



State of Rhode Island and Providence Plantations

Department of Administration
BUREAU OF AUDITS
One Capitol Hill
Providence, RI 02908-5889
TEL #: (401) 574-8170

April 26, 2013

Mr. Kevin Aucoin
Deputy Director
Department of Children, Youth and Families
101 Friendship Street
Providence, RI 02903

Dear Mr. Aucoin:

The Bureau of Audits has completed its audit of the licensing and inspection processes and procedures for child day care facilities. Our audit was conducted in accordance with Rhode Island General Law (RIGL) §35-7-3. The findings and recommendations included herein have been discussed with Mr. Kevin Savage, Licensing Administrator, and we have considered all comments in the preparation of our report.

RIGL §35-7-3(b), entitled "Audits performed by the bureau of audits," states that, "Within twenty (20) days following the date of the issuance of the final audit report, the head of the department, agency or private entity audited shall respond in writing to each recommendation made in the final audit report..." Accordingly, management submitted its response to the audit findings and recommendations on April 10, 2013, and such response is included in this report. Pursuant to RIGL §35-7-3(b), the Bureau may follow up on recommendations included in our reports within one year following the date of the issuance of the report.

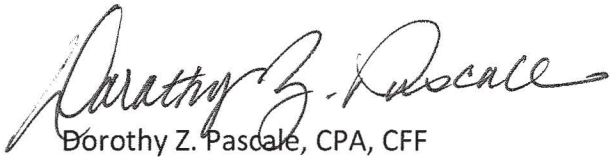
Mr. Kevin Aucoin

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We would like to express our sincere appreciation to the staff at the Department of Children, Youth and Families for the cooperation and courtesy extended to the members of our team during the course of this audit.

Respectfully yours,

A handwritten signature in black ink, reading "Dorothy Z. Pascale". The signature is fluid and cursive, with the first name "Dorothy" being the most prominent part.

Dorothy Z. Pascale, CPA, CFF

Chief

c—Richard A. Licht, Director, Department of Administration
Kenneth Kirsch, Deputy Director, Department of Administration
Kevin Savage, Licensing Administrator, Department of Children, Youth and Families
Honorable Daniel DaPonte, Chairperson, Senate Committee on Finance
Honorable Helio Mello, Chairperson, House Finance Committee
Dennis Hoyle, CPA, Auditor General
Tom Evans, State Librarian (5)



Audit Executive Summary

Why the Bureau Did This Audit

The Bureau of Audits conducted an audit of the licensing and inspection processes and procedures for child care facilities as part of its risk-based audit plan in accordance with Rhode Island General Laws §35-7-3. The purpose of this engagement was to determine if the licensure and inspection of child care facilities performed by the Department of Children, Youth and Family Licensing and Inspection Program are in accordance with applicable statutes, regulations, and policies.

Background Information

The Licensing and Inspections Program monitors and licenses 1,052 child day care facilities as of December 31, 2012. The Program ensures that child day care facilities complies with state requirements, responds to concerns about a particular facility, and accepts application requests for child care providers. The issuance of a license is meant to be an assurance to parents and the community that the children are being cared for in a safe, healthy environment.

The unit is responsible to:

- Inspect and review applications.
- License establishments.
- Inspect facilities.
- Investigate complaints about a facility.

What the Bureau Found

Generally, the Licensing and Inspections Program operates in a structured manner. However, our audit discovered areas for improvement as follows:

- Controls over the licensing process could be more effective by:
 - Completing monitoring visits within the licensing period
 - Licensing a facility prior to lapse of license
 - Complying with RIGL §42-72.1-5
- Regulation language is vague or unclear in the following sections:
 - Day care provider licensing
 - Proof of Rubella testing and immunity
 - Positive Tuberculosis (TB) test
 - Proof of ownership or landlord permission

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Objectives and Scope

The Bureau of Audits (Bureau) conducted an audit of DCYF's Licensing and Certification Unit, Day Care Licensing section, for the period of activity August 1, 2010, to December 4, 2012. The audit scope focused on the licensing and inspection of day care facilities.

