



Bureau of Community and Health Systems  
Child Care Licensing Division  
[www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)  
(866) 685-0006

Special Edition  
Home Rule Changes

# Michigan Child Care Matters

This Special Edition of Michigan Child Care Matters will help you navigate the new child care home rules that became effective December 13, 2019. This issue contains new definitions, new rules and the new technical assistance that will help you comply with the new rules. The changes are shown in bold, and technical assistance will follow where appropriate.

There is no corresponding quiz for this issue. Please see the back page for the most recent recall list.

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## New Definitions

The following are new/updated definitions in the Child Care Home Licensing Rules dated December 13, 2019. These definitions will assist you when reading the rules. Please note that only the new definitions are included.

### **R 400.1901 Definitions.**

- (c) “Applicant” means an individual who applies for a license to operate a family or group child care home.**
- (d) “Child care assistant” means an individual who is 14 to 17 years of age, who participates in child care activities in a family or group child care home, and who shall not have unsupervised access to or provide unsupervised care or supervision of children.**
- (e) “Child care background check system” means the database maintained by the department to document comprehensive background checks and eligibility determinations, pursuant to section 5n of the act, MCL 722.115n.**
- (f) “Child care home” means a family child care home and a group child care home.**
- (g) “Child care staff member” means that term as defined in section 1(a) of the act, MCL 722.111(a).**
- (a) “Child care staff member” means an individual who is 18 years of age or older to whom 1 or more of the following applies:
- (i) The individual is employed by a child care center, group child care home, or family child care home for compensation, including a contract employee or a self-employed individual.
  - (ii) An individual whose activities involve the unsupervised care or supervision of children for a child care center, group child care home, or family child care home.
  - (iii) An individual who has unsupervised access to children who are cared for or supervised by a child care center, group child care home, or family child care home.
  - (iv) An individual who acts in the role of a licensee designee or program director.

**(k) “Cleaned” means washed vigorously with soap and water and rinsed with clean water.**

**(m) “Comprehensive background check” means a department review of an individual as required in section 5n of the act, MCL 722.115n.**

722.115n Application for or renewal of license to operate child care center, group child care home, or family child care home; household member or child care staff member; criminal history check; requirements; duties of department.

SEC. 5n (1) Except as otherwise provided in subsection (13), when a person, partnership, firm, corporation, association, governmental organization, or nongovernmental organization applies for or applies to renew a license to operate a child care center, group child care home, or family child care

home under section 5m and before a group child care home or family child care home allows an individual to be a member of the household, or a child care center, group child care home, or family child care home allows an individual to become a child care staff member, the department shall do all of the following:

- a) Review its database of individuals with previous disciplinary action within a child care center, group child care home, or family child care home or an adult foster care facility.
- b) Conduct a search of the individual through the national sex offender registry.
- c) Request a search of the individual through all state criminal registries or repositories for any states of residence in the past 5 years.
- d) Request that the department of state police perform a criminal history check on the individual, child care staff member, or adult member of the household.

(2) If the individual, child care staff member, or adult member of the household has resided out of the United States within the preceding 5 years, equivalent clearances of those described in subsection (1)(b) and (d) and section 5q from each country must be provided, if available. If the country does not have the equivalent clearance, the individual must sign a self-certifying statement that he or she is not ineligible to receive a license, to be an adult member of the household, or to be a child care staff member as prescribed by sections 5q and 5r. An individual who provides or is determined to have provided false information or knowingly omits information in the self-certification statement is ineligible for that application.

(3) Each individual listed in subsection (1) shall give written consent at the time of the license application and before a group child care home or family child care home allows an individual to be a member of the household, or before becoming a child care staff member to allow the department of state police to conduct the criminal history check required under subsection (1). The department shall require the individual to submit his or her fingerprints to the department of state police and the Federal Bureau of Investigation for the criminal history check as required in subsection (1).

(4) The department shall request a criminal history check required under this section on a form and in the manner prescribed by the department of state police.

(5) Within a reasonable time after receiving a complete request for a criminal history check on a person under this section, the department of state police shall conduct the criminal history check and provide a report of the results to the department. The report shall contain any criminal history record information on the person maintained by the department of state police and the Federal Bureau of Investigation.

(6) The department of state police may charge the department a fee for a criminal history check required under this section that does not exceed the actual and reasonable cost of conducting the check. The department may pass along to the individual fingerprinted the actual cost or fee charged by the department of state police, the Federal Bureau of Investigation, or a vendor approved by the department of state police for performing a criminal history check required under this section.

- (7) The department shall provide whether the individual is eligible or ineligible as provided by sections 5q and 5r within 45 days after the date on which the request was submitted.
- (8) The individual may serve as a child care staff member pending the results of the record and database checks required by this section and section 5q if the individual is supervised at all times.
- (9) Within 45 days after the date on which the request was submitted, the department shall provide a statement to the child care center, group child care home, or family child care home that indicates whether the individual is eligible or ineligible to be, a licensee, an adult member of the household, or a child care staff member as provided under sections 5q and 5r without revealing any disqualifying crime or other related information regarding the individual.
- (10) If the individual is ineligible due to the records or database checks required under this section and section 5q, the department shall provide information related to each disqualifying item in a report to the individual who has been determined ineligible.
- (11) An individual who has been determined to be ineligible as provided under sections 5q and 5r may request a redetermination by the department if he or she believes that the basis for the ineligible determination is inaccurate. The individual shall file the request for redetermination with the department within 30 calendar days after receiving the written notice that he or she was determined to be ineligible. If an individual has been determined to be ineligible based upon a conviction that has been expunged or set aside or a central registry case that has been expunged, the individual shall provide the supporting court, law enforcement, or department of health and human services, or equivalent department from another state, documents along with the request for redetermination. The individual shall not be determined to be ineligible based upon a conviction that has been set aside or expunged or a central registry case that has been expunged.
- The department shall review the request and issue a written decision within 30 business days after receiving the request for redetermination. The decision of the department is final.
- (12) Each ineligible individual shall be given instructions about how to complete the request for redetermination process as provided in subsection (11).
- (13) Except as otherwise provided in this subsection, not later than September 30, 2017, every child care center licensee, group child care home licensee, family child care home licensee, child care staff member, and adult member of the household shall submit his or her fingerprints to the department of state police and the Federal Bureau of Investigation in order to carry out the records and database checks required under this section and section 5q. If the department of education obtains an extension on the implementation of this program from the federal government, the provisions of this section may be implemented no later than September 30, 2018.
- (14) If a licensee, licensee designee, or program director of a child care center, group child care home, or family child care home applying for a new license or to renew a license to operate a child

care center, group child care home, or family child care home has previously undergone a criminal history check required under subsections (1) and (13) and has remained continuously licensed after the criminal history check has been performed, that licensee, licensee designee, or program director of a child care center, group child care home, or family child care home is not required to submit to another criminal history check upon renewal of, or application for, the license obtained under this act.

(15) Upon consent of an applicant as required in subsection (3) and upon request from a child care center, group child care home, or family child care home, the department shall re-view the information received from the criminal history check, if any, and notify the requesting child care center, group child care home, or family child care home of the information in the manner prescribed in subsection (7). Until the Federal Bureau of Investigation implements an automatic notification system as outlined in section 5k, a child care center, group child care home, or family child care home may rely on the criminal history record information provided by the department under this subsection and a new request as provided under this section is not necessary if all of the following requirements are met:

- a) The criminal history check was conducted during the immediately preceding 5-year period.
- b) The applicant has been continuously employed by a child care center, group child care home, or family child care home since the criminal history check was conducted in compliance with this section.
- c) The applicant can provide evidence acceptable to the department that he or she has been a resident of this state for the immediately preceding 5-year period.

(16) The checks and clearances required in subsection (1)(a) to (c) and section 5q shall be updated at least every 5 years if the individual has been continuously licensed, has continuously been serving as a child care staff member, or has continuously been an adult member of the household.

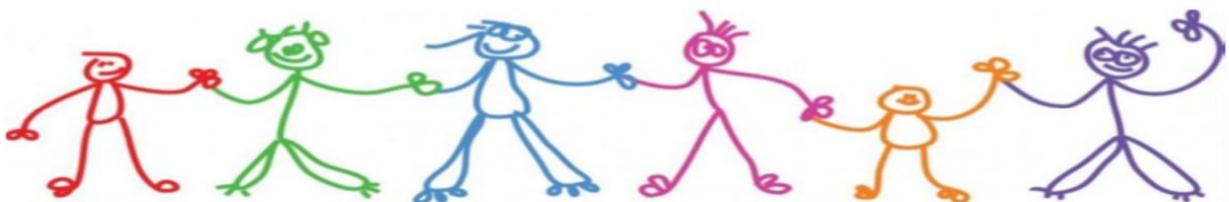
**(n) “Conducive to the welfare of children” means that term as defined in section 5m(13)(b) of the act, MCL 722.115m(13)(b).**

722.115m Child care center, group child care home, or family child care home; requirements for licensure.

Sec. 5m. (1) This section and sections 5n to 5s apply only to a child care center, group child care home, or family child care home.

(13) As used in this section:

- (b) “Conducive to the welfare of the children” means:
  - (i) The service and facility comply with this act and the administrative rules promulgated under this act.
  - (ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and wellbeing of the children served.



(New Definitions, CONT.)

**(o) “Continuously employed child care staff member” and “continuously connected adult household member” means an individual who has not been disconnected for more than 180 days from the child care background check system and has continuously resided in Michigan for the immediately preceding 5-year period, as required in sections 5n(15) and 5n(16) of the act, MCL 722.115n(15) and 722.115n(16).**

722.115n Application for or renewal of license to operate child care center, group child care home, or family child care home; household member or child care staff member; criminal history check; requirements; duties of department.

Sec. 5n. (1) Except as otherwise provided in subsection (13), when a person, partnership, firm, corporation, association, governmental organization, or nongovernmental organization applies for or applies to renew a license to operate a child care center, group child care home, or family child care home under section 5m and before a group child care home or family child care home allows an individual to be a member of the household, or a child care center, group child care home, or family child care home allows an individual to become a child care staff member, the department shall do all of the following:

(15) Upon consent of an applicant as required in subsection (3) and upon request from a child care center, group child care home, or family child care home, the department shall review the information received from the criminal history check, if any, and notify the requesting child care center, group child care home, or family child care home of the information in the manner prescribed in subsection (7). Until the Federal Bureau of Investigation implements an automatic notification system as outlined in section 5k, a child care center, group child care home, or family child care home may rely on the criminal history record information provided by the department under this subsection and a new request as provided under this section is not necessary if all of the following requirements are met:

(a) The criminal history check was conducted during the immediately preceding 5-year period.

(b) The applicant has been continuously employed by a child care center, group child care home, or family child care home since the criminal history check was conducted in compliance with this section.

(c) The applicant can provide evidence acceptable to the department that he or she has been a resident of this state for the immediately preceding 5-year period.

(16) The checks and clearances required in subsection (1)(a) to (c) and section 5q shall be updated at least every 5 years if the individual has been continuously licensed, has continuously been serving as a child care staff member, or has continuously been an adult member of the household.

**(p) “Conviction” means that term as defined in section 1(i) of the act, MCL 722.111(i).**

(i) “Conviction” means a final conviction, the payment of a fine, a plea of guilty or nolo contendere if accepted by the court, a finding of guilt for a criminal law violation or a juvenile adjudication or disposition by the juvenile division of probate court or family division of circuit

court for a violation that if committed by an adult would be a crime, or a conviction in a tribal court or a military court.

**(q) “Criminal history check” means that term as defined in section 1(j) of the act, MCL 722.111(j).**

(j) “Criminal history check” means a fingerprint-based criminal history record information background check through the department of state police and the Federal Bureau of Investigation.

**(s) “Eligible” means that term as defined in section 1(m) of the act, MCL 722.111(m).**

(m) “Eligible” means that the individual obtained the checks and clearances described in sections 5n and 5q and is considered appropriate to obtain a license, to be a member of the household of a group child care home or family child care home, or to be a child care staff member.

**(t) “Family child care home” means that term as defined in section 1(o)(iii) of the act, MCL 722.111 (o)(iii).**

(o)(iii) “Family child care home” means a private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year. A family child care home does not include an individual providing babysitting services for another individual. As used in this subparagraph, “providing babysitting services” means caring for a child on behalf of the child’s parent or guardian when the annual compensation for providing those services does not equal or exceed \$600.00 or an amount that would according to the internal revenue code of 1986 obligate the child’s parent or guardian to provide a form 1099-MISC to the individual for compensation paid during the calendar year for those services.

**(x) “Group child care home” means that term as defined in section 1(o)(iv) of the act, MCL 722.111 (o)(iv).**

(iv) “Group child care home” means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

**(z) “Ineligible” means that term as defined in section 1(n) of the act, MCL 722.111(n).**

(n) “Ineligible” means that the individual obtained the checks and clearances as described in sections 5n and 5q and is not considered appropriate to obtain a license, to be a member of the household of a group child care home or family child care home, or to be a child care staff member.

