

# Department of Licensing & Regulatory Affairs Bureau of Community and Health Systems

## Child Care Licensing Division

### Family & Group Home Orientation

01/06/2020

# Overview

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This orientation will provide you with an overview of the following:

- Licensing rules for family and group child care homes effective December 13, 2019.
- Child Care Organizations Act, as amended (1973 Public Act 116).
- Documentation requirements.
- On-site inspection.
- Appropriate care and supervision.



# Overview continued

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- Because of time limitations, this orientation only provides an **overview** of the licensing rules and PA 116.
- You are responsible for all of the rules and PA 116, even though they may not be covered during this orientation.
- Contact your licensing consultant if you have any questions.



# Child Care Organizations Act (1973 PA 116)

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- **PURPOSE:**  
Protection of children through licensing and regulation.
- **ESTABLISHES:**  
Who must be licensed.

# 1973 PA 116

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## Department's authority and responsibilities:

- To make rules.
- To assure that conditions exist that are conducive to the welfare of children.
- To inspect and investigate home conditions.

# 1973 PA 116

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## Licensee's rights and responsibilities:

- To receive a license when in compliance.
- To maintain rule compliance.
- To receive a copy of department's findings.
- To cooperate with department inspections and investigations.
- To appeal department's licensing decisions.

# 1973 PA 116

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- Cooperate with any state or local department/agency in connection to inspections and investigations related to the center license.
- Assure information provided is accurate and truthful.
- Provide access to all relevant records, materials and staff.

# 1973 PA 116

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- Special Investigations
  - All allegations pertaining to the law or rules are investigated.
  - On-site inspections, interviews with personnel, and interviews with parents and children may be part of the investigation process.
- High Risk Investigations
  - Notification to parents when there is a “high risk” investigation (child abuse or neglect allegations).
  - DHHS (CPS) will provide you with written notification that you can share with parents.
  - Licensing will verify that parents were notified.



# 1973 PA 116 Definitions

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- **"Private home"** means a private residence in which the licensee permanently resides, which residency is not contingent upon caring for children or employment by a child placing agency. Private home includes a full-time foster family home, a full-time foster family group home, a group child care home, or a family child care home, as follows:
- **"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.

# 1973 PA 116 Definitions, continued

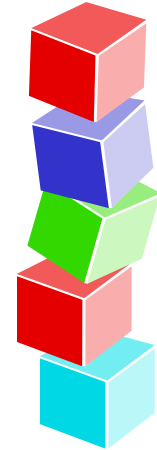
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- **"Group child care home"** means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to 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.

# 1973 PA 116

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- **All licenses are issued to:**
  - A specific person or persons.
  - At a specific location.
- **The license cannot be transferred:**
  - To a new address if you move.
  - To a different person not named on the license.



# Family Home – Group Home

## What is different?

### Family Homes:

- 1 to 6 unrelated children.



### Group Homes:

- 7 to 12 unrelated children.
- Local zoning approval required.



# Family Home – Group Home

## What is the same?



## Family and Group Homes:

- Initial home inspection prior to licensure
- 6 month Original License
- 2 Year Regular License
- Interim inspections
- Other inspections - complaints, modifications.

# Licensee

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## The licensee:

- Is 18 years of age or older.
- Possesses a high school diploma, GED, or approved training track and hours for child care home providers through MiRegistry.
- Resides in home.
- Proof of Infant/Child and Adult CPR and First Aid.
- Have documentation of training completed in:
  - recognition and reporting of Child Abuse and Neglect
  - prevention and control of infectious disease including immunizations
- Completed a fingerprint scan and comprehensive background check.
- Attend orientation provided by the department.



# Child Protection Law (1976 PA 238)

## Requirements

- Michigan law requires you and any child care staff members and child care assistants to report cases of suspected child abuse or neglect to Children's Protective Services by contacting the Department of Health and Human Services Centralized Intake unit.
- File a verbal report with Centralized Intake immediately by calling centralized intake at (855) 444-3911 and a written report within 72 hours.
- For more information, go to [www.michigan.gov/mandatedreporter](http://www.michigan.gov/mandatedreporter).

# Licensee Responsibilities

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- You must be present in the home and providing direct care and supervision the majority of time that children are in care.
- Your vacation/personal days must not exceed 20 days in a calendar year when children are in care.
- You must provide a qualified child care staff member providing the care in your absence.
- You must notify parents when you will not be present and that a child care staff member is providing the care.

R400.1903





# Licensee Responsibilities, continued

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- You must notify parents when a 14 to 17 year old is assisting with care.
- You must cooperate with the department during inspections and investigations.
- You must have someone who can comprehend the law, rules, department communications, and necessary paperwork present in the home when children are in care.