The Bureau compiled random samples from 1,052 licensed facilities to determine if the request for an initial license, probationary license issuance, renewal license issuance, and day care facility complaints were properly processed, and subsequent action was performed in accordance with regulations, policies, and procedures. The samples varied in size and selection amongst the testing areas. The summary results of our testing are noted in the chart below.

Facility Type	Total Number of Licensed Facilities	Sample Size	Number of Exceptions Noted*	Exception Rate
Family Child Care Home	624	64	15	23%
Group Family Child Care Home	14	5	2	40%
Child Day Care Center- non probationary	382	72	14	19%
Child Day Care Center- probationary	32	32	6	19%

*Note: Exceptions noted do not include proof of immunity or testing for Rubella.

Detailed discussion of the exceptions summarized above can be found in the Findings and Recommendations section of this report and Appendix A.

Methodology

As part of our audit work, we examined the licensing and inspection processes of the Day Care Licensing Program. We limited our review to DCYF's records and system reports.

To address our audit objective, we performed the following:

- interviewed DCYF Child Care Licensing management and supervisor;
- reviewed applicable state and federal laws, regulations, and department policies and procedures governing the licensing and inspection of day care facilities;
- reviewed DCYF's records of licensed and inactive day care facilities; and
- reviewed licensing, inspection, and complaint data from DCYF systems.

The Bureau discussed its findings and recommendations with the DCYF Licensing Administrator, as well as the Deputy Director. We considered comments from each of the aforementioned parties in the preparation of this report. RIGL §35-7-3(b), entitled "Audits performed by the bureau of audits," states in part that, "Within twenty (20) days following the date of the issuance of the final audit report, the head of the department, agency or private entity audited shall respond in writing to each recommendation made in the final audit report..." Accordingly, management submitted its response to the audit findings and recommendations on April 10, 2013, and such response is included in this report.

Introduction

In 1986 the Legislature enacted Rhode Island General Law (RIGL) §42-72.1, "Licensing and Monitoring of Child Care Providers and Child-Placing Agencies," to license and monitor child care providers and child-placing agencies, to protect the health, safety and well-being of children temporarily separated from or being cared for away from their natural families.

The Department of Children Youth and Families (DCYF) Day Care Licensing Unit monitors and licenses Rhode Island's child day care facilities¹. The Licensing unit ensures that child day care facilities comply with state requirements, responds to concerns about a particular facility, and accepts application requests for child care providers. Licensing is a method of regulation designed to implement the state's obligation to the families whose children attend day care facilities. The license is meant to be an assurance to parents, and the community, that the children are being cared for in a safe, healthy environment. The license is also intended to assure the day care facilities provide consistently available and age appropriate: activities, food, materials and equipment, and staff. These resources should be used for encouraging and supporting the children's physical, social, emotional, and intellectual growth.

The DCYF Child Care Licensing Division is responsible for:

- Inspecting and reviewing applications
- Licensing child care establishments
- Inspecting child care facilities
- Investigating complaints

¹ For the purpose of this report day care facilities are defined as: Family Child Care Homes, Group Family Child Care Homes, and Child Care Centers for school age and non-school age children.

The chart below categorizes and summarizes licensed day care facility information as of December 31, 2012.

Facility Type	Number of Children Allowed	Total Number of Facilities
Family Child Care Home	4-8	624
Group Family Child Care Home	9-12	14
Child Day Care Center	Limited to Sq. Ft.	414
Total Licensed Facilities		1,052

Findings and Recommendations

Ineffective Controls over the Licensing Process

Initial Facility Licensing

Failure to issue license upon completion of inspection process

As of December 31, 2012, a review of the Rhode Island Children's Information System (RICHIST) data revealed that there were 17 child care facilities coded as inactive. The Bureau analyzed this inactive data and discovered one of the 17 facilities was operating with an expired provisional license. The Bureau further investigated this exception and noted that licensing staff had completed all licensing actions as stipulated in their regulations; the center had passed inspection and should have been issued a full license prior to the expiration of their provisional license. The licensing staff failed to issue a license to the facility.

