

## March Consensus Queue

### Flagged definitions

Definition of Family child care

### Hot Topic Queue

	Hot Topic	Section Reference	Resolution	March meeting
1	Overnight Care & Safe Sleep (0291, 0270)	170-300-0270/0291	Licensing proposed language. Team agreement on 1-4 language changes. Consensus blocked on subsections 5-6. Parents non-negotiable: providers should stay awake; FH non-negotiable that providers should be able to sleep Draft language: <i>Licensing-proposed-overnight care clean copy (3) WITH CONCERNS</i>	Read licensing team proposals for subsections 2-6 (4-5 groups in hot topic group reached consensus). Present on all groups concerns. Document any additional concerns.
2	Equivalency Tables		Michelle and Angela presented. Information collected regarding what should be included in the Equivalency Table. Notes saved in word doc: <i>Equivalent Table_Existing and New and Equivalent with Notes 2.25</i>	Overview of feedback from hot topic group  Highlight at least 2 participants from each NRM team to be a part of working group.
3	Staff Assessments (including 0461)	170-300-0461	Family Home proposed to remove section 0461- as the need to have and maintain an observation, evaluation and feedback policy is referenced in 0110 and 0111. Consensus was blocked. Parents were concerned with potential consequences of removing the section.	Recap. Consensus blocked by parents. Licensing was not present during discussion.  <b>Licensing &amp; Parent sidebar?</b>
4	Child Assessments		Teams were unable to identify specific sections related to child assessments to be discussed.	Quick recap.
5	High Number of Documentation		Teams were unable to identify specific sections/subsections to be reviewed. Teams were charged with reviewing the list of documentation regulations and highlighting subsections that were concerning.	Quick recap. Check-in if there are specific regulations that are hot topics re: documentation.
6	Supervision and Active Supervision (use definitions and check across all WAC)	170-300-0140 170-300-0145 170-300-0165 170-300-0198 170-300-0205 170-300-0225 170-300-0291 170-300-0296 170-300-0331 170-300-0345	The following proposed changes are proposed from the group: 1) 0140 (3): Change to "appropriate level of supervision" 2) 0140 (6): Change to "appropriate level of supervision" 3) 0145 (5): Change to active supervision 4) 0145 (9): Change to active supervision	Measure consensus on all 16 changes.

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	Hot Topic	Section Reference	Resolution	March meeting
		170-300-0350	5) 0165 (2) (C): Change to appropriate level of supervision 6) 0198 (4): Change to actively supervise 7) 0205 (3): Keep as supervise 8) 0225 (4) (a): Change to supervise 9) 0225 (4) (b): New subsection that includes active supervision 10) 0225 (5): Change to active supervision 11) 0291 (1) (a): Remove actively, but include language to check infant at least every 15 minutes 12) 0296 (1) (b) (i): Change to active supervision 13) 0331 (2): Change to supervise 14) 0331 (3): Change to appropriate level of supervision 15) 0345 (4) (d-e): Request for DEL tech writers to check duplication- as these sections and supervision requirements are outlined in other sections. Maybe add references so level of supervision can be noted to section. 16) 0350 (4) (b): Change to actively supervise	
7	Ratios (Birth-3 years for Family Homes)	170-300-0355	Family Home is going to consider the proposal from licensing and provide feedback. They are unsure if it is necessary. All agreed with adding language for: 1:12 ratio of school aged children for FH providers	Measure consensus on ratio of 1:12 school-age.  Follow-up with FH on new licensing sections?
8	Outdoor Playtime (0360)	170-300-0360	All groups agreed with the proposed language and time guidelines.	Measure consensus on proposed language.
9	Recording Transportation (sign in/out) (0345) (4)	170-300-0345 (4) (a)	All groups agreed with the proposed language	Measure consensus on proposed language.
10	Nurse Consultants (0275)	170-300-0275	All groups agreed, they wished the funding was in place to include this language and expand the requirements to include additional services related to behavior.	Quick recap.
11	Supervision	170-300-0356 (9)	Non-negotiables stalled this conversation. Parents believed the 2 <sup>nd</sup> staff member needed to be onsite; centers and FH felt the staff member could be off-site.	Recap. Allow groups to share any additional concerns (never gone through large group consensus)

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	Hot Topic	Section Reference	Resolution	March meeting
12	Bells	170-300-0345 (4) (c)	Proposed language from the group to go to licensing for review, as licensing needed to leave early.	Follow-up with licensing since they were not on site during discussion?

