

The following regulation changes are now in effect:

1. Provisional license issuance is now time-limited (3);
2. Requiring immediate access to the family and large family home during the hours of operation (5 A);
3. Requiring a State business license or verification of tax-exempt status for licensure and renewals (7);
4. Allowing for Office of Child Care Licensing (OCCL) to investigate complaints typically investigated by other entities if the complaint involves a violation of OCCL's regulations (11 E);
5. Requiring the licensee, non-emergency substitute, and large family staff to complete OCCL's approved health and safety training (7 A, 15 D, 69);
6. No longer requiring property insurance for large family child care homes (8 A);
7. Information was added about OCCL procedures regarding suspension (12 B);
8. Requiring a licensee to follow all federal, state, and local laws and regulations (13 X);
9. Requiring OCCL to be notified of accidental ingestion of a medication or a drug while at the FCCH/LFCCH that results in medical attention (16 B);
10. Requiring a licensee to design effective positive behavioral supports or to make reasonable accommodations to comply with provisions in an Individualized Family Service Plan (IFSP) or Individualized Education Plan (IEP) (18 C);
11. Clarifying the prohibition of accordion and pressure gates in any area of the home (29 D);
12. Prohibiting the use of air fresheners due to health concerns (29 P);
13. Raising the acceptable food temp to 41° F or colder (31 C);
14. Clarifying the prohibition of portable sinks outdoors (32 K);
15. Adding additional requirements and explanations of safety hazards to children:
A licensee shall ensure toys and equipment used by the children are sturdy, safely assembled, hazard-free, and not recalled. Toys and equipment may not cause children to become trapped or have rough edges, sharp corners, pinch and crush points, splinters, or exposed bolts. Equipment in poor condition must be repaired, removed, or made inaccessible to children. A licensee shall take the following measures to prevent hazards to children in care:
 - To prevent cuts, abrasions, and punctures, equipment, materials, and other objects on the premises that have sharp edges, protruding nails, bolts, or other dangers must be repaired, removed, or made inaccessible to children. Sharp edges on natural wooden equipment must be sanded;
 - To prevent burns, equipment, materials, or products that may be hot enough to injure a child must be made inaccessible to children;
 - To prevent sheering, crushing, or pinching, broken or cracked equipment, materials, and objects must be repaired, removed, or made inaccessible to children;
 - To prevent entrapment, freezers, refrigerators, washers, dryers, compost bins, and other entrapment dangers must be inaccessible to children unless being actively supervised;
 - To prevent tripping, uneven indoor or outdoor walkways, damaged flooring or carpeting, or other tripping hazards must be removed or repaired;

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- To prevent injuries and death, large objects that pose a risk of falling or tipping must be securely anchored. Large objects include, but are not limited to, televisions, dressers, bookshelves, wall cabinets, sideboards or hutches, and wall units; and
 - To prevent injuries, equipment in poor condition (rusty parts, flaking paint, or other dangers) must be repaired, removed, or made inaccessible to children (36 H).
16. Aligning the regulations and study guide on what is considered a medication error. Medication errors include giving the wrong medication, giving the wrong dose, failing to give the medication at the correct time or at all, giving medication to the wrong child, giving the medication by the wrong route, or giving medication without documenting the administration (42 E);
 17. Changing the breast milk regulations to comply with the Center for Disease Control’s guidelines to state, “Thawed, previously frozen breast milk may be kept at room temperature for one to two hours. Breast milk must be used within two hours after a feeding has finished. Expressed breast milk must be returned to the parent if it is in an unsanitary bottle, partially used, or if it has been unrefrigerated for more than four hours or within two hours after a feeding has finished. Refrigerated, unused, freshly expressed breast milk that was never frozen must be returned to the parent after four days.” (51 Q);
 18. Renaming behavior management to behavior supports.
 19. Adding the approved training topic of disability non-discrimination, accommodations, or modifications (56 B); and
 20. Changes to comply with the Drafting Manual;

These 4 changes take effect December 1, 2022 or later:

21. Beginning January 1, 2023, increasing the fine for unlicensed care to \$1000 or imprisoned not more than 6 months (4 A);
22. Requiring annual training to be completed at least 30 days before license expiration (56 B);
23. Requiring comprehensive background checks to be conducted every five years for household members, staff, and adult volunteers (13 E); and
24. Requiring an eligibility or provisional eligibility determination to be received by the licensee before a person becomes a household member, staff member, or adult volunteer at the home (13 E).

Proposed Changes posted in the June Register of Regulations (now accepting public comment):

25. Adding a definition of blood lead screening (3);
26. To comply with the Child Care and Development Block Grant by requiring adult volunteers who are present for at least five days or 40 hours per year to complete OCCL’s approved Health and Safety Training for Child Care Professionals (certificate required) (13 I);
27. Requiring a release of children procedure that includes monitoring the entrance of the home or phone, email, or other communication methods used by the home to ensure the child is released from care when requested by the parent, guardian, or authorized release person (20 B);

28. Removing the requirement regarding completing the Department's approved developmental and social emotional screening tool until the legislation is clarified;
29. To comply with Delaware's Lead Poisoning Act to require blood lead screening for children at or around age 24 months in addition to the screening at or around 12 months, and to require proof of a single blood lead screening after age 24 months for all children including school-age, if blood lead screenings were not conducted at or around ages 12 months and 24 months (23 A).
30. Adding a religious exemption from blood lead screenings (23 D);
31. To not allow semi-solid food to be introduced to an infant until the infant is at least 6 months old and developmentally ready, unless the infant's health care provider states otherwise (51 G); and
32. Updating the requirements for infant feedings to comply with recommendations of Caring for Our Children and the Centers for Disease Control and Prevention to include ready-to-feed formulas and concentrate, to require all bottles be labeled with the child's name, date, and time of preparation or opening, and to require that formula prepared using powder be discarded if not used within 24 hours of preparation (51 L).