Failure to issue a license could impact the facility's ability to receive state support services. Policy 700-0020, Support Services, prohibits support service payments to a day care that has not been appropriately licensed or certified.

Note: The Bureau brought this issue to the attention of the Licensing Chief Casework Supervisor; and prior to the release of this report, the facility was issued a regular license on January 9, 2013.

Finding:

Licensing staff failed to issue a license to a day care facility upon completion of the inspection.

Recommendation:

The controls over the license issuance process should be strengthened. DCYF should explore implementing systematic controls to automatically issue the license when the facility has satisfied the requirements of licensure. Additionally, systematically generated reports would enhance the quality control over the licensing process as noted in the preceding recommendation.

Management's Response:

DCYF acknowledges that one center lacked an appropriate electronic approval of a license for which all safety and regulatory evaluations were completed. The electronic approval was issued when the auditors brought the case to the attention of DCYF. It should be noted that this did not compromise the safety of children. DCYF will work with the MIS department to improve systems protocols in order to generate improved systemic controls over the approvals process.

Licensing Renewal Process

License issued without complete application documentation

DCYF's *Child Day Care Center Regulation for Licensure*, *Family Child Care Home Regulation for Licensure*, and *Group Family Child Care Home Regulation for Licensure* requires that a completed application packet and supporting documentation be submitted to DCYF prior to license approval. Licensing staff are required to record and document this information in the Rhode Island Children's Information System (RICHIST) in accordance with the following policy:

Policy 700.0100: Rhode Island Children's Information System (RICHIST) requires ...
All client, case, provider, and staff information must be completed in RICHIST in its entirety, (5) f. provider and licensing information.

DCYF certifies a provider is in compliance with all regulations, including complete application documentation, when it issues a license. Licenses are systematically generated from the RICHIST system, which does not prevent a license from being issued to a provider that does not have a completely documented application².

The Bureau selected 5 percent of licensed Family Child Care Homes, 35 percent of licensed Group Family Care Homes, and 5 percent of licensed Child Day Care Centers to test compliance with the corresponding regulations for licensure. Our testing revealed that documentation required for licensure was not included in the paper file or in the RICHIST system at time of review. A summary of issued licenses (including renewals) that had insufficient documentation as required by the above-noted policy follows:

² Refer to Appendix A for a summary of the missing documentation and related regulations.

Sample of Licenses Issued without Proper Documentation

Facility Type	Sample Size	Total Number of Providers Licensed without Complete Documentation	Total Number of Documents Missing Refer to Appendix A
Family Child Care Home	32	6	7
Group Family Child Care Home	5	2	2
Child Day Care Center	21	1	1
Total	58	9	10

We find the managerial controls over the documentation for the licensing process could be further strengthened. The unit lacks a systematic method to provide verification that the license being issued has all required documentation. The result is facilities are operating without meeting all requirements for licensure which may result in reducing the safety and security of the children in their care.

Finding:

There are nine known day care facilities as of December 31, 2012, operating with licenses that were issued lacking complete and proper documentation.

Recommendations:

1. DCYF should complete the files for the nine day care facilities which have been issued licenses.
2. DCYF should explore implementing controls in the RICHIST system to prevent a license from being generated for a facility that has not satisfied the requirements of a license.
3. RICHIST system should be improved to systematically generate missing documentation reports which would enhance the quality control over the licensing process.

Management's Response:

1. All 5 facilities that were cited for not having documentation for radon testing did complete the required testing in accordance with the child care regulations. Copies of the tests were obtained and filed in the records by January 2013. DCYF accepts the remaining findings and all identified areas have been corrected.
2. DCYF will work with MIS to implement systematic changes that will not allow a license to be approved until the electronic checklist has been completed with date sensitive information incorporated into the programming.
3. DCYF will work with MIS and Data and Evaluation to enhance quality control support for the Licensing Unit.

Monitoring visits not completed within licensing period

RIGL §42-72.1-3, Powers and scope of activities (1), states:

The department shall issue, deny and revoke licenses for, and monitor the operation of, facilities and programs by child-placing agencies and child care providers.