# Licensee Responsibilities, continued

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You must report to the department within 3 business days when the family composition changes.

- Notify us when individuals move in or out of your home.
- Per changes to PA 116, adults must have a comprehensive background check prior to moving into the home.
- Household members younger than 18 must have a comprehensive background check when they turn 18.

PA 116, R400.1903



# Licensee Responsibilities, continued

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A “member of the household” is any person that lives in the home on an ongoing basis, or who has a recurrent presence in the home, including, but not limited to, overnight stays.

All members of your household must have a comprehensive background check.

# Licensee Responsibilities, continued

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## You must report to the department within 3 business days when:

- When new or existing household members have:
  - Arrests.
  - Convictions.
  - An arraignment for an offense that if convicted would lead to that individual's ineligibility to be connected with a child care home.
  - Is being investigated by the state department of health and human services for an allegation of child abuse or neglect.
  - Is under court supervised parole or probation.
  - Has been admitted to or released from, a correctional facility.
  - 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.
  - 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.
  - Notify personnel of their duty to report to the licensee any actions listed in this rule.
  - Has been treated for an emotional, mental or substance abuse problem.
  - Have a written policy for the screening and supervision of volunteers.

R400.1903



# Licensee Responsibilities, continued

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- **Report to the department within 3 business days after:**
  - **You**, the licensee, have been arraigned for or convicted of offenses listed in PA116 (722.115r).
  - A **household member** has been arraigned or convicted of offenses listed in PA116 (722.115r).
  - **A child care staff member** must report arraignments or convictions of offenses listed in PA116 (722.115r) **to you**, the licensee, within 3 business days. **You** must report to the department within 3 business days of being notified by the child care staff member.

A list of the reportable offenses may be found on the CCBC website: Exclusionary Timeframes: Quick Reference Guide

# Licensee Responsibilities, continued

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- You must assure that smoking and/or vaping do not occur in the home or on the premises when children are in care.
- You must notify parents if smoking or vaping occurs in the home when children are not in care.
- You must post a “No Smoking or Vaping During Child Care Hours” notice in a conspicuous place.

# Licensee Responsibilities, continued

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**Licensing Notebook** – You must maintain a licensing notebook. The notebook must include:

- **All** licensing inspection reports, special investigation reports and all related corrective action plans (CAP).
- A summary sheet outlining all the reports and CAPs contained in the notebook. The Licensing Notebook Summary Sheet (BCAL-5052) may be used.

# Licensee Responsibilities, continued

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## Licensing Notebook (cont.)

- The notebook must be available to all parents during regular business hours, including prospective parents.
- Providers must notify parents of the notebook and that it is available for review during regular business hours. This notification is included on the Child in Care Statement/Receipt (BCAL-3900).



# Definitions

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- **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.
- **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.

# Child Care Staff Member

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## Child Care Staff Member must:

- Be 18 years of age or older, complete the comprehensive background check and be determined eligible by the department.
- Before caring for children, must have valid certification of infant/child and adult CPR and first aid, training in prevention of infectious disease including immunization.
- Conduct him or herself in a manner that is conducive to the welfare of children.

# Child Care Assistant

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## Child Care Assistant must:

- Be 14 – 17 years of age, complete the comprehensive background check and be determined eligible by the department.
- Be under the supervision of the licensee or a child care staff member.
- Have proof of valid 1<sup>st</sup> Aid, adult/child/infant CPR & Blood-Borne Pathogen training within 90 days of hire.
- Conduct him or herself in a manner that is conducive to the welfare of children.

R400.1904b



# Required Training

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- **Annual training:**
  - 10 clock hours for licensee.
  - 5 clock hours for child care staff member and child care assistant.
- **Prior to caring for children:**
  - Infant Safe Sleep, Shaken Baby Syndrome, abusive head trauma, and child maltreatment training.
  - Recognition and reporting of child abuse and neglect.
  - Infant, Child & Adult CPR must be kept valid.
  - First aid must be kept valid.

# Required Training, continued

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Within 90 days of being licensed or being hired, complete training in all the following topics:

- Child development.
- Administration of medication.
- Prevention of and response to emergencies due to food allergic reactions.
- Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants.
- Precautions in transporting children.
- Building and physical premises safety.
- All hazard emergency preparedness and response planning.

# Required Training, continued

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When LARA or the Michigan Department of Education (MDE) publishes a notice of a new health and safety document or a new health and safety training activity is in MiRegistry, the licensee shall ensure all personnel acknowledge the document or complete the activity within six months of the notice.

# Licensee Required Records

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(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 employee's name, address, telephone number, and date of hire.
- (b) The employee's daily arrival times and departure times.
- (c) A health care statement.
- (d) Other physician attestations and records as required in R 400.1919.

