

**CHILD CARE CENTER LICENSING COMMITTEE MEETING
MEETING MINUTES**

13 November 2014
Cannon Health Building, Room 128
288 North 1460 West
Salt Lake City, UT 84116

Members Present: Dale Smith, Genevieve Marie Romero, Becky Lageschulte, Joan Nichol, Deborah Tilley, Fred Cox, Julie Shakib

No members absent

Department of Health and Child Care Licensing Staff Present: Marc Babitz, Simon Bolivar, Donna Thomas, Jessica Strout, Joyce Hasting, Kathleen Sanders, and Sue Kirkham.

WELCOME

Ms. Tilley welcomed members of the committee and the public.

OLD BUSINESS

Minutes from last meeting were approved via email.

R430-100-9: Computer Record Keeping – providers able to do all of their work on computers.

Are there any concerns with Child Care Licensing on having all records in general on the computers? Deb Tilley would like to use it for all that it is capable of doing. Attendance, notices, etc. She brought some examples of the different documents she processes using her computer system.

Question from Fred Cox: How would you make information available to the state when they come? Answer from Deborah T.: If it is something that needs to be sent on to licensing, it would be sent. If it is something the inspector needs to see, then it would be pulled up and the licensor could review. Becky L. said that she uses the fingerprint and it is good to know that it is all documented.

Simon: There is nothing in rule that prohibits a provider from doing it electronically. If a provider does not have the means, then they can do paper. There is only one rule, Parent Notification, (5), the rule says that the parent should be given a written report. There is nothing in the rule that prevents the written report from being electronic. If a parent requests a copy, then the program can print it to give to the parent.

It was suggested change to the rationale or enforcement that the report can be by electronic means or a hard copy

Ratios during 45 minutes for unforeseen circumstances.

There was a long discussion about the 45 minutes for providers to be out of ratios. Some committee members wanted the process to remain as it is, licensing giving providers the opportunity to fix unforeseen circumstances with no findings and two additional follow-ups to make sure provider is always in compliance. There were questions about the reasons why the

interpretation manual did not mention the 45 minutes. The interpretation manual will reflect this instruction in January when all updates are published. Other committee members asked why the 45 minutes allowance was not in the rule. Dr. Babitz cautioned against putting times in rule because rules must be open for public comment and the public may greatly differ about appropriate time allowances.

Simon explained that not many findings have been issued because of this. Most of the time it is because they are out of compliance and not for an unforeseen circumstance.

The conversation continued with questions about the best way to address this situation. Was it better to update the interpretation to help providers, parents and the public to know about the allowance, or it is better to change the rule? Should licensors can back twice? While some providers are always in compliance, there are others who may not.

After a lot of discussion, there was not a recommendation. Joan N stated that the committee have to overlook what they do, and do what is best for the children in care. She added that they need to look at it overall for the safety of children. Fred C. motioned to give more thought and come back to it later.

NEW BUSINESS

CMV training recommendation: Should it be a requirement to be added to the Child Care Licensing rule? Joan: Does not see that this committee should add it to rules. It affects pregnant women, not children in care. Julie: Went to the CMV conference this year and learned a lot about transmission and risk. Child Care providers are at high risk, she is not sure what other trainings there are and where it could live if not in rules. Deb: CAC does health and safety training, it is covered without it being specific to CMV (handwashing, etc.). Joyce: Maybe put a comment in the IM manual in rationale for infection rules. Pat: Trainers on CMV are coming to a conference to train. Dr. Babitz: statute passed to educate the public, not told that all child care workers have to have training to prevent CMV. But it is not appropriate for rules to be written about this topic. Fred: Rationale explanation makes sense. Joan: Everyone is going to want theirs put in. Doesn't think that it is something we need to address. Joan N. Motioned that we are grateful for the presentation of the material but at this time we take no further action. Genevieve seconded. No objections, motion passed.

Make change in reporting incidents and injuries:

After discussing the proposed language, the committee decided to use the following:

“The provider shall report to Child Care Licensing within the next Department business day, any fatality, hospitalization, emergency medical response, or injury that requires attention from a health care provider, unless that medical service was part of a child's medical treatment plan identified by the parents. The provider shall also submit a written report to Child Care Licensing within five days of the incident.”