The *Child Day Care Center Regulation for Licensure* stipulates periodic unannounced monitoring visits to child day care centers to determine compliance with the regulations. The Bureau's testing resulted in 8 out of 72, or 11 percent, of child care centers reviewed did not have a monitoring visit completed during the most recent licensing period. Without verification of critical items that are required to be checked during a monitoring visit, there may be an increased risk to the safety, health, and well-being to children while outside their home.

Finding:

Monitoring visits were not completed for all child day care centers during the licensing renewal period.

Recommendations:

1. DCYF should explore the use of systematically generated reports for scheduling monitoring visits and renewal license inspections.
2. DCYF should develop written policies and procedures that outline the requirements and timing for monitoring visits, and educate the staff accordingly.

Management's Response:

1. DCYF acknowledges that 8 re-licensing visits occurred outside of the normal yearly visitation period. Systematic enhancement to the reporting structure would benefit staff and management in scheduling and tracking regulatory visitation in the renewal inspection process.
2. The current regulations for child care centers identify "periodic" inspections. DCYF is in the process of updating our nationally recognized regulations in accordance with established best practice standards as determined by "Caring for Our Children" through consultation with the American Academy of Pediatrics, the American Public Health Association and the National Resource Center for Health and Safety in Child Care and Early Education.

Inconsistent documentation of facility employee file reviews

Child day care centers are required to maintain staff and children's files onsite. It is DCYF's policy to review child day care center employee files as part of the annual monitoring visit. DCYF regulations require specific documents to be in each staff's file including:

- training attended,
- medical forms and medical tests completed,
- state background check,

- national fingerprint check, and
- DCYF CANTS check³.

The Bureau tested 21 day care centers for monitoring visit documentation to determine compliance with the above-noted policy. Our sample testing revealed that 38 percent of the day care centers in the sample did not document staff file reviews during the monitoring visit. Two additional files noted that the licensing worker randomly tested staff files but did not review all staff files. Upon further discussion with the Licensing Chief Casework Supervisor, we learned that it is DCYF's informal practice to randomly test staff files during inspections.

A random test method to review staff files increases the risk that a facility employee who has not met the proper training, medical forms/tests completed, state background check, national fingerprint check, and DCYF CANTS check will go undiscovered.

Finding:

The licensing staff do not consistently document or perform complete staff file reviews during monitoring visits to day care centers.

Recommendation:

The Bureau recommends DCYF standardize the child day care center inspection and monitoring process. Additionally, licensing staff should be required to document that the child day care center staff files have been reviewed and are complete in a standardized format.

Management's Response:

The current regulations identify the information that is to be contained within employee files. DCYF conducts random reviews of staff files in all child care centers in order to ensure record compliance. DCYF is in the process of updating our nationally recognized regulations in accordance with established best practice standards as determined by "Caring for Our Children" through consultation with the American Academy of Pediatrics, the American Public Health Association and the National Resource Center for Health and Safety in Child Care and Early Education.

Lapse of License for Family Child Care Homes

RIGL § 42-72.1-4, License required, states:

... (a) No person shall provide continuing full-time care for a child apart from the child's parents, or receive or place children in child care services, including day care arrangements, without a license issued pursuant to this chapter.

The current renewal inspection process, which is integral to the issuance of a renewal license, is prompted by the receipt of the renewal application from the provider. If a provider does not send in an application, the renewal inspection process may not commence, resulting in the license expiring. Once

³ A DCYF CANTS check verifies that the employee has not been disqualified by DCYF to work with children.

the license expires in the RICHST system, the provider is no longer assigned to a licensing worker. This methodology has resulted with facilities being uninspected and operating without a license.

The Bureau sampled 64 of the 624 licensed family child care homes to determine compliance with the above statute. The testing results were that 8 out of 64, or 12.5 percent of the sample, operated without a license from the time of expiration of their license until the provider completed the renewal application process.

Finding:

License renewals rely solely upon provider action to prompt the renewal process, resulting in providers operating without a valid license.