## (New Definitions, CONT.)

**(ee) “MiRegistry” is the electronic data system for child care providers to verify and track employment, training, and educational accomplishments, which is maintained by the department of education. MiRegistry offers a statewide calendar of online and classroom training opportunities. MiRegistry can be accessed online at <http://www.miregistry.org>.**

**(gg) “Nighttime care” means child care provided between midnight to 5:00 a.m.**

**(ii) “Permanently resides” means the address is the individual’s primary residence and his or her presence in the home is not contingent upon caring for children.**

**(jj) “Personnel” means a licensee, child care staff member, and child care assistant. (ll) "Related" means that term as defined in section 1(y) of the act, MCL 722.111(y).**

**(y) “Related” means in the relationship by blood, marriage, or adoption, as parent, grandparent, great-grandparent, great-great-grandparent, aunt or uncle, great-aunt or great-uncle, great-great-aunt or great-great-uncle, sibling, stepsibling, nephew or niece, first cousin or first cousin once removed, and the spouse of any of the individuals described in this definition, even after the marriage has ended by death or divorce.**

**(mm) “Routine transportation” means regularly scheduled travel on the same day of the week, at the same time, to the same destination. Any deviation is non-routine transportation.**

**(oo) “Sanitized” means to wipe or spray the surface with a sanitizing solution, let the surface air dry or wipe dry after two minutes, or according to the manufacturer’s directions, with a single service towel.**

**(pp) “Serious injury” means that term as defined in section 2b of 1973 PA 116, MCL 722.112b.**

**(k) “Serious injury” means any significant impairment of the physical condition of the minor child as determined by qualified medical personnel that results from an emergency safety intervention. This includes, but is not limited to, burns, lacerations, bone fractures, substantial hematoma, and injuries to internal organs, whether self-inflicted or inflicted by someone else.**

**(qq) "Smoke detector" means a device that detects visible or invisible particles of combustion.**

**(rr) “Supervised volunteer” means an individual who is 16 years of age or older, provides services for a child care home that are not compensated, and who is supervised at all times when children are in care.**

**(tt) “Unsupervised volunteer” means an individual who is 18 years of age or older, provides services for a child care home that are not compensated, and who has been determined eligible by the department to be unsupervised with children.**

(New Definitions, CONT.)

**(vv) “Water activities” mean activities in residential pools, lakes, ponds, or other bodies of water. Water activities do not include water play activities such as water table play, slip and slide activities, wading pools, or playing in sprinklers.**

## **Applicant; Licensee Requirements**

The following rules have been updated regarding the applicant and licensee requirements.

### **R 400.1902 Applicant; licensee; requirements.**

- (1)** An applicant **and a licensee** shall meet all of the following requirements:
- (a)** Be 18 years of age or older.
  - (b)** Have a high school diploma, general educational development (GED) certificate, **or approved training track and hours for child care home providers through MiRegistry.**
  - (c)** **Permanently** reside in the child care home **as a member of the household.**
  - (d)** Have proof of **certification in both of the following:**
    - (i)** Infant, child, and adult cardiopulmonary resuscitation (CPR).
    - (ii)** First Aid.
  - (e)** **Have documentation of completed training in both of the following:**
    - (i)** **Recognition and reporting of child abuse and neglect.**
    - (ii)** **Prevention and control of infectious disease, including immunizations.**
  - (f)** Attend an orientation provided by the department.

To demonstrate compliance with subrule (a) of this rule, the applicant must submit a copy of their valid driver’s license or Michigan identification card.

To demonstrate compliance with subrule (b) of this rule, the applicant may sign a self-certifying statement on the application as verification of compliance. In some instances, the applicant may be asked to provide a copy of the high school diploma, GED certificate or equivalent, or the document showing completion of the approved training track hours for child care home providers through MiRegistry ([www.miregistry.org](http://www.miregistry.org)).

**Note:** If the registration/license was issued prior to January 2006, a high school diploma, GED or equivalent was not required.

To demonstrate compliance with subrule (c) of this rule, the applicant must be able to provide legal documentation of residence. Documentation may include a valid driver’s license, Michigan identification card, voter’s registration card, tax returns, etc.

To demonstrate compliance with subrule (d) of this rule, a receipt of payment for the CPR or first aid training is not acceptable verification of certification or participation.

Copies of the cards, certification, e-card, or a statement signed by the trainer on agency letterhead are acceptable verification of certification. See R 400.1905 for more information on acceptable verification of training.

First aid/CPR certification must be received from a person certified as a Red Cross instructor or a trainer from another organization approved by the department. See the department's website ([www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)) for the current list of approved organizations. CPR and first aid training may be completed online.

If first aid or CPR training is completed online, an in-person skills test must be completed for the training to be valid. The in-person skills test must be administered by one of the approved organizations.

**Note:** R 400.1905(7) and the Child Care Organizations Act (1973 PA 116) requires CPR and first aid be maintained according to the expiration date on the card.

To demonstrate compliance with subrule (e) of this rule, the applicant must provide verification of completion of:

- (i) Recognition and Reporting of Child Abuse and Neglect and
- (ii) Prevention and Control of Infectious Disease, including immunizations through MiRegistry ([www.miregistry.org](http://www.miregistry.org)) or similar training organization.

To demonstrate compliance with subrule (f) of this rule, the applicant must attend a child care home orientation provided by the department, which consists of 6 clock hours that may be used toward annual training.

**(2)** An applicant **or licensee** shall be of responsible character and shall be suitable and able to meet the needs of children and provide for their care, supervision, and protection.

To assess if an applicant is suitable and conducive to the welfare of children the applicant will complete a comprehensive background check through the department at Child Care Background Check (CCBC). [CCBC website](#). For the purposes of this rule, responsible character means the ability to:

- Distinguish between right and wrong.
- Think and act rationally.
- Be accountable for one's own behavior.
- Be dependable, reliable and able to pay debts and meet business obligations.
- Suitable means the individual:
  - Is truthful to the department and public.
  - Does not have a criminal history which could affect the safety or welfare of children in care.
  - Is capable of making appropriate judgements.
  - Is knowledgeable of the developmental needs of children of varying ages.
  - Conducts oneself in a way so that rule requirements are met.

**(3) All persons, including minors, residing in the child care home shall meet all of the following requirements:**

- a. Be suitable to meet the needs of children.**
- b. Be able to ensure that services and facilities are conducive to the welfare of children.**
- c. Act in a manner that is conducive to the welfare of children.**
- d. Demonstrate a willingness and ability to comply with the act and these rules.**

Per R 400.1901(1)(e) definitions, a child care home family means “all persons, including minors, living, on an ongoing or intermittent basis, in the family or group child care home.” Suitability is assessed on all household members, including the licensee.

Suitable means that household members:

- Do not have criminal history which could affect the safety or welfare of child care children.
- Are truthful to the department and the public.
- Do not present a risk to the child care children.
- Are not on central registry as a perpetrator of child abuse or neglect.

**Note:** Conducive to the welfare of children means that term as defined in section 5m (13)b of the act, MCL 722.115m(13)(b).

**Note:** Licensing completes central registry clearances and criminal history checks on all adult household members.

An adult household member cannot be present in the child care home if the criminal history check reveals a conviction for the following offenses:

- A listed offense – defined by the Sex Offenders Registration Act (1994 PA 295).
- Child abuse under section 136b of the Michigan penal code (1931 PA 328, MCL 750.136b).
- Child neglect under section 145 of the Michigan penal code (1931 PA 328, MCL 750.145).
- A felony involving harm or threatened harm to an individual within the 10 years immediately preceding application.

When a licensee becomes licensed as a children’s foster home, all foster children placed in that home are considered part of the child care home family. The licensee is responsible and accountable for ensuring foster children will not present a risk to the child care children.

**Note:** Licensing completes central registry clearances and criminal history checks for child care staff members who are also household members. Refer to R 400.1906(1)(f) regarding required documentation of criminal history and central registry checks for all other child care staff members and child care assistant who reside in the household who are under the age 18.

**(4)The applicant and licensee shall submit all required information and reports using the specified forms, which are available on the child care licensing division’s website: [www.michigan.gov/michildcare](http://www.michigan.gov/michildcare).**

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## Licensee Responsibilities

The licensee is responsible for the following rule additions:

### **R 400.1903 Licensee responsibilities.**

**(1)** A licensee shall be responsible for all of the following:

**(a) When the child care home is in operation**, the licensee shall be present in the home on a daily basis and provide direct care and supervision for the majority of time children are in care, except for any of the following circumstances:

(i) Vacation or personal leave, **which must not** exceed 20 days within a calendar year. **The 20 days of vacation or personal leave means the licensee is absent the entire day or at least 51% of the day when the child care home is operating. A licensee may have a short periodic absence from the home.**

(ii) Medical treatment and subsequent recovery.

“Majority” means at least 51% of the time children are in care daily. It is allowable for the licensee to have a short periodic absence from the home.

Example 1: The child care home is open from 6 AM to 6 PM daily. Children are in care from 6 AM to 3 PM. The licensee is gone from 7 AM to 10 AM. The licensee is in compliance with the rule.

Example 2: The child care home is open from 6 AM to 6 PM and 10 children are in care the entire time and two children are in care from noon to 6 PM. The licensee is gone from 12 to 4 PM. The licensee is in compliance with this rule.

Example 3: The child care home is open from 6 AM to 10 PM. Children are in care from 6 AM to 2 PM and 4 PM to 9 PM. The licensee is gone from 7 AM to 3 PM. The licensee is not in compliance with this rule.

When there is more than one licensee on the license one of the following must occur:

- One of the licensees must provide direct care and supervision at least 51% of the time children are in care daily.
- The licensees on the license must provide direct care and supervision and may split the time between them. The time between the licensees must be at least 51% of the time children are in care daily.

A calendar year is defined as January 1 through December 31.

**(f)** Post the current license in a conspicuous place **within the child care home during the hours of operation.**

**(g)** Report to the department within, **3 business days**, any changes in the household composition or when any new or existing member of the household **or child care personnel** has any of the following:

**(i)** An arrest.

- (ii) A conviction.
- (iii) An arraignment for an offense that if convicted would lead to that individual's ineligibility to be connected with a child care home.**
- (iv) Is being investigated by the state department of health and human services for an allegation of child abuse or neglect.**
- (v) Is under court supervised parole or probation.**
- (vi) Has been admitted to, or released from, a correctional facility.**
- (vii) Has been admitted to or released from a health facility or agency that was providing mental health or substance use disorder treatment services to the individual.**

Subrule (g) of this rule requires the licensee to report to the department within three business days any changes in the household composition or when any new or existing member of the household has any of the occurrences listed in subrule(g)(i)-(vii) The form, BCAL-1485, is located in the forms section of our website.

The Child Care Organizations Act (1973 PA 116) requires that the licensee report to the department within three business days after he/she, an adult household member or any personnel has been arraigned. A person who fails to report as required is guilty of a felony or a misdemeanor, depending on the offense. Arraignment is when an individual is formally charged and appears in a court of law and enters a plea.

Any individual, who resides or stays in the home on an intermittent or short-term basis, is considered part of the child care home family. This includes college students that move back home during the summer months. All foster children placed in the home are considered part of the child care home family.

**(h) The report required in subdivision (g) of this subrule shall be made using the department's form named Notification of Changes in Status – Family and Group Child Care Homes, which is labeled BCAL-1485.**

**(i) Notify personnel of their duty to report to the licensee any actions listed in this rule.**

It is the licensee's responsibility to ensure all employees are aware of their requirement to report an arraignment to the licensee.

**(k) Immediately report to children's protective services any suspected child abuse or neglect and ensure compliance with the child protection law, 1975 PA 238, MCL 722.621 to 722.638.**

Child care personnel are mandated reporters. Under the Child Protection Law, child care providers must contact Children's Protective Services (CPS) immediately when they suspect child abuse and/or neglect.

An immediate verbal report may be made to Centralized Intake by calling (855) 444-3911. The verbal report must be followed by a written report. The written report must be submitted within 72 hours. The Department of Health and Human Services (MDHHS) encourages the use of the Report of Suspected or Actual Child Abuse or Neglect (DHS3200) form which includes all the information required by the law. The written report may be faxed to (616) 977-1154 or (616) 977-1158 or emailed to [DHS-CPSCIGroup@michigan.gov](mailto:DHS-CPSCIGroup@michigan.gov).

Or, a report may be made using the online system for mandated reporters. Reports can be submitted 24/7 from anywhere with Internet access. The requirement to call the tollfree number and send a written report is eliminated when reporting suspected child abuse or neglect online.

For emergencies, mandated reporters must call 911 and then the hotline or online system to file the report.

