

Dear Child Care Provider,

This letter is in regards to the compliance visit at your _____ conducted on _____. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 120, describes specific requirements that must be met by a child care home that has a child care assistance provider agreement. The following areas were out of compliance at the time of the visit:

- 441 IAC 120.5(237A) Parental access. Parents shall be afforded unlimited access to their children and to the people caring for their children during the normal hours of operation or whenever their children are in the care of the child development home, unless parental contact is prohibited by court order.

FINDINGS: *Identify FINDINGS in each area of non-compliance.*

- 441 IAC 120.6(237A) Limit. Except as provided in subrule 120.6(2), no more than five children shall receive care at any one time.

441 IAC 120.7(237A) Provider requirements.

- 441 IAC 120.7(1) The provider shall meet the following requirements:
 - a. Gives careful supervision at all times.
 - b. Exchange information with the parent of each child frequently to enhance the quality of care.
 - c. Give consistent, dependable care and be capable of handling emergencies.
 - d. Be present at all times except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute. When an absence is planned, the provider shall give parents at least 24 hours' prior notice.
 - e. Shall be free of the use of illegal drugs and shall not be under the influence of alcohol or any of the prescription or non-prescription drugs that could impair their ability to give careful supervision.
- 441 IAC 120.7(2) Substitutes. The provider shall assume responsibility for providing adequate and appropriate supervision at all times when children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider.
 - a. All standards regarding supervision and care of children apply to substitutes.
 - b. Except in emergency situations, the provider must inform parents in advance of the planned use of a substitute.

- c. The substitute must be 18 years of age or older.
- d. Use of a substitute is limited to: No more than 25 hours per month. Any additional period of up to two weeks in a 12-month period. (These limitations do not apply per Iowa Code section 237A.3A(3)(e) when the provider is engaged in jury duty or official duties related to provider's membership on state board, committee or policy-related body.)
- e. The provider maintains a written record of the number of hours substitute care is provided, including the date and the name of the substitute.

441 IAC 120.8(237A) Standards. Conditions in the home are safe, sanitary, and free of hazards.

441 IAC 120.8(1) Facility requirements.

- 441 IAC 120.8(1)"a" The home shall have a non-pay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child's parent, for a responsible person who can be reached when the parent cannot, and for the child's physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information
- 441 IAC 120.8(1)"b" Electrical wiring shall be maintained, and all accessible electrical outlets shall be tamper-resistant outlets or shall be safely capped. Electrical cords shall be properly used. Improper use includes running cords under rugs, over hooks, through door openings, or other use that has been known to be hazardous.
- 441 IAC 120.8(1)"c" Combustible materials shall be kept a minimum of three feet away from furnaces, stoves, water heaters, and gas dryers.
- 441 IAC 120.8(1)"d" Approved safety gates at stairways and doors shall be provided and used as needed.
- 441 IAC 120.8(1)"e" Annual laboratory analysis of a private water supply shall be conducted to show satisfactory bacteriological quality. When children under the age of two are to be cared for, the analysis shall include a nitrate analysis. When private water supplies are determined unsuitable for drinking, commercially bottled water or water treated through a process approved by the health department or designee shall be provided.
- 441 IAC 120.8(1)"f" A safety barrier shall surround any heating stove or heating element, in order to prevent burns.
- 441 IAC 120.8(1)"g" The home shall have at least one 2A 10BC rated fire extinguisher located in a visible and readily accessible place on each child-occupied floor.
- 441 IAC 120.8(1)"h" The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector shall be installed according to manufacturer's recommendations. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes.
- 441 IAC 120.8(1)"i" Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during

the home's hours of operation. Nonsmoking signs shall be posted at every entrance of the child care home and in every vehicle used to transport children.

All signs shall include:

- (1) The telephone number for reporting complaints, and
- (2) The Internet address of the Department of Public Health (www.iowasmokefreeair.gov).

