

State of Emergency Suspension of DSS Licensing Subsidy-Child Day Centers 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

- **22VAC40-665-510. General recordkeeping; reports.**
Allow attendance to be kept electronically.
- **22VAC40-665-530. Staff records.**
Waive documentation requirements for TB screenings and first aid/CPR certification for staff hired to accommodate increased capacity. Staff coming from centers that are already licensed can copy and bring their file with them.
- **22VAC40-665-540. Health requirements for staff.**
Waive the requirements for TB screenings for staff hired to accommodate increased capacity. Staff coming from centers that are already licensed can copy and bring their file with them.
- **22VAC40-665-560. Immunizations for children.**
Allow leniency for updated documentation of immunizations for all children below the age of school attendance.
- **22VAC40-665-580. Staff training and development.**
Allow an extension for staff hired in response to the emergency as a result of increased capacity to complete facility-specific orientation and leniency on annual training requirements. This excludes medication administration training, which is required by Code if the program administers medication. Allow leniency to permit staff with Daily Health Observation training that is older than 3 years. For providers whose CPR, MAT or First Aid certifications expire during the state of emergency, extend these certifications for 90 days.
- **22VAC40-665-650. Supervision, ratio, and group size requirements.**
Allow leniency on requirements for consistency of care.

2. Program Operation and Physical Plant Requirements

- **22VAC40-665-590. Certifications by other agencies; requirements prior to initial approval.**
On case by case basis, waive pre-approval from local health department for water supply, sewage disposal system, and food service and allow additional time to secure approvals for buildings used for emergency care. Existing buildings should be approved for occupancy which should include these safety inspections.
- **22VAC40-665-630. Restroom area and furnishings.**
Waive restroom ratio requirements and child-sized restroom requirements. Allow leniency on the number of required restrooms.

- **22VAC40-665-640. Play areas.**
Allow leniency on resilient surfacing requirements.
- **22VAC40-665-710. Furnishings, equipment, and materials.**
Allow leniency on requirements for furnishings, materials, and equipment to be appropriate for the age and stage of children.
- **22VAC40-665-830. Evening and overnight care.**
Allow leniency on requirements for mattresses. Waive requirements for a tub or shower to be provided.

3. Program Activity Requirements

- **22VAC40-665-670. Daily activities.**
Allow leniency on requirements for schedule, outdoor time, play spaces, and activities.

4. 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.