

**Title 19 – DEPARTMENT OF HEALTH and SENIOR SERVICES**  
**Division 30 – Division of Regulation and Licensure**  
**Chapter 60 – License Exempt Child Care Facilities**

**PROPOSED AMENDMENT**

**19 CSR 30-60.020 Application for Annual Fire Safety and Health and Sanitation Inspections and Inspection Procedures.** The department is deleting sections (5) and (7), amending section (1), and adding a new section (6).

*PURPOSE: This amendment changes the Department of Health to the Department of Health and Senior Services and removes the “or officials of a local fire district” and the child abuse/neglect screening requirement. This amendment also adds background screening language to comply with section 210.1080, RSMo. This amendment adds the Notice of Parental Responsibility required by section 210.254, RSMo which requires child care facility operated by a religious organization to provide notice to parents of certain aspects of the program, including the conducting of background screenings.*

(1) The director of each facility shall apply to the [*Department of Health*] **Department of Health and Senior Services** for an annual fire safety inspection by the state fire marshal[, ] **or** his/her designee [*or officials of a local fire district*], and for a health and sanitation inspection by the department or officials of a local health department. Religious organization academic preschools are not required to apply for annual fire and safety inspections or the health and sanitation inspections.

(2) Facility inspections shall be conducted during normal business hours and may be unannounced. The facility director shall be given a copy of the completed inspection form.

(3) The agency, organization or person that owns the facility and the person delegated as director of the facility shall be identified on the application for a fire safety and a health and sanitation inspection.

(4) When a facility is incorporated, the chairperson of the board of directors, or the person delegated as director of the facility, shall sign the application for a fire safety and a health and sanitation inspection.

*[(5) The facility director shall request a child abuse/neglect screening from the Department of Social Services for each employee who may come into contact with children during child care hours. The request shall be made within ten (10) days of employment. The results of the screenings shall be maintained in the facility's files.]*

*[(6)]* (5) If there is a change of ownership of the facility, the new owner(s) or the facility director shall request a fire safety inspection and a health and sanitation inspection.

*[(7) Inspections of child care facilities operated by religious organizations and nursery schools not operated by religious organizations will be phased in over a one (1)-year period following the effective date of this rule. During the phase-in period, necessary action will be taken by the Department of Health in any situations posing a threat of imminent bodily harm to children.]*

**(6) Notice of Parental Responsibility.**

**(A) Child care facilities operated by a religious organization shall keep on file a notice of parental responsibility, as required by section 210.254 RSMo, at least five (5) days prior to starting operation.**

**(B) A child care facility operated by a religious organization shall use the *Notice of Parental Responsibility* form, revised 2018 and incorporated by reference in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendments or additions.**

**(C) A child care facility operated by a religious organization shall provide the parent or guardian enrolling the child two copies of the *Notice of Parental Responsibility* form for the enrolling parent to acknowledge, by signature, having read and accepted the information. One copy shall be kept by the parent or guardian and the other copy shall be retained in the child's record at the facility.**

**(D) A child care facility operated by a religious organization shall file the *Notice of Parental Responsibility* form with the department annually during the month of August.**

*AUTHORITY: sections 210.221.1(3), [and] 210.252.5, 210.254, and 210.1080, RSMo [Supp. 1999] 2018.\* This rule was previously filed as 19 CSR 40-60.020. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.020 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expired Sept. 6, 2000. Amended: Filed March 1, 2000, effective Aug. 30, 2000. Emergency amendment filed February 15, 2019, effective February 25, 2019, expires August 23, 2019. Amended: Filed February 15, 2019.*

\*Original authority: 210.221, RSMo 1949, amended 1955, 1987, 1993, 1995, 1999; 210.252, RSMo 1993, amended 1999.

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than five hundred dollars (\$500.00) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500.00) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this amended rule with Sue Porting, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at [Sue.Porting@health.mo.gov](mailto:Sue.Porting@health.mo.gov) . To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*