\* This includes evidence of freedom from communicable tuberculosis (TB) prior to caring for children or living in the child care home.

- (e) Training records, as defined in R 400.1905(5), which may also be viewed online at MiRegistry during an on-site inspection.
- (f) A completed and signed Michigan Child Care Background Check Consent and Disclosure form as required in R 400.1925.

R400.1906, 1903



# Licensee Required Records, continued

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- (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.
- (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.



# Household Member Records

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- You must maintain negative TB test results for members of the household 14 years of age and older.
- Remember: You must notify licensing before any new household members move into your home.

R400.1906



# Child Care Staff Member

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A child care staff member is required when:

- 7-12 children are present in a group home.
- The number of children present under 30 months exceeds 4.
- The number of children present under 18 months exceeds 2.

R400.1910

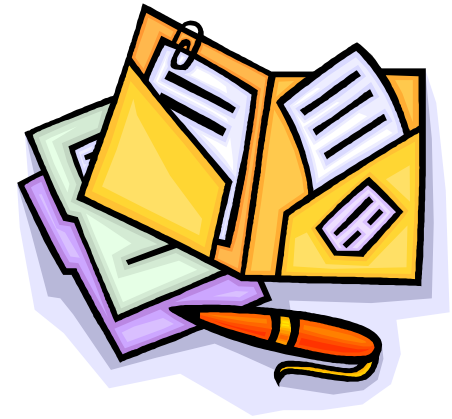


# Children's Records

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Must include the following:

- Child in Care Statement/Receipt.
- Child Information Records.
- Medication permission/documentation.
- Permission slips for:
  - Routine transportation (annually).
  - Field trips using vehicles (prior to each trip).
- Daily attendance – including arrival/departure times.
  - Electronic records may be used and must be available to the department at the time of the inspection.



R400.1907, 1918, 1952



# Capacity

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- The **CAPACITY** of a family child care home:
  - Maximum of **6 UNRELATED** children.
- The **CAPACITY** of a group child care home:
  - Maximum of **12 UNRELATED** children.
- The capacity is shown on the license.



# Concurrent Licensing

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When you have dual licenses to provide foster care and child care in your home, you may have **no more than 12** children including :

- Child care license capacity.
- Foster care license capacity.
- Any children under 17 years of age residing in the home, except foster care children.

# Ratio

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## To determine ratio you must count:

- **All unrelated children** present including:
  - Child care children.
  - Neighborhood children if they need supervision.
- **All related children** under the age of 6 present who are:
  - Related to the licensee.
  - Related to the child care staff member or child care assistant.
  - Related to members of the child care family.

R400.1910



# Number of Children

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How do I figure out how many children I can take care of at any one time?

By understanding what **CAPACITY** and **RATIO** are and how they work together.

- **Capacity** is the maximum number of unrelated children allowed in care at any one time.
- **Ratio** is the proportion of children to personnel present in the home at any given time.
  - Licensing rules require a ratio of 1 member of the personnel to 6 children at all times.

You must be in compliance with both capacity and ratio at ALL times.

R400.1910



# Ratio of Caregiving Staff to Children

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Of the **6** children cared for by a member of the personnel:

- Only **4 of the 6** may be under 30 months.
  - Only **2 of those 4** may be under 18 months.



# Appropriate Care and Supervision

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**Appropriate care and supervision must be provided at all times.**

As the licensee, you are:

- Accountable for everything that goes on in your home, even in your absence.
- Responsible for providing a program that meets the developmental needs of children in care.

R400.1911



# What Is Appropriate Supervision?

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## The licensee or child care staff member shall:

- Be present in the home at all times when children are in care.
- Shall be up and awake at all times when children are in care.
  - Except as indicated in R400.1922(2) Nighttime Care
- Know the location of each child at all times.
- Never leave a child unattended or with a minor in a vehicle.
- At all times, directly supervise children who are engaged in water activities or are near collections or bodies of water.



R400.1911



# What Factors Are Involved In Supervision?

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- Ages of children.
- Number of children.
- Activities taking place.
- Special needs of children.
- Layout and area of the house and premises (e.g. “blind” spots).
- Transporting children or leaving the house/premises.

R400.1911



# Infant Sleeping

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## Rules/guidelines for sleeping infants:

- Infants up to 12 months must be initially placed to sleep or rest on their backs ONLY.
- Infants unable to roll from their stomachs to their backs, and from their backs to their stomachs, shall be placed on their backs when found in any other position.
- When infants can easily turn over from their stomachs to their backs and from their backs to their stomachs, they shall be initially placed on their backs but allowed to adopt whatever position they prefer for sleeping.