### Flagged Items Queue

There are 5 high priority flagged items identified by participant groups. Priority Level Key:

- High- 2 or more groups flagged and have not yet discussed in full group for consensus
- Medium- 2 or more groups flagged
- Low- 1 group flagged

Priority	Queue	Item	Group	Flagged Section	Concern
High	1	40	Parents	170-300-0356 (Whole section) Center capacity, ratio, and group size	Had not reached consensus as of February NRM
High	2	46	Parents	170-300-0435 (5) Waiver from department rules	Had not reached consensus as of February NRM
High	3	48	Parents	170-300-0436 (5) Variance from department rules	Had not reached consensus as of February NRM
Medium	4	1	Licensing	170-300-0100	Under staff qualifications – need a generic staff ie: bus drivers, janitors, cooks that do not have direct responsibility for children or are not in child to staff ratios but are on site while children are in care. Requirements should be: background, TB and orientation for all and then specific to their duties for any other training.
Medium	4	2	Family Home	170-300-0100	Other staff- ie. drivers, janitors
Medium	5	9	Licensing	170-300-0148	Want to add that irrigation water can not be used for water play <i>See item 35</i>
Medium	5	35	Licensing	170-300-0350	or somewhere else if more appropriate.....we need to insure that irrigation water is NOT used for any water play.
Medium	6	38	Licensing	170-300-0356 (6) and (7)	– duplicative in part and conflicting.....
Medium	7	39	Licensing	170-300-0356 (7)	– we suggest we change it to 54 months to 9 years for clarity.
Medium	8	47	Licensing	170-300-0435 and 0436	Licensing team has no issue with adding the ability to request of a review to a denied waiver or variance. It is not our issue but we acknowledge it has been brought up.

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### Other Flagged Items Queue

There are 45 other regulations that were flagged by participant groups

Priority	Group	Flagged Section	Concern
Low	Parents	170-300-0100 General Staff Qualifications (selected weights only)	Had not reached consensus as of February NRM
Low	Licensing	170-300-0106 (9) (b)	...Safe sleep training prior to working with infants and toddlers.....not children in general
Low	Parents	170-300-0111 (1), (3) Supervision of Staff	Had not reached consensus as of February NRM
Low	Parents	170-300-0120 (2-5) Providing for personal, professional, and health needs of staff	Had not reached consensus as of February NRM
Low	Licensing	170-300-0145	– we need to include a requirement about arranging equipment and supervision....ie “Outdoor area must be arranged/designed to allow for active supervision of children” .... To eliminate blind spots
Low	Licensing	170-300-0145 (13)	– Need to make it clear that one of the exits from the outdoor area may be through the building
Low	Licensing	170-300-0148 – (1) (c)	we would prefer to remove “is labeled as organic” and instead say “is intended for food crops”
Low	Licensing	170-300-0150	the following needs to be added : The early learning provider must regularly review the Consumer Product Safety Commission website ( <a href="http://www.cpsc.gov">www.cpsc.gov</a> ) or call the toll-free number (1-800-638-2772) to stay informed on items recalled due to hazard.
Low	Licensing	170-300-0166 (2)	Need to add a (d) that state that all emergency exits must be clear of obstruction or blockage that would prevent easy exiting
Low	Licensing	170-300-0180 – (2)©	- we reference the ADA but here it means dentist and probably needs to be spelled out.
Low	Licensing	170-300-0186	we talk about concern with food allergies but do not address other allergens like bee stings....so need to flag this to be sure it is

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Priority	Group	Flagged Section	Concern
			addressed elsewhere
Low	Licensing	170-300-0190 (4) ©	- per DOH rules, a center cannot serve home cooked meals provided by the parent....needs to be clear this is for FH only
Low	Licensing	170-300-0195 (4)	0195 (4) is sitting with children during meals a “must” or should this have a “when possible” added on.
Low	Licensing	170-300-0215 (3) (a) (ii) (i)	just need to add at the end of “provide a medical professional’s note “that includes written instructions and dosage”
Low	Licensing	170-300-0215 (3) (a) (iii)	– needs to clarify that ALWAYS need parent written authorization and only need health care provider authorization if the item does not include age, expiration date etc. we only need the health care professional if things are not on the nonn prescription label. We always need parents permission.
Low	Licensing	170-300-0215 (3) (a) (iv)	0215 (3) (a) (iv) are we willing to allow facilities to provide bulk sunscreen and diaper ointment and if so, need to include language about applying in a manner that prevents contamination of the bulk container.
Low	Licensing	170-300-0220 (1) (a)	urinals are not addressed and we agree they should not be included in the count but....current providers who have urinals counted as part of their toilet to child ratio should not be penalized. Needs some language to protect them going forward.
Low	Licensing	170-300-0220 (1) €	0220 (1) € needs to be an “operable” window or exhaust fan must ventilate each bathroom
Low	Licensing	170-300-0220 (3)	....need to add “and stored inaccessible to children when not in use”
Low	Licensing	170-300-0221	There is nothing requiring what the proper diapering procedure is. We need to add the link to the diapering procedure (is provided for stand up diapering procedures in 0220 (5). Do we want to add the actual steps as we did for hand washing?
Low	Licensing	170-300-0221 (2) (ii)	do we mean to say that a wall mounted diaper changing station doesn’t need the 31/2 inches protective barrier?