Recommendations:

1. All providers should be assigned to licensing workers until a monitoring visit or communication with the provider verifies that the provider is in fact closed and no longer operating. All communications should be documented in RICHIST.
2. DCYF should explore the use of a systematically generated report for scheduling renewal license inspections.
3. DCYF should develop policies and procedures that outline the requirements and timing for renewal inspections and verification of facility closure.

Management's Response:

1. DCYF reaches out to all providers in the renewal process. DCYF sends a renewal packet to providers six months in advance of the date that the license is to expire. Additionally, the Licensing clerical staff members conduct outreach calls to providers who do not respond to the renewal process. When the outreach efforts have been exhausted, the case is electronically closed to RICHIST in a pre-programmed automated process. DCYF agrees that all outreach efforts should be documented in RICHIST and will work with staff to ensure that the documentation process reflects the outreach efforts.
2. Systematic enhancement to the reporting structure would benefit staff and management in scheduling and tracking regulatory visitation in the renewal inspection process.
3. The current regulations for family child care homes require an inspection prior to the issuance of a of a renewal license. The audit itemization summary did not identify that a license was issued without a home inspection. By regulation and practice, DCYF provides renewal application packets to providers six months in advance of the expiration date of the current license. The timeline for providers to submit the renewal packet is also specified in the regulations. DCYF will work with MIS to develop systematic prompts that electronically track licensing timelines in order to more effectively track renewal timelines.

While DCYF has an electronic tracking mechanism to close cases for which providers do not renew family child care home licenses, DCYF will establish procedures for verifying facility closure.

Probationary License Issuance

Noncompliance with RIGL §42-72.1-5 General Licensing Provisions

Rhode Island General Law allows DCYF to issue a probationary license to a provider for a period not to exceed 18 months.

RIGL §42-72.1-5, General licensing provisions. - The following general licensing provisions shall apply: ... (4) The department may grant a probationary license to a licensee who is temporarily unable to comply with a rule or rules when the noncompliance does not present an immediate threat to the health and well-being of the children, and when the licensee has obtained a plan approved by the administrator to correct the areas of noncompliance within the probationary period. A probationary license shall be issued for up to twelve (12) months; it may be extended for an additional six (6) months at the discretion of the administrator. A probationary license that states the conditions of probation may be issued by the administrator at any time for due cause. Any prior existing license is invalidated when a probationary license is issued. When the probationary license expires the administrator may reinstate the original license to the end of its term, issue a new license or revoke the license [emphasis added].

The Bureau reviewed all facilities (32) operating with a probationary license as of December 4, 2012. Six of the 32 facilities reviewed (or 19 percent) had probationary licenses in excess of the 18 months allowed by statute. The most common reasons for the issuance of the probationary license are:

- lack of a head teacher,
- head teacher is without proper credentials, or
- site coordinator is without proper credentials.

DCYF requires a provider to supply a corrective action plan to inform the licensing staff to resolution of the deficiency. We also noted that DCYF is in regular contact with the facilities to monitor the progress toward meeting all licensing requirements as is documented in RICHIST. The licensing staff performs regular unannounced monitoring visits of the probationary licensed child day care facilities that have been operating under this status for more than the allowed 18 months and those approaching the 18-month mark. However, as noted above, there are six facilities that have not yet met the licensing requirements to operate as a fully licensed day care facility, and have exceeded the legally allowed time period.

Finding:

There are six centers operating with a probationary license, in excess of the time allowed by law, due to a continued failure to meet licensing requirements.

Recommendation:

DCYF should enforce RIGL §42-72.1-5, General licensing provisions, by either reinstating the original license to the end of its term, issuing a new license, or revoking the license due to the facility failure to meet all licensing requirements.

Management's Response:

DCYF works closely with providers throughout a probationary period and each case requires case specific management that focuses on particular compliance areas. DCYF is in the process of reviewing each probationary license and will work to bring each provider under compliance with RIGL 42-72.1-5 within 60 days of the finalization of this report.