R400.1912



# Infant Sleeping, continued

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- 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
  - time frames for how long the child needs to sleep in this manner and include
  - an anticipated end date.

# Infant Sleeping, continued

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- Personnel shall maintain supervision and monitor infants' breathing, sleep position, bedding and possible signs of distress, except as provided in R400.1922 Nighttime Care.
- Video surveillance equipment and baby monitors must not be used in place of the requirement above.

# Discipline

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- You must develop a written discipline policy outlining positive and age appropriate methods of discipline.
- You must review with a parent the methods of child handling/discipline used.
- Parents must be provided a copy of the discipline policy and sign a **Child in Care Receipt/Statement** (BCAL-3900) verifying receipt of this policy.
- Resource: Positive Discipline - Including the Proper Use of Time Out (BCAL-Pub 787)

R400.1913



# Prohibited Forms of Discipline

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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.

R400.1913





# Daily Activity Program

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Daily routine and activities should include:

- Active and quiet play.
- Indoor and outdoor play.
- Rest or sleep or both.
- Meals and snacks.
- Thirty minutes of language & literacy experiences per day.
- Early math & science experiences.



# Daily Activity Program, continued

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- Television, video tapes, movies, electronic devices and computers must be limited to no more than two hours per day and to programs designed for children's education enjoyment or both. Other activities must be available.
- Programs and movies with violent or adult content, including soap operas, must not be permitted in child use space while children are in care.

# Indoor Space

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- Prior approval of child-use space required.
- After initial inspection, if you wish to change your approved child use space, you must contact your consultant.
- 35 square feet of useable, accessible indoor space per child present.
  - Excluding:
    - Bathrooms.
    - Storage areas.

R400.1915



# Play Equipment and Materials

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- A variety of activity choices must be:
  - Easily accessible
  - Safe
  - Appropriate for each child at his or her stage of development
- The number of activity choices must be based on the approved capacity of the child care home.
- Trampolines and bounce houses must not be used indoors.
- Activity choices may include:
  - Books
  - Art supplies
  - Blocks and accessories
  - Large muscle equipment
  - Manipulative toys
  - Musical equipment
  - Dramatic play materials

R400.1915



# Play Equipment and Materials, continued

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- No equipment, materials or furnishings can be used that have been identified by the U.S. Consumer Product Safety Commission (CPSC) as being hazardous or unsafe.
- Lists of these products can be found:
  - Child Care Licensing website - [www.michigan.gov/michildcare](http://www.michigan.gov/michildcare).
  - Michigan Child Care Matters publication.
    - The recall list located here must be posted.
  - CPSC website - [www.cpsc.gov](http://www.cpsc.gov).

R400.1915



# Bedding and Sleeping Equipment

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- All bedding and sleeping equipment must be in accordance with U.S. Consumer Product Safety Commission (CPSC) standards as approved for the age of the child using the equipment.
- All bedding and sleeping equipment must be cleaned before being used by another child.
- All bedding used by children must be washed when soiled and weekly at a minimum.
- All cribs, play yards, or porta-cribs must be equipped with a firm, tight fitting mattress with a waterproof, washable covering.
- Play yard mattresses must be purchased from the manufacturer of the play yard and be manufactured after February 19, 2014.

R400.1916



# Bedding and Sleeping Equipment, cont.

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- Infants shall rest or sleep alone in an approved crib, play yard, or porta-crib.
- The equipment must meet all of the following requirements:
  - Must comply with the product safety standards issued by the CPSC.
  - A tightly fitted or snug bottom sheet must cover the crib or porta-crib mattress with no additional padding placed between the sheet and mattress.
  - Stacking cribs must not be used.
- An infant's head must remain uncovered during sleep.
- 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.
- An infant who is less than 2 months of age may be swaddled with a sleeping sack swaddle attachment.
- Blankets must not be draped over cribs, porta-cribs, or play yards while they are in use.

R400.1916



# Bedding and Sleeping Equipment, cont.

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- 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.
- Inappropriate sleeping equipment includes, but is not limited to:
  - Infant swings.
  - Infant car seats.
  - Infant seats.
  - Bean bags.
  - Any adult bed.
  - Water beds.
  - Bassinets.
  - Highchairs.
  - Soft mattresses
  - Sofas
  - Other soft surfaces.

R400.1916





# Bedding and Sleeping Equipment, cont.

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- 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.
- 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 child.

# Telephone

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- An operable telephone must be accessible on the premises.
- The phone number must be provided to parents and the department.
- Notify parents and the department if your phone number changes.



