

## MEETING NOTES

March 22, 2011

Regular text = paraphrased discussion

*Italics*=Department's response

*Italics and indented*=rule change

A question was raised about how many enrolled children can be at a child care group home if a provider already has eight children of her own.

*This question relates to statute, not rule. A.R.S. §36-897.02(E) states that the "total number of children present in a child care group home at any given time, including children related to the provider, shall not exceed fifteen."*

*Therefore, when all of the provider's children are at the child care group home, the maximum number of enrolled children that can be present is seven.*

R9-3-402(A)(1)(c)

On the basis of a review of the requirements in rule, the Department had proposed taking out the requirement that beds, cots, mats, or cribs be "placed so there are at least 18 inches between two occupied beds, cots, mats, or cribs." A comment was made that the 18-inch distance is not just for access to children, but to reduce the spread of germs through children breathing or coughing on each other during sleep. Other standards recommend 24 or 36 inches between sleeping children. The suggestion was made that the 18-inch distance requirement should be put back in. *Since these rules encompass the minimum standards to protect health and safety (per statutory authority), the Department is removing the requirement that beds, mats, cots, or cribs be placed at least 18 inches apart. In addition, the Department believes that the word "separate" in subsection (A)(1) may duplicate "is not used by another individual" in subsection (A)(2) and set up the possibility of a double citation. The rule is being changed as follows:*

- A. *A certificate holder shall ensure that:*
1. *Each enrolled child who naps or sleeps at the child care group home is furnished with a bed, cot, mat, or crib that accommodates the enrolled child's height and weight;*
  2. *The bed, cot, mat, or crib is not used by another individual while in use by the enrolled child;*
  3. *The cot, mat, or bed's mattress is covered with a clean sheet that is laundered when soiled, at least once every seven days, and before use by a different enrolled child;*

R9-3-408(A) and (B)

A comment was made that the draft rule does not accommodate taking other enrolled children along with an enrolled child who is being walked to a bus stop at the end of a long driveway or being driven to school. A request was made to allow field trip permission to be given for a period of time, rather than for specific days, if such trips are to be considered field trips. The use of the term "provider" in subsection (B) also needs to be changed to certificate holder.

*The Department is changing the rule as follows:*

**R9-3-412. R9-3-408. Transportation of Enrolled Children Field Trips and Other Trips Away from the Child Care Group Home**

- A. *A ~~provider~~ certificate holder shall ~~not transport or~~ only allow a staff member to ~~transport~~ take an enrolled child ~~in a motor vehicle~~ away from an area of the child care group home approved for providing child care services home during hours of operation ~~without~~ with written ~~authorization~~ permission from the enrolled child's parent- as follows:*
2. *For a field trip, the written permission shall include:*
    - e. *Either:*
      - i. *The date or dates of the field trip; or*
      - ii. *The time period, not to exceed 12 months, during which the permission is given;*
- B. *A certificate holder shall ensure that a staff member maintains a copy of the written permission required in subsection (A) for 12 months after:*
1. *For a trip under subsection (A)(1), the date of the last trip; and*

2. For a trip under subsection (A)(2), the last date for which permission was given.

R9-3-507 (A)

A question was raised about the distance between a diaper changing area and water. Many of the diaper-changing stations being recommended by another agency are too big to be accommodated within 10 feet of a bathroom. The suggestion was made that the distance be changed to 15 feet.

*The Department is changing the requirement as follows:*

- A. A certificate holder shall ensure that a staff member ~~shall change~~ changes diapers only in a ~~certified area~~ on a nonabsorbent, sanitizable diaper changing surface that:
  3. ~~that offers~~ Provides access to running water and dispensed soap **within 15 feet.**

R9-3-507 (B)

A question was raised about the need for a diaper-changing log.

*The Department believes that a diaper-changing log helps protect the health of enrolled infants, as well as providing a method for a provider to show that an enrolled infant's diapers have been changed regularly if a parent lodges a complaint with the Department about a rash the parent found on his/her infant.*

The activities to be undertaken by the Department between now and when the rules go into effect are listed in the Rulemaking Timeline, found at:

[http://www.azdhs.gov/diro/admin\\_rules/documents/pdf/Timeline4ExemptRulemakingCCGH.pdf](http://www.azdhs.gov/diro/admin_rules/documents/pdf/Timeline4ExemptRulemakingCCGH.pdf)