Deb T. suggested to add under clarification: “if a provider submits a written report within 24 hours, this covers both requirements of the rule.”

Changing diapers interpretation change: All children's diapers must be checked at least every two hours. Caregivers must change children's diapers if the diapers are wet or soiled.

For center only: Written record of diaper changes is only required for infants and toddlers.

1-3(9): Proposed rule change.

The rule referenced here, R501-12-4(8)(h), is only about foster care. Proctor Care and other licensed program should not be there. We do want to license every facility that wants to be licensed. We have many facilities that do treatment care for parents and they have a child care for their children and they want to be licensed. Additional facilities will be licensed if we change this rule. Julie: Add “Human Services” in front of rule. Then if people want to pursue it further, they know where to go.

The rule will read: “Pursuant to Human Services rule R501-12-4(8)(h), a provider may not be licensed to provide child care in a facility that is also licensed to provide foster care.” Julie S. motioned with the addition. Deb T. seconded.

Center Licensing Committee By-Laws

The Child Care Center Licensing bylaws include the amendments.

Fred C.: Termination of membership, if I started working for a state agency I would all the sudden not be available to fill the position. It is in statute already.

Should conflicts of interest be filed somewhere so that no one has to declare that every time we vote? How do we deal with the conflicts? Simon: On the last page of the by-laws, last page, C. –could change language to say without submitting a signed disclosure statement. Fred will send an electronic version of the conflict disclosure to Simon for review. Dr. Babitz agreed that would work as long as the person’s position is shown on their name tag so that anyone attending the meeting can see a potential conflict. All committee members must be presented or list any conflicts of interest in the conflict of interest form.

Simon will send the by-laws with the sentence at the end, Fred motioned, Joan seconded.

Copy of results of the rules topics:

Deb asked that people look through and decide what next to address. She is thinking chemicals, a lot of findings for sanitizer set on a changing table.

Simon presented the survey condensed by rule topics. Another document is variance to providers to rule to see what variances we have given and if we should do something about it.

Deb asked the committee to look at the rules, what can we do to help reduce these, what we need to address next. Julie suggested that we sort it by rule and variance. Can we get another copy that is sorted by rule? It is an excel spread sheet and can be sorted.

Deb would like Simon to send the report again separated by the year so that trends can be seen. Simon will send by year and sort it by rule. He will also eliminate any that have five or less rule violations. If we are all getting different interpretations of the rule maybe we can define it better.

AGENCY UPDATES

Child Care Licensing: Sample of new background screening card – every individual will receive a card. If a new person is hired with the card, then the provider does not need to pay the

\$15.00 again. The facility has ten days to make a copy of card and send it to CCL. Joan N.: If I paid for the card, can I keep the card? No, the card is for the individual. A letter will be sent to all caregivers to explain the changes and the new card.

Office of Child care: Steve Matherly: CCDBG is going through Congress, it will probably be finished today and go to the President for signature. CCDBG will require tiered benefit based on quality. We already have in place a lot of the items that are going to be required by the federal government. A lot of accountability – where are the subsidized children receiving care and what is the quality of that facility. Need to show a trend to improve quality for all subsidy children. CCPDI send an email about new subsidy payment requirements and updates to where we are at with the provider portal, etc. Do go to the OCC website and log in to the new provider portal.

Public Comments: What is defining quality for child care standards? Most states use quality rating scales. Utah displays the individual achievements for programs. We need to get to a point where we can get into the programs and report back to the feds with a national standard.

Next meeting will be January 8, 2015. We also need to elect a Vice-Chair at the next meeting.

Joan Nichol tendered her resignation from the committee. As of tomorrow, she will no longer be a center owner. Simon explained that we will follow the procedure to replace that position. Anyone can nominate a person to fill the position on the Governor's website. Two nominees are required for each position. Fred Cox expressed that he may also become ineligible to participate because of the elections.

Ms. Tilley adjourned the meeting at 11:10 a.m.

The next meeting is January 8, 2015, from 9:00 am- 11:00 a.m. in Room 128 of the Cannon Health Building at 288 North 1460 West in Salt Lake City.