When child abuse and/or neglect is suspected, personnel need to only obtain enough information to make a report. If a child starts disclosing information regarding abuse and/or neglect, personnel must only ask open-ended questions, if necessary, to determine whether a report needs to be made to CPS. The child must not be led during the conversation. Personnel must not attempt to conduct their own investigation either before reporting it to CPS or during the CPS investigation.

**(1) Have a written policy and procedure for the screening and supervision of volunteers, if applicable, including volunteers who are parents of a child in care.**

The written policy for screening and supervision of volunteers must describe what methods are used by the home to screen volunteers.

The written policy must describe the method of supervision and may include volunteer duties and restrictions.

A volunteer must not have unsupervised contact with children in care if he or she has not been determined eligible by the department after completing a comprehensive background check.

A supervised volunteer does not include the rare occasions when parents accompany their child on a special activity such as a classroom party or field trip, when the parent is only with their child and has no responsibility for other children or activities in the home.

**(2) The licensee shall ensure that a child is released only to persons authorized in writing by the parent.**

The child information card that the enrolling parent completes and signs states who the parent authorizes to pick up the child.

Unless custody has been established by a court action, one parent may not limit the other

from picking the child up from the child care home or receiving information about how the child's day went. The licensee has no legal right to withhold a child from a parent unless there is a court order which limits one parent's right to the child.

**(3) The licensee shall permit parents of enrolled children who are in attendance to visit the child at the child care home at any time during hours of operation, as required in section 3a of the act, MCL 722.113a.**

One parent may not limit the other from visiting the child or receiving information about how the child's day went. Personnel have no legal right to prohibit a parent from visiting his/her child unless there is a court order which limits one parent's right to visit the child.

**(4) The licensee shall cooperate with the department in connection with an inspection or investigation, as required in section 10(1) of the act, MCL 722.120(1). Cooperation includes, but is not limited to, all of the following:**

**a) Admit authorized members of the department into the approved child caring areas of the child care home and provide access to all records, individuals, and other materials necessary to determine compliance with the act and these rules.**

**b) Allow the department to perform routine investigative functions during the course of an investigation, inspection, or examination. Routine investigative functions include, but are not limited to, both of the following:**

**(i) Interviewing potential witnesses, such as child care staff members, members of the household, and volunteers.**

**(ii) Taking photographs to assess and document the conditions of the child care home and its compliance with the act and these rules.**

**c) Provide accurate and truthful information to the department, and encourage witnesses to provide accurate and truthful information to the department.**

Per R 400.1903(6) (a-f), in absence of the licensee, a child care staff member must be appointed who is knowledgeable about the child care operation, knows where all records are located and understands his/her role regarding cooperating with the department.

(1) The department may investigate, inspect, and examine conditions of a child care organization and may investigate and examine the books and records of the licensee. The licensee shall cooperate with the department's investigation, inspection, and examination by doing all of the following:

(a) Admitting members of the department into the child care organization and furnishing all reasonable facilities for thorough examination of its books, records, and reports.

(b) Allowing the department to perform routine investigative functions during the course of an investigation, inspection, or examination. Routine investigative functions include, but are not limited to, interviewing potential witnesses, such as staff and household members, and taking photographs to assess and document the

conditions of the child care organization and its compliance with this act and the rules promulgated under this act.

(c) Providing accurate and truthful information to the department, and encouraging witnesses, such as staff and household members, to provide accurate and truthful information to the department.

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## **Child Care Staff Member; Employment Requirements**

The following rule requirements have been added to child care staff member requirements (1904a) and child care assistant requirements (1904b).

### **Child Care Staff Member; Requirements**

**R 400.1904a Child care staff member; employment requirements.**

**(1) An individual who is employed as a child care staff member in a child care home shall be 18 years of age or older, pursuant to section 1 of the act, MCL 722.111.**

**(2) Before caring for children at a child care home, an individual shall provide the licensee with all of the following:**

**(a) A valid certification in infant, child, and adult CPR.**

**(b) A valid certification in first aid.**

**(c) Proof of training in the prevention of infectious disease, including immunizations. Hours of training in the prevention of infectious disease from MiRegistry will be allowed to count for training hours to meet this requirement.**

**(3) Prior to contact with children, the individual shall be determined by the department to be eligible to serve as a child care staff member, pursuant to sections 5n and 5q of the act, MCL 722.115n, 722.115q, and as required by R 400.1925.**

**(4) A child care staff member shall conduct himself or herself in a manner that is conducive to the welfare of children and be able to meet the needs of children and provide for their care, supervision, and protection.**

**(5) A child care staff member may substitute for the licensee pursuant to R 400.1903(1)(c).**

## **Child Care Assistant; Requirements**

### **R 400.1904b Child care assistant; requirements.**

- (1) A child care assistant shall be 14 to 17 years of age.**
- (2) Prior to contact with children, the individual shall be determined by the department to be eligible to serve as a child care assistant, as required by R 400.1925.**
- (3) Within 90 days of hire, a child care assistant shall provide the licensee all of the following:**
  - (a) A valid certification in infant, child, and adult CPR.**
  - (b) A valid certification in first aid.**
  - (c) Proof of training in the prevention of infectious disease, including immunizations. Hours of training in the prevention of infectious disease from MiRegistry will be allowed to count for training hours to meet this requirement.**
- (4) A child care assistant shall be supervised directly at all times by the licensee or a child care staff member who is present on site and can observe the child care assistant.**
- (5) A child care assistant shall conduct himself or herself in a manner that is conducive to the welfare of children.**
- (6) A child care assistant shall not substitute for the licensee or a child care staff member.**
- (7) A child care assistant shall not drive a vehicle that is transporting children.**
- (8) The licensee is responsible for the actions of a child care assistant who has contact with or access to children who are cared for in a child care home.**

### **CPR/First Aid**

MCL 722.112a, (1) A child caring institution, foster family home, foster family group home, child care center, group child care home, and family child care home shall have individuals present, as prescribed in the appropriate administrative rules, who have current certification in first aid and cardiopulmonary resuscitation obtained through the American Red Cross, the American Heart Association, or an equivalent organization or institution approved by the department.

First aid/CPR certification must be received from a person certified as a Red Cross instructor or certified by another organization approved by the department. See the department's website ([www.michigan.gov/michildcare-training](http://www.michigan.gov/michildcare-training)) for the current list of approved organizations.

An in-person skills test must be completed if CPR and first aid training is completed online. The online training and the in-person skills test must be administered by one of the approved organizations. Documentation of completion of both the online portion and in-person skills test must be maintained.

**Verification of CPR/First Aid Training:** A receipt of payment for the session is not verification of certification attendance or participation. Copies of both sides of the card, final

certificate, a statement on agency letterhead, or the eCard are acceptable verification of CPR/first aid certification.

The statement on agency letterhead must be issued from the training organization or trainer and include the date of the course, the name of the training organization or trainer and the topic covered.

Only a child care staff member with current CPR and first aid may substitute for the licensee when they are unable to provide care. Notification to parents must be provided for each absence and may be verbal, in writing or posted in the home in a location easily visible to parents. Notification must include the name of the child care staff member providing the care.

### **Prevention of infectious disease**

Note – Prevention of infectious disease and immunization training has replaced the requirement for Bloodborne Pathogen training.

MIOSHA Bloodborne Infectious Diseases Online Training Program: MIOSHA online training.

For additional information regarding communicable diseases and reporting as well as immunizations, contact your local health department. A listing of county health departments can be found at [MDHHS local health departments](#).

Training is available at [MiRegistry](#) in Health and Safety Training for Licensed Child Care Providers, Courses 1 and 2. Health and Safety Training for Licensed Child Care Providers Course 1 includes:

- Prevention and Control of Infectious Diseases (including Immunizations)
- Administration of Medication
- Prevention and Response to Emergencies due to food and allergic reactions Child Development (birth to 5 years)

### **Eligibility**

Eligibility is determined through the comprehensive background check process. In order to receive a determination, the individual must be entered into the Child Care Background Check (CCBC) system by the person authorized to use the system and then fingerprinted under the Child Care Licensing (CCL) Reason Code. Upon receipt of the fingerprint results, all remaining registry checks will be completed by the department. Any applicant who has resided out of state or country within the past 5 years is required to submit additional information in order to complete the comprehensive background check. This may include the submission of additional forms and fees required by state(s) in order to complete the remaining components of the comprehensive background check.

To be “eligible” means that the individual obtained the checks and clearances described in sections 5n and 5q and is considered appropriate to obtain a license, to be a member of

the household of a group child care home or family child care home, or to be a child care staff member. A comprehensive background is required to determine eligibility.

A complete signed and dated consent and disclosure form is required for all child care staff members before fingerprint information is entered in the CCBC system. Consent and disclosure forms should be kept in a secure location and retained for four years after the person has left employment. Consent and disclosure forms can be found here [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc).

### **Conducive to the welfare of children**

722.115m(b) "Conducive to the welfare of the children" means:

- (i) The service and facility comply with this act and the administrative rules promulgated under this act.
- (ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

722.115m(3) To assess whether the service, facility, applicant, licensee, child care staff member, or member of the household is conducive to the welfare of the children, the department may utilize available information, including, but not limited to, any of the following:

- a) Investigative report, such as a law enforcement report and a children's protective services report.
- b) Medical report.
- c) Public record.
- d) Child care center, group child care home, or family child care home record.
- e) Inspection of the child care center, group child care home, or family child care home.

### **Appropriate care and supervision**

All child care staff members working directly with children, have the responsibility to meet the basic needs of each individual child and to ensure their safety and well-being. Providing appropriate care and supervision of all children in care involves:

- Maintaining required child care staff member-to-child ratios.
- Providing a program that meets the developmental needs of all children in care.
- Interacting with each child in a positive manner.
- Knowing what activities all children are engaged in.
- Knowing the whereabouts of each child at all times.
- Being close enough to the children to provide for their safety.

A child care staff member may need to be away from their assigned area of the home for a brief period of time for routine activities such as use of restroom, toileting a child, attending

to a sick child, escorting children from the bus, etc. In those situations, children must not be left unattended. If multiple child care staff members are in the room, a replacement child care staff member may not be necessary unless there is a significant disruption in the room, children's needs are not being met or absences are too lengthy or too frequent.

Volunteers not acting as child care staff members have the responsibility for providing appropriate care of children. This includes, but is not limited to:

- Interacting with children in a positive manner.
- If working with an individual child, knowing the whereabouts and activities of that child.
- Following the volunteer policy of the home.

Direct Supervision generally means to be physically present, or within an immediate distance, such as on the same floor and available to respond to the need of something or someone.

Child care assistants working directly with children under the supervision of the licensee or adult child care staff member, have the responsibility to meet the basic needs of each individual child and to ensure their safety and well-being. Providing appropriate care and supervision of all children in care involves:

- Interacting with each child in a positive manner.
- Knowing what activities all children are engaged in.
- Knowing the whereabouts of each child at all times.
- Being close enough to the children to provide for their safety.




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## Training

The changes to the training rules are listed below.

### **R 400.1905 Training.**

**(1) A licensee** shall complete not less than 10 clock hours of training each calendar year related to child development, program planning, and administrative management for a child care business, not including CPR, first aid, **and infectious disease, including immunizations, training.**

Training topics may include but are not limited to:

- Child development - language, social, emotional, physical, intellectual.
- Programming for various age groups - e.g., math, science, dramatic play, art
- Managing children's behavior • Health and safety • Nutrition for young children

- Caring for children with special needs or chronic medical conditions
- Workshops on games and toys
- Lead-risk, radon gas, emergency preparedness, crisis management, fire safety, water safety

All family and group home applicants that complete the child care home orientation training will receive six clock hours of training.

All licensees will receive one clock hour of annual training for reading all the home-related articles in three different issues of Michigan Child Care Matters and pass the tests associated with those issues during the calendar year. You must maintain your own documentation that you passed the tests by printing a copy of the test results page or the certificate for each test you pass for your records.

Equivalencies:

- 60 minutes equals one clock hour of training.
- One semester hour of college credit is equivalent to 15 hours of training.
- One term hour is equivalent to 10 hours of training.
- One CEU is equivalent to 10 hours of training.

**Note:** Training sessions must be a minimum of 30 minutes in duration to be counted toward training hours.

**(2)** A child care staff member and a child care assistant shall complete not less than 5 clock hours of training each calendar year related to child development and caring for children, not including CPR, first aid, **and infectious disease, including immunizations, training.**

**(3)** A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

- (a) Safe sleep practices to prevent sudden infant death syndrome.**
- (b) Recognition of and the reporting of child abuse and neglect.**
- (c) Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.**

Licensees may provide training for child care staff members and child care assistants. However, this training may not be counted towards the licensee's own annual training requirements. All licensees must maintain copies of the documentation of this training on file in the child care home for review by the licensing consultant.

