 470 IAC 3-1.1-37 Requirements for admission to the home-P. 26-27

Authority: IC 12-13-5-3

Affected: IC 12-17.2

■ (b) Within thirty (30) days of a child's admission, the licensee shall receive a written statement from the child's parent or legal guardian signed by a physician or a certified nurse practitioner which states the following:

- (1) That the child can participate in the child care home's activities.
- (2) That the child has had immunizations which are up-to-date for the child's age.
- (3) Whether the child has allergies or any chronic health conditions.

◆ Intent:

To provide basic information on each child's health to allow the child care staff to safeguard children based on their specific health needs.

○ Assessment Method:

Review children's files for health statements. ***Children with documentation that they are homeless or part of the foster care system, have ninety (90) days to provider medical and immunization information.***

**UPDATE #8 -**

■ 470 IAC 3-1.1-41 Discipline-P. 30-31

Authority: IC 12-13-5-3

Affected: IC 12-17.2

▲Threshold of Compliance:

Observation of an adult cursing at a child, speaking to a child in a threatening manner, or removing food from a child would be evidence of non-compliance. Children being made to "sit on the wall" or kneel on beans or stones are further examples of unacceptable discipline

practices. In addition, observation of a caregiver using a discipline method inconsistent with the home's policy is grounds for citing non-compliance. Time out shall not be longer than one minute per each year of the child's age (for example: four minutes for a four year old). ***No child shall be shaken or be submitted to abusive head trauma.***

#### **UPDATE #9 -**

■ 470 IAC 3-1.1-46 Fire prevention-P. 36 and 41  
Authority: IC 12-13-5-3  
Affected: IC 12-17.2

(s) The caregiver shall conduct and document quarterly fire drills.

◆ Intent:

To ensure the safe evacuation of the children by ensuring that plan of evacuation plan has been developed and practiced.

○ Assessment Method:

Observe the written plan of evacuation plan and documentation of fire drills. ***“Other emergencies” shall include natural disasters and man-caused events such as violence at a child care facility.***

***The plan shall include: child care providers have in place procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions. Child care providers shall have in place procedures for staff and volunteer emergency preparedness training and practice drills.***

#### **UPDATE #10 -**

■ 470 IAC 3-1.1-47 Sanitation-P.42-43  
Authority: IC 12-13-5-3  
Affected: IC 12-17.2

■ (b) The licensee shall ensure that the child care home has hot and cold running water and at least one (1) toilet and sink accessible to children on each floor of the home where services are provided. Water from a source other than a regular municipal water supply shall be tested annually for compliance with water quality requirements.

◆ Intent:

To ensure that children have access to safe water for drinking, hot and cold water for hand washing, and easily accessible toileting facilities.

○ Assessment Method:

Observe to determine that there is bathroom on each floor used for child care. Observe to determine that the home has hot and cold running water. Toilets and sinks must be hard, plumbed fixtures. Take the temperature of the hot water to ensure that it is between 100°F and 120°F. Interview the caregiver to determine the source of the water. If it is other than a municipal water supply, review documentation of annual water tests. If the home's well serves more than 25 people it is considered a public water

system by the Department of Environmental Management (IDEM) and must follow IDEM's rules for public water systems.

*If a water test is positive, the water system must have 2 water samples taken. The samples shall be between 24 and 48 hours apart and both are negative before being considered a safe water system. A positive water test is grounds for emergency closure.*