R400.1917



# Medication

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- Medication, prescription or nonprescription, must be given to a child in care by a licensee or child care staff member only.
- Medication, prescription or nonprescription, must be given or applied only with prior written permission from a parent.
- All medication must be in the original container, stored according to instructions, and clearly labeled for a named child.
- 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.
- All medication must be kept out of the reach of children and returned to the child's parents when he or she determines it is no longer needed or when it has expired.

# Medication, continued

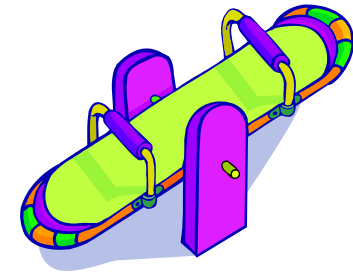
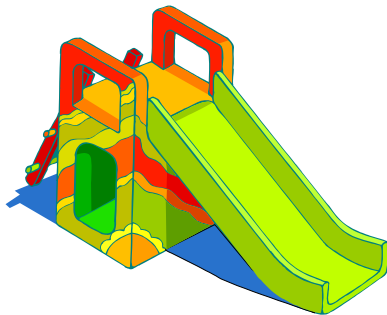
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- A licensee or child care staff member shall give or apply prescription or nonprescription medication according to the directions on the original container unless otherwise authorized by a written order of the child's physician.
- A record of the date, time and amount of all medication given or applied must be maintained on a form provided by the department or a comparable substitute approved by the department.
- Topical nonprescription medication, including but not limited to sunscreen, insect repellent, and diaper rash ointment, is exempt from subrules (1) and (7).
- The records required in this rule must be retained for a minimum of 4 years.

# Outdoor Space Requirements

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- Safe outdoor play space - protected from hazards:
  - 400 square feet or more – Family.
  - 600 square feet or more – Group.
  - On the premises or within walking distance.



R400.1920

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LICENSING AND REGULATORY AFFAIRS

# Outdoor Play and Equipment

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- An adequate and varied supply of outdoor play equipment and furniture is required. All of the following apply:
  - Appropriate to the developmental needs and interests of children.
  - Appropriate to the number of children.
  - Safe and in good repair.
- The outdoor play area and equipment must be organized to meet the following:
  - To separate active and quiet activities.
  - For a clear and unobstructed view of the whole play area.
  - To ensure that there are safe distances between equipment.
- All outdoor play equipment over 30” must have appropriate surfacing material and:
  - Must not be placed on concrete, asphalt or hard packed dirt/grass.
  - Must be six feet from other play structures or obstacles.
- Trampolines must not be used outdoors by children in care.
- Bounce houses are permissible outdoors with direct supervision by a licensee or child care staff member, and pursuant to the manufacturer’s recommendations.
- All-terrain vehicles and other motorized vehicles are prohibited.

R400.1920



# Requirements for Water Activities

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- All water hazards must be protected by a four foot high barrier.
- All hot tubs/spas must have a locked hard cover at all times while children are in care.
- Rescue equipment and working telephone readily accessible.
- Wading pools must be emptied and cleaned after each play period, when dirty or contaminated, or when not in use.
- Before use of a residential pool or any other body of water, a licensee shall ensure that the water is clean, safe and sanitary and that the children be appropriately and adequately supervised.

R400.1921



# Requirements for Water Activities, continued

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- Public swimming areas may be used only when a lifeguard is present.
- Rescue equipment and working telephone are readily accessible.
- Written parental permission for:
  - On-site water activities (required seasonally).
  - Off-site water activities (required prior to each event).



# Water Activity: Adult to Child Ratio

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- 1 to 1 ratio for children under 3 while they are in the water.
- 1 to 6 ratio for children over 3 in the water.
- Personnel may not supervise both a group of children in the water and a group of children out of the water.
- If there are two groups of children, one in the water and one out of the water, then the personnel to child ratios for each group must be maintained for each group.

**Note:** The ratio rules don't apply to wading pools. However, if a wading pool is used, the child care staff member must ensure that they can properly supervise all children in their care.

# Nighttime Care

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- Nighttime Care— when children are in care between the hours of midnight and 5:00am.
- If child care staff members and children in care are sleeping, then at least 1 child care staff member shall be on the same floor level as the sleeping children.
- Children shall sleep in age-appropriate cribs and beds. Portacribs and play yards are not allowed for nighttime care.

# Diapering

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- Designated changing area.
- Exclusively for changing wet/soiled diapers and underwear.
- Nonabsorbent, easily sanitized surface with changing pad.
- Cleaned and sanitized after each use.

R400.1923



# Toilet Learning

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- Toilet learning must be planned cooperatively between the parent and the licensee so the toilet routine established is consistent.
- If toilet learning equipment, such as potty chairs and modified toilet seats are used, then both of the following apply:
  - They must be able to be easily cleaned and sanitized
  - Potty chairs must be emptied, rinsed, and sanitized after each use.