- 441 IAC 120.8(1)"j" Homes with private sewer systems or waste water are tested for efficient functioning and improper leakage. Compliance shall be verified by the local board of health at the time of renewal or new registration.
- 441 IAC 120.8(1)"k" A provider operating in a facility built before 1960 shall assess and control lead hazards before being issued an initial child development home registration or a renewal of the registration. To comply with this requirement, the provider shall:
 - (1) Conduct a visual assessment of the facility for lead hazards that exist in the form of peeling or chipping paint;
 - (2) Apply interim controls on any chipping or peeling paint found, using lead-safe work methods in accordance with and as defined by Department of Public Health rules at 641—Chapters 69 and 70, unless a certified inspector as defined in 641—Chapter 70 determines that the paint is not lead-based paint; and
 - (3) Submit form 470-4755, Lead Assessment and Control, as verification of the visual assessment and completion of interim controls, if necessary.
- 441 IAC 120.8(1)"l" The child development home shall be located in a single-family residence that is owned, rented, or leased by the person or, for dual registrations, at least one of the persons who is named on the child development home's certificate of registration.
- 441 IAC 120.8(1)"m" Any driver who transports children for any purpose shall have a valid driver's license and adequate motor vehicle insurance that authorizes the driver to operate the type of vehicle being driven. Child restraint devices shall be utilized in compliance with Iowa Code 321.446.
- 441 IAC 120.8(1)"n" Providers shall inform parents of the presence of any pet in the home.
 - (1) Each dog or cat in the household shall undergo an annual health examination by a licensed veterinarian. Acceptable veterinary examinations shall be documented on form 470-5153, Veterinary Health Certificate. This examination shall verify that the animal's routine immunizations, particularly rabies, are current and that the animal shows no evidence of endoparasites (roundworms, hookworms, whipworms) and ectoparasites (fleas, mites, ticks, lice).
 - (2) Each pet bird in the household shall be purchased from a dealer licensed by the Iowa Department of Agriculture and Land Stewardship and shall be examined by a veterinarian to verify that it is free of infectious diseases. Acceptable veterinary examinations shall be documented on form 470-5153, Veterinary Health Certificate. Children shall not handle pet birds.
 - (3) Aquariums shall be well maintained and installed in a manner that prevents children from accessing the water or pulling over a tank.
 - (4) All animal waste shall be immediately removed from the children's areas and properly disposed of. Children shall not perform any feeding or care of pets or cleanup of pet waste.
 - (5) No animals shall be allowed in the food preparation, food storage, or serving areas during food preparation and serving times.

- 441 IAC 120.8(1)“o” The provider shall document all injuries that require first aid or medical care using an injury report form. The form shall be completed on the date of occurrence, shared with the parent, and maintained in the child’s file.

441 IAC 120.8(2) Use of outdoor space.

- 441 IAC 120.8(2)“a” A safe outdoor play area shall be maintained in good condition throughout the year. The play area shall be fenced off when located on a busy thoroughfare or near a hazard which may be injurious to a child, and shall have both sunshine and shade areas. The play area shall be kept free from litter, rubbish, and flammable materials and shall be free from contamination by drainage or ponding of sewage, household waste, or storm water.
- 441 IAC 120.8(2)“b” When there is a swimming or wading pool on the premises:
 - (1) A wading pool shall be drained daily and shall be inaccessible to children when it is not in use.
 - (2) An above-ground or in-ground swimming pool that is not fenced shall be covered whenever the pool is not in use. The cover shall meet or exceed the ASTM International (formerly known as the American Society for Testing and Materials) specification intended to reduce the risk of drowning by inhibiting access to the water by children under five years of age.
 - (3) An uncovered above-ground swimming pool shall be enclosed with an approved fence that is non-climbable and has a minimum height of four feet.
 - (4) An uncovered in-ground swimming pool shall be enclosed with a fence that is non-climbable and is at least four feet high and flush with the ground.
- 441 IAC 120.8(2)“c” If children are allowed to use an above-ground or in-ground swimming pool:
 - (1) Written permission from parents shall be available for review.
 - (2) Equipment needed to rescue a child or adult shall be readily accessible.
 - (3) The child care provider shall accompany the children and provide constant supervision while the children use the pool.
 - (4) The child care provider shall complete training in cardiopulmonary resuscitation for infants, toddlers, and children, according to the criteria of the American Red Cross or the American Heart Association.

441 IAC 120.8(3) Medications and hazardous materials.

- 441 IAC 120.8(3)“a” All medicines and poisonous, toxic, or otherwise unsafe materials shall be secured from access by a child.
- 441 IAC 120.8(3)“b” A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, bottled water, disposable tweezers, and disposable plastic gloves.
- 441 IAC 120.8(3)“c” Medications shall be given only with the parent’s or doctor’s written authorization. Each prescribed medication shall be accompanied by a physician’s or pharmacist’s direction. Both nonprescription and prescription medications shall be in the original container with directions intact and labeled with the child’s name. All medications shall be stored properly and, when refrigeration is required, shall be stored in a separate, covered container so as to prevent contamination of food or other medications. All medications shall be stored so they are inaccessible to children. Any medication administered to a child shall be

recorded, and the record shall indicate the name of the medication, the date and time of administration, and the amount given.