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Low	Licensing	170-300-0230 (2)	A first-aid kit must “only” include.....(we don’t want Tylenol etc stored in the first aid kit)
Low	Licensing	170-300-0235	We need to assure that under safe water we clarify that they can check with their local helath on how restrictive they must be if their water is contaminated in some way....sometimes it is okay for handwashing but not for drinking/cooking and we want to assure licensors are not over regulating this
Low	Licensing	170-300-0235 (1)	“Directly plumbed” hot and cold running water....
Low	Licensing	170-300-0240	We have ongoing concern with disinfecting wipes
Low	Licensing	170-300-0245 (1)	want to be sure this is clear that IF the laundry equipment is in the kitchen area, it must be inaccessible while children are in care.
Low	Licensing	170-300-0280 (1)	references home filled bottles being labeled....we don’t say that those made at the facility needs to labeled with name and time.....need to add this language.
Low	Licensing	170-300-0280 (3)(b)	are we saying they wash their hands in a sink they just cleaned and sanitized? Is that the intent here?
Low	Parents	170-300-0305 (4) Curriculum Philosophy and Planning	Had not reached consensus as of February NRM
Low	Licensing	170-300-0335 (5) (d)	is the use of safety plan in the context okay given that we also use the term safety plan in context with enforcement activity? Just checking
Low	Licensing	170-300-0355 and 0356	0355 and 0356—....need to address that a child receiving subsidies may remain in care after turning 13 years UNTIL the end of their authorization period.
Low	Licensing	170-300-0400 (1)	is it the intend that the applicant provide all these documents at the time they apply or are some needed to be received upon application and some within 30-60 days. The way this is currently written, failure to submit any of these documents would have it returned ....this needs to be looked at for what is really necessary to get it started and when other documents are needed.
Low	Licensing	170-300-0402 (1)(b)	this would also include FH in the event that they wanted to begin

Priority	Group	Flagged Section	Concern
			using currently unlicensed rooms.
Low	Parents	170-300-0420 (Whole section) Prohibited substances	Had not reached consensus as of February NRM
Low	Licensing	170-300-0425 (8)	not sure all these need to reported to local authorities....maybe we could add, if applicable to the local authority piece?
Low	Licensing	170-300-0440 (8)	– should this info on probationary licenses include that it would be issued for 6 months with the possibility of a second 6 month extension?
Low	Family Home	170-300-0443	Remove suspension as an option until there is a peer review system in place or a child is in imminent danger and a CPS investigation recommends suspension.  Weights of 7 or higher- Before suspending or revoking a license, the DEL must engage in consensus of a peer review panel made of 4 peer licensees and 3 licensing staff with a majority in favor of suspension or a CPS intake with a direct threat of harm or imminent danger to a child. The peer review panel may make recommendations in lieu of suspension.
Low	Licensing	170-300-0450 (2) (m)	add Program hours “and days” of operation....
Low	Licensing	170-300-0455 (2) €	need to clarify the offsite activities are not those provided by the facility....this would only be when the child was truly leaving care for the other activity/
Low	Parents	170-300-0465 (4) Retaining facility and program records	Had not reached consensus as of February NRM
Low	Licensing	170-300-0505 (d)	should say that handwashing practices “at all handwashing sinks”
Low	Licensing	170-300-0505 (g) (ii)	needs to be in each classroom or learning space.



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Low	Licensing	ALL	Throughout the document, DEL is suggesting using “oversight” instead of “supervision” in relationship to staff supervision eg 0111 Also, throughout the document, we reference them contacting local health jurisdiction or DOH – we need to be clear on which one as it creates difficulties for providers and the agencies when the wrong entity is contacted.
Low	Licensing		There is a new subsidy requirement regarding children turning 13 being eligible through their authorization period which means we will need to adjust our rule – we didn’t dig down to where it should go but I will on Monday if you don’t mind it being that long
Low	Licensing		Concern that we didn’t state that children shouldn’t be walking around eating.