



**RESIDENTIAL CHILD CARE LICENSING
ADVISORY COMMITTEE MEETING MINUTES**

12 July 2018

Highland Plaza Building, Auditorium
3760 South Highland Drive
Salt Lake City, UT

Members Present: Dale Smith, Laura Brown, Ilse Wilson, Sharon Miller, Amber Critchow

Members Excused: Amy Sperandeo

Members Absent: none

Department of Health and Child Care Licensing Staff Present: Simon Bolivar, Donna Thomas, Kim Rice, Jessica Strout, Sarah Atherton, Jolene Holbrook, Katie Adams, Charlotte Woodward, Hannah Wiley, Avis Burrows, Linda Lee, Kat Martinez, Paula Mills, Karen Adams, Sue Kirkham, and Joan Isom

WELCOME

At 9:05 a.m., Dale welcomed everyone and started the meeting.

APPROVAL OF MINUTES

The minutes from the May meeting were approved via email.

ASSIGNMENT FOLLOW-UP

Simon Bolivar

Create a waiver form regarding the dangers of infants sleeping in car seats. - done

- The committee members were in favor of using the form.
- There was not a quorum of committee members during this discussion but those present were in favor of changing the rule so it requires the form be used for parental permission for allowing infants sleep in unsafe equipment.

Simon will draft a rule with the change and present it at the next committee meeting.

Send to all providers and post on the CCL website the research information on the dangers of infants sleeping in car seats and have the information available through training. - done

Look into the rule for fencing. - done - The fencing requirements have been part of the Child Care Licensing rule since 1991.

NEW BUSINESS

New proposed rule changes public comments and effective date -

- Copies of the comments were emailed to the committee members in advance. CCL received a total of five comments on the proposed rule changes from the public during the public comment period. There was an additional comment not received directly or during the public comment period, but it was considered important enough to be taken into consideration. This additional comment was addressed during the meeting. Additional rule changes were proposed during the meeting to address that comment.

Among the comments received, there were comments and questions addressing other topics not included in the proposed rule changes. Those unrelated comments and questions have been discussed in the program, with the committees, or directly answered to the commenter.

The comments received about the proposed rule changes included questions about the liability insurance requirements and if it was mandatory, the definition of loose blankets, the difficulty of reading the rule documents in the Utah State Bulletin, and the proposed rule about trampoline use for school age children only.

All public comments were sent to the committee members, discussed with program staff and during committee meeting, and answered as needed to commenters.

- Simon responded to all comments.
 - Providers are not required to have liability insurance. They can have the insurance or inform parents they do not have the insurance.
 - The interpretation manual will have a definition of “loose blankets”.
 - The Division of Administrative Rules, not Child Care Licensing, publishes proposed rules. Child Care Licensing has no control over their format.
 - There is plenty of research to support the change to the trampoline rule.
 - Comments to current rules were also received during the public comment period. Questions were answered and clarifications were given.
- There were no public comments on the Exempt Rules.
- Simon proposed making the rules made July 31, 2018.
 - There was a quorum of members present for this discussion.
 - Ilse made a motion to have the proposed rules made effective July 31, 2018.
 - Laura seconded motion.
 - All committee members were in favor of motion.
 - The motion passed.

Technical Rule changes -

- Some technical changes have to be made to the rules.
- They are mostly the punctuation for referencing another agency’s rule and numbering errors.

Simon will make a draft of these changes and present them at the next committee meeting.

New proposed background check rule changes –

- Simon presented the following proposed additions:
 - A prospective covered individual may begin work once they have passed a FBI or state fingerprint based check if they are supervised at all times by an individual who has passed a complete CCL background check until completion of all other background check components.
 - Fingerprints are not required if the covered individual has been associated with an active CCL facility in the past 180 days.
- Simon will create a draft these additional rules and present them at the next committee meeting.

New background check process -

- Background checks will be run in within 3 days after all the background check form is authorized, required fingerprints are received, and fees are paid.

- When FBI checks are completed before local checks, providers will receive an email with that information and it will be displayed on the provider portal.

[General information: Local checks are usually completed first; they can be done in about 30 minutes but may take longer when additional research is needed. Fingerprint checks can be done in about 6 hours but may take longer when the prints cannot be used or a name search is required.]

- Providers can now associate with their facility covered individuals with current background check cards. They do not have to submit another background check form for those individuals. When individuals don't have their cards, providers can contact any CCL employee for the BCU ID numbers. Providers can't associate individuals whose background checks will expire in the next 5 days or individuals with expired checks.

Accessible, loaded firearms immediate CMP

- Simon proposed to add having accessible, loaded firearms to the list of times when providers receive an immediate Civil Money Penalty.
- Simon clarified that, to be inaccessible, a firearm must be locked in a cabinet or area with a key, combination lock, or fingerprint lock and stored unloaded and separate from ammunition.
- Residential Committee
 - Ilse made a motion to have home providers receive a \$500 Immediate CMP for having an accessible and loaded firearm.
 - Amber seconded the motion.
 - All committee members were in favor of the motion.
 - The motion passed

AGENCY REPORTS

Child Care Licensing – Kat Martinez

- Child Care Licensing now has a Facebook page.
- Over 400 people saw the posting for requests for committee members. A lot of those who saw the posting shared the information.

Office of Child Care – Karrie Phillips

- They received increased funding from the federal government and are increasing the amount of subsidy payments for licensed center and licensed family providers. This will go into effective October 1, 2018.
- They concluded the public meetings about the Child Care Quality System and have a framework for the center pilot program for centers.
- High Quality and High Quality Plus providers will be eligible for separate monthly Enhanced Subsidy payments. This will go into effective October 2019 for center providers.
- In the beginning 2019, they will start doing mass observations of center providers so they will be eligible to get a quality rating.
- The rating system tool for home providers is being revised. This will delay the Enhanced Subsidy payments for home providers. However, home providers can apply for the Family Child Care Quality project. This is a grant program for family providers. There

will be onsite coaching, peer learning meetings, and observations with a tool that rates interactions between caregivers and children.

- There are Family Childcare Specialists in every Care About Childcare agency.
- The Office of Child Care has a job opening for a Program Specialist with family child care experience.
- They have a new email address – ccqs@utah.gov.

ASSIGNMENTS

Simon

- See if the Unsafe Sleeping Equipment form and the Trampoline Permission form can have a release of liability statement.
- Check with CCL legal department and see if he can create a document that simplifies proposed rules so it is easier for the public to make comments.
- Bring additional topics discussed during the meeting to the upcoming agenda.

Committee vacancies -

- Committee members and their terms are found on the CCL website.
- There are some committee members whose terms expire September 30, 2018. Those members can stay on the committee until a replacement is found. They can also apply to be on the committee for another term.
- In addition to replacing some committee members, there are still some vacant positions.

Committee member comments and recommendations

- Dale requested that the recording of the meeting be reviewed and topics for future discussion are identified and sent for possible future agenda items.

PUBLIC COMMENTS

There were several conversations during the meeting addressing topics not on the agenda. Dale suggested that CCL listen to the recording and make the applicable topics part of the upcoming agenda.

There were no additional public comments.

Dale ended the meeting at 11:45 am.

UPCOMING 2018 MEETINGS

September 13 and November 8

Highland Plaza Auditorium, 3760 S. Highland Dr., Salt Lake City, UT

Anyone with a disability requiring accommodations to attend or fully participate in this program should contact Jacqueline Macias at (801)273-2904 or via email at jmacias@utah.gov to request reasonable accommodations.

Note: These minutes are not intended to be a verbatim transcript of all items discussed, but are to record the significant features of the business conducted in this meeting.