**(4)** Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

- (a) Child development.**
- (b) Administration of medication.**
- (c) Prevention of and response to emergencies due to food and allergic reactions.**

**(d) Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants.**

**(e) Precautions in transporting children.**

**(f) Building and physical premises safety.**

**(g) All hazards emergency preparedness and response planning.**

**(5) Training hours may include **completion** of any of the following:**

(a) Sessions offered by community groups, faith-based organizations, and child care home associations.

(b) Trainings, workshops, seminars, and conferences on early childhood, child development, or child care administration offered by early childhood organizations.

(c) Workshops and courses offered by local or intermediate school districts, colleges, and universities.

(d) Online courses.

**(e) Training and courses offered through MiRegistry.**

**(6) Completion of the required training must be verified by a document, signed by the trainer or an authorized individual, which must be kept on file or available online at MiRegistry.**

Video, distance learning, correspondence, and online trainings must be facilitated and validated by a trainer/facilitator and include a feedback component.

Example 1: A group of six child staff members get together to watch a video on developmentally appropriate practices. A facilitator is selected from the group to lead a discussion following the video. Upon completion of the session, the child care staff member that was selected to facilitate provides each person, with verification of completion of this training session. The facilitator does not receive training hours for facilitating the group. With appropriate verification, licensing will accept this training as meeting R 400.1904a or R 400.1904b.

Example 2: A licensee enrolls in a self-study course that provides worksheets to complete. The licensee is not required to submit his/her work to the trainer. As part of the course, a certificate of completion is included with the worksheets. Licensing will not accept this training as meeting R 400.1904a or R 400.1904b.

Example 3: A licensee viewed a video series on child development. The licensee recorded on the Training Record (BCAL-4590) that he/ she spent four hours watching this video series. Licensing will not accept this training as meeting R 400.1904a or R 400.1904b.

Example 4: All personnel take an online training on positive methods of discipline. At the end of the online training, the personnel must respond, in writing, to a series of questions related to how she can use positive methods of discipline with children in care. These responses are submitted online. A trainer reviews the responses and sends feedback to the personnel. With appropriate verification, licensing will accept this training as meeting R 400.1904a or R 400.1904b.

Example 5: The use of educational curriculum, magazines and books, while a means to enhance the personnel's personal growth and development, are not facilitated and validated by a trainer. Licensing will not accept these as meeting R 400.1904a or R 400.1904b.

Exception: Refer to subrule (1) of this rule for how reading issues of Michigan Child Care Matters may be counted.

**(7) CPR and first aid training certification must be maintained according to the expiration dates on the individual's certification cards.**

**(8) The department may require additional training for violations based on the act or these rules. The additional training may include, but is not limited to, the safe sleep training available on MiRegistry or attending another orientation session conducted by the department.**

**(9) When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 months of the notice.**

## Child Care Staff Records

The records required of a licensee, child care staff member and child care assistant have been updated to include the following:

**R 400.1906 Records of a licensee; child care staff member; child care assistant.**

**(1) A licensee shall maintain a file for each child care staff member and each child care assistant that includes all of the following:**

**(a) The individual's first and last name, address, telephone number, and date of hire.**

**(b) Daily records detailing arrival times and departure times at the child care home.**

**(c) A statement signed by a licensed physician or his or her designee that attests to the individual's mental and physical health., and which must be updated as follows:**

**(i) For an applicant or licensee, within 1 year before issuance of the initial license and at the time of subsequent renewals.**

**(ii) For a child care staff member and a child care assistant, within 1 year prior to caring for children and at the time of subsequent renewals of the child care home's license.**



**(d) Other physician attestations and records as required in R 400.1919.**

**(e) Training records, as defined in R 400.1905(5), which may also be viewed online at MiRegistry during an on-site inspection. [MiRegistry](#)**

**(f) A completed and signed Michigan Child Care Background Check Consent and Disclosure form as required in R 400.1925.**

**(g) A written statement, signed and dated by the child care staff member or child care assistant at the time of hiring, indicating all of the following information:**

- (i) The individual is aware that abuse and neglect of children is unlawful.
- (ii) The individual knows that he or she is mandated by law to report child abuse and neglect.
- (iii) The individual has received a copy of the licensee's discipline policy.

### **Daily records**

Daily records may include time cards, time sheets, logs documenting personnel names, date worked, and arrival and departure times.

If records are kept electronically records must be accessible upon request. If records are not available during an onsite inspection the licensee is in violation of these rules.

R 400.1906(1)(c) - The Licensing Medical Request (BCAL-3704-CC) may be used to document medical information required by this rule. This form is located in the [forms](#) section of our [website](#).

### **Physical evaluations**

Physician evaluations are acceptable from the following:

- A licensed Doctor of Medicine (MD).
- A licensed Doctor of Osteopathic Medicine (DO).
- A designee, which includes a physician assistant, nurse practitioner or nurse. When a designee signs the evaluation, a physician's signature or stamp is not required on the form. If there is a question as to the validity of the document, the licensing consultant will contact the physician's office to verify its authenticity. Any adult providing care in any circumstance MUST meet this requirement and all other requirements of a child care staff member or child care assistant.

### **Consent and Disclosure form**

A complete signed and dated consent and disclosure form is required for all child care staff members before fingerprint information is entered in the CCBC system. Consent and disclosure forms should be kept in a secure location and retained for four years after the person has left employment. Consent and disclosure forms can be found here [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc).

### **Eligibility**

While awaiting results of the comprehensive background check an individual may serve as a child care staff member if the individual is supervised **at all times** by an eligible staff member. Supervised at all times means the eligible staff member can see and hear the individual at all times. Example: if the eligible staff member needs to use the restroom another eligible staff member must step in to supervise the individual prior to them leaving the room.

Michigan State Police (MSP), the Federal Bureau of Investigation (FBI) and LARA will periodically request a copy of the Consent and Disclosure form to ensure compliance. MSP and the FBI have Criminal Justice Information Services (CJIS) policies which require a Consent form. Both MSP and the FBI audit LARA to ensure individuals fingerprinted under the child care reason code are aware of their rights and responsibilities as documented in this form. As the department is periodically audited by the FBI/MSP to ensure compliance with CJIS policies, we may request that a copy of the Consent and Disclosure form be provided.

On occasion, the department may become aware of additional aliases or states of residency not disclosed into the CCBC system. When this occurs, the department may request a copy of the Consent and Disclosure form to assess whether or not the individual was knowingly attempting to falsify or omit information in connection with the background check.

Falsifying and omitting information in connection with a comprehensive background check will result in an applicant being found ineligible for that application. If there are concerns that an applicant may have omitted or falsified information in the Consent and Disclosure form and by extension the CCBC System, the department may request to view the form. Once an applicant completes the Consent and Disclosure form, they should be provided a copy of their form for future use.

The CCBC [Forms and Resources](#) has a PowerPoint training guide for using the Child Care Background Check System.

For questions, contact the CCBC unit at 844-765-2247.

Frequently Asked Questions for using the CCBC system can be found here [FAQ](#)

### **Assistant caregiver certifications**

R 400.1906(1)(g) (i-iii) – The BCAL-4595 may be used by child care staff members and child care assistants to comply with this rule. This form is located in the [forms](#) section of our [website](#).

An electronic signature from a staff person or volunteer is acceptable.

### **Mandated reporters**

Child care staff members and volunteers, and child care assistants (including minors) of a child care home are mandated reporters. Under the Child Protection Law, center employees and volunteers must contact Children's Protective Services (CPS) **immediately** when they suspect child abuse and/or neglect.

- The immediate verbal report must be made to Centralized Intake by calling (855) 444-3911. The verbal report must be followed by a written report. The written report must be submitted within 72 hours. DHHS encourages the use of the Report of Suspected or Actual Child Abuse or Neglect (DHS-3200) form which includes all the information required by the law. The written report may be faxed to (616) 977-1154 or (616) 977-1158 or emailed to [DHS-CPS-CIGroup@michigan.gov](mailto:DHS-CPS-CIGroup@michigan.gov).

- *The immediate online report eliminates the requirement to fill out a DHS-3200 form. To report online, you can register as a mandated reporter at [Mi Bridges Mandated Reporters](#).*

Reporting the situation to the licensee or another staff person does not relieve the home employee or volunteer of their mandated responsibility to report to CPS.

When child abuse and/or neglect is suspected, the home employee or volunteer needs to **only** obtain enough information to make a report. If a child starts disclosing information regarding abuse and/or neglect, the home employee/volunteer must ask **only** open ended questions, if necessary, to determine whether a report needs to be made to CPS. The child must not be led during the conversation. The home employee/volunteer must not attempt to conduct their own investigation either before reporting it to CPS or during the CPS investigation.

**(2) The records in this rule must be retained for the duration of the individual's employment and a minimum of 4 years after the individual has left the employment of the licensee.**

Records must be accessible upon request. If records are not available during an onsite inspection the licensee is in violation of these rules.

## Child's Record

The following change was made to the requirements for child records.

### **R 400.1907 Child's record.**

(5) The records in this rule must be retained for a minimum of 4 years **from the date a child is no longer being cared for in the child care home.**

Records should be kept on-site for the current year and the two years prior to the current year while the child is enrolled. These records should be kept for 4 years after the child leaves the home.

## Concurrent Licensing

The concurrent licensing rule now allows up to 12 children in the home for providers with both a child care license and a foster care license.

### **R 400.1909 Concurrent licensing.**

(2) A **licensee** who provides care for both child care and foster care children shall not care for more than **12** children, including all of the following:

(a) Children who are under 17 years of age and who are related to the **licensee** by blood, marriage, adoption, or legal guardianship.

- (b) The capacity of foster children identified on the foster care license.
- (c) All other children who are cared for on a part-time or full-time basis.

To determine the capacity of the family or group child care home if also licensed to provide foster care:

- Add the number of children shown on the foster care license.
- Add the number of children under 17 years of age residing in the home. Do not count the number of foster children placed in the home.
- Subtract that number from 12. The remainder is the child care license capacity.

**(4) The department has the right to refuse concurrent licensing for child care if the health and safety of child care children could be at risk.**

## Ratio

The following are the changes to the ratio rule.

### **R 400.1910 Ratio of personnel to children.**

- (1) The ratio of **personnel** to children present in the home at any 1 time **must** be not less than 1 **member of the personnel** to 6 children. The ratio **must** include all children in care **who are not related to any personnel** and any of the following children who are less than 6 years of age:
  - (a) Children of the **licensee**.
  - (b) Children of **a child care staff member or child care assistant**.
  - (c) Children related to any member of the **household** by blood, marriage, or adoption.

Ratio is determined by the number of children per personnel.

The licensee's own children or other children residing in the home under 6 years of age are not counted in the ratio if a spouse or other person is home and supervising these children.

Foster care children are treated as the licensee's own children.

The licensee's own children who are 6 years of age and older are not counted in the ratio.

Visiting children who are less than 6 years of age will be counted in the ratio unless accompanied by an adult.





Visiting children who are 6 years of age and older (friends of the licensee's children, neighborhood children, etc.) are not counted in the ratio as long as all the following requirements are met:

- They do not require direct care and supervision.
- The children's parents or other responsible person are at home and immediately available should the children need to be sent home.
- They are not interfering in any way with the care and supervision of the child care children or taking away from adequate space and equipment.

## Infant Sleeping

Below are the significant changes to the infant sleeping rules.

**R 400.1912 Infant; child; resting' sleeping; supervision.**

**(4) If a child has a health issue or a special need that requires the child sleep in an alternate position or in something other than a crib, porta-crib, or play yard for infants and toddlers, or cot or mat for toddlers, documentation from the child's health care provider is required. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner and include an anticipated end date.**

Documentation from the child's health care provider is required **prior** to allowing the child to sleep in the alternate position or equipment.

The licensee must ensure that any special written instructions from the child's health care provider are kept in an accessible location and shared with all child care staff members and assistants.

Monitoring must be recurring and must include visual observation of infants, with personnel standing close enough to the infant to observe breathing patterns, sleep position and any signs of distress or discomfort.

## Positive Discipline

New licensing rules for home child care include prohibiting the use of substances in a child's mouth and using time out with children under 3 years of age. Below are the rules regarding discipline for homes.

### R 400.1913 Discipline; Child Handling.

**(3) Personnel** shall not do any of the following:

- (a) Hit, spank, shake, bite, pinch, or inflict other forms of corporal punishment.
- (b) Use any substance in a child's mouth such as, but not limited to, soap, hot sauce, or vinegar.**
- (c) Restrict a child's movement by binding or tying him or her.
- (d) Inflict mental or emotional stress, such as humiliating, shaming, threatening a child, or using derogatory remarks.
- (e) Deprive a child of meals, snacks, rest, or necessary toilet use.
- (f) Confine a child in an enclosed area such as a closet, locked room, box, or similar **enclosure**.
- (g) Use time out for children under 3 years old.**

Discipline is not punishment; discipline involves helping a child gain control over his or her own behavior. Positive discipline methods will help guide a child toward self-discipline and independence. All personnel are responsible and accountable for:

- Ensuring that a child's movement is not restricted by the use of a harness or leash or other restraint device.
- Ensuring that the strapping device on high chairs, etc. are used to stabilize the child in that type of chair and not used for punishment or discipline.
- Ensuring that firm and consistent expectations are given that do not cause children to feel shame or humiliation.