# Handwashing

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- All personnel shall wash their hands appropriately and in the following manner:
  - Before and after all of the following:
    - Preparing and serving food, eating, and feeding.
    - Giving medication
  - After all of the following
    - Diapering
    - Using the toilet or helping a child use the toilet
    - Handling bodily fluids, such as mucus, blood, vomit, from sneezing, wiping and blowing noses, from mouths, or from sores.
    - Handling animals and pets.
    - Cleaning or handling garbage.

# Handwashing, continued

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- Personnel shall ensure that children wash their hands at all of the following times:
  - Before and after meals, snacks, or food preparation experiences.
  - After toileting or diapering.
  - After contact with any bodily fluids.
  - After playing in sand or water.
  - After handling animals or pets.
  - When soiled.

# Handwashing, continued

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- Hand sanitizers and wipes may be used as a temporary measure during outings, such as field trips and outdoor activities, until soap and running water are available.
- Staff may wash an infant's hands with non-toxic disposable wipes when:
  - An infant is too heavy to hold for handwashing.
  - An infant cannot stand safely to wash hands at a sink.
  - An infant is not developmentally ready to hold their head.
  - There are children with special needs who are not capable of washing their own hands.

# Comprehensive Background Check and Fingerprinting

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- A comprehensive background check must be completed, and the person be found eligible, for the following individuals, before unsupervised contact with children may occur:
  - Licensee
  - Adult Household Member (before moving into the home)
  - Child care assistant
  - Child care staff member
  - An unsupervised volunteer



# Comprehensive Background Check and Fingerprinting, continued

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- Within the CCBC system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.
- 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.

# Comprehensive Background Check and Fingerprinting, continued

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- 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.

This means an individual may be hired but cannot have contact with the children until the eligibility is determined.

Those individuals who have lived out of state within the past five years, will not have a final determination of eligibility until the out of state background checks are obtained. Those persons may work supervised pending the out of state determination.

- The licensee must maintain and keep a copy of the consent and disclosure form for each individual entered in the CCBC.

R400.1925



# Food Preparation & Service

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- Food offered at least every four hours except when children are asleep.
- Drinking water available at all times.
- Children encouraged, but not required, to taste new foods.
- Beverage containers not allowed in beds or while walking around or playing.

R400.1931



# Food Preparation & Service, continued

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- Food served individually/family style must be discarded at the end of the meal.
- Children under 3 years must not be served foods that may cause choking (popcorn and uncut round foods such as grapes, hot dogs).
- Food brought by parents must be labeled with child's name and refrigerated if necessary.

R400.1931



# Food Preparation & Service, continued

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- Bottles labeled with child's name and date.
- Warming of bottles and beverage containers in a microwave or slow cooker is prohibited.
- Contents of bottle discarded when:
  - Feeding period exceeds 1 hour.
  - Unrefrigerated for more than 1 hour.
- Bottle propping is prohibited.



R400.1931

# Home Maintenance and Safety

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- Structure, premises and furnishings of a child care home must be in good repair and maintained in a clean, safe and comfortable condition.
- All steps, stairs, porches, and elevated structures to which children in care have access must be protected to prevent falls, and must be free of ice and snow accumulation.
- No flaking or deteriorating paint on interior or exterior surfaces accessible to children, including toys, equipment, etc.
- Notification to parents of pesticide and fertilizer treatment.

R400.1932



# Home Maintenance and Safety, continued

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- For homes built before 1978, inform parents and assistant caregivers:
  - Of the potential presence of lead-based paint or lead-dust hazards. (Noted on the Child in Care Statement/Receipt for notifying parents.)
  - Prior to remodeling, renovating or re-painting that could disturb lead-based paint or produce lead dust.
- 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.

R400.1932



# Home Maintenance and Safety, continued

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- Locks on cupboards & cabinets containing hazardous items (ex. knives, cleaning supplies, medicines, etc.).
- Safety gates or doors at tops and/or bottom of stairways accessible to young children. Avoid old “accordion” type of gates.
- Stairs with 3 steps or over 24 inches must have railing.



R400.1932





# Water Supply, sewage disposal, water temperature

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- The home must have at least one flush toilet and handwashing sink with hot and cold running water.
- Hot water may not exceed 120<sup>o</sup> F.

R400.1933



# Heating, ventilation, lighting and radon

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- The temperature of the home must be at least 65 degrees Fahrenheit and not exceed 82 degrees Fahrenheit.
- A carbon monoxide detector must be placed on all levels approved for child care.
- A radon test must be completed before the initial license is issued and every four years thereafter at the time of renewal.

