

State of Emergency Suspension of DSS Licensing Family Day Homes Regulation Requirements

The terms 'waive' and 'allow leniency' in this document are used interchangeably. Licensing inspectors will not cite for noncompliance for the requirements described in this document if the child care provider is unable to comply due to the state of emergency. The provider must still comply with all requirements once the emergency has passed.

1. Documentation and training requirements

- **22VAC40-111-70. Written information for parents.**
Allow leniency on the time requirement for information required to be provided to parents before the child's first day of attendance.
- **22VAC40-111-90. Immunizations for Children.**
Allow leniency for immunization documentation requirements and extend the time allowed to provide documentation of immunizations. Allow leniency for updated documentation of immunizations for all children below the age of school attendance.
- **22VAC40-111-100. Physical examinations for children**
Allow leniency on the time requirement for completion of physical examinations.
- **22VAC40-111-120. Caregiver records.**
Waive the requirements for references, TB screenings, and orientation/training requirements for staff hired to accommodate increased capacity. Staff coming from centers that are already licensed can copy and bring their file with them.
- **22VAC40-111-170. Initial Tuberculosis Screening**
Waive the requirements for TB screenings for staff hired to accommodate increased capacity. Staff coming from homes that are already licensed can copy and bring their file with them.
- **22VAC40-111-200. Orientation**
Waive the requirements for references, orientation/training requirements for staff hired to accommodate increased capacity. Staff coming from homes that are already licensed can copy and bring their file with them.
- **22VAC40-111-220. Medication Administration Training.**
For providers whose CPR, MAT or First Aid certifications expire during the state of emergency, extend these certifications for 90 days.
- **22VAC40-111-230. Documentation of Education and Training**
Waive documentation of education and training with the exception of orientation and first aid and CPR certification. For providers whose CPR, MAT or First Aid certifications expire during the state of emergency, extend these certifications for 90 days.

2. Staff Qualification Requirements

- **22VAC40-111-140. Qualifications and Requirements for Providers and Substitute Providers.**
Revise allowable variance process to allow expedited variances for provider and substitute provider qualifications.
- **22VAC40-111-150. Qualifications and Requirements for Assistants.**
Allow leniency on FA/CPR requirements for assistants.

3. Program Operation and Physical Plant Requirements

- **22VAC40-111-30. Operational responsibilities.**
Allow leniency on the terms of the license; license modification must be made.
- **22VAC40-111-40. Capacity.**
Allow for increased capacity (up to 12).
- **22VAC40-111-330. Telephones**
Allow the use of cell phones.
- **22VAC40-111-480. Play Equipment and Materials.**
Allow leniency on requirements for equipment to be appropriate for the size of the child using it and requirements for the supply of materials.

4. Program Activity Requirements

- **22VAC40-111-580. General Requirements for Programs.**
Allow leniency on requirements for outdoor time and activities.
- **22VAC40-111-610. Television, Computers, Videos, and Video Games**
Waive requirements that limit the use of television, computers, videos, and video games.

5. USDA and Menu Requirements

- **22VAC40-111-880. Meals and Snacks Provided by Family Day Home.**
Waive requirements for meals to comply with USDA requirements.
- **22VAC40-111-920. Menus**
Allow leniency on menu requirements.
- **22VAC40-80-260 and 22VAC40-80-270. Problem Solving Conferences**
Allow **only** desk reviews with the assigned licensing representative's immediate supervisor. Extend the time for the supervisor to desk review findings to 30 days of receipt of request and materials. Extend license renewals by 90 days during the state of emergency.

6. Licensing Operations, Conducting Inspections

General Procedures and Information for Licensure

- **22VAC 40-80-100. Duration of licensure**

Consider allowing the terms of the license to be extended, license modification must be made.

- **22VAC 40-80-120. Terms of the license.**
Allow leniency on the terms of the license including expiration dates (allowing additional time for renewals), maximum number of children to be in care and license modification requirements.
- **22VAC 40-80-190. Modification.**
Allow leniency for license modifications.
- **22VAC 40-80-210. Renewal process.**
Allow additional time for submitting renewal applications.
- **22VAC40-80-260 and 22VAC40-80-270. Problem Solving Conferences**
Allow **only** desk reviews with the assigned licensing representative's immediate supervisor. Extend the time for the supervisor to desk review findings to 30 days of receipt of request and materials. Extend license renewals by 90 days during the state of emergency.

7. Licensing Fees

- **22VAC40-160-10. Fees.**
Waive fees for licensed programs during the state of emergency to allow providers interested in providing emergency child care for children of essential personnel a small financial incentive.

8. Background Checks; Fingerprint Requirements

- If an individual has to use a hard-copy fingerprint card process, due to the closure of a Fieldprint fingerprint site during the emergency, allow leniency for individuals (new hires) to work pending fingerprint check results if they are supervised by another person who has a completed fingerprint check.