**Note:** The practices outlined in this subrule are strictly prohibited regardless of parental permission. Any licensee who questions or has concerns regarding a parental discipline request should contact their licensing consultant.

**(4) Reasonably appropriate discipline or restraint may be used to prevent a child from harming himself or herself, or to prevent a child from harming other persons or property, or to allow a child to gain control of himself or herself excluding those forms of punishment prohibited by subrule (3) of this rule.**

If it becomes necessary to restrain a child for his/her own or other's protection, holding the child as gently as possible is acceptable. Children shall not be physically restrained longer than necessary to control the situation.

Examples of inappropriate restraint include but are not limited to:

- Holding a child with undue physical force.
  - Holding a child down on a sleep surface with hands or feet.
  - Sitting on a child.
  - Any physical restraint for the purpose of discipline or punishment, especially with ropes, scarves, belts, ties or straps.
-

## Indoor Play

The following changes were made to the indoor play rules.

### **R 400.1915 Indoor space; equipment and materials.**

**(5)** As required by section 15 of the children's product safety act, 2000 PA 219, MCL 722.1065, a licensee shall conspicuously post in the child care home an updated copy of the list of recalled or unsafe children's products **that is provided by the department through its Michigan Child Care Matters (MCCM) online newsletter and available at the department's website [www.michigan.gov/mccmatters](http://www.michigan.gov/mccmatters).**

**(7)** Trampolines **and bounce houses must** not be used indoors by children in care.

Trampolines of all sizes are prohibited, even with parental permission. Bounce houses and other similar types of equipment are also prohibited indoors, as they present the same hazards as trampolines.

**Note:** Providers can take children on field trips where trampolines, bounce houses and similar types of equipment are used with written parental permission.

**Note:** Refer to R 400.1920(7) regarding outdoor use of bounce houses.

## Bedding and Sleeping Equipment

To help ensure the safety and well-being of children, the following bedding and sleeping rules have been added:

### **R 400.1916 Bedding and sleeping equipment.**

**(1)** All bedding and **sleeping** equipment **must** be in accordance with U.S. Consumer Product Safety Commission standards as approved for the age of the child using the equipment and **must** be clean, comfortable, safe, and in good repair. **The standards are available at [http:// www.cpsc.gov](http://www.cpsc.gov).**

**(2)** All bedding and sleeping equipment **must** be cleaned before being used by another **child**.

**(3)** All bedding used by children **must** be washed when soiled and weekly at a minimum.

To be compliant with the CPSC, cribs manufactured after June 27, 2011 are presumed compliant with the new standards. To determine when your crib was manufactured, check the crib. All cribs must have their date of manufacture permanently affixed to the crib.

Cribs manufactured prior to June 28, 2011, must have a Children's Product Certificate (CPC) or test report from a CPSC-accepted third party. While manufacturers, importers and retailers are not required to supply CPCs or test reports to consumers,

many will provide these documents to consumers upon request or they post them on their websites.

Keep in mind that most cribs manufactured prior to June 28, 2011 will not meet the new standards. For more information, go to CPSC's Crib Information Center at [www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards/Cribs/](http://www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards/Cribs/)

**Note:** Under the new standards, non-full-size baby cribs must be sold with the mattress.

**(4)** All cribs, **play yards**, or porta-cribs must be equipped with a firm, tight-fitting mattress with a waterproof, washable covering, as recommended and approved by the U.S. Consumer Product Safety Commission.

**Note:** Under the federal crib standards, full-size baby crib mattresses must measure 27 1/4 inches by 51 5/8 inches with a thickness not exceeding 6 inches.

**(5) Play yard mattresses must be purchased from the manufacturer of the play yard and be manufactured after February 19, 2014. Play yards must meet the Consumer Product Safety Commission safety standards for play yards, 16 CFR part 1221 (2019). Licensees shall comply with this subrule by December 31, 2019. These standards are available at [Crib | CPSC.gov](http://Crib%20Standards%20and%20Play%20Yards%20-%20CPSC.gov) . They are also available for inspection and distribution at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Licensing Division, 611 W Ottawa, Lansing, MI 48933-1070.**

A play yard (such as a Pack n' Play®) is acceptable if all of the following are met:

- It complies with subrules (6)(a) of this rule.
- The manufacturer indicates the play yard can be used for sleeping.
- The child using the play yard for sleeping cannot climb out of it and is less than 35 inches in height.

A play yard is defined as a framed enclosure that includes a floor and has mesh or fabric sided panels primarily intended to provide a play or sleeping environment for children.

Square playpens are typically used to contain a child for short periods of time or for play and are not acceptable for sleeping children of any age.

Only mattresses sold with the play yard are acceptable for use. If the mattress needs to be replaced the entire play yard must be replaced unless the manufacturer of the play yard offers a replacement mattress. After-market mattresses for play yards are not acceptable.

Play yards must meet the CPSC standard for play yards, 16 CFR part 1221 (2019).

To be in compliance, play yard mattresses must be built after February 19, 2014. Play yards must be maintained and in good repair.

Newly purchased play yards should be manufactured after January 20, 2020.

**(6) Infants, birth to 12 months of age, shall rest or sleep alone in an approved crib, play yard, or porta-crib. This equipment must meet all of the following**

**requirements:**

- (a) Cribs, porta-cribs and play yards must comply with the product safety standards issued by the Consumer Product Safety Commission, 16 CFR 1219 (2019), 16 CFR 1220 (2019), and 16 CFR 1221 (2019), which are available at <http://www.cpsc.gov>. These standards are also available for inspection and distribution at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Licensing Division, 611 W Ottawa, Lansing, MI 48933-1070.**
- (b) A tightly fitted or snug bottom sheet must cover the crib or porta-crib mattress with no additional padding placed between the sheet and the mattress.**
- (c) Stacking cribs must not be used.**

Any rectangular shaped portable crib labeled by the manufacturer as a portable crib is acceptable if it complies with subrules (6)(a) of this rule. A portable crib (porta-crib) must meet the following criteria:

- Be constructed with wood or metal slats.
- Cannot be collapsed or folded without removal of the mattress.

**Note:** Manufacturer's specifications for the child's height and weight must be followed.

**Note:** Under the federal crib standards, non-full-size baby cribs must be sold with the mattress. The mattress, when inserted in the center of the crib, must not leave a gap of more than 1/2 inch at any point between the perimeter of the mattress and the perimeter of the crib. When the mattress is placed flush to one side and end of the crib, the resulting gap must not exceed 1 inch. These measurements must be taken with no sheet covering the mattress. If the non-full-size crib mattress was sold with the crib and meets these requirements, it will be in compliance with subrule (5)(a) of this rule.

**Note:** Under the federal crib standards, full-size baby crib mattresses must measure 27 1/4 inches by 51 5/8 inches with a thickness not exceeding 6 inches.

A play yard (such as a Pack n' Play®) is acceptable if all of the following are met:

- It complies with subrules (6)(a) of this rule.
- The manufacturer indicates the play yard can be used for sleeping.
- The child using the play yard for sleeping cannot climb out of it and is less than 35 inches in height.

A play yard is defined as a framed enclosure that includes a floor and has mesh or fabric sided panels primarily intended to provide a play or sleeping environment for children.

Square playpens typically used to contain a child for short periods of time or for play are not acceptable for sleeping children of any age.

**(7) An infant's head shall remain uncovered during sleep.**

**(8) Soft objects, bumper pads, stuffed toys, blankets, quilts or comforters, pillows, and other objects that could smother an infant must not be placed with, under, or within reach of a resting or sleeping infant.**

Blankets and stuffed animals attached to pacifiers are prohibited.

Soft or loose bedding should be kept away from sleeping infants and out of safe sleep environments. These include, but are not limited to: bumper pads, pillows, quilts, comforters, sleep positioning devices, sheepskins, blankets, flat sheets, cloth diapers, bibs, etc. Also, blankets/items should not be hung on the sides of cribs. Loose or ill-fitting sheets have caused infants to be strangled or suffocated.



**(9) An infant who is less than 2 months of age may be swaddled with a sleeping sack swaddle attachment.**

The swaddle attachment for the sleep sack must be properly attached (Velcro) to the sleep sack prior to use. The Velcro on swaddle sacks must be attached securely and must be checked every time the infant is checked while sleeping. R 400.1912 requires continual monitoring of the infant's breathing, sleep position and bedding and for possible signs of distress.

When infants are put to sleep in any type of wearable blanket, such as a sleep sack, it is best practice to make sure the garment fits properly. If the infant is wearing a wearable blanket that is too big, it could bunch or gather around the infant's face and cause a suffocation hazard.

There are risks associated with swaddling. They include:

- Swaddling too tightly or with the legs extended and adducted can cause developmental dysplasia of the hips.
- Swaddling can result in hyperthermia when the swaddling blanket is added to clothing the infant is already wearing.
- Tight swaddling can compromise the lungs and increase the respiratory rate.
- Accidental deaths have occurred when swaddled infants are placed on their stomach or roll to their stomach. (An infant may roll onto his/her stomach even if not regularly rolling.)

Swaddled infants on their stomachs are unable to use their arms or upper bodies to push themselves off the mattress or to change their head and body position if they are in a position that could cause suffocation.

Due to these risks, it is recommended that infants not be swaddled in a child care setting. For more information, see the AAP Caring for Our Children: National Health and Safety Performance Standards at <http://nrckids.org/CFOC/Database/3.1.4.2>.

**(10) If an infant who is older than 2 months of age has a health issue or special need that requires the child to use a sleeping sack swaddle attachment, documentation of this health issue or special need from the child's health care provider is required. This documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner, including an end date.**

If an infant who is over 2 months old has a health issue or special need that requires the use of a sleeping sack swaddle attachment, documentation from the child's health care provider is required **prior** to having the child sleep in a sleeping sack swaddle. Personnel must ensure specific sleeping instructions are on the documentation, and the time frame the child may use the sleeping sack swaddle attachment.

**(11) Blankets must not be draped over cribs, porta-cribs, or play yards while they are in use.**

**(12) Children 12 to 24 months of age shall rest or sleep alone in an approved crib, porta-crib, play yard, or on a cot or mat sufficient for the child's length, size, and movement.**

Any rectangular shaped portable crib labeled by the manufacturer as a portable crib is acceptable. A play yard (such as a Pack n' Play®) is acceptable if both of the following are met:

- The manufacturer indicates the play yard can be used for sleeping.
- The child using the play yard for sleeping cannot climb out of it and is less than 35 inches in height.

A play yard is defined as a framed enclosure that includes a floor and has mesh or fabric sided panels primarily intended to provide a play or sleeping environment for children.

Square playpens typically used to contain a child for short periods of time or for play are not acceptable for sleeping children of any age.

Toddler beds are acceptable if all of the following are met:

- It uses a standard crib mattress.
- It was manufactured for the age of the child using it.
- The child using it does not exceed the weight limit of the bed.

If there is a health issue or special need that requires a child to sleep in anything other than a crib, porta-crib, cot, or mat documentation from the child's health provider is required **prior** to allowing the child to sleep in anything other than a crib, porta-crib, cot, or mat. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner.

**(13) None of the following are approved sleeping equipment for children 24 months of age or younger:**

- a. Infant car seats
- b. Infant seats.
- c. Infant swings.
- d. Bassinets.
- e. High chairs.
- f. Water beds.
- g. Adult beds.
- h. Soft mattresses.
- i. Sofas.
- j. Bean bags.
- k. Other soft surfaces.

**(14) Children 24 months of age or younger who fall asleep in a space that is not approved for sleeping shall be moved to approved sleeping equipment appropriate for their size and age.**

If there is a health issue or special need that requires a child to sleep in anything other than an approved crib or porta-crib for infants or a crib, porta-crib, cot, or mat for children over 12 months, documentation from the child's health provider is required **prior** to allowing the child to sleep in anything other than an approved crib or porta-crib. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner.

**(15) Children over 24 months of age shall have an individual, age appropriate, clean, comfortable, and safe place to sleep or rest. The floor may be used only when padded, warm, and free from drafts and when there is a mat, sleeping bag, blanket, or similar piece of bedding between the floor and the child.**



## Telephone

The following changes have been made to the telephone rules.