Complaint Recording Process and Subsequent Action

Rhode Island General Law (RIGL) §42-72.1-3, Powers and scope of activities, provides DCYF the authority to investigate complaints regarding licensed child care facilities:

... (d) The administrator shall investigate complaints of noncompliance, and shall take licensing action as required.

To further clarify the statute, DCYF has instituted Policy 100.0055, Complaints and Hearings. This policy defines a complaint as:

Any oral or written request for remedy made to a DCYF staff person in the field or office or to supervisory or administrative staff, concerning the administration of agency policies and programs, in which the legal rights, duties or privileges of a specific person are required by law to be determined by the department. Such complaints may include...licensing issues.

Additionally, the procedure for policy 100.0055 states:

Complaints received either in the field or the office is referred to the appropriate supervisor for follow up and resolution. The supervisor shall confer with the complainant and the staff person within ten (10) working days of the receipt of the complaint. In the event that the supervisor's decision is adverse to the complainant the supervisor shall advise the complainant that he/she has the right to request a hearing before the chief executive of the applicable division.

DCYF Licensing staff receives complaints⁴ in a variety of ways, but most commonly through their RI CHILD Hotline, through direct phone calls to DCYF staff, and through email. DCYF licensing workers record complaints received and subsequent actions taken in the RICHIST system as follows:

- Quality Assurance Category, and
- Provider Notes Category, as—
 - complaint,
 - Regulatory Incident Response,
 - other PAN (provider action notes) created, or
 - Telephone call (TC) with Provider.

The Bureau reviewed a sample of 72 child day care centers to determine if DCYF followed up on complaints received regarding licensed child day care centers. The Bureau noted during its review of the 72 centers that DCYF had received complaints for 34 of the centers during the last two child day care center licensing periods, August 1, 2010, through December 4, 2012. There were 80 complaints on file during this period of which 4 complaints had no subsequent action or follow up noted.

Current practice is for staff to notify each other via email of recorded complaints entered into the provider note section and required action. There are presently no standardized methods to systematically record the complaint or the subsequent action. Also, there are no automated system notifications to licensing workers, or the Chief Casework Supervisor, that a complaint has been recorded, or notification that subsequent action is needed for complaints entered into provider notes.

A lack of automation and a standard complaint recording process makes it difficult for licensing workers, and supervisors, to know whether complaints were recorded or if subsequent action is needed or taken.

Finding:

The complaint process lacks standardization resulting in four complaints having no subsequent action taken.

Recommendation:

DCYF should implement a policy to standardize the systematic recording of complaints and subsequent actions.

Management's Response:

DCYF will implement a system within 30 days that centralizes, within the Licensing Unit, all non-CPS complaints that are brought to the attention of Licensing staff. The Licensing Administrator will ensure that all complaints are addressed and that the documentation is maintained in RICHIST.

DCYF will explore, with the MIS team and Data and Evaluation, a method to standardize a systematic recording of complaints and subsequent licensing action in a manner similar to the CPS Hotline system.

⁴ Complaints referenced in this report do not include allegations of child abuse or neglect. Complaints regarding abuse or neglect are assigned to the Child Protective Services unit which is outside the scope of this audit.

Improvements to Day Care Provider Licensing Regulations

Require Proof of Rubella Testing and Immunity for all Licensees

In October 2012 the Center for Disease Control (CDC) and the Advisory Committee of Immunization Practices' (ACIP) revised their recommendations for the prevention of measles, rubella, congenital rubella syndrome (CRS), and mumps to advocate women born after 1957 need to provide a rubella test or proof of vaccination or immunity or proof they are beyond child bearing age.

There was no proof of rubella testing or immunity on file for any of the providers, assistants, or emergency assistants selected within the Bureau's sample of Group Family Child Care Homes and Family Child Care Homes. Further, the regulations do not currently require proof of rubella testing and/or immunity for assistants and emergency assistants.

The Group Family Child Care Home and the Family Child Care Home Regulations for Licensure require:

Female *providers* [emphasis added] of childbearing age shall have a rubella (a.k.a. german measles) susceptibility blood test or show proof of immunity by previous testing or produce a record of having received rubella vaccine.

