



# CHILD CARE PROVIDER MEETINGS

Sue Porting, Administrator  
Nancy Scherer, Assistant Administrator  
Lynn Cole, Assistant Administrator

September-October 2019  
Section for Child Care Regulation

**WELCOME**

# Meeting Overview

- ❖ Background Screening Update
- ❖ HB 397 Update
- ❖ Rule Changes
- ❖ Governor's Child Care Working Group
- ❖ What's Next?



# Background Screening Update



Section 210.1080, RSMo. contains requirements for background screenings for child care staff members.

All child care staff members were required to undergo a criminal background check by January 31, 2019.

# Background Screenings

## Key Points to Remember

- ▶ All caregivers associated with a licensed child care provider/program must use DHSS, SCCR's agency information on the Missouri State Highway Patrol Applicant Fingerprint Services form or the results will not be sent to SCCR.
- ▶ Once a caregiver has been fingerprinted, the caregiver should give their receipt to the provider, keeping a copy themselves. The provider should keep the receipt in the caregiver's file.
- ▶ The provider completes an Employer Criminal Background Check Notification Form and sends it to SCCR.
- ▶ If the caregiver is not already registered with the Family Care Safety Registry, they must register and the provider must request a FCSR screening.

# Background Screenings

- ✓ Checks from other states may be needed.
- ✓ Working through the backlog.
- ✓ Thank you for your patience during this process!

**Questions ??**



# Nathan's Law (House Bill 397)

House Bill 397 passed during the 2019 legislative session. The provisions that affect child care are known as “Nathan’s Law”.

Each provision in “Nathan’s Law” was written to improve the safety of children in child care facilities.

Prior to August 28, 2019, unlicensed providers could care for four children who were not related to them and an unlimited number of related children.

# Nathan's Law

## Key Provisions

- ❖ Limits unlicensed providers to six children, including a maximum of three children under two years of age. All children count in the total, except school-age children who live in the provider's home.
- ❖ Increased the offense of providing illegal child care from an infraction to a Class C misdemeanor for the 1<sup>st</sup> offense and a Class A misdemeanor for subsequent offenses.
- ❖ Increased the penalty for providing illegal child care for a fine up to \$750 for the first offense and up to \$2,000 per day, not to exceed \$10,000 for subsequent offenses.
- ❖ Provides for DHSS to file for civil penalties, between \$750 and \$2,000, for the provision of unlicensed illegal child care.

# Nathan's Law

- ❖ How were licensed providers affected?
  - ❖ All children count in the license capacity.
  - ❖ Variance requests?
  - ❖ Provider's children who are outside the license capacity
  - ❖ Children who visit the provider
- ❖ DHSS was provided with the authority to deny an application for licensure if the child care facility is located within 1,000 feet of a location where a person required to register as a sex offender resides or regularly receives treatment or services, excluding those provided by a hospital.



# Rule Changes Effective August 30, 2019

- ▶ Requires that SCCR be notified when there is a change in board president/chairperson, if a child care home is owned by a legal entity.
- ▶ Online orientation training for initial applicants
- ▶ Outlines change of ownership process
- ▶ Safety plan for initial and renewal applicants
- ▶ FCSR screening within 60 days of expiration of license

- ▶ Prohibits the provider, assistant, volunteers and others in the home from being under the influence of alcohol or illegal drugs while children are in care and **while in a vehicle** used for child care.
  
- ▶ Requires all caregivers to receive a facility orientation within their first 7 days of employment and before they are left alone with children. The orientation must include :
  - A tour of the facility, indoors and outdoors; and
  - A review of:
    - the licensing rules and the facility's license;
    - the facility's written child care practices, including procedures for medication administration, child illness, discipline, and guidance policies;
    - the daily schedule;
    - assigned duties and responsibilities of staff;
    - names and ages of the children for whom the staff member will be responsible, including any special health, nutritional or developmental needs;
    - the location of children's records;
    - the facility's safe sleep policy, if applicable;
    - the facility's disaster emergency plan and the location of emergency information; and the responsibility to report any suspected child abuse or neglect to DSS.

## Child Care Training

- ✓ Training is aligned with 8 core competencies for child care providers.
- ✓ Caregivers must obtain an MOPDID.
- ✓ All training must be recorded in OPEN's MOPD registry.



- ✓ Caregivers may not take the same training within the same calendar year.
- ✓ Reassigning clock hour training.
- ✓ Trainers will not be awarded clock hours for training sessions which they conducted.
- ✓ Caregivers may not be counted in ratio when obtaining clock hour training.

**Questions??**

# Governor's Child Care Working Group



“Missouri parents who place their child into the hands of a child care provider expect their child will get quality, safe care while they work hard to support their family. I am committed to doing everything I can to protect our children. As a father, grandfather, and Governor, this must be a priority for us all.”

Governor Mike Parson, March, 2019

# Child Care Working Group

Working Group Members included leadership from:

- ❖ DHSS
- ❖ DSS
- ❖ DESE
- ❖ Public Safety
- ❖ Attorney General's Office



The Child Care Working Group was responsible for reviewing existing statutes, regulations and initiatives to provide recommendations to the Governor about how to better ensure safe, quality child care to support Missouri's workforce by June 1, 2019.

# Engaging Child Care Stakeholders

May 1, 2019 - Child care stakeholders came from across the state to share their perspectives and expertise during the public comment hearing.

Stakeholders provided feedback on these questions:

1. How can we enhance safety in child care?
2. How can we enhance quality in child care?
3. How can we encourage and strengthen professional development opportunities for the child care workforce?
4. What are two or three actions you believe the state should set as priorities for improving safety and quality?



# Themes of Stakeholder Feedback

- ❖ A need for improved communication on and collaboration between state government and child care stakeholders that allows for a two way flow of communication.
- ❖ A call for an integrated and coordinated statewide professional development system.



# Working Group Recommendations

## Revise Laws to Improve Safety in Child Care

- ❖ Background Screenings
- ❖ Non-Expiring Licenses
- ❖ Clarify Exemption Language



# Working Group Recommendations

## Revise Regulations to Improve Safety and Quality

- ❖ Revise rules related to supervision and ratio during outdoor play.
- ❖ Specify the type and depth of resilient material used to cushion a child's fall from outdoor play equipment.
- ❖ Require reporting of serious injuries and child deaths that occur in the child care setting.
- ❖ Add group size requirements for preschool and school-age groups.
- ❖ Engage child care stakeholders in the rule promulgation process by hosting meetings and webinars.

# What's Next?

SCCR would like to hear your thoughts on:

- ❖ ways to improve communication;
- ❖ ways to improve health and safety in child care settings;
- ❖ recommendation made to the Governor's Working Group related to:
  - ✓ legislation; and
  - ✓ rules



# Contact Information

SCCR Central Office

573-751-2450

To locate your local district office go to

<https://health.mo.gov/safety/childcare/offices.php>

Send questions/comments to [laura.richardson@health.mo.gov](mailto:laura.richardson@health.mo.gov)

Website <https://health.mo.gov/safety/childcare/index.php>

thank  
thank  
you!