- 441 IAC 120.8(3)“d” All new providers and those renewing registrations after September 30, 2016, shall not provide medications to a child if the provider has not completed pre-service or orientation training that includes medication administration.

441 IAC 120.8(4) Emergency plans: plans in case of man-made or natural disaster shall be written and posted by the primary and secondary exits. The plans shall clearly map building evacuation routes and tornado and flood shelter areas.

- 441 IAC 120.8(4)“a” Fire and tornado drills shall be practiced monthly and the provider shall keep documentation evidencing compliance with monthly practice on file for the current year and the previous year.
- 441 IAC 120.8(4)“b” The provider must have procedures in place for the following:
 - (1) Evacuation to safely leave the facility
 - (2) Relocation to a common, safe location after the evacuation
 - (3) Shelter-in-place to take immediate shelter where you are when it is unsafe to leave that location due to the emergent issue
 - (4) Lock down protocol to protect children and providers from an external situation
 - (5) Communication plan and plans for reunification with families
 - (6) Continuity of operations plans
 - (7) Procedures to address the needs of individual children, including those with functional or access needs

441 IAC 120.8(5) Safe sleep. Infant sleep shall conform to the following standards:

- 441 IAC 120.8(5)“a” The provider shall follow safe sleep practices as recommended by the American Academy of Pediatrics for infants under the age of one.
 - (1) Infants shall always be placed on their back for sleep.
 - (2) Infants shall be placed on a firm mattress with a tight fitted sheet that meets Consumer Product Safety Commission federal standards.
 - (3) Infants shall not be allowed to sleep on a bed, sofa, air mattress or other soft surface. No child shall be allowed to sleep in an infant seat, car seat, swing, bouncy seat, or items not designed for sleeping.
 - (4) No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant.
 - (5) No co-sleeping shall be allowed.
 - (6) Sleeping infants shall be actively observed by sight and sound.
 - (7) If an alternate sleeping position is needed, a signed physician authorization with statement of medical reason is required.

- 441 IAC 120.8(6) Discipline. Discipline shall conform to the following standards:
 - a. Corporal punishment including spanking, shaking, and slapping shall not be used.
 - b. Punishment which is humiliating or frightening or which causes pain or discomfort to the child shall not be used.
 - c. Punishment shall not be administered because of a child’s illness, or progress or lack of progress in toilet training, nor shall punishment or threat of punishment be associated with food or rest.
 - d. No child shall be subjected to verbal abuse, threats, or derogatory remarks about the child or the child’s family.
 - e. Discipline shall be designed to help the child develop self-control, self-esteem, and respect for the rights of others.

- 441 IAC 120.8(7) Meals. Regular meals and midmorning and midafternoon snacks shall be provided which are well-balanced, nourishing, and in appropriate amounts as defined by the USDA Child and Adult Care Food Program. Children may bring food to the child development home for their own consumption, but shall not be required to provide their own food.
 - a. Clean, sanitary, drinking water shall be readily available to children in indoor and outdoor areas, throughout the day.

441 IAC 120.9(237A) Files.

- 441 IAC 120.9(1) Children's files. An individual file is maintained for each child and updated annually or when there are changes. Each file contains:
 - a. Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child, and the parent's work address and telephone number.
 - b. Emergency information including, at a minimum, where the parent can be reached, the name, street address, city, and telephone number of the child's regular source of health care, and the name, telephone number, and relationship to the child of another adult available in case of emergency.
 - c. A signed medical consent from the parent authorizing emergency treatment.
 - d. An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician.
 - e. A statement of health condition signed by a physician or designee submitted annually from the date of the admission physical. For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physician statement.
 - f. A list signed by the parent which names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.
 - g. A signed and dated immunization certificate provided by the state Department of Public Health. For the school-age child, a copy of the most recent immunization record shall be acceptable.
 - h. Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:
 - (1) Times of departure and arrival.
 - (2) Destination.
 - i. If the child meets the definition of homelessness as defined by section 725(2) of the McKinney Vento Homeless Assistance Act, the family shall receive a 60 day grace period to obtain medical documentation.

Suggestions for Improvement:

Recommendation:

Non-compliance with any of the mandated requirements listed above may lead to the cancellation of your Child Care Assistance Provider Agreement. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations.**

Based on the items out of compliance listed above, you Choose an item. be required to have a recheck or follow up visit to your home.

Signature

Date

Please do not hesitate to contact me at DHS at if you have any questions regarding this letter.

Sincerely,

Social Worker II

Social Work Supervisor

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at .