# Firearms

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- Firearms must be unloaded and stored in a secure, safe locked location.
  - A secure and locked environment means a locked commercial gun safe, or a trigger lock installed and locked according to the manufacturer recommendations to prevent discharge.
- Ammunition must be stored in a separate locked location.
- Firearms must not be traded or sold when children are in care.

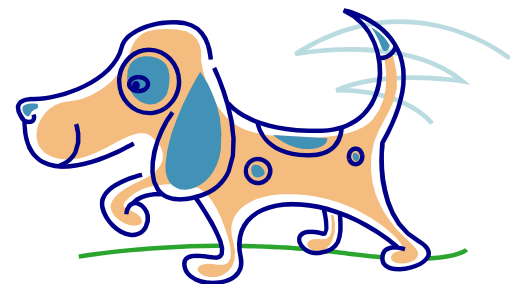
R400.1935



# Animals and Pets

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- Notify parents of pets in the home.
- Children supervised when they interact with pets.
- Animals/pets that are potentially aggressive or are in poor health must be separated from children.
- Animals and pets are not allowed in the kitchen during snacks and meals.
- Pet toys, food, litter boxes inaccessible to children.



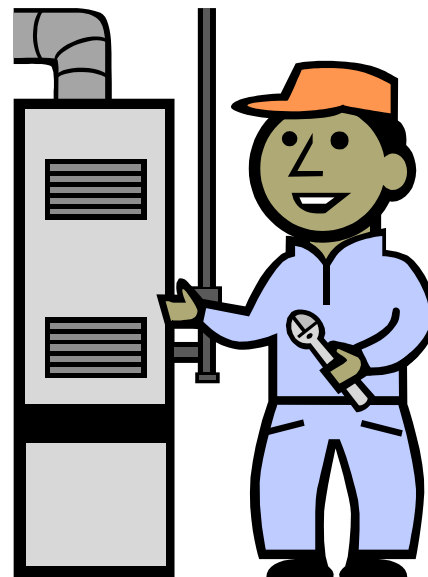
R400.1936



# Heat-producing equipment

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- An inspection of a fuel-fired (gas) furnace and water heater is required before a license is issued and every four years thereafter at the time of renewal.



R400.1941



# Heat-producing equipment, continued

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- Combustibles are prohibited within four feet of furnace, other flame or heat-producing equipment, or fuel-fired water heaters.
- If area near furnace/water heater is used for care, the heat producing equipment must be shielded to prevent burns.
- Portable heating devices must not be used while children are in care.

R400.1941



# Exits

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- Each floor used for child care must have two remote well-lit exits (including basements).
- One exit must go directly to ground level.
- Any locks that require a key to disengage from the interior are prohibited.

R400.1943



# Window Exits

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If you use a window as a second exit, it must:

- Be accessible to children and personnel.
- Be unobstructed.
- Be clearly identified.
- Be easy to open.
- Allow for the evacuation of all children and personnel.
- Have an “exit” sign.



R400.1943





# Window Exits, continued

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If you must use a basement window as an exit:

- The basement window opening must be large enough for everyone to exit. The **unobstructed opening** must be:
  - At least 20 inches wide.
  - At least 24 inches high.
- The total unobstructed window area must be at least 5 sq. ft.
- The bottom of the opening may be no more than 44 inches off floor.

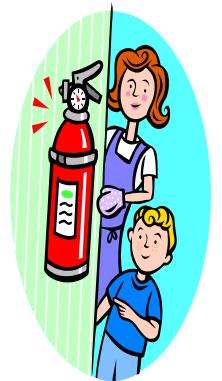
R400.1943



# Smoke detectors; fire extinguishers

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- **Smoke detectors**
  - Working smoke detectors on each floor and in all areas used for children to sleep.
- **Fire extinguishers**
  - A 2A-10BC fire extinguisher must be mounted on each floor approved for child care.



R400.1944

# Emergency; plan drill

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- Written emergency response plan for the care of children must be posted in a conspicuous location within the child care home.
- The plan must address the following types of emergencies:
  - Fire evacuation
  - Tornado watches and warnings
  - Serious accident and injury
  - Water emergencies
  - Crisis management, including but not limited to:
    - Intruders
    - Active shooters
    - Bomb threats
    - Other man or woman caused events

R400.1945



# Emergency; plan; drill, continued

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- The written plan must include plans for:
  - Evacuation
  - Safely moving children to a relocation site
  - Shelter-in-place
  - Lockdown
  - Contacting parents and reuniting families
  - Continuing operations during or after a disaster
  - How infants and toddlers will be accommodated
  - How children with special needs will be accommodated
  - How children with chronic medical conditions will be accommodated

R400.1945



# Emergency; plan; drill, continued

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- Fire drills must be practiced quarterly.
  - A written record of the drill must be maintained that includes the date and time it takes to evacuate.
  - A smoke detector must be used as the alarm for fire drills.
- Tornado drills must be practiced at least two times between March and November.
  - A written record of the drills must be maintained.