### **R 400.1917 Telephone.**

- (1) **Personnel** shall have immediate access to an operable telephone within the child care home at all times.
- (2) The telephone number **must** be made available to the department, **personnel**, and parents.
- (3) The **licensee** shall inform the department, **personnel**, and parents of any change in telephone number.

Immediate access means that a phone is available at all times for both incoming and outgoing calls. If voice mail or an answering system is used, it is the responsibility of all personnel to check for messages frequently throughout the day and to return child care related calls promptly. Mobile or cordless phones used exclusively in the home must be charged and powered on during the hours of *operation*. Prepaid mobile phones must have available minutes for use during the hours of operation.

## Medication

Below are the significant changes to the medication rules.

### **R 400.1918 Medication; administration; procedures.**

- (1) Medication, prescription or nonprescription, **must** be given to a child in care **by a licensee or a child care staff member only. A child care assistant shall not give medication to a child in care.**

This rule does not require licensees or child care staff members to dispense medication.

The licensee may apply for a variance to allow school-age children, with parental permission, to self-administer medications such as an inhaler or diabetic shots. The variance request must indicate that *the licensee or a child care staff member* will supervise the self-administration of the medication and will complete documentation required under R 400.1918(7).

- (4) Prescription medication **must** have the pharmacy label indicating the physician's name, **child's first and last name**, instructions, and name and strength of the medication, and must be given in accordance with those instructions.

Licensees or child care staff members must not inappropriately administer medication to a child based solely on a parent's desire or written permission to give the child medication. This includes "sharing" prescription medication among siblings unless all names are printed on the prescription label.

**(6) A licensee or child care staff member** shall give or apply prescription or nonprescription medication according to the directions on the original container unless otherwise authorized by a written order of the child's physician.

Child care assistants between the ages of 14 and 17 are not adults and are prohibited from administering medication under any circumstances.

Licensees or child care staff members must not inappropriately administer medication to a child based solely on a parent's desire to give the child medication. This includes sharing prescription medication among siblings unless all names are printed on the pharmacy label.

If a non-prescription medication indicates that a physician should be consulted for the dosage, written instructions must be obtained from the physician before administering the medication.

**(8)** Topical nonprescription medication, including but not limited to sunscreen, insect repellent, and diaper rash ointment, **is exempt from subrules (1) and (7)** of this rule.

Topical non-prescription medication means anything that is applied to the child's body, including but not limited to:

- Sunscreen.
- Insect repellent
- Diaper rash cream.
- Antibiotic ointment.
- Rubbing alcohol.
- Hydrogen peroxide.
- Essential oils.

Topical nonprescription medication does not include:

- Hand sanitizer.
- Hand or body lotion, including petroleum jelly based products such as Vaseline.
- Lip balm.

As noted in subrule (2) of this rule, a blanket "as needed" medication permission form is sufficient for topical non-prescription medication. The date, time and amount of medication given does not need to be documented on the medication permission form.

## Communicable Diseases

The following subrules are additions to the communicable disease rules.

**R 400.1919 Communicable disease; immunization; mental and physical health; physician attestation; tuberculosis.**

**(1) An applicant shall obtain a written statement, signed by a licensed physician or his or her designee within 1 year before issuance of the initial license, that**

**attests to the applicant's mental and physical health. The attestation must be renewed at the time of subsequent license renewals.**

**(2) A licensee shall obtain from a child care staff member and a child care assistant a written statement, signed by a licensed physician or his or her designee within 1 year prior to caring for children, that attests to the child care staff member's or child care assistant's mental and physical health. The attestation must be renewed at the time of subsequent renewals of the child care home's license.**

Physician evaluations are acceptable from the following:

- A licensed Doctor of Medicine (MD).
- A licensed Doctor of Osteopathic Medicine (DO).
- A designee, which includes a physician assistant, nurse practitioner or nurse.

When a designee signs the evaluation, a physician's signature or stamp is not required on the form. If there is a question as to the validity of the document, the licensing consultant will contact the physician's office to verify its authenticity.

**(3) An applicant, licensee, child care staff member, child care assistant, and a member of the household who is age 14 or older shall provide written evidence of freedom from communicable tuberculosis (TB) prior to caring for children or living in the child care home.**

According to the Michigan Department of Health and Human Services (MDHHS), child care providers are not considered to be persons at higher risk for exposure to or infection with tuberculosis (TB), so serial testing is not recommended.

This rule applies to **all** *child care staff members*.

Documentation of a negative TB test must be verified by a health professional and must be kept on file at the home. Chest x-rays are acceptable in lieu of TB skin tests.

Pregnant women are often advised by their doctors not to have a TB skin test or chest xray. In this case, the staff member, household member or volunteer must submit a doctor's statement that a TB test cannot be performed due to the pregnancy. The TB test will be required as soon as medically safe after delivery.

A new negative TB test is required if the employee/volunteer is offered a position with a different licensee, unless the test is less than a year old. A new negative TB test would not be required for employees/volunteers moving to a different locations within the same licensee group.

**(4) An individual who lives in a child care home or who cares for children in a child care home, who has a suspected or confirmed case of a communicable disease, shall not come into contact with children in the home's care.**

**Communicable disease includes, but is not limited to, any of the following:**

- (a) Tuberculosis.**
- (b) Influenza.**
- (c) Measles.**
- (d) Whooping cough.**
- (e) Strep throat.**
- (f) Scarlet fever.**
- (g) Chicken pox.**

Refer to R 400.1961(1)(b) if a child is exposed to a communicable disease.

**(5) If immunizations, as recommended by the state department of health and human services, have not been given or completed for all minors who live in the child care home, then the licensee shall inform the parent of each child in care at the home and all personnel.**

Compliance with this rule is established by the completion of Section 3 of the [Child In Care Statement/Receipt \(BCAL-3900\)](#). This form is located in the [forms](#) section of our [website](#).

**(6) The documents required in this rule must be retained by the licensee for a minimum of 4 years from the date the individual no longer resides in or cares for children in the child care home.**

Child care personnel records should be kept on-site for the current year and the two years prior to the current year while the individual is employed. These records should be kept for four years after the individual leaves employment.

## Outdoor Play

There were not many changes in the child care home licensing rules regarding outdoor play. The biggest change to this rule is that bounce houses are now allowed.

### **R 400.1920 Outdoor play area and equipment.**

**(7) Bounce houses are permissible outdoors with direct supervision by a licensee or child care staff member, and pursuant to the manufacturer's recommendations.**

It is important to remember that trampolines are still not permitted inside or outside of the child care home and that bounce houses are only permitted for use outside following the manufacturer's guidelines. These guidelines include properly securing the bounce house to the ground as well as a limit to the number of children that may use the bounce house at any given time.

## Nighttime Care

The following changes have been made to the nighttime care rules.

### **R 400.1922 Nighttime care.**

**(1) In a home where children are in care between the hours of midnight and 5 a.m., not more than 2 adjoining floor levels shall be used at any 1 time to sleep children.**

Adjoining floor levels means any two floors that are connected by 3 or more steps.

**(2) If the caregiving staff and children in care are sleeping, then at least 1 caregiving staff shall be on the same floor level as the sleeping children.**

**(3) Homes shall not use a third or higher floor as a resting or sleeping area for children in care unless there are 2 stairways to ground level.**

**(4) If Nighttime care is provided, then children shall sleep in age appropriate cribs and beds. Port-a-cribs and play yards are not allowed for nighttime care.**

The American Heritage Dictionary defines a bed as “A piece of furniture for reclining and sleeping, typically consisting of a rectangular frame and a mattress resting on springs.”

The following would be considered a bed for the purposes of this rule:

- Sofa beds.
- Futons.
- Inflatable beds.

The following would not be considered a bed for purposes of this rule:

- Mats.
- Cots.
- Bean bags.
- Couches.
- Reclining chair.
- Portable camping beds.

Porta-cribs and pack n’ plays are not acceptable for nighttime care.

## **Diapering and Toileting**

The following are the changes to the diapering and toilet learning rule.

### **R 400.1923 Diapering and toilet learning.**

**(5) All of the following requirements apply when cloth diapers or training pants are used:**

- (a) Each cloth diaper must be covered with an outer waterproof covering. Outer coverings must be removed as a singular unit with wet or soiled diapers or training pants.**
- (b) Diapers, training pants, and outer coverings must not be reused until machine washed and sanitized.**
- (c) No rinsing of the contents may occur at the child care home.**
- (d) Soiled diapers must be placed in a plastic-lined, covered container used only for that child’s soiled diapers.**

- (e) Soiled diapers or training pants must be stored and handled in a manner that will not contaminate any other items and must not be accessible to children.**
- (f) A child's parent shall remove soiled diapers or training pants from the child care home every day.**
- (g) A child's supply of clean diapers or training pants must be used only for that child.**

The contents of a soiled cloth diaper or training pants may be dumped but the diaper must not be rinsed.

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## **Hand Washing**

The following are the changes to the hand washing rule.

### **R 400.1924 Hand washing.**

**(4) When an infant is too heavy to hold for handwashing, cannot stand safely to wash hands at a sink, is not developmentally ready to hold head, and for children with special needs who are not capable of washing their own hands, staff may wash the child's hands with non-toxic disposable wipes.**

Non-toxic disposable wipes include, but are not limited to, cleansing wipes, baby wipes, diaper wipes (Huggies Diaper Wipes), kid wipes, wet wipes for hands and face, etc. Only wipes intended for use on skin can be used.

Household cleaning wipes must not be used.

Packaging guidelines must be followed.

Children should be supervised when using disposable wipes.

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## **Comprehensive Background Checks**

To assure for the safety and welfare of children, the following rules regarding background checks have been added to the child care home licensing rules.

### **R 400.1925 Comprehensive background check; fingerprinting.**

**(1) Pursuant to section 5n of the act, MCL 722.115n, prior to an individual having any unsupervised contact with children, the department shall determine the individual's eligibility to be any of the following:**

- (a) A licensee.**
- (b) An adult member of the household.**
- (c) A child care assistant.**
- (d) A child care staff member.**
- (e) An unsupervised volunteer.**

- (a) "Licensee" means a person, partnership, firm, corporation, association, nongovernmental organization, or local or state government organization that has been issued a license under this act to operate a child care organization.
- (b) "Adult member of the household" means any individual 18 years of age and older who resides in a family or group child care home on an ongoing basis, or who has a recurrent presence in the home, including, but not limited to, overnight stays.
- (c) "Child care assistant" means an individual who is 14 to 17 years of age, who participates in child care activities in a family or group child care home, and who shall not have unsupervised access to or provide unsupervised care or supervision of children.
- (d) "Child care staff member" means an individual who is 18 years of age or older to whom 1 or more of the following applies:
- (i) The individual is employed by a child care center, group child care home, or family child care home for compensation, including contract employee or a self-employed individual.
  - (ii) An individual whose activities involve the unsupervised care or supervision of children for a child care center, group child care home, or family child care home.
  - (iii) An individual who has unsupervised access to children who are cared for or supervised by a child care center, group child care home, or family child care home.
- (e) "Unsupervised volunteer" means an individual who is 18 years of age or older, provides services for a child care home that are not compensated, and who has been determined eligible by the department to be unsupervised with children.

Eligibility is determined through the comprehensive background check process. In order to receive a determination, the individual must be entered into the Child Care Background Check (CCBC) system by the person authorized to use the system and then fingerprinted under the Child Care Licensing (CCL) Reason Code. Upon receipt of the fingerprint results, all remaining registry checks will be completed by the department. Any applicant who has resided out of state or country within the past 5 years is required to submit additional information in order to complete the comprehensive background check. This may include the submission of additional forms and fees required by state(s) in order to complete the remaining components of the comprehensive background check.

A complete signed and dated consent and disclosure form is required for all child care staff members before fingerprint information is entered in the CCBC system. Consent and disclosure forms should be kept in a secure location and retained for four years after the person has left employment. Consent and disclosure forms can be found here [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc) under [Forms and Resources](#). This form is important for several reasons:

Michigan State Police (MSP), the Federal Bureau of Investigation (FBI) and LARA will periodically request a copy of the Consent and Disclosure form to ensure compliance. MSP and the FBI have Criminal Justice Information Services (CJIS) policies which require a Consent form. Both MSP and the FBI audit LARA to ensure individuals fingerprinted under the child care reason code are aware of their rights and responsibilities as documented in this form. As the

department is periodically audited by the FBI/MSP to ensure compliance with CJIS policies, we may request that a copy of the Consent and Disclosure form be provided.

Falsifying and omitting information in connection with a comprehensive background check will result in an applicant being found ineligible for that application. If there are concerns that an applicant may have omitted or falsified information in the Consent and Disclosure form and by extension the CCBC System, the department may request to view the form. Once an applicant completes the Consent and Disclosure form, they should be provided a copy of their form for future use.

