

Care 4 Kids Program
Policy Transmittal
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Connecticut Office
of Early Childhood

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A handwritten signature in blue ink that reads "Julie Giaccone".

CC: Distribution List

Subject: Health & Safety Inspections for Programs Receiving Care 4 Kids Subsidy

Program Issue: The Child Care and Development Block Grant (CCDBG) Act of 2014 has made changes to improve the health, safety, and quality of care for children in child care settings. The Office of early Childhood (OEC) is requiring all licensed and license-exempt child care facilities be monitored annually in order to ensure compliance with the health and safety standards outlined in 45 CFR 98.41.

This transmittal supersedes C4K Operations Transmittal C4K-OPS-16-013, regarding Health and Safety Inspections for Programs Receiving Care 4 Kids Subsidy, dated September 30, 2016.

Background: 45 CFR 98.41 (a) states “Each Lead Agency shall certify that there are in effect, within the State (or other area served by the Lead Agency), under State, local or tribal law, requirements (appropriate to provider setting and age of children served) that are *designed, implemented, and enforced* to protect the health and safety of the child. Such requirements must be applicable to child care providers of services for which assistance is provided under this part...”

45 CFR 98.42 (a) states “Each lead Agency shall certify in the Plan that procedures are in effect to ensure that child care providers of services for which assistance is made available in accordance with this part, within the area served by the Lead Agency, comply with all applicable State, local, or tribal health and safety requirements, including those described in § 98.41.”

45 CFR 98.42 (b) (2) states “Each Lead Agency shall certify in the Plan it has monitoring policies and practices applicable to all child care providers and facilities eligible to deliver services for which assistance is provided under this part. The Lead Agency shall require inspections of child care providers and facilities, performed by licensing inspectors (or qualified inspectors designated by the Lead Agency).

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45 CFR 98.42 (b) (2) (i) states “For licensed child care providers and facilities, (A) Not less than one pre-licensure inspection for compliance with health, safety, and fire standards, and (B) Not less than annually, an unannounced inspection for compliance with all child care licensing standards, which shall include an inspection for compliance with health and safety, (including but not limited to, those requirements describes in § 98.41) and fire standards (inspectors may inspect for compliance with all three standards at the same time).”

45 CFR 98.42 (b) (2) (ii) states “For license-exempt child care providers and facilities that are eligible to provide services for which assistance is made available in accordance with this part, an annual inspection for compliance with health and safety (including, but not limited to, those requirements described in § 98.41), and fire standards.”

45 CFR 98.42 (c) states “For purposes of this section and § 98.41, Lead Agencies may exclude grandparents, great grandparents, siblings (if such providers live in a separate residence), aunts, or uncles, from the term "child care provider". If the Lead Agency chooses to exclude these providers, the Lead Agency shall provide a description and justification in the CCDF Plan, pursuant to § 98.16 (l), of requirements, if any, that apply to these providers.”

A license-exempt (DCEX) child care facility is a child care program that (1) falls within the licensing exemptions as outlined in the Connecticut General Statutes § 19a-77(b) and is therefore not required to obtain a child care licensing; (2) is actively serving children who receive Care 4 Kids subsidy; and (3) must complete a health and safety inspection by the OEC Licensing Division.

Directives:

A. Monitoring of Health and Safety Requirements for Licensed Child Care Centers, Group Child Care Homes and Family Child Care Homes:

The Regulations of Connecticut State Agencies (RCSA) for licensed child care centers and group child care homes, §§ 19a-79-1 through 19a-79-13, inclusive, and licensed family child care homes, §§ 19a-87b-1 through 19a-87b-18, inclusive, meet the health and safety requirements outlined in 45 CFR 98.41. Licensed programs are inspected at least annually and monitoring of the federal health and safety requirements is completed. If a program is not in compliance with a particular requirement, the program will be asked to submit a Corrective Action Plan (CAP) demonstrating how compliance will be achieved.

B. Monitoring of Health and Safety Requirements for License-Exempt Programs:

Effective September 30, 2016, the OEC Licensing Division began conducting annual onsite inspections of all license-exempt (DCEX) child care facilities that accept Care 4 Kids subsidy payments. When implemented, these inspections were to be completed no later than April 1, 2017. License-exempt DCEX programs are inspected at least annually and monitoring of the federal health and safety requirements outlined in 45 CFR 98.41 are completed. If a program is not in compliance with a particular requirement, the program will be asked to submit a Corrective Action Plan (CAP) demonstrating how compliance will be achieved.

If Care 4 Kids staff receive a Parent Provider Agreement Form for a center-based child care program that does not hold a child care license, Care 4 Kids shall contact the OEC Licensing Division to obtain verification of whether or not the program meets the criteria to be a license-exempt DCEX provider.

Once the OEC Licensing Division confirms that the program is a license-exempt DCEX program and has a DCEX number assigned, Care 4 Kids shall consider the program eligible the date that the DCEX number is issued. Care 4 Kids shall not authorize subsidy payments until verification of the DCEX number is received from the OEC Licensing Division.

If the OEC Licensing Division advises Care 4 Kids that the program does **NOT** meet the criteria to be a license-exempt DCEX program, Care 4 Kids shall consider that program ineligible and shall not authorize subsidy payments.

C. Monitoring of Health and Safety Requirements for Unlicensed Relative Providers

In accordance with 45 CFR 98.42 (c), unlicensed relative providers are excluded from the health and safety requirements and therefore do not require monitoring.

JG:kd