

**Title 19 – DEPARTMENT OF HEALTH and SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 62 – Licensing Rules for Group Child Care Homes and Day Care Centers**

PROPOSED AMENDMENT

19 CSR 30-62.052 License Renewal. The department is amending sections (1), (2), and (3), adding a new section (4), and renumbering thereafter.

PURPOSE: This amendment changes references from rescinded 19 CSR 40 to current 19 CSR 30, requires legal entities to submit documentation required by the Missouri Secretary of State and state law to the department. This amendment also adds background screening requirements to comply with section 210.1080, RSMo.

(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition, the following information is required:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local or state, or both, sanitation requirements;

(C) Evidence of compliance with local building and zoning requirements, if applicable;

(D) *[If incorporated, a copy of the current Annual Registration Report filed with the Missouri secretary of state;]* **Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a group child care home or child care center is owned by a legal entity;**

(E) Medical examination reports on file at the facility as required by *[19 CSR 40-62.122 Medical Examination Reports]* **19 CSR 30-62.122 Medical Examination Reports;**

(F) A health report on file at the facility for each school-age child in care as required by *[19 CSR 40-62.122 Medical Examination Reports]* **19 CSR 30-62.122 Medical Examination Reports;**

(G) Enrollment information on file at the facility for each child in care as required by *[19 CSR 40-62.132 Admission Policies and Procedures]* **19 CSR 30-62.132 Admission Policies and Procedures;**

(H) Identifying information on file at the facility regarding children who are related to the center owner(s) or group day care home provider as required by *[19 CSR 40-62.132 Admission Policies and Procedures]* **19 CSR 30-62.132 Admission Policies and Procedures;**

(I) A current list of available equipment;

(J) Current staff sheet; and

(K) Materials and information which have changed since the previous licensing period.

(2) *[The facility owner(s), board president or chairperson, and the center director or group day care home provider shall be screened for child abuse/neglect prior to renewal of the license.]* **The child care provider shall conduct a Family Care Safety Registry check for all child care staff members no more than sixty (60) days prior to the expiration of the license.**

(3) *[After the child care provider applies for renewal of the license, the provider shall request the results of a criminal record review from the Missouri State Highway Patrol for the child care provider, the owner(s), board president or chairperson, the center director or group day care home provider, all persons employed by the child care provider, and all volunteers counted in staff/child ratios. The child care provider shall request a criminal record review within ten (10) days following a change of the facility owner(s), board president or chairperson, the center director or group day care home provider, employees of the provider, or volunteers counted in staff/child ratios. The department may request a criminal record review from the Missouri State Highway Patrol for any adult present in the facility when child care children are present. The criminal record reviews shall include records of criminal convictions, pending criminal charges, and suspended imposition of sentence during the term of probation. Requests for criminal record reviews shall be made on a form provided by the highway patrol.*

(A) *When the department determines that a nationwide check is warranted, the department may request a criminal record review from the Missouri State Highway Patrol for classification and search of fingerprints for any person seeking employment with the provider or for any person seeking issuance or renewal of a license as provided in sections 43.530 and 43.543, RSMo. Requests for criminal record reviews shall be made on a form provided by the highway patrol that shall be signed by the subject of the request. The provider shall submit the signed form to the department with two (2) sets of fingerprints for each person who is the subject of a criminal record review.*

(B) *Information received by the provider shall be retained in the individual's file in a confidential manner.]* **The facility owner(s), board president or chairperson, and the center director or group day care home provider, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.**

(4) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

[(4)](5) Upon determination of the applicant's continued compliance with state statutes and licensing rules for group day care homes and day care centers, an official license shall be granted for up to two (2) years.

*AUTHORITY: sections 210.221.1(3), 210.252.5, and 210.1080 RSMo [Supp. 1998] 2018 . * This rule previously filed as 13 CSR 40-62.031, 13 CSR 40-62.052 and 19 CSR 40-62.052. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.052, effective Dec. 9, 1993. Changed to 19 CSR 30-62.052 July 30, 1998. Amended: Filed Feb. 18, 1999, effective Sept. 30, 1999. Emergency amendment filed February 15, 2019, effective February 25, 2019, expires August 23, 2019. Amended: Filed February 15, 2019.*

*Original authority: 210.221.1(3), RSMo 1949, amended 1955, 1987, 1993, 1995.

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 . 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.*