**(2) An applicant or licensee shall do all of the following:**

- (a) Ensure that each individual who requires an eligibility determination pursuant to subrule (1) of this rule completes, signs, and submits all of the information required in subrule (5) of this rule, and in subrule (6) of this rule if applicable, on a form prescribed by the department. The forms are available on the department's website for the child care background check system, [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc) . The form(s) must be signed and dated prior to the individual's appointment to be fingerprinted.**
- (b) Maintain a copy of the completed and signed form(s) for each individual entered into the child care background check system under the license.**
- (c) Provide to the department, upon request, a copy of the individual's completed and signed form(s).**
- (d) Establish and activate an account and accurately enroll each individual listed in subrule (1) in the child care background check system.**
- (e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.**
- (f) Immediately disconnect each individual from the system once he or she is no longer a licensee, adult member of the household, child care assistant, child care staff member, or an unsupervised volunteer under the license.**

(2)(a) The Child Care Background Check Unit phone number is 844-765-2247

(2)(b) Maintain a copy of the Comprehensive Background Check Consent and Disclosure Form ). [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc).

**Note:** The eligibility letter is not a required document to have in the provider's file.

(2)(c) Form requested from the department will include the Childcare Licensing Information Request form (BCHS-CC-001)

(2)(d) Includes using an individual's accurate legal name, correct spelling, SSN, DOB, and accurately listing the role as defined by the department.

**(3) An individual may serve as a child care staff member pending an eligibility determination by the department, in accordance with section 5n(8) of the act, MCL 722.115n(8), and shall be supervised at all times by the licensee or a child care staff member who has been determined eligible.**

While awaiting results of the comprehensive background check an individual may serve as a child care staff member if the individual is supervised **at all times** by an eligible staff member. Supervised at all times means the eligible staff member can see and hear the individual at all times. Example: if the eligible staff member needs to use the restroom

another eligible staff member must step in to supervise the individual prior to them leaving the room.

**(4) For an individual who is determined ineligible by the department, a licensee shall immediately do all of the following:**

- (a) Prohibit the individual from being on the premises of the child care home.**
- (b) Prohibit the individual from having any contact with children in care.**
- (c) Disconnect the individual from the child care background check system.**

**(5) An individual who requires a comprehensive background check pursuant to section 5n of the act, MCL 722.115n, shall submit to the department, on a form prescribed by the department, all personally identifiable information necessary to conduct the comprehensive background check, including all of the following:**

- (a) Full legal name.**
- (b) All other names used in the past, including any maiden name or alias, the approximate date the other name was used, and the reason for the name change.**
- (c) Suffix, if applicable.**
- (d) Social Security number.**
- (e) Date of birth.**
- (f) Place of birth.**
- (g) Country of citizenship.**
- (h) Height.**
- (i) Weight.**
- (j) Hair color.**
- (k) Eye color.**
- (l) Sex.**
- (m) Race.**
- (n) Current address.**
- (o) If the individual resided outside the state of Michigan during the last 5 years, then provide each of those addresses.**
- (p) Driver's license identification number and state issuing the license or a state identification number and state issuing it, if available.**
- (q) Phone number.**
- (r) Email address, if available.**
- (s) Any other information deemed reasonably necessary by the department to determine the eligibility of the individual based on a name-based registry match.**

Contact child care licensing to get the Child Care Licensing Information Request form BCHS-CC001.

**(6) The department shall maintain the confidentiality of all personally identifiable information submitted pursuant to this rule to the extent permitted by law.**

**R 400.1926 Conducive to the welfare of children.**

**(1) In carrying-out its duties under section 5m of the act, MCL 722.115m, to**

**determine whether or not a service, facility, applicant, licensee, child care staff member, child care assistant, or member of the household is conducive to the welfare of preschool or school-age children, the department shall deem any of the following behaviors as not conducive to the welfare of children:**

**possession or use of alcohol, tobacco products, marijuana and, except as provided in subrule (2) of this rule, any controlled substance in a child-use area, or on the premises of a child care home while children are in care.**

**(2) The exception to subrule (1) of this rule is the possession or use of a controlled substance outside of child-use space that is prescribed to the individual, and which does not impair the individual's ability to supervise, care, and protect children, and the medication is stored in a secure manner that is not accessible to children.**

To be in compliance with (1):

722.115m(13)(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

Conducive to the welfare of children also includes the licensee:

- Is truthful to the department and the public.
- Is capable of making appropriate judgements.
- Is knowledgeable of the developmental needs of children of varying ages.
- Conducts self in a way so that rule requirements are met.

722.115m(3)

To assess whether the service, facility, applicant, licensee, child care staff member, or member of the household is conducive to the welfare of the children, the department may utilize available information, including, but not limited to, any of the following:

- a) Investigative report, such as a law enforcement report and a children's protective services report.
  - b) Medical report.
  - c) Public record.
  - d) Child care center, group child care home, or family child care home record.
  - e) Inspection of the child care center, group child care home, or family child care home.
-

## Food Preparation and Service

The provider is responsible for implementing the current rules under R 400.1931 Food preparation and service, in addition to the new rules listed below.

### R 400.1931 Food Preparation and Service

**(1) A licensee shall ensure that all of the following requirements are met:**

- (a) Each child shall be provided with nutritional and sufficient food pursuant to the minimum meal requirements of the child care food program, as administered by the Michigan department of education. These minimum meal requirements are based on the dietary guidelines for Americans made by the National Academy of Medicine, which are available at <https://www.fns.usda.gov/cacfp/meals-and-snacks>. This subrule does not apply to children whose parents provide their food.**
- (b) Children shall be offered food at intervals as individually appropriate, but not to exceed more than 4 hours unless the child is asleep.**
- (c) Drinking water must be available at all times.**

**(2) A licensee shall ensure that food is prepared, served, and stored in a safe and sanitary manner by meeting all of the following requirements.**

- (a) Food served to children individually or family style must be discarded at the end of the meal if not eaten.**
- (b) Prepared food that has not been served to individuals or placed in family-style containers must be properly cooled, if applicable, then promptly covered and stored appropriately.**
- (c) Children under 3 years of age shall not be served or allowed to eat foods that could easily cause choking including, but not limited to, popcorn and uncut round foods such as grapes, seeds, nuts, hard candy, and hot dogs.**

Personnel are responsible and accountable for ensuring that:

- Food is prepared and served on clean, sanitized surfaces.
- Food items that require refrigeration are properly refrigerated or kept in thermal containers capable of keeping the food cold.
- Commercially packaged baby food that has been served from the jar is discarded after the feeding.
- Food other than canned goods are stored off the floor.
- All foods, including sack lunches, are protected from potential contamination at all times. Foods must not be stored near toxic or poisonous materials, or under exposed or unprotected sewer lines.

**(4) Food brought by parents must be labeled with the child's first and last name and, if perishable, be refrigerated, and be fed only to the child for whom the item is labeled.**

**(8) Bottles used for feeding must be labeled with the child's first and last name and date, refrigerated, and served only to the child on the label.**

Bottles prepared and brought from home and/or prepared at the child care home must be labeled and dated regardless of the number of children using bottles.

**(9) Warming bottles and beverage containers in a microwave oven or a slow cooker is prohibited.**

**(10) Bottle warmers must be placed where children cannot access them or reach the cords for the warmers.**

**(11) Bottle warmers must be shut off when not in use.**

Bottles and beverage containers of milk or formula may be fed cold. If warmed, the bottle or beverage container must be warmed using one of the following methods:

- Under running warm tap water.
- By placing the bottle or beverage container in a container of water or pan on the stove in the kitchen that is no warmer than 120 degrees.
- In a bottle warmer made specifically for this purpose.

If a bottle warmer is used, it should be secured to prevent tipping and care should be taken so infants are not injured by the dangling cord or by hot water dripping off the bottle or beverage container onto the infant. It is recommended that slack from cords be removed by tying it off with a twist or zip tie. A bottle warming device should be emptied, sanitized and filled with fresh water daily.

**(14) The propping of bottles is prohibited.**

Bottles must not be allowed in the crib or bed, whether propped or held by the child.

**(15) Breastfeeding must be supported by making reasonable accommodations for a mother who chooses to breastfeed her child at the child care home.**

Some ways to help a mother breastfeed successfully at the child care home are:

If she wishes to breastfeed her infant at the child care home, offer or provide her a:

- Quiet, comfortable, and private place to breastfeed (this helps with her milk letdown).
- Place to wash her hands.
- Pillow to support her infant on her lap while breastfeeding, if requested.
- Nursing stool or stepstool for her feet, if requested (this reduces back strain).
- Glass of water or other liquid (this helps her stay hydrated).

If she wishes to pump her breast milk at the child care, provide a:

- Private area with an outlet. This area should not be in the bathroom.
  - Place to wash her hands.
-

## Home Maintenance and Safety

The home maintenance and safety rule has changed to require open-flame devices and candles to be inaccessible to children and extinguished when done if being used for birthdays or religious celebrations.

### **R 400.1932 Home maintenance and safety.**

(8) Open-flame devices and candles **must** not be used, except for birthdays or religious celebrations, **and they must be inaccessible to children and extinguished when done.**

Open-flame devices include, but are not limited to, candles (tea lights, votive candles, etc.), matches, lighters, kerosene lanterns and Sterno cans.

The use of birthday or religious celebration candles requires direct adult supervision.



## Safe Premises

The following rules have been updated for the premises of the child care home.

### **R400.1934 Heating; ventilation; lighting; radon.**

**(4) A licensee shall test the child care home for the concentration of radon gas before the initial license is issued and every 4 years thereafter at the time of license renewal.**

**(5) The lowest level of the child care home must not have levels of radon gases that exceed 4 picocuries per liter of air, except as provided in subrule (6) of this rule. Documentation of the results must be kept on file in the child care home.**

Radon test kits are available from county and city health departments listed on [www.michigan.gov/radon](http://www.michigan.gov/radon). Radon test kits can also be found at local hardware stores, home improvement centers, and other retail stores, or you can purchase them online directly from the manufacturer at [www.mi.radon.com](http://www.mi.radon.com).

You can contact EGLE's Michigan Indoor Radon Program for a test kit or more information at 800-723-6642 (800-RADONGAS)!

According to EGLE's website, testing can be done with a do-it-yourself kit that you send back to a laboratory for analysis, or you can hire a professional to test for you. If you are willing to read and follow instructions, a do-it-yourself kit may be adequate.

Most short-term do-it-yourself radon test kits cost between \$10 and \$20, and long-term kits generally cost between \$20 and \$50. The kits sold by the local health departments include the price of the test device, the postage to mail it back to a lab out of state, and the lab fees for having the device analyzed. Most kits sold in retail stores or through mail order also include everything in the price, but a few companies charge extra for postage or analysis, so be sure you know what you're getting before you make the purchase!

The first test you do is normally a short-term screening measurement. These tests need to be done under closed-house conditions, so the winter heating season is the ideal time to test. However, testing can be done at any time of year if closed house conditions can be met.

Short-term screening measurements are a minimum of 48 hours long, and would typically range from 2 to 7 days. However, they can last as long as 90 days, depending on the type of device being used.

**Test Conditions:** It is very important that you read and follow the instructions that come with your test kit. Choose a location where you spend time and place the device:

- In the lowest livable level,
- At least 3 feet from windows, exterior doors, or other openings in foundation floor or walls,
- At least 20 inches above the floor (preferably 3-6 feet above the floor, in the "breathing zone"),
- At least 12 inches from exterior walls and at least 4 inches from other objects, and where it won't be disturbed! Test in the lowest livable level of the home, a basement if you have one. Choose a room on this level where you spend time, such as a bedroom, living room, family room, den, or rec room. Avoid testing in kitchens, bathrooms, laundry rooms, closets, or utility rooms.

Lowest level the home means:

- Inside the home for a mobile home.
- First floor level of the home if there is a crawl space or a Michigan basement. A Michigan basement generally is similar to an oversized crawl space with low ceilings, stone walls and/or dirt floors or walls. There may be a skim coat of concrete on the floor. It is not considered living space.
- Basement level of the home whether finished or unfinished.
- Lowest level inside the licensee's apartment, condominium, duplex, etc. Applicants will not be issued a license until they can show compliance with this rule by:
- Providing documentation of radon levels of 4 pCi/l of air or less based on a shortterm test. At this time, continuous radon monitors (CRMs) digital radon test kits that offer a reading after 12 hours are not accepted as currently, they require a trained operator and there is no way to verify the reading.

