

ILLINOIS REGISTER

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Licensing Standards for Day Care Homes
- 2) Code Citation: 89 III. Adm. Code 406
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions</u>
406.2	Amendment
406.4	Amendment
406.5	Amendment
406.7	Amendment
406.8	Amendment
406.9	Amendment
406.10	Amendment
406.Appendix D	Amendment
- 4) Statutory Authority: Child Care Act of 1969 [225 ILCS 10], Children’s Product Safety Act [430 ILCS 125], Abused and Neglected Child Reporting Act [325 ILS 5/3], Carbon Monoxide Alarm Detector Act [430 ILCS 135/10], and Section 5 of the Missing Children Records Act [325 ILCS 50/5]
- 5) A Complete Description of the Subjects and Issues Involved:
 - SIDS, SUID, Safe Sleep and Shaken Baby Syndrome Training – Language is being proposed to clarify that these training requirements for new applicants are also required at renewal time (every 3rd year) for those licensed to care for infants.
 - Emergency Preparedness Plan – The need for an emergency preparedness plan will be clarified. In addition, the plan requires procedures for providers to notify parents if evacuation becomes necessary and how these parents will be reunited with their children; and procedures for evacuating children 30 months of age or less and special needs children.
 - Swimming Pools – The use of swimming pools will be prohibited during hours of child care unless the provider has a license issued by DPH to operate the swimming pool.
 - “No Firearms” Signage – A sign prohibiting bringing firearms into the home must be posted.

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- High School Diploma – Language is being proposed to comport with P.A. 98-0817, which allows a college or vocational school diploma in lieu of the high school diploma requirement.
 - Other Employment – Caregivers are not to work outside the home during hours for which the day care home is licensed.
 - Operable Telephone – The current operable telephone provision will be moved to an earlier place in its Section.
- 6) Published studies and reports, and sources of underlying data used to compose this rulemaking: None
 - 7) Will these proposed amendments replace an emergency rule currently in effect? No
 - 8) Do these proposed amendments contain an automatic repeal date? No
 - 9) Do these proposed amendments contain incorporations by reference? No
 - 10) Are there any other amendments pending on this Part? No
 - 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand the state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
 - 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

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The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: This rulemaking affects home-operated child care businesses that are subject to licensure by the Department.
 - B) Reporting, bookkeeping or other procedures required for compliance: The ability to retain records of compliance or non-compliance.
 - C) Types of professional skills necessary for compliance: The ability to understand and comply with licensing regulations affecting children's health and safety.
- 14) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the two most recent regulatory agendas because the need for the rulemaking was not anticipated.

The full text of the Proposed Amendments begins on the next page.