R400.1945



# Transportation

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When transporting children:

- Any driver must be an adult, have valid driver's license, proof of current insurance & valid registration.
- Vehicles must be in good working condition.
- Child information cards must be carried.
- The vehicle must have a first aid kit.
- If the driver will have unsupervised access to children, the driver shall complete a comprehensive background check and be determined eligible by the department with section 5n of the act, MCL 722.115n.
- Parents must be notified when the driver is someone other than child care staff members.

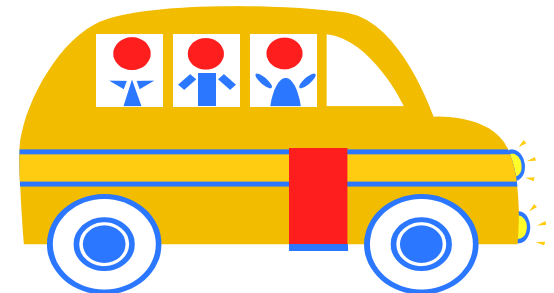
R400.1951



# Transportation, continued

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- All persons in vehicle must be properly restrained.
- Booster seats are required for children 4 – 8 years of age and less than 4'9" tall.



R400.1951

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# Child transportation; parent permission

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- Written permission must be obtained by a child's parent and kept on file before a child is transported in a vehicle.
- Written permission must be obtained for both of the following:
  - Routine transportation, at least annually
  - Nonroutine transportation, before each trip.
- At the time of initial enrollment, written permission from a child's parent must be obtained for walking field trips.

R400.1952





# Parent notification required

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- A licensee shall promptly report to a child's parent any of the following:
  - Any incidents, accidents, suspected illness or other changes observed in the health of the child.
  - A child who is exposed to a communicable disease.
- Isolate a child who is too ill to remain in the group in an area where the child can be supervised and made as comfortable as possible.
- Bedding, toys, utensils, toilets, and lavatories, used by an individual who is ill, must be appropriately cleaned and sanitized before being used by another individual.

# Department notification

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- A licensee shall make a verbal or email report to the department within 24 hours of the occurrence of any of the following:
  - A child is lost or left unsupervised.
  - An incident involving inappropriate contact or allegation of inappropriate contact.
  - A serious injury of a child.
  - A fire on the premises of the home that requires the use of fire suppression equipment or results in loss of life or property.

# Department notification, continued

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- A licensee shall make a verbal report to the department within 24 hours of the death of a child.
- 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 a child was in care.
- A licensee shall submit a written report to the department of the occurrences outlined above within 72 hours of the verbal or email report in a format provided by the department.
- A copy of the report must be maintained on file for a minimum of four years.

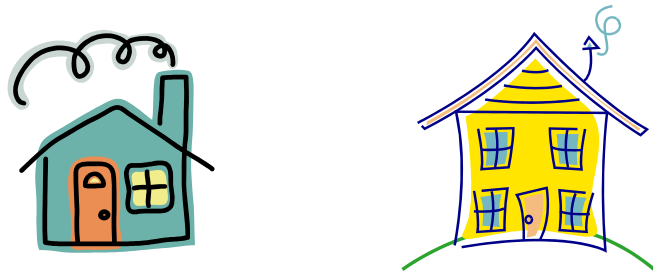
R400.1962



# Completing the Licensing Process

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When in compliance with all of the rules:  
Contact your licensing consultant to schedule an initial inspection. An inspection is required prior to license issuance for both family homes and group homes.



# Original Inspection: Family and Group Child Care Homes

## The licensing consultant:

- Will tour the entire home (ALL rooms) and the outside areas.
- Will assess and approve all areas to be used by children.
- Will review rules.
- May take pictures to document findings.



# Original Inspection: Family and Group Child Care Homes

Areas a licensing consultant may assess include:

- The plan for daily programming.
- Sufficient equipment.
- Review of records.
- Diapering and sleeping areas.
- Overall safety.
- Properly mounted fire extinguishers.
- Testing of smoke and carbon monoxide detectors.
- Emergency plans posted.



# Child Care Licensing Website

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[www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)

- Rule books.
- Technical assistance & consultation.
- Forms and publications.
- Sign up for the listserv to receive email notices.
- The Child Care Background Check Unit can be reached at 844-765-2247 with questions related to background checks and fingerprints, or go to [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc).



Thank you.