**(6) If the levels of radon gases exceed 4 picocuries per liter of air in the lowest level of the child care home, the licensee shall notify the parents of children in care and have a radon mitigation system installed. The licensee has up to 12 months from the date of the first measurement to meet the standard in subrule (5) of this rule.**

Based on information from the EGLE, the price of a home radon mitigation system nationally ranges from approximately \$500 to \$2,500. In Michigan a radon mitigation system generally costs between \$750 and \$1,500, depending on where you are in the state and who you hire. The systems can usually be installed in a day or less, and a reputable contractor will provide a guarantee that the system will achieve results below 4 pCi/l. Often the systems can achieve results below 2 pCi/l. To show compliance with this rule after a radon mitigation system is installed, a shortterm radon test must be completed after the system has been up and running for at least 24 hours but within 30 days of installation. The Radon Fix-It Program assists consumers with elevated radon levels of 4 pCi/l of air or higher by providing information that allows them to take the necessary steps toward fixing their homes. Information about the Radon Fix-It Program can be found on their website [www.epa.gov/radon](http://www.epa.gov/radon) or you can call (800) 644-6999.

## Firearms

The following changes have been made regarding firearms in child care homes. The changes are in bold.

### R 400.1935 Firearms.

**(1) All firearms must be unloaded and properly stored in a secure, safe, locked environment inaccessible to children during hours of operation or while children are in care at a child care home. A secure and locked environment means a locked commercial gun safe, or a trigger lock installed and locked according to the manufacturer's recommendations to prevent discharge.**

**(2) Ammunition must be stored in a separate locked location inaccessible to children during hours of operation or while children are in care at a child care home.**

**(3) Firearms must not be traded or sold on the premises during hours of operation or while children are in care.**

**(4) Law enforcement officers who are required to keep their firearms loaded and ready for use at all times, may do so, as long as the firearm is inaccessible to children.**

Michigan Compiled Laws (MCL) 28.421 (1927 PA 372), as amended, defines a firearm as “a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air. Firearm does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling by a spring, or by gas or air, BB's not exceeding .177 caliber.”

Gun cabinets with glass panels are not considered to be commercial gun safes. This type of gun cabinet may only be used to store firearms if a trigger lock or firearm cable lock is properly utilized on the firearm according to manufacturer instructions.

Ammunition may be stored within a commercial gun safe, with firearms, if the ammunition is in a separate locked drawer or compartment within the gun safe.

Ammunition may also be stored in a gun cabinet with glass panels with trigger/cable locked firearms if the ammunition is in a separate locked drawer or compartment within the gun cabinet with glass panels.

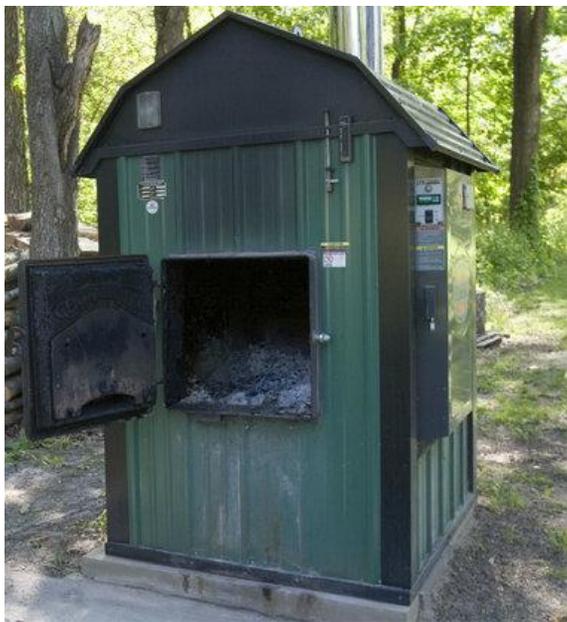
## Heat-Producing Equipment

An update to the frequency of inspections for heat-producing equipment and an added rule for outdoor wood stoves or open-air wood boilers are listed below.

### **R 400.1941 (5) Heat-producing equipment.**

**(5)** The inspection specified in subrule (4) of this rule must be conducted before the initial license is issued and **every 4 years thereafter at the time of license renewal.**

Per departmental policy, inspections for furnaces and other flame- or heat-producing equipment and fuel-fired water heaters must be dated within one year of initial home license issuance and at renewal. For a new home, an inspection for a furnace and other flame- or heat-producing equipment or fuel-fired water heater is not required at the six month (original to regular license) renewal.



**(6) For outdoor wood stoves or open-air wood boilers, the initial installation inspection by a local heating or mechanical inspector shall meet the requirements of this rule.**

If the licensee cannot produce the initial installation inspection for the outdoor wood stove or open-air wood boiler, a current inspection by a local heating or mechanical inspector is required. Fuel fired furnaces and fuel fired hot water heaters must still be inspected as required by rule.

## Emergency Procedures and Drills

There are big changes to the required emergency procedures and drills. Having well developed plans protect children in care when emergencies arrive. If you have not done so, it's important to set aside some time to write your new emergency procedures.

### **R400.1945 Emergency; plan; drill.**

**(1) An applicant or licensee shall have a written emergency response plan for the care of children that must be posted in a conspicuous location within the child care home. The plan must address the following types of emergencies:**

- (a) Fire evacuation.
- (b) Tornado watches and warnings.
- (c) Serious accident or injury.
- (d) Water emergencies, if applicable.
- (e) Crisis management including, but not limited to, all of the following:**
  - (i) Intruders.**
  - (ii) Active shooters.**
  - (iii) Bomb threats.**
  - (iv) Other man- or woman-caused events.**

**(2) The written plan must include all of the following:**

- (a) A plan for evacuation.**
- (b) A plan for safely moving children to a relocation site.**
- (c) A plan for shelter-in-place.**
- (d) A plan for lockdown.**
- (e) A plan for contacting parents and reuniting families.**
- (f) A plan for continuing operations during or after a disaster.**
- (g) A plan for how infants and toddlers will be accommodated in all types of emergencies.**
- (h) A plan for how children with special needs will be accommodated in all types of emergencies.**
- (i) A plan for how children with chronic medical conditions will be accommodated in all types of emergencies.**

### **Relocation site**

The relocation site must be determined in advance and be included in the plan. The relocation site must be clean, safe, and easily accessible.

### **Accommodations for infants/toddlers and children with special needs and chronic medical conditions.**

Infants and toddlers, children with special needs, and children with chronic medical conditions may have difficulty in an emergency situation. Each emergency plan must address how these needs are addressed in each type of emergency.

Examples of individual needs include but are not limited to:

- Mobility issues
- Medications such as an inhaler, epipen, insulin

- Sensory integration issues such as loud noises, smells
- Individual medical needs

Plans must include steps on safe evacuation from each approved level of the home.

**(3) A licensee shall inform all personnel of the overall emergency response plan and of his or her individual duties and responsibilities in the event of an emergency specified in subrule (1) of this rule.**

**(4) Fire drills must be practiced while children are in care at least once quarterly**, and a written record that includes the date and time it takes to evacuate **must** be maintained.

**(5) At least 2 tornado drills must be practiced while children are in care between March and November**, and a written record of these drills that includes the date **must** be maintained.

The licensee must either develop a log or use the log on the department's website ([www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)) to document tornado drills.

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## Transportation

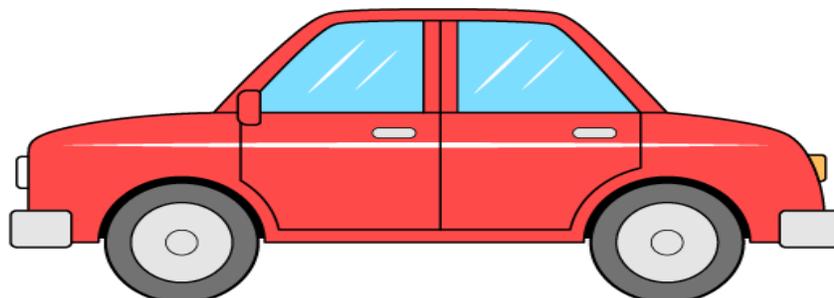
The following are changes to the transportation rule.

### **R 400.1951 Transportation.**

**(2) A licensee shall ensure that the driver of a vehicle transporting children is an adult, who has a valid driver's license, valid vehicle registration, and proof of current automobile insurance.**

This rule does not require the licensee to make or keep copies of these documents on file. However, upon request, the licensee must be able to provide them to the department.

**(4) If the driver will have unsupervised access to children, the driver shall complete a comprehensive background check and be determined eligible by the department in compliance with section 5n of the act, MCL 722.115n.**



## **Incidents; Injury; Accident; Illness, Death, or Fire**

The licensee is responsible for implementing the current rules in addition to the new rules listed below.

### **R 400.1962 Department Notification Required; Incidents; Injury; Accident; Illness, Death, or Fire.**

**(1) A licensee shall make a verbal, or email report to the department within 24 hours of the occurrence of any of the following:**

- (a) A child is lost or left unsupervised.**
- (b) An incident involving inappropriate contact or an allegation of inappropriate contact.**
- (c) A serious injury of a child.**
- (d) A fire on the premises of the home that requires the use of fire suppression equipment or results in loss of life or property.**

Leaving a voice message meets the intent of this rule if the details of the incident are specified in the message. **Exception:** In the event of a child's death, the licensee must speak to a representative of the department.

Examples of when a child is considered lost or unsupervised, include but are not limited to:

- When the child leaves the home unnoticed.
- When a child is left outside.
- When returning from a field trip and it is discovered that a child is missing.

Examples of an incident involving an allegation of inappropriate contact, includes, but is not limited to:

- Alleged sexual contact between children or a child and any personnel or volunteer.
- Physical discipline of a child by any personnel or volunteer.

If you are in doubt whether you need to contact the department, contact your licensing consultant. Refer to R400.1962 (4) regarding the mandatory written requirement.

**(2) A licensee shall make a verbal report to the department within 24 hours of the death of a child.**

In the event of a child's death, the licensee must speak to a representative of the department.

**(3) A licensee shall make a verbal or email report to the department within 24 hours of notification by a parent that a child received medical treatment or was hospitalized for an injury, accident, or medical condition that occurred while the child was in care.**

A telephone call or leaving a voice message meets the intent of this rule, except for the death of a child. In the event of a child's death, the licensee must speak to a representative of the department.

A medical condition that occurs while the child is in care does **not** include common illnesses, such as strep throat, ear infections, colds, or the flu.

Examples of injuries/medical conditions that occur while the child is in care and for which the child later receives medical treatment or is hospitalized include, but are not limited to:

- Seizures
- A serious allergic reaction
- Head injuries
- Abusive head trauma/shaken baby
- Bone fracture
- Laceration/stitches
- Substantial hematoma
- Burns
- Inappropriate Care/Discipline causing injury
- Injury to internal organ
- Sexual abuse

Refer to R400.1962 (4) regarding the mandatory written requirement.

**(4) A licensee shall submit a written report to the department of the occurrences outlined in subrules (1), (2), and (3) of this rule, in a format provided by the department, within 72 hours of the verbal or emailed report to the department.**

The Incident Report (BCAL-4605) must be used to report the incident. This form is available in the forms section of our website.

Any injury that occurs at the home that later receives emergency medical treatment must be reported.

**Note:** Any medical care received as a result of an accident or injury is considered emergency medical care.

**(5) A licensee shall keep a copy of the report on file for a minimum of 4 years.**

# Notifications

## MICHIGAN CHILD CARE MATTERS

### EDITORIAL STAFF

#### **Thanh Biehl**

Licensing Consultant

#### **Erika Bigelow**

Area Manager

#### **Candice Case-French**

Area Manager

#### **Catherine Edgar**

Licensing Consultant

#### **Sharon Riebel**

Child Care  
Program Consultant

#### **Jackie Sharkey**

Area Manager

#### **Janeiro Byrd**

Licensing Consultant

## Background Check Update

More than 80,000 fingerprints have been completed by providers, staff, and adult household members. The backlog of prints pending is very small and expected to be completed in a matter of days. If you have questions or need to get your fingerprints completed, please call the Child Care Background Check Program at 1-844-765-2247.

Child Care Background Check Program web link: <https://miltcpartnership.org/childcareportal>

## Consumer Product Safety Commission Infant/Child Product Recalls (not including toys)

- A link to recalls specific to child care licensing will be available under the Michigan Child Care Matters website at [www.michigan.gov/mccmatters](http://www.michigan.gov/mccmatters).
- Details on these product recalls may be obtained on the CPSC's website ([www.cpsc.gov](http://www.cpsc.gov)). Post this page in your facility to be in compliance with the Children's Product Safety Act (2000 PA 219).

## Online Applications for Child Care Licensing

To complete an online application, go to [www.michigan.gov/adultchildcareapply](http://www.michigan.gov/adultchildcareapply). For questions related to child care licensing, contact your licensing consultant or 866-685-0006.

For online applications, you must create a MiLogin account. For help with MiLogin contact the MiLogin Customer Service Center at 1-877-932-6424.

To complete an online application, only up-to-date browsers are compatible. Such browsers are Internet Explorer, FireFox, and Chrome. If you are using Internet Explorer, you may be required to add "[Michigan.gov](http://Michigan.gov)" to your compatibility view settings in order for the application to be successful.