Review of the Family Child Care Home regulations and conversation with the DCYF Licensing Chief Casework Supervisor determined:

- The regulations do not define "child bearing age."
- DCYF's informal practice is to define child bearing age as "under 35 years of age", which is outdated.
- The regulations do not require a rubella test or proof of immunity for female assistants or emergency assistants.
- Licensing staff are not aware that the regulations require a rubella test for providers and their staff.

The risks associated with rubella fall primarily on female providers, assistants, and emergency assistants, should they contract rubella while being pregnant.

Finding:

The regulations are outdated and should be modified to coincide with the CDC and AICP regarding rubella testing. Additionally, staff is not aware of the regulation requirements regarding rubella testing.

Recommendations:

1. DCYF update the rubella-related regulation required documentation for child care providers.

2. DCYF should expand the requirement for the documentation of rubella susceptibility blood test or proof of immunity by previous testing, or produce a record of having received rubella vaccine to include female assistants and emergency assistants of childbearing age for all licensees.
3. The regulation should be amended to update the definition of childbearing age.

Management's Response:

1. – 3. DCYF is in the process of updating our nationally recognized regulations in accordance with established best practice standards as determined by “Caring for Our Children” through consultation with the American Academy of Pediatrics, the American Public Health Association and the National Resource Center for Health and Safety in Child Care and Early Education.

Regulations do not Specify Action Needed for a Positive Tuberculosis (TB) Test

Neither the Group Family Child Care Home nor the Family Child Care Home Regulations for Licensure define the follow-up testing or documentation needed if the required tuberculin skin test results are positive.

During our review, it was determined DCYF has an informal policy for clearing an individual to work in a day care who has tested positive for TB, which requires a physician's certification that the tuberculosis is not communicable, evidenced by documentation of chemotherapy for TB or on a chest x-ray taken not more than six months prior to the certification. Staff with TB who have not been cleared to work with children increases the risk of the disease potentially being spread throughout the facility.

Finding:

The existing regulations are silent as to subsequent action necessary if a Group Family Home Care or Family Child Care Home provider tests positive for TB.

Recommendation:

DCYF should modify and update the regulations for the requirements for TB testing for providers, assistants, and emergency assistants specifically to define the necessary follow up for a positive tuberculosis test.

Management's Response:

DCYF is in the process of updating our nationally recognized regulations in accordance with established best practice standards as determined by “Caring for Our Children” through consultation with the American Academy of Pediatrics, the American Public Health Association and the National Resource Center for Health and Safety in Child Care and Early Education.

Regulations do not Require Proof of Ownership or Landlord Permission

The Family and Group Family Child Care Home Licensure Regulations do not include a requirement for the provider to submit proof of ownership or documentation of landlord permission if renting. Should DCYF not verify proof of ownership, the agency may license a provider that does not have permission to operate a home day care on the property.

Finding:

The regulations for Family and Group Family Child Care Home do not require proof of ownership or landlord permission as a required document for licensure.

Recommendation:

Family and Group Family Child Care Home regulations should be amended to include as a requirement for licensure: a Notarized Landlord Permission form if renting or proof of ownership if the provider owns the home.

Management's Response:

This recommendation is already enforced as a DCYF Licensing practice and will be included in the revised regulations.

Appendix A

Family Child Care Homes		
Number	Documentation Description	Criteria
5	Radon Test Results	Family Child Care Regulations Section Three III B. Radon Safety and Section Two VIII B 7
1	Inadequate Proof of Insurance	Family Child Care Regulations Section Two VIII B 4
1	Emergency Assistant – Legal Address FL	Family Child Care Regulations Section Three I G

Child Care Centers:		
Number	Documentation Description	Criteria
1	Current Fire Inspection	Child Day Care Center Regulations Section E 2

Group Family Care Home ⁵		
Number	Documentation Description	Criteria
2	Proof of Education requirements for Assistants under 21	Group Family Child Care Home Regulations Section Three II B. 1. b.

⁵ The Bureau was unable to verify the initial application support for the emergency assistants for one provider due to the